

1883.

NEW SOUTH WALES.

VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1883,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN FOUR VOLUMES,
AND SUPPLEMENTARY VOLUME.
VOL. III.

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LEGISLATIVE ASSEMBLY.
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1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

POSTAL COMMUNICATION WITH LONDON.

(RETURN.)

Ordered by the Legislative Assembly to be printed, 6 March, 1883.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, on the 16th February, 1883, That there be laid upon the Table of this House,—

“ A Return showing,—

“ (1.) The time taken by the Pacific Mail Company in the delivery of each
“ mail to and from London and Sydney since the commencement of their
“ present contract, with the cost of the same to the Colony.

“ (2.) The like information with reference to the P. & O. S. N. Company
“ for the same period.

“ (3.) The like with reference to the Orient S. N. Company since it has
“ been running.”

(*Mr. Young.*)

POSTAL COMMUNICATION WITH LONDON.

RETURN showing the time taken by the Pacific Mail Company in the delivery of each mail to and from London and Sydney since the commencement of the present contract.

INWARDS.

Name of Steamer.	Date of Departure from London.	Date of Arrival at Sydney.	No. of days occupied between London and Sydney.
	1878.	1879.	
City of Sydney	5 December	23 January	49
	1879.		
Australia	2 January	18 February	47
City of New York	30 "	18 March	47
Zealandia	27 February	15 April	47
City of Sydney	27 March	12 May	46
Australia	24 April	9 June	46
City of New York	22 May	9 July	48
Zealandia	19 June	3 August	45
City of Sydney	17 July	31 "	45
Australia	14 August	30 September	47
City of New York	11 September	26 October	45
Zealandia	9 October	23 November	45
City of Sydney	6 November	22 December	46
	1880.		
Australia	4 December	16 January	43
	1880.		
City of New York	1 January	15 February	45
Zealandia	29 "	15 March	46
City of Sydney	26 February	14 April	48
Australia	25 March	9 May	45
City of New York	22 April	6 June	45
Zealandia	20 May	3 July	44
City of Sydney	17 June	1 August	45
Australia	15 July	1 September	48
City of New York	12 August	25 "	44
Zealandia	9 September	23 October	44
City of Sydney	7 October	20 November	44
Australia	4 November	18 December	44
	1881.		
City of New York	2 December	19 January	48
Zealandia	30 "	14 February	46
	1881.		
City of Sydney	27 January	14 March	46
Australia	24 February	9 April	44
City of New York	24 March	9 May	46
Zealandia	21 April	3 June	43
City of Sydney	19 May	1 July	43
Australia	16 June	30 "	44
City of New York	14 July	30 August	47
Zealandia	11 August	22 September	43
City of Sydney	8 September	21 October	43
Australia	6 October	16 November	41
City of New York	3 November	19 December	46
	1882.		
Zealandia	1 December	16 January	46
City of Sydney	29 "	11 February	44
	1882.		
Australia	26 January	14 March	47
City of New York	23 February	9 April	45
Zealandia	23 March	6 May	44
City of Sydney	20 April	4 June	45
Australia	18 May	30 "	43
City of New York	15 June	29 July	44
Zealandia	13 July	24 August	42
City of Sydney	10 August	22 September	43
Australia	7 September	20 October	43
City of New York	5 October	18 November	44
Zealandia	3 November	15 December	42

RETURN showing time taken by the Pacific Mail Company's vessels—*continued.*

OUTWARDS.

Name of Steamer.	Date of Departure from Sydney.	Date of Arrival at London.	No. of days occupied between Sydney and London.
	1879.	1879.	
City of New York	2 January ...	16 February ...	45
Zealandia	30 " ...	16 March ...	45
City of Sydney	27 February ...	13 April ...	45
Australia	27 March ...	11 May ...	45
City of New York	24 April ...	7 June ...	44
Zealandia	22 May ...	5 July ...	44
City of Sydney	19 June ...	2 August ...	44
Australia	17 July ...	30 " ...	44
City of New York	14 August ...	28 September ...	45
Zealandia	11 September ...	28 October ...	47
City of Sydney	9 October ...	23 November ...	45
Australia	6 November ...	22 December ...	46
	1880.		
City of New York	4 December ...	18 January ...	45
	1880.		
Zealandia	1 January ...	18 February ...	48
City of Sydney	29 " ...	13 March ...	44
Australia	26 February ...	12 April ...	46
City of New York	25 March ...	10 May ...	46
Zealandia	22 April ...	3 June ...	42
City of Sydney	20 May ...	4 July ...	45
Australia	17 June ...	3 August ...	47
City of New York	15 July ...	29 " ...	45
Zealandia	12 August ...	26 September ...	45
City of Sydney	9 September ...	22 October ...	43
Australia	7 October ...	21 November ...	45
City of New York	4 November ...	21 December ...	47
	1881.		
Zealandia	2 December ...	19 January ...	48
City of Sydney	30 " ...	20 February ...	52
	1881.		
Australia	27 January ...	14 March ...	46
City of New York	24 February ...	23 April ...	58
Zealandia	24 March ...	7 May ...	44
City of Sydney	21 April ...	5 June ...	45
Australia	19 May ...	2 July ...	44
City of New York	16 June ...	31 " ...	45
Zealandia	14 July ...	26 August ...	43
City of Sydney	11 August ...	23 September ...	43
Australia	8 September ...	21 October ...	43
City of New York	6 October ...	18 November ...	43
Zealandia	3 November ...	17 December ...	44
	1882.		
City of Sydney	1 December ...	14 January ...	44
Australia	29 " ...	12 February ...	45
	1882.		
City of New York	26 January ...	14 March ...	47
Zealandia	23 February ...	7 April ...	43
City of Sydney	23 March ...	4 May ...	42
Australia	20 April ...	2 June ...	43
City of New York	18 May ...	30 " ...	43
Zealandia	15 June ...	27 July ...	42
City of Sydney	13 July ...	24 August ...	42
Australia	10 August ...	21 September ...	42
City of New York	7 September ...	20 October ...	43
Zealandia	5 October ...	16 November ...	42
City of Sydney	2 November ...	16 December ...	44
Australia	30 " ...	Information not yet to hand.	

RETURN showing the time taken by the Peninsular and Oriental Steam Navigation Company in the delivery of each mail to and from London and Sydney, since the commencement of the present contract with the Pacific Mail Steamship Company.

INWARDS.

Name of Steamer.	Date of Departure from London.	Date of Arrival at Sydney overland from Melbourne.	No. of days occupied between London and Sydney.
	1878.	1879.	
Tanjore	22 November	6 January	45
Siam	20 December	1 February	43
	1879.		
Assam	16 January	3 March	46
Tanjore	14 February	28 "	42
Siam	14 March	24 April	41
Assam	11 April	24 May	43
Tanjore	9 May	19 June	41
Siam	6 June	17 July	41
Assam	4 July	18 August	45
Tanjore	1 August	13 September	43
Siam	29 "	9 October	41
Assam	26 September	7 November	42
Tanjore	31 October	11 December	41
		1880.	
Siam	21 November	1 January	41
Indus	5 December	19 "	45
Assam	19 "	31 "	43
	1880.		
Deccan	2 January	16 February	45
Tanjore	16 "	27 "	42
Bangalore	30 "	15 March	45
Siam	13 February	25 "	41
Assam	27 "	15 April	48
Hydaspes	12 March	21 "	40
Malwa	26 "	6 May	41
Tanjore	9 April	20 "	41
Bangalore	23 "	4 June	42
Siam	7 May	17 "	41
Assam	21 "	1 July	41
Hydaspes	4 June	15 "	42
Kaiser-i-Hind	18 "	28 "	40
Malwa	2 July	11 August	40
Bangalore	16 "	26 "	41
Assam	30 "	15 September	47
Siam	13 August	22 "	40
Hydaspes	27 "	6 October	40
Malwa	10 September	22 "	43
Rosetta	24 "	4 November	41
Khedive	8 October	19 "	42
Bokhara	22 "	2 December	41
Siam	5 November	17 "	43
Cathay	19 "	30 "	41
		1881.	
Hydaspes	3 December	13 January	41
Peshawur	31 "	8 February	39
Rohilla	17 "	27 January	41
	1881.		
Brindisi	14 January	24 February	41
Bokhara	28 "	11 March	42
Cathay	11 February	23 "	40
Hydaspes	25 "	6 April	40
Rosetta	11 March	20 "	40
Khedive	25 "	5 May	41
Kashgar	8 April	20 "	42
Bokhara	22 "	1 June	40
Cathay	6 May	16 "	41
Hydaspes	20 "	28 "	39
Venetia	3 June	14 July	41
Malwa	17 "	27 "	40
Kaiser-i-Hind	1 July	10 August	40
Bokhara	15 "	24 "	40
Cathay	29 "	8 September	41
Hydaspes	12 August	21 "	40
Venetia	26 "	4 October	39
Ravenna	9 September	18 "	39

RETURN showing the time taken by the P. and O. S. N. Co.'s Vessels—*continued.*INWARDS—*continued.*

Name of Steamer.	Date of Departure from London.	Date of Arrival at Sydney overland from Melbourne.	No. of days occupied between London and Sydney.
	1881.	1881.	
Indus	23 September	1 November	39
Rohilla... ..	7 October	16 " ...	40
Rome	21 " ...	29 " ...	39
Carthage	4 November	13 December	39
Surat	18 " ...	30 " ...	42
		1882.	
Khedive	2 December	14 January	43
Mirzapore	16 " ...	27 " ...	42
Rosetta	30 " ...	7 February	39
	1882.		
Assam	13 January	25 " ...	43
Shannon	27 " ...	8 March ...	40
Clyde	10 February	21 " ...	39
Indus	24 " ...	6 April ...	41
Rohilla... ..	10 March ...	19 " ...	40
Carthage	24 " ...	3 May ...	40
Hydaspes	7 April ...	19 " ...	42
Peshawur	21 " ...	1 June ...	41
Malwa	5 May ...	14 " ...	40
Sutlej	19 " ...	28 " ...	41
Mirzapore	2 June ...	12 July ...	40
Ravenna	16 " ...	25 " ...	40
Rome	30 " ...	8 August ...	39
Clyde	14 July ...	22 " ...	39
Indus	28 " ...	6 September	40
Rohilla... ..	11 August ...	22 " ...	42
Verona... ..	25 " ...	6 October...	42
Ancona	8 September	20 " ...	42
Peshawur	22 " ...	13 November	52
Kaiser-i-Hind	6 October...	16 " ...	42
Rosetta	20 " ...	30 " ...	41
Assam	2 November	15 December	44

OUTWARDS.

Name of Steamer.	Date of Departure overland from Sydney.	Date of Arrival in London.	No. of days occupied between Sydney and London.
	1879.	1879.	
Tanjore	22 January	8 March ...	45
Siam	19 February	6 April ...	46
Assam	19 March ...	3 May ...	45
Tanjore	14 April ...	31 " ...	47
Siam	12 May ...	27 June ...	46
Assam	9 June ...	27 July ...	48
Tanjore	7 July ...	26 August ...	50
Siam	4 August ...	19 September	46
Assam	1 September	18 October...	47
Tanjore	1 October...	15 November	45
Siam	29 " ...	13 December	45
		1880.	
Assam	26 November	12 January	47
Tanjore	23 December	5 February	44
	1880.		
Siam	20 January	4 March ...	44
Indus	3 February	18 " ...	44
Assam	17 " ...	1 April ...	44
Deccan... ..	2 March ...	15 " ...	44
Tanjore	16 " ...	28 " ...	43
Bangalore	30 " ...	12 May ...	43
Siam	10 April ...	26 " ...	46
Assam	24 " ...	10 June ...	47
Hydaspes	11 May ...	25 " ...	45
Malwa	25 " ...	11 July ...	47
Tanjore	8 June ...	24 " ...	46
Bangalore	22 " ...	8 August ...	47
Siam	6 July ...	22 " ...	45

RETURN showing the time taken by the P. & O. S. N. Co.'s vessels—*continued.*OUTWARDS—*continued.*

Name of Steamer.	Date of Departure overland from Sydney.	Date of Arrival in London.	No. of days occupied between Sydney and London.
	1880.	1880.	
Assam	20 July ...	8 September ...	50
Hydaspes	3 August ...	16 " ...	44
Kaiser-i-Hind	17 " ...	30 " ...	44
Malwa	31 " ...	13 October... ..	43
Bangalore	13 September ...	28 " ...	45
Assam	30 " ...	12 November ...	43
Siam	13 October... ..	24 " ...	42
Hydaspes	27 " ...	8 December ...	42
Malwa	10 November ...	22 " ...	42
		1881.	
Rosetta	24 " ...	5 January ...	42
Khedive	8 December ...	19 " ...	42
Bokhara	22 " ...	1 February ...	42
	1881.		
Siam	5 January ...	16 " ...	42
Cathay... ..	17 " ...	28 " ...	42
Hydaspes	31 " ...	14 March ...	42
Rohilla... ..	14 February ...	29 " ...	43
Peshawur	28 " ...	10 April ...	41
Brindisi	14 March ...	25 " ...	42
Bokhara	28 " ...	8 May ...	41
Cathay... ..	8 April ...	23 " ...	45
Hydaspes	22 " ...	7 June ...	46
Rosetta	7 May ...	21 " ...	45
Khedive	21 " ...	5 July ...	45
Kasghar	4 June ...	19 " ...	45
Bokhara	18 " ...	2 August... ..	45
Cathay... ..	2 July ...	16 " ...	45
Hydaspes	16 " ...	29 " ...	44
Venetia	30 " ...	11 September ...	43
Malwa	13 August... ..	25 " ...	43
Kaiser-i-Hind	27 " ...	10 October... ..	44
Bokhara	10 September ...	24 " ...	44
Cathay... ..	26 " ...	7 November ...	42
Hydaspes	10 October... ..	21 " ...	42
Venetia	24 " ...	4 December ...	41
Ravenna	7 November ...	18 " ...	41
		1882.	
Indus	21 " ...	2 January ...	42
Rohilla... ..	5 December ...	18 " ...	44
Rome	19 " ...	29 " ...	44
	1882.		
Carthage	2 January ...	12 February ...	41
Surat	16 " ...	27 " ...	42
Khedive	30 " ...	12 March ...	41
Rosetta	14 February ...	27 " ...	41
Mirzapore	28 " ...	10 April ...	41
Assam	14 March ...	24 " ...	41
Shannon	28 " ...	9 May ...	42
Clyde	11 April ...	22 " ...	41
Indus	22 " ...	6 June ...	45
Rohilla... ..	6 May ...	18 " ...	43
Carthage	20 " ...	3 July ...	44
Hydaspes	3 June ...	19 " ...	46
Peshawur	17 " ...	2 August... ..	46
Malwa	1 July ...	15 " ...	45
Sutlej	15 " ...	4 September ...	50
Mirzapore	29 " ...	20 " ...	53
Ravenna	12 August... ..	29 " ...	48
Rome	26 " ...	11 October... ..	46
Clyde	9 September ...	25 " ...	46
Indus	23 " ...	10 November ...	48
Rohilla... ..	10 October... ..	23 " ...	44
Verona... ..	24 " ...	6 December ...	43
Ancona	7 November ...	18 " ...	41
Peshawur	21 " ...		
Kaiser-i-Hind	5 December ...		
Rosetta	19 " ...		
		Information not yet to hand.	

RETURN showing the time taken by the Orient Steam Navigation Company in the delivery of each mail to and from London and Sydney since it has been running.

INWARDS.

Name of Steamer.	Date of Departure from London.	Date of Arrival at Sydney overland from Melbourne.	No. of days occupied between London and Sydney.
	1878.	1879.	
Lusitania	28 November	24 January	57
Garonne	28 December	22 February	56
	1879.		
John Elder	29 January	17 March	47
Chimbarazo	26 February	17 April	50
Cuzco	26 March	14 May	49
Aconcagua	23 April	11 June	49
Lusitania	21 May	10 July	50
Garonne	18 June	9 August	52
John Elder	16 July	3 September	49
Chimborazo	13 August	1 October	49
Cuzco	10 September	27 "	47
Aconcagua	8 October	26 November	49
Orient	5 November	20 December	45
	1880.		
Lusitania	3 December	21 January	49
Garonne	31 "	18 February	49
	1880.		
John Elder	14 January	1 March	47
Sorata	20 February	6 April	48
Chimborazo	16 "	8 "	52
Cuzco	5 March	21 "	47
Aconcagua	19 "	7 May	49
Orient	2 April	15 "	43
Cotopaxi	16 "	31 "	45
Lusitania	30 "	16 June	47
Liguria... ..	14 May	30 "	47
Garonne	28 "	21 July	54
Potosi	11 June	23 "	42
Chimborazo	25 "	13 August	49
John Elder	9 July	25 "	47
Sorata	23 "	9 September	48
Cuzco	6 August	24 "	49
Aconcagua	20 "	8 October	49
Orient	3 September	20 "	47
Cotopaxi	17 "	3 November	47
Lusitania	1 October	18 "	48
Liguria... ..	15 "	1 December	47
Potosi	29 "	15 "	47
	1881.		
Garonne	12 November	3 January	52
Chimborazo	26 "	13 "	48
John Elder	10 December	27 "	48
Cuzco	24 "	15 February	53
	1881.		
Aconcagua	7 January	22 "	46
Cotopaxi	21 "	9 March	47
Orient	4 February	21 "	45
Lusitania	17 "	5 April	47
Liguria	4 March	21 "	48
Potosi	25 "	13 May	49
Chimborazo	13 April	3 June	51
John Elder	29 "	15 "	47
Cuzco	13 May	1 July	49
Cotopaxi	27 "	11 "	45
Orient	10 June	25 "	45
Garonne	24 "	12 August	49
Lusitania	8 July	23 "	46
Liguria	22 "	5 September	45
Potosi	5 August	26 "	52
Chimborazo	19 "	8 October	50
John Elder	2 September	20 "	48
Sorato	16 "	1 November	46
Cuzco	30 "	18 "	49
Cotopaxi	14 October	29 "	46
Orient	28 "	8 December	41

RETURN showing the time taken by the Orient Steam Navigation Company's vessels—*continued.*INWARDS—*continued.*

Name of Steamer.	Date of Departure from London.	Date of Arrival at Sydney overland from Melbourne.	No. of days occupied between London and Sydney.
	1881.	1882.	
Garonne	11 November	9 January	59
Lusitania	25 " "	12 " "	48
Liguria	9 December	24 " "	46
Potosi	30 " "	17 February	49
	1882.		
Chimborazo	13 January	4 March	50
John Elder	27 " "	17 " "	49
Sorata	10 February	28 " "	46
Cuzco	24 " "	14 April	49
Cotopaxi	10 March	25 " "	46
Orient	24 " "	8 May	45
Lusitania	6 April	24 " "	48
Liguria	21 " "	3 June	43
Garonne	5 May	26 " "	52
Austral	19 " "	29 " "	41
Potosi	2 June	19 July	47
Chimborazo	16 " "	2 August	47
John Elder	30 " "	16 " "	47
Sorata	14 July	28 " "	45
Cuzco	28 " "	12 September	46
Cotopaxi	11 August	23 " "	43
Liguria	25 " "	12 October	48
Austral	8 September	1 November	53
Garonne	22 " "	11 " "	50
Potosi	6 October	23 " "	48
Orient	20 " "	4 December	45
Chimborazo	3 November	22 " "	49

OUTWARDS.

Name of Steamer.	Date of Departure overland from Sydney.	Date of Arrival at London.	No. of days occupied between Sydney and London.
	1879.	1879.	
Aconcagua	11 January	1 March	49
Lusitania	13 February	29 " "	44
Garonne	13 March	5 May	53
John Elder	10 April	23 " "	43
Chimborazo	10 May	27 June	48
Cuzco	10 June	27 July	46
Aconcagua	9 July	26 August	48
Lusitania	12 August	25 September	44
Garonne	10 September	26 October	46
John Elder	7 October	22 November	46
Chimborazo	5 November	20 December	45
	1880.		
Cuzco	3 December	20 January	48
Aconcagua	23 " "	5 February	44
Orient	29 January	11 March	41
Lusitania	18 February	5 April	46
Garonne	11 March	26 " "	46
John Elder	3 April	19 May	46
Chimborazo	17 " "	1 June	45
Sorata	1 May	10 " "	40
Cuzco	15 " "	3 July	49
Aconcagua	29 " "	13 " "	45
Orient	12 June	22 " "	40
Cotopaxi	26 " "	4 August	39
Lusitania	10 July	22 " "	43
Liguria	26 " "	2 September	38
Garonne	9 August	21 " "	43
Potosi	23 " "	2 October	40
Chimborazo	7 September	18 " "	41

RETURN showing the time taken by the Orient Steam Navigation Company's vessels—*continued*.
OUTWARDS—*continued*.

Name of Steamer.	Date of Departure overland from Sydney.	Date of Arrival in London.	No. of Days occupied between Sydney and London.
	1880.	1880.	
John Elder	10 September ...	30 October ...	40
Cuzco	5 October ...	14 November ...	40
Aconcagua	16 " ...	30 " ...	45
Orient	1 November ...	8 December ...	37
Cotopaxi	15 " ...	23 " ...	38
		1881.	
Lusitania	29 " ...	10 January ...	42
Liguria	14 December ...	22 " ...	39
Potosi	28 " ...	3 February ...	37
	1881.		
Garonne	17 January ...	4 March ...	46
Chimborazo	31 " ...	12 " ...	40
John Elder	14 February ...	25 " ...	39
Cuzco	28 " ...	10 April ...	41
Aconcagua	14 March ...	24 " ...	41
Cotopaxi	26 " ...	5 May ...	40
Orient	9 April ...	16 " ...	37
Lusitania	23 " ...	4 June ...	42
Liguria	7 May ...	16 " ...	40
Potosi	21 " ...	1 July ...	41
Chimborazo	11 June ...	24 " ...	43
John Elder	25 " ...	6 August ...	42
Sorata	9 July ...	18 " ...	40
Cuzco	22 " ...	1 September ...	41
Cotopaxi	5 August ...	11 " ...	37
Orient	20 " ...	29 " ...	40
Garonne	3 September ...	18 October ...	45
Lusitania	19 " ...	31 " ...	42
Liguria	3 October ...	12 November ...	40
Potosi	17 " ...	28 " ...	42
Chimborazo	31 " ...	11 December ...	41
John Elder	14 November ...	26 " ...	42
		1882.	
Sorata	28 " ...	10 January ...	43
Cuzco	12 December ...	23 " ...	42
Cotopaxi	26 " ...	4 February ...	40
	1882.		
Orient	3 January ...	12 " ...	40
Lusitania	24 " ...	5 March ...	40
Liguria	20 February ...	2 April ...	41
Garonne	28 " ...	15 " ...	46
Potosi	7 March ...	18 " ...	42
Chimborazo	20 " ...	1 May ...	42
John Elder	4 April ...	15 " ...	41
Sorata	17 " ...	29 " ...	42
Cuzco	28 " ...	11 June ...	44
Cotopaxi	12 May ...	18 " ...	37
Orient	27 " ...	3 July ...	37
Lusitania	10 June ...	27 " ...	47
Liguria	23 " ...	7 August ...	45
Austral	10 July ...	28 " ...	49
Garonne	22 " ...	21 September ...	61
Potosi	4 August ...	2 October ...	59
Chimborazo	18 " ...	19 " ...	62
John Elder	1 September ...	16 " ...	45
Sorata	18 " ...	30 " ...	42
Cuzco	26 " ...	10 November ...	45
Cotopaxi	9 October ...	15 " ...	37
Liguria	23 " ...	2 December ...	40
Garonne	29 November ...		
Potosi	11 December ...		
Orient	25 " ...		

} Information not yet to hand.

RETURN showing the cost of the San Francisco Mail Service since the commencement of the Pacific Mail Steamship Company's present contract, and the same with reference to the Peninsular and Oriental Steam Navigation Company and Orient Steam Navigation Company for the same period.

Year.	San Francisco Mail Service, net cost.	Peninsular and Oriental Company, net cost.	Orient S.N. Company, net cost.
	£ s. d.	£ s. d.	
1879... ..	20,661 4 7	2,760 9 10	} Nil.
1880... ..	23,794 4 4	2,972 15 5	
1881... ..	25,401 0 0	4,155 0 0	
1882... ..	20,254 0 0	4,737 0 0	

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUDGEE POST AND TELEGRAPH OFFICE.

(RETURN OF DIMENSIONS, &c.)

Ordered by the Legislative Assembly to be printed, 3 April, 1883.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 20th March, 1883, That there be laid upon the Table of this House,—

“ A Return showing :—

- “ (1.) The dimensions of the room or rooms used for public business at the Mudgee Post Office.
- “ (2.) The like information with reference to the Mudgee Telegraph Office.
- “ (3.) The dimensions of the apartment at the convenience of persons wishing to write telegrams for transmission.
- “ (4.) The dimensions of the apartment for the delivery of letters and newspapers, specially showing the portion set apart as a Money Order Office.
- “ (5.) The number of persons employed in the Post and Telegraph Offices at Mudgee.
- “ (6.) The number of letters and telegrams received and despatched at these offices during the year 1882, and the number and value of the money orders transmitted during the same period.”

(*Mr. A. G. Taylor.*)

RETURN respecting Mudgee Post and Telegraph Office.

Dimensions of room used for Post Office business.	Dimensions of room used for telegraph business.	Dimensions of apartment at convenience of persons wishing to write telegrams.	Dimensions of apartment for delivery of letters and newspapers.*	Number of persons employed in Post Office.	Number of persons employed in Telegraph Office.	Number of letters received during 1882.	Number of letters despatched during 1882.	Number of telegrams received during 1882.	Number of telegrams despatched during 1882.	Number of money orders transmitted during 1882.	Value of money orders transmitted during 1882.
24ft. x 20ft.	10ft. x 14ft.	14ft. x 4ft.	6ft. x 4ft. 6in.	8	6	214,168	200,672	10,325†	10,087	2,289	£ s. d. 7,855 13 0

* No special portion is set apart for Money Order business, which is transacted in the space given under this heading.

† This does not include the number received at Mudgee for re-transmission, which was 32,302.

General Post Office,
Sydney, 2nd April, 1883.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LETTER-CARRIERS.

(PETITION FOR INCREASED REMUNERATION.)

Received by the Legislative Assembly, 6 March, 1883.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned Letter-carriers,—

RESPECTFULLY SHOWETH:—

1. That your Petitioners are engaged as Letter-carriers in connection with the General Post-office, at Sydney.

2. That the salaries received by your Petitioners as such Letter-carriers range from £100 to £156 per annum, according to grade, and that the greater number of your Petitioners have been employed in the Public Service for a considerable time, in some instances as long as thirty years.

3. That your Petitioners are with difficulty, in consequence of the increase of house-rent and high price of necessaries in Sydney aforesaid, unable to maintain and support themselves and families out of the salaries so received by them as aforesaid; and that as the duties of your Petitioners require their early attendance at the office in the morning they are compelled to reside in or as near to Sydney aforesaid as possible.

4. That the labours of your Petitioners have been increased of late to four deliveries per diem, instead of three as heretofore, and that your Petitioners are engaged almost constantly for a period of ten hours daily, namely, from 6:30 a.m. to 5:30 p.m., in discharging their duties, as well as delivering on public holidays one delivery at least.

5. That the salaries paid to your Petitioners are much less than persons employed in a similar trade by the Government, and much less than the wages paid to artizans, workmen, and labourers engaged in the various trades or callings in Sydney aforesaid, namely:—

Painters, who receive from 9s. to 11s. a day of eight hours.

Stonemasons, who receive from 11s. to 14s. a day of eight hours.

Plasterers, who receive from 9s. to 11s. a day of eight hours.

Bricklayers, who receive from 11s. to 13s. a day of eight hours.

Warders (Gaol), who receive from 7s. to 9s. a day of eight hours.

Turncocks, who receive from 9s. to 11s. a day of eight hours.

Labourers, who receive from 7s. to 10s. a day of eight hours.

6. That your Petitioners are exposed, in the discharge of their duties, to all kinds of weather, and that very great responsibility is attached to the discharge of such duties in a proper manner.

Your Petitioners therefore respectfully pray that your Honorable House will be pleased to favourably consider the matter of this Petition.

[Here follow 69 signatures.]

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SAN FRANCISCO MAIL SERVICE.

(MESSAGE No. 33.)

Ordered by the Legislative Assembly to be printed, 19 April, 1883.

AUGUSTUS LOFTUS,
Governor.

Message No. 33.

In accordance with the provisions contained in the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with the Maintenance of Steam Postal Communication between Sydney and San Francisco.

*Government House,
Sydney, 19th April, 1883.*

1883.

NEW SOUTH WALES.

ELECTRIC TELEGRAPHS.

(REGULATIONS REGARDING "DELAYED" TELEGRAMS.)

Presented to Parliament, pursuant to Act 20 Vict. No. 41, sec. 6.

General Post Office,

Sydney, 16 January, 1883.

HIS Excellency the Governor, with the advice of the Executive Council, has approved of telegraphic messages marked "*Delayed*," and handed in at any local station during business hours, being sent at half the ordinary rates within the Colony, such messages to be transmitted to destination after the close of the day's business,—to take effect from the 1st March next.

F. A. WRIGHT.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SINKING OF THE "AUSTRAL."

(POWERS OF THE MARINE BOARD AND THE IMPERIAL BOARD OF TRADE—OPINION OF ATTORNEY-GENERAL.)

Ordered by the Legislative Assembly to be printed, 1 March, 1883.

OPINION of the Hon. the Attorney-General *in re* the "Austral" casualty, the Marine Board of this Colony, and the Imperial Board of Trade.

MY Honorable Colleague the Colonial Treasurer has referred to me for advice on the question of the right of the Imperial Board of Trade to interfere with the jurisdiction of our Marine Board in the conduct of official inquiries. I may say at once that no such right exists; nor am I aware that any such pretension on the part of the Board of Trade has been made. On the sinking of the "Austral," the Marine Board would appear, from papers sent herewith, to have entered on the inquiry, with which, in my opinion, that Board should have proceeded to the end. On the 1st of December last year a letter was addressed by the Solicitors of the Orient Company, the owners of the ship, to the Colonial Secretary, suggesting that directions should be given to the Marine Board of this Colony to stay its proceedings in the matter of the inquiry into the sinking of the vessel. It was represented in this communication that the Imperial Board of Trade had ordered a full and searching inquiry in England into this disaster, and that a telegram had been sent by the Imperial Government to His Excellency the Governor, requesting the Marine Board inquiry to be stayed. This telegram was received. As a matter of fact the proceedings were stayed, and no inquiry was held by the Marine Board. I am now in possession of information which shows how this was accomplished. In a despatch from the Secretary of State for the Colonies, of date the 29th November, 1882, a copy of a letter from the Board of Trade, of date the 25th November, is referred to. This communication formed the subject of the telegram from the Secretary of State for the Colonies to the Governor. It represented that it would be very desirable that the inquiry should be held in England, because questions of construction and stability were involved in it, which could not properly be investigated without the plans of the ship and the evidence of certain scientific witnesses who were in England; and it requested the Colonial Secretary to move His Excellency the Governor to forego the projected inquiry. This was done and the inquiry was no longer prosecuted. I am clearly of opinion that no circumstances existed to justify the Marine Board in abandoning the inquiry. I know it is contended that, under a provision contained in a recent Imperial Statute, a difficulty would have arisen had the inquiry been proceeded with here. I am unable to perceive the existence of any such difficulty. This vessel foundered in our harbour. Her sinking occasioned the deaths of several persons. The material question for the investigation of the Marine Board was whether this casualty was occasioned by the incompetency or misconduct of any officers of the ship. All the evidence necessary for such an investigation could be

obtained here—and nowhere else. The Marine Board could have procured it at once, and without difficulty. By surrendering its functions, it has in all probability rendered the procurement of such evidence impossible anywhere. By the 45th and 46th Victoria chap. 46, it is provided that no inquiry should be held under the Act into any shipwreck or other casualty, or charge of incompetency or misconduct, which *has once been the subject* of such an inquiry, and *has been reported on* by any competent Court or tribunal in any part of Her Majesty's dominions, or in respect of which the certificate of a master, mate, or engineer, has been suspended or cancelled by a Naval Court; and also that when any inquiry *has been commenced in the United Kingdom* no inquiry shall be made in the same case under the authority of this Act in any British possession. Now, in the first place, no such inquiry had taken place at the time when the Marine Board abandoned its inquiry. It is needless to say no such inquiry had been reported upon by a competent tribunal. Indeed, as far as I can perceive from the papers, no such inquiry had been, or has now been, entered upon by the Board of Trade; and I am informed no witnesses have left this Colony for England up to the present time to give evidence in such inquiry. The consequence is that no satisfactory inquiry can now take place at all. I am not in any way impressed by the argument as to the necessity of scientific witnesses being called. It may have been very interesting as a question of naval architecture to have obtained the testimony of such witnesses; but I am constrained to point out that the absence of such witnesses from this country (which by the way may be an entirely gratuitous assumption for all I know) furnished no justification for the course pursued by the Marine Board. Their duty was clearly to ascertain whether this casualty had been occasioned by incompetency or misconduct. This question could not have been affected in any way by peculiarities in the construction of the vessel, if any such peculiarities existed, for these circumstances should have been fully known to those in charge of the ship, and who were responsible for her safety. To hold anything else would be to suppose that this vessel was under the care of men who knew nothing of the principles of her construction; and that such information could alone be obtained from people in England who had nothing to do with the navigation of the ship. I am clearly of opinion that the Marine Board surrendered its undoubted right to make this inquiry, and that the result of such surrender will necessarily be that no satisfactory inquiry can be made at all, and that a failure of justice has taken place. The greatness of the casualty, the magnitude of the interests, and the importance of the principles involved in the case, have seemed to me to justify the labour which I have bestowed on its consideration. I would suggest to my Honorable Colleague the Colonial Treasurer that, in order to avoid the danger of the course which has been pursued being taken as a precedent, a copy of this Opinion should be forwarded to the Marine Board for its guidance.

WILLIAM BEDE DALLEY,
Attorney-General.

Crown Law Offices, Macquarie-street,
February 27th, 1883.

1883.

NEW SOUTH WALES.

SINKING OF THE "AUSTRAL."

(MINUTE OF THE MARINE BOARD, AND FURTHER OPINION OF THE ATTORNEY-GENERAL THEREON.)

Ordered by the Legislative Assembly to be printed, 7 March, 1883.

MINUTE of the Marine Board.

THE Marine Board have to acknowledge the receipt of the printed copies of the opinion of the Honorable the Attorney-General upon their action with respect to the inquiry into the foundering of the steamship "Austral," which opinion they remark had been supplied to, and commented upon, by the Press, before it reached the Board.

The Board deprecate this action, because their conduct has thus been prejudged by the public before the Board were allowed an opportunity of considering the opinion which conveys so grave a censure upon them. It now appears, from the papers forwarded to this office, that Mr. Dalley has given his opinion upon incomplete data, and that several communications, including those from the late Colonial Treasurer, which mainly guided the Board in the action they took, have not been submitted to him at all. They would also remark that the papers now received by the Board, with Mr. Dalley's opinion, and which appear to have formed the grounds for that opinion, have never been seen by the Board until now, and therefore it is needless to say could have had no influence upon their action in the matter. Under these circumstances they respectfully request, in justice to themselves and for their future guidance, that these papers should be forwarded to the Honorable the Attorney-General, and he be at once moved to give his opinion as to whether, in view especially of the communications from the Treasury, the Marine Board would have been justified in defiantly going on with the "Austral" inquiry after the Colonial Treasurer had decided that the inquiry should not be held by them.

The Under-Secretary for Finance and Trade.

By order,

G.S.L., 5/3/83.

The Attorney-General, for perusal.—G.R.D., 6/3/83.

FURTHER OPINION of the Honorable the Attorney-General *in re* the "Austral" Casualty, the Marine Board of this Colony, and the Imperial Board of Trade.

My honorable colleague, the Honorable the Colonial Treasurer, has forwarded to me the minute of the Marine Board, addressed to the Under Secretary for Finance and Trade, concerning my opinion of the 27th February, as to the conduct of the Marine Board with respect to the inquiry into the foundering of the steamship "Austral."

Concerning their remark that the opinion had been made the subject of comments in the press before it reached the Board I have no observation to offer. The document was laid on the Table of the Assembly by my colleague, and by that circumstance became properly the subject for public discussion. The Marine Board complains that several communications, including some from the late Colonial Treasurer, which, as is alleged, mainly guided the Board in the action they took, were not submitted to me before my opinion was asked, and that such opinion was consequently given upon incomplete data. The Board also remarks that certain papers forwarded to the Board with my opinion had not been seen by the Board previously. Under these circumstances the Board requests, for its future guidance, that these papers should be forwarded to me, and that my opinion should be obtained as to whether the Board, in view especially of certain communications from the Treasurer, forwarded herewith, would have been justified in going on with the "Austral" inquiry after the Colonial Treasurer had decided that the inquiry should not be held by the Board. The papers forwarded to me consist of Lord Kimberley's cablegram to His Excellency (of which I was already aware), an inquiry by the Governor as to whether the request contained in that telegram could be carried out, and three other communications, to which I shall presently refer, neither of which I had actually seen, but of the substance of which I was perfectly well aware, and neither of which affect the case in the slightest degree. The first, dated 27th November, is a letter from the Under-Secretary for Finance and Trade, asking that the inquiry should be adjourned as the Home Government, at the instance of the Board of Trade, were in communication with this Government on the subject. The two other documents are as follow:—

Telegram to Young, addressed to The Honorable James Watson.

"THE Imperial Government have telegraphed to His Excellency, at the instance of the Board of Trade, requesting that the inquiry *re* 'Austral' may be held in London, on return of the vessel, instead of in Sydney. The telegram was forwarded to the Treasury by His Excellency, and on my own responsibility I asked the Marine Board to delay commencing proceedings. They adjourned accordingly till Monday next. I now beg to ask whether there is any objection to the request of the Home Government."

G.E.,

1st Dec., 1882.

Under Secretary for Finance and Trade.

Telegram from Young, addressed to The Hon. G. Eagar, the Treasury.

"I approve of the course you have taken in directing that the inquiry into the sinking of the 'AUSTRAL' shall not be held by the Marine Board.

JAMES WATSON,
1st Dec., 1882."

I see nothing in either of these communications to justify the Marine Board in discontinuing the inquiry. The Colonial Treasurer had no authority whatever to arrest the inquiry, or influence it in any way. If he could do such a thing in the case of the "Austral," at the request of any one in England, he could do so in any and every case, and divest, by his individual action, the Marine Board of its entire jurisdiction. The Marine Board should have at once resisted any such an encroachment on its functions, and respectfully offered its protest against any such interference. The Marine Board was alone charged with these important functions, and formed the only proper Court of Inquiry into this matter; and the members of this Court, like the members of all Courts, were bound to uphold its efficiency by executing its powers and

and preserving its independence. With regard to the papers which the Board alleges it now sees for the first time, I may remark that it would have been impossible for the Board to have seen them at any earlier period. They have only just arrived from England, and could not of course have been brought under the notice of the Board when it abandoned its inquiry. The papers in no way affect the question, which remains precisely as I have stated it, and which is in effect that the only satisfactory inquiry which could have taken place concerning this casualty was abandoned by the Marine Board.

Attorney-General's Chambers,
Sydney, 6th March, 1883.

WILLIAM BEDE DALLEY,
Attorney-General.

[3d.]

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SINKING OF THE "AUSTRAL."

(LETTER FROM SOLICITOR TO BOARD OF TRADE, AND FURTHER OPINION OF ATTORNEY-GENERAL.)

Ordered by the Legislative Assembly to be printed, 14 March, 1883.

The Solicitor, Board of Trade, to The Shipping Master, Sydney.

In re foundering of "Austral."

Sir,

4 January, 1883.

Upon the return of the necessary witnesses to the United Kingdom, the Board of Trade contemplate holding an official investigation into the circumstances attending the damage sustained by this vessel through foundering at your port.

I shall feel much obliged if you will kindly obtain and send me depositions, duly sworn before a Justice or Magistrate, in the manner prescribed by section 270 of the Merchant Shipping Act, 1854, from any persons at Sydney who can give material evidence in the matter, and particularly from the stevedore or other person who unloaded the inward cargo, as to the weight, nature and position of the cargo and bunker coals left on board the vessel, and as to whether, when she was unloaded, the ballast tanks were entirely or partially full.

From some other person as to the position of the vessel, the depth of water in which she was floating, and whether salt, fresh, or brackish, the manner in which she was secured, and her draught of water and freeboard or clear side when unloaded.

If the vessel was moved between this time and the time she foundered, describing the mooring, the stability of the ship during the process, the precise point where she was again brought up, the depth and nature of water, and how secured.

As to whether between the time the vessel last anchored and her foundering the water in the ballast tanks was increased or decreased, and if so to what extent.

From the merchant who supplied the outward cargo and coals, as to the weight, nature, and description thereof.

From William Hadden, as to the stability or otherwise of the vessel, and he should give full and distinct reasons for the opinion expressed. As to the list the vessel took when alongside the wharf, and the cause thereof. As to loading the vessel upon the last occasion; and he should describe fully the stowage and distribution of the coals and cargo taken in, and as far as possible the weight of the quantities stowed in the several portions of the ship. As to the circumstances attending the foundering, and the cause thereof.

Please send me depositions from trimmers, stevedores, or other persons who can give any material evidence in the matter; and I shall be glad if you will kindly request the gentleman taking the depositions to carefully peruse the evidence given at the inquest and the cross-examination of the witnesses, and to include in the depositions the evidence given at the inquest.

Will you kindly obtain and send me a copy of the evidence given at the inquest, and the result thereof; and it will be convenient if you could have the depositions sworn before a Magistrate or Justice by the persons who made them.

May I call your attention to the importance of this evidence being taken in a careful and exhaustive manner, as a second reference to your port will naturally cause a delay, and the detention of witnesses in this country for a period of three months.

I am, &c.,

WALTER MURTON,

Solicitor, Board of Trade.

Further Opinion of the Hon. the Attorney-General *in re* sinking of
the "Austral" and the Imperial Board of Trade.

THE Colonial Treasurer has to-day forwarded to me a letter from the Solicitor to the Board of Trade, addressed to the Shipping Master here, and dated 4th January, 1883. In this communication the Solicitor intimates that "on the return of the necessary witnesses to the United Kingdom the Board of Trade contemplates holding an official investigation into the circumstances attending the damage sustained by this vessel through foundering in this port." The Solicitor for the Board of Trade requests the Shipping Master to obtain here and forward to England depositions duly sworn before a Justice or Magistrate, from any persons in Sydney who can give material evidence in the matter, and he goes on to specify an immense mass of information which he requires, and which could only be obtained by a searching investigation, conducted by a competent tribunal having authority to summon witnesses, require their attendance at any inquiry, and enforce the production of all documents relating to such inquiry; and administer oaths, or require statutory declarations of the truth of the statements made in any examination. All the information which he now asks could have been obtained only by our own Marine Board. It is needless to say that the procurement of such information forms no part of the duty of the Shipping Master, and that he is clothed with none of the powers which would enable him to obtain such information. His duties under the Seamen's Law Consolidation Act 27 Vic. No. 13 are to facilitate the making of apprenticeships to the sea service—to facilitate the engagement and discharge of seamen—and to keep a registry thereof,—and to perform such other duties as are expressly committed to him by this Act. Among these the one which he is now asked to discharge is not included. He has no power whatever to do that which the 35 Vict. No. 7 authorizes the Marine Board to do. The Marine Board could by summons under the hand of the President require the attendance of all such persons as they might think fit, upon any authorized inquiry, require answers or returns to any questions, enforce the production of all papers, log-books, or any other documents relating to any such inquiry, administer oaths or declarations of the truth of the statements made in such inquiry. It appears to me that the section of the Imperial Act to which the Solicitor of the Board of Trade draws the attention of the Shipping Master is not applicable to the case. By section 270 of the 17 and 18 Victoria, chap. 104, it is provided that depositions made in the course of any legal proceedings instituted in any part of Her Majesty's Dominions may, if the witness cannot be found in the place where he has made his deposition, be used in any other place than that in which it was made. It seems to me that by arresting the action of the Marine Board, which was the only body before which legal proceedings could be instituted for this inquiry, it has become quite impossible to do what is now desired. I may remark that I feel quite unable to account for the course adopted of addressing the Shipping Master on this important subject, and ignoring the Marine Board. The only depositions taken in this important matter were those which were taken at the Coroner's inquest, held on the 13th, 14th, 15th, 17th, 20th, and 21st November last. On inquiring for these depositions at the office of the Minister for Justice, and requesting that they should be forwarded to me with the view of determining whether I should allow these original documents to leave the Colony, I find that in accordance with an application, made on behalf of Captain Murdoch, recently commander of the "Austral," the whole of the original depositions were forwarded for the information of the Board of Trade in December of last year, and thus at this moment, as far as I can gather, no original papers taken in connection with this matter in any Court now exist in this Colony, and the only tribunal which could have undertaken the investigation has been prevented from performing that duty.

Attorney-General's Offices,
13th March, 1883.

WILLIAM BEDE DALLEY.

For my Hon. colleague
the Finance Minister.
W. B. D.

13/3/83.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SINKING OF THE "AUSTRAL."

(ABANDONMENT OF THE INQUIRY BY THE MARINE BOARD, AND ITS RELEGATION TO ENGLAND.)

Ordered by the Legislative Assembly to be printed, 20 March, 1883.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated 6th March, 1883, That there be laid upon the Table of this House,—

“ Copies of all letters and telegrams that passed between the Secretary
“ of State for the Colonies, His Excellency the Governor, the late Treasurer,
“ and the Marine Board, in reference to the inquiry into the sinking of the
“ ‘ Austral ’ being stopped here and relegated to England.”

(*Mr. Sec.*)

SCHEDULE.

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SINKING OF THE "AUSTRAL."

No. 1.

Cablegram from the Secretary of State for the Colonies to His Excellency Lord Augustus Loftus.

London, 24 November, 1882.

"AUSTRAL," Board of Trade desire inquiry here, on return of vessel. Inquiry appointed, Monday, Sydney should therefore not be held. Telegraph reply.

KIMBERLEY.

No. 2.

Minute of His Excellency on No. 1.

Government House, Sydney.

INFORM Colonial Treasurer of this telegram, and inquire whether the opinion expressed can be carried out.—A.L., 27/11/82. Cablegram forwarded to Secretary of State.—R.B., P.S., 28/11/82. Captain Hixson.—G.E., 2/12/82.

No. 3.

The Under-Secretary for Finance and Trade to The President of Marine Board.

Dear Mr. President,

Treasury, 27 November, 1882.

I understand the inquiry as to the upsetting of the "Austral" is to come on this afternoon. I would ask you to adjourn it, as the Home Government, at the instance of the Board of Trade, are in communication with this Government on the subject.

Yours faithfully,
G. EAGAR.

No. 4.

Telegram from Under-Secretary for Finance and Trade to The Honorable James Watson, Colonial Treasurer.

THE Imperial Government have telegraphed to His Excellency, at the instance of the Board of Trade, requesting that the inquiry *re* "Austral" may be held in London on return of the vessel, instead of in Sydney. The telegram was forwarded to the Treasury by His Excellency, and on my own responsibility I asked the Marine Board to delay commencing proceedings. They adjourned accordingly till Monday next. I now beg to ask whether there is any objection to the request of the Home Government.

1 December, 1882.

G. EAGAR,
Under Secretary for Finance and Trade.

No. 5.

Telegram from The Honorable James Watson, Colonial Treasurer, to Under-Secretary for Finance and Trade.

I APPROVE of the course you have taken in directing that the inquiry into the sinking of the "Austral" shall not be held by the Marine Board.

1 December, 1882.

JAMES WATSON.

No. 6.

The Secretary of State for the Colonies to His Excellency Lord Augustus Loftus.

[N. S. Wales. No. 117.]

My Lord,

Downing-street, 29 November, 1882.

I have the honor to transmit to you, for communication to your Government, a copy of a letter that has been received in this Department from the Board of Trade, respecting the inquiry into the capsizing of the s.s. "Austral" while being laden at the port of Sydney.

This

3

This matter formed the subject of my telegram to you of the 24th instant and your reply of the 28th instant.
I have, &c.,
KIMBERLEY.

Col. Sec.—A.L., 16/1/83. The Colonial Treasurer.—A.S., 13/2/83. The Under-Secretary for Finance and Trade, B.C., 13/2/83.—C.W.

[Enclosure to No. 6.]

The Secretary to the Board of Trade to The Under-Secretary of State, Colonial Office.

Sir,
Board of Trade, Whitehall Gardens, 25 November, 1882.
I am directed by the Board of Trade to state, for the information of the Earl of Kimberley, that it has been represented to the Board of Trade that it is very desirable that the inquiry should be held in this country into the capsizing of the s.s. "Austral" while being laden at the port of Sydney.
They are advised that questions of construction and stability are involved which cannot be properly investigated without the plans of the ship and the evidence of certain scientific witnesses who are in England.
As the holding of an inquiry in New South Wales will preclude the holding of an inquiry in this country (except as an appeal case or by way of rehearing), I have to request that you will move His Lordship to request the authorities of New South Wales to forego the projected inquiry into this case.
I have, &c.,
GEORGE L. SWANSTON.

No. 7.

Messrs. Salter and Barker to The Colonial Secretary.

S.S. "Austral."

Sir,
58, Hunter-st., Sydney, 1 December, 1882.
As the solicitors and on behalf of the Orient Company, the owners of this ship, we have to apply to you, as representing the Government here, to cause directions to be given to the Local Marine Board in Sydney to stay proceedings in this Colony in the matter of an inquiry into the sinking of this vessel, which inquiry stands adjourned to Monday next. It has been notified to us from England that the Imperial Board of Trade have ordered a full and searching inquiry in England into this disaster, where scientific evidence from the designers, builders, and surveyors, as to the construction of the ship can be had, without which no inquiry can be deemed satisfactory.
We are advised that a telegram has been sent by the Imperial Government to His Excellency the Governor, under section 3 of the Merchant Shipping Amendment Act, 1882 (45 & 46 Vic, c. 76), requesting the colonial inquiry to be stayed. This Act provides expressly that when the English Board of Trade commence an inquiry no other one shall be held in the Colonies.
We therefore, for the above reasons, beg to support the request of the Home Authorities. May we suggest, as the matter is so urgent, that the matter may be referred to the Attorney-General or Crown Solicitor, so that action may be taken on this telegram before Monday.

We have, &c.,
SALTER & BARKER.

Will the Crown Solicitor kindly give an opinion with regard to this matter.—C.W. B.C., 4/12/82.

No. 8.

The Crown Solicitor to The Principal Under-Secretary.

Sir,
Crown Solicitor's Office,
Sydney, 5 December, 1882.
I have the honor to return herewith Messrs. Salter & Barker's letter to the Hon. the Colonial Secretary, of date 1st instant, respecting the s.s. "Austral," and to state that I notice in this morning's *Herald* that the Marine Board yesterday agreed to stay proceedings and remit the inquiry for the consideration of the Board of Trade.

It is therefore not necessary that I should advise upon the matter
I have, &c.,
JOHN WILLIAMS,
Crown Solicitor.

No. 9.

Minute of the Honorable the Colonial Treasurer on No. 6.

THE question raised on the "Austral's" case is a very important one, and may affect the administration of the law in future cases. The right of the Board of Trade practically to ignore and suspend the operation of the Navigation Act is a matter of law, and I would ask my Honorable Colleague the Attorney-General to consider this case and favour me with his opinion thereon. The question is likely to crop up in Parliament during the next few days.—G.R.D., 17/2/83.

The Crown Solicitor, B.C., 19/2/83.—G.E.

No. 10.

Opinion of the Hon. the Attorney-General *in re* the "Austral" casualty, the Marine Board of this Colony, and the Imperial Board of Trade.

MY Honorable Colleague the Colonial Treasurer has referred to me for advice on the question of the right of the Imperial Board of Trade to interfere with the jurisdiction of our Marine Board in the conduct of official inquiries. I may say at once that no such right exists; nor am I aware that any such pretension on the part of the Board of Trade has been made. On the sinking of the "Austral," the Marine Board would appear, from papers sent herewith, to have entered on the inquiry, with which, in my opinion, that Board should have proceeded to the end. On the 1st of December last year a letter was addressed by the Solicitors of the Orient Company, the owners of the ship, to the Colonial Secretary, suggesting that directions should be given to the Marine Board of this Colony to stay its proceedings in the matter of the inquiry into the sinking of the vessel. It was represented in this communication that the Imperial Board of Trade had ordered a full and searching inquiry in England into this disaster, and that a telegram had been sent by the Imperial Government to His Excellency the Governor, requesting the Marine Board inquiry to be stayed. This telegram was received. As a matter of fact the proceedings were stayed, and no inquiry was held by the Marine Board. I am now in possession of information which shows how this was accomplished. In a despatch from the Secretary of State for the Colonies, of date the 29th November, 1882, a copy of a letter from the Board of Trade, of date the 25th November, is referred to. This communication formed the subject of the telegram from the Secretary of State for the Colonies to the Governor. It represented that it would be very desirable that the inquiry should be held in England, because questions of construction and stability were involved in it, which could not properly be investigated without the plans of the ship and the evidence of certain scientific witnesses who were in England; and it requested the Colonial Secretary to move His Excellency the Governor to forego the projected inquiry. This was done and the inquiry was no longer prosecuted. I am clearly of opinion that no circumstances existed to justify the Marine Board in abandoning the inquiry. I know it is contended that, under a provision contained in a recent Imperial Statute, a difficulty would have arisen had the inquiry been proceeded with here. I am unable to perceive the existence of any such difficulty. This vessel foundered in our harbour. Her sinking occasioned the deaths of several persons. The material question for the investigation of the Marine Board was whether this casualty was occasioned by the incompetency or misconduct of any officers of the ship. All the evidence necessary for such an investigation could be obtained here—and nowhere else. The Marine Board could have procured it at once, and without difficulty. By surrendering its functions, it has in all probability rendered the procurement of such evidence impossible anywhere. By the 45th and 46th Victoria chap. 46, it is provided that no inquiry should be held under the Act into any shipwreck or other casualty, or charge of incompetency or misconduct, which *has once been the subject* of such an inquiry, and *has been reported on* by any competent Court or tribunal in any part of Her Majesty's dominions, or in respect of which the certificate of a master mate, or engineer, has been suspended or cancelled by a Naval Court; and also that when any inquiry *has been commenced in the United Kingdom* no inquiry shall be made in the same case under the authority of this Act in any British possession. Now, in the first place, no such inquiry had taken place at the time when the Marine Board abandoned its inquiry. It is needless to say no such inquiry had been reported upon by a competent tribunal. Indeed, as far as I can perceive from the papers, no such inquiry had been, or has now been, entered upon by the Board of Trade; and I am informed no witnesses have left this Colony for England up to the present time to give evidence in such inquiry. The consequence is that no satisfactory inquiry can now take place at all. I am not in any way impressed by the argument as to the necessity of scientific witnesses being called. It may have been very interesting as a question of naval architecture to have obtained the testimony of such witnesses; but I am constrained to point out that the absence of such witnesses from this country (which by the way may be an entirely gratuitous assumption for all I know) furnished no justification for the course pursued by the Marine Board. Their duty was clearly to ascertain whether this casualty had been occasioned by incompetency or misconduct. This question could not have been affected in any way by peculiarities in the construction of the vessel, if any such peculiarities existed, for these circumstances should have been fully known to those in charge of the ship, and who were responsible for her safety. To hold anything else would be to suppose that this vessel was under the care of men who knew nothing of the principles of her construction; and that such information could alone be obtained from people in England who had nothing to do with the navigation of the ship. I am clearly of opinion that the Marine Board surrendered its undoubted right to make this inquiry, and that the result of such surrender will necessarily be that no satisfactory inquiry can be made at all, and that a failure of justice has taken place. The greatness of the casualty, the magnitude of the interests, and the importance of the principles involved in the case, have seemed to me to justify the labour which I have bestowed on its consideration. I would suggest to my Honorable Colleague the Colonial Treasurer that, in order to avoid the danger of the course which has been pursued being taken as a precedent, a copy of this Opinion should be forwarded to the Marine Board for its guidance.

WILLIAM BEDE DALLEY,
Attorney-General.

Crown Law Offices, Macquarie-street,
February 27th, 1883.

No. 11.

The Secretary to the Marine Board to The Under-Secretary for
Finance and Trade.

5 March, 1883.

THE Marine Board have to acknowledge the receipt of the printed copies of the opinion of the Honorable the Attorney-General upon their action with respect to the inquiry into the foundering of the steamship "Austral," which opinion they remark had been supplied to, and commented upon, by the Press, before it reached the Board.

The Board deprecate this action, because their conduct has thus been prejudged by the public before the Board were allowed an opportunity of considering the opinion which conveys so grave a censure upon them. It now appears, from the papers forwarded to this office, that Mr. Dalley has given his opinion upon incomplete data, and that several communications, including those from the late Colonial Treasurer, which mainly guided the Board in the action they took, have not been submitted to him at all. They would also remark that the papers now received by the Board, with Mr. Dalley's opinion, and which appear to have formed the grounds for that opinion, have never been seen by the Board until now, and therefore it is needless to say could have had no influence upon their action in the matter. Under these circumstances they respectfully request, in justice to themselves and for their future guidance, that these papers should be forwarded to the Honorable the Attorney-General, and he be at once moved to give his opinion as to whether, in view especially of the communications from the Treasury, the Marine Board would have been justified in defiantly going on with the "Austral" inquiry after the Colonial Treasurer had decided that the inquiry should not be held by them.

By order,
G.S.L.

The Attorney-General, for perusal.—G.R.D., 6/3/83.

No. 12.

Further Opinion of the Honorable the Attorney-General *in re* the
"Austral" Casualty, the Marine Board of this Colony, and the
Imperial Board of Trade.

My Honorable Colleague, the Honorable the Colonial Treasurer, has forwarded to me the minute of the Marine Board, addressed to the Under Secretary for Finance and Trade, concerning my opinion of the 27th February, as to the conduct of the Marine Board with respect to the inquiry into the foundering of the steamship "Austral."

Concerning their remark that the opinion had been made the subject of comments in the press before it reached the Board I have no observation to offer. The document was laid on the Table of the Assembly by my colleague, and by that circumstance became properly the subject for public discussion. The Marine Board complains that several communications, including some from the late Colonial Treasurer, which, as is alleged, mainly guided the Board in the action they took, were not submitted to me before my opinion was asked, and that such opinion was consequently given upon incomplete data. The Board also remarks that certain papers forwarded to the Board with my opinion had not been seen by the Board previously. Under these circumstances the Board requests, for its future guidance, that these papers should be forwarded to me, and that my opinion should be obtained as to whether the Board, in view especially of certain communications from the Treasurer, forwarded herewith, would have been justified in going on with the "Austral" inquiry after the Colonial Treasurer had decided that the inquiry should not be held by the Board. The papers forwarded to me consist of Lord Kimberley's cablegram to His Excellency (of which I was already aware), an inquiry by the Governor as to whether the request contained in that telegram could be carried out, and three other communications, to which I shall presently refer, neither of which I had actually seen, but of the substance of which I was perfectly well aware, and neither of which affect the case in the slightest degree. The first, dated 27th November, is a letter from the Under-Secretary for Finance and Trade, asking that the inquiry should be adjourned as the Home Government, at the instance of the Board of Trade, were in communication with this Government on the subject. The two other documents are as follow:—

Telegram to Young, addressed to The Honorable James Watson.

"The Imperial Government have telegraphed to His Excellency, at the instance of the Board of Trade, requesting that the inquiry *re* 'Austral' may be held in London, on return of the vessel, instead of in Sydney. The telegram was forwarded to the Treasury by His Excellency, and on my own responsibility I asked the Marine Board to delay commencing proceedings. They adjourned accordingly till Monday next. I now beg to ask whether there is any objection to the request of the Home Government."

G.E.,

1st Dec., 1882.

Under Secretary for Finance and Trade.

Telegram from Young, addressed to The Hon. G. Eagar, the Treasury.

"I approve of the course you have taken in directing that the inquiry into the sinking of the 'Austral' shall not be held by the Marine Board.

1st Dec., 1882."

JAMES WATSON.

I see nothing in either of these communications to justify the Marine Board in discontinuing the inquiry. The Colonial Treasurer had no authority whatever to arrest the inquiry, or influence it in any way. If he could do such a thing in the case of the "Austral," at the request of any one in England, he could do so in any and every case, and divest, by his individual action, the Marine Board of its entire jurisdiction. The Marine Board should have at once resisted any such an encroachment on its functions, and respectfully offered its protest against any such interference. The Marine Board was alone charged with these important functions, and formed the only proper Court of Inquiry into this matter; and the members of this Court, like the members of all Courts, were bound to uphold its efficiency by executing its powers and preserving its independence. With regard to the papers which the Board alleges it now sees for the first time, I may remark that it would have been impossible for the Board to have seen them at any earlier period. They have only just arrived from England, and could not of course have been brought under the notice of the Board when it abandoned its inquiry. The papers in no way affect the question, which remains precisely as I have stated it, and which is in effect that the only satisfactory inquiry which could have taken place concerning this casualty was abandoned by the Marine Board.

Attorney-General's Chambers,
Sydney, 6th March, 1883.

WILLIAM BEDE DALLEY,
Attorney-General.

Forwarded to the Marine Board with two printed copies of the Attorney-General's Opinion. The President of the Marine Board.—7/3/83, B.C., J.T. for U.S.

No. 13.

The Shipping Master to The Under Secretary for Finance and Trade.

Sir,

13 March, 1883.

I have the honor to enclose herewith a communication received by me from "The Board of Trade Solicitor," and respectfully ask for instruction in the matter.

I have, &c.,

J. W. BROWN,
Shipping Master.

No. 14.

The Solicitor, Board of Trade, to The Shipping Master, Sydney.

In re foundering of "Austral."

Sir,

4 January, 1883.

Upon the return of the necessary witnesses to the United Kingdom, the Board of Trade contemplate holding an official investigation into the circumstances attending the damage sustained by this vessel through foundering at your port.

I shall feel much obliged if you will kindly obtain and send me depositions, duly sworn before a Justice or Magistrate, in the manner prescribed by section 270 of the Merchant Shipping Act, 1854, from any persons at Sydney who can give material evidence in the matter, and particularly from the stevedore or other person who unloaded the inward cargo, as to the weight, nature and position of the cargo and bunker coals left on board the vessel, and as to whether, when she was unloaded, the ballast tanks were entirely or partially full.

From some other person as to the position of the vessel, the depth of water in which she was floating, and whether salt, fresh, or brackish, the manner in which she was secured, and her draught of water and freeboard or clear side when unloaded.

If the vessel was moved between this time and the time she foundered, describing the mooring, the stability of the ship during the process, the precise point where she was again brought up, the depth and nature of water, and how secured.

As to whether between the time the vessel last anchored and her foundering the water in the ballast tanks was increased or decreased, and if so to what extent.

From the merchant who supplied the outward cargo and coals, as to the weight, nature, and description thereof.

From William Hadden, as to the stability or otherwise of the vessel, and he should give full and distinct reasons for the opinion expressed. As to the list the vessel took when alongside the wharf, and the cause thereof. As to loading the vessel upon the last occasion; and he should describe fully the stowage and distribution of the coals and cargo taken in, and as far as possible the weight of the quantities stowed in the several portions of the ship. As to the circumstances attending the foundering, and the cause thereof.

Please send me depositions from trimmers, stevedores, or other persons who can give any material evidence in the matter; and I shall be glad if you will kindly request the gentleman taking the depositions to carefully peruse the evidence given at the inquest and the cross-examination of the witnesses, and to include in the depositions the evidence given at the inquest.

Will

Will you kindly obtain and send me a copy of the evidence given at the inquest, and the result thereof; and it will be convenient if you could have the depositions sworn before a Magistrate or Justice by the persons who made them.

May I call your attention to the importance of this evidence being taken in a careful and exhaustive manner, as a second reference to your port will naturally cause a delay, and the detention of witnesses in this country for a period of three months.

I am, &c.,

WALTER MURTON,
Solicitor, Board of Trade.

For my Hon. Colleague the Attorney-General.—G.R.D., 13/3/83. The Under-Secretary for Finance and Trade, B.C.—W.W.S., 16/3/83. (*Vide* copy of opinion enclosed.)

No. 15.

Further Opinion of the Hon. the Attorney-General *in re* sinking of the "Austral" and the Imperial Board of Trade.

THE Colonial Treasurer has to-day forwarded to me a letter from the Solicitor to the Board of Trade, addressed to the Shipping Master here, and dated 4th January, 1883. In this communication the Solicitor intimates that "on the return of the necessary witnesses to the United Kingdom the Board of Trade contemplates holding an official investigation into the circumstances attending the damage sustained by this vessel through foundering in this port." The Solicitor for the Board of Trade requests the Shipping Master to obtain here and forward to England depositions duly sworn before a Justice or Magistrate, from any persons in Sydney who can give material evidence in the matter, and he goes on to specify an immense mass of information which he requires, and which could only be obtained by a searching investigation, conducted by a competent tribunal having authority to summon witnesses, require their attendance at any inquiry, and enforce the production of all documents relating to such inquiry; and administer oaths, or require statutory declarations of the truth of the statements made in any examination. All the information which he now asks could have been obtained only by our own Marine Board. It is needless to say that the procurement of such information forms no part of the duty of the Shipping Master, and that he is clothed with none of the powers which would enable him to obtain such information. His duties under the Seamen's Law Consolidation Act 27 Vic. No. 13 are to facilitate the making of apprenticeships to the sea service—to facilitate the engagement and discharge of seamen—and to keep a registry thereof,—and to perform such other duties as are expressly committed to him by this Act. Among these the one which he is now asked to discharge is not included. He has no power whatever to do that which the 35 Vict. No. 7 authorizes the Marine Board to do. The Marine Board could by summons under the hand of the President require the attendance of all such persons as they might think fit, upon any authorized inquiry, require answers or returns to any questions, enforce the production of all papers, log-books, or any other documents relating to any such inquiry, administer oaths or declarations of the truth of the statements made in such inquiry. It appears to me that the section of the Imperial Act to which the Solicitor of the Board of Trade draws the attention of the Shipping Master is not applicable to the case. By section 270 of the 17 and 18 Victoria, chap. 104, it is provided that depositions made in the course of any legal proceedings instituted in any part of Her Majesty's Dominions may, if the witness cannot be found in the place where he has made his deposition, be used in any other place than that in which it was made. It seems to me that by arresting the action of the Marine Board, which was the only body before which legal proceedings could be instituted for this inquiry, it has become quite impossible to do what is now desired. I may remark that I feel quite unable to account for the course adopted of addressing the Shipping Master on this important subject, and ignoring the Marine Board. The only depositions taken in this important matter were those which were taken at the Coroner's inquest, held on the 13th, 14th, 15th, 17th, 20th, and 21st November last. On inquiring for these depositions at the office of the Minister for Justice, and requesting that they should be forwarded to me with the view of determining whether I should allow these original documents to leave the Colony, I find that in accordance with an application, made on behalf of Captain Murdoch, recently commander of the "Austral," the whole of the original depositions were forwarded for the information of the Board of Trade in December of last year, and thus at this moment, as far as I can gather, no original papers taken in connection with this matter in any Court now exist in this Colony, and the only tribunal which could have undertaken the investigation has been prevented from performing that duty.

Attorney-General's Offices,
13th March, 1883.

WILLIAM BEDE DALLEY.

For my Hon. Colleague
the Finance Minister,
W. B. D.

13/3/83.

1883.

NEW SOUTH WALES.

REGISTER OF WRECKS.

(ON COAST OF NEW SOUTH WALES DURING 1882.)

Presented to Parliament by Command.

The Treasury, New South Wales,

27th March, 1883.

THE following particulars of Wrecks which have occurred during the year 1882, on the coast of New South Wales, are published for general information.

GEORGE R. DIBBS.

REGISTER of WRECKS, also other casualties to Shipping causing loss of life, within the jurisdiction of New South Wales.

Date	Vessel	Tonnage	Master	Owner	No. of crew and passengers	No. of lives lost	Description and Value of Property Lost	Particulars of Casualty
1882.								
2 Jan. ...	Wotonga, steamer	541	John M'Leann	A. S. N. Co.	70	Nil.	Vessel and general cargo; estimated value, £25,000.	Lost near Tacking Point, in consequence of not steering a proper course in hazy weather. Master's certificate suspended for three calendar months.
27 „ ...	Fiona, steamer	439	W. A. Curphy	Colonial Sugar Co.	32	Nil.	Vessel and general cargo, said to be worth £25,000; ship insured for £20,000.	This vessel steered a wrong course and became a total wreck, in consequence of mistaking Port Stephens Light for Seal Rock Light. Master's certificate suspended for three calendar months.
26 Feb. ...	Esther Maria, ketch	52	A. Davidson	Alex. Brooks	5	1	In ballast; value of vessel £800; not insured.	Sunk by the steamer Kameruka; collision occurred near Beecroft Point, at night time; ketch had no lights up. Her Master's certificate suspended for three calendar months.
15 March...	Wonga Wonga, schooner	37	J. Mahoney	Thomas Davis	4	Nil.	In ballast; value of vessel said to be £500.	Lost through missing stays in the attempt to work into Terrigal.
29 „ ...	Prima Donna, schooner	85	Frank Lopez	F. H. Coot	6	5	In ballast; value of vessel not known; insured for £800.	Capsized in a squall off Bondi, about 5 miles from Sydney Heads. Captain swam on shore.
23 May ...	Llewellyn, steamer	359	J. Armora	G. A. Lloyd	20	Nil.	In ballast; value of vessel said to be £7,000; insured, £4,000.	This vessel was on a voyage from Sydney to Wollongong, and during thick weather struck on the Bellambi Reef and became a total wreck. Master's certificate suspended for three calendar months.
27 „ ...	Rocket, steam-tug	25	G. Webster	Hardman Bros.	3	Nil.	Value of vessel said to be £1,500	Whilst crossing the bar at the Macleay the tow-rope washed overboard, got around the propeller, and caused the vessel to stop and drift on shore.
6 June ...	Osprey, steamer	35	P. Gibson	C. Jeanneret	3	Nil.	Estimated value of vessel, £1,500	Came into collision with the steamer Fairlight and sank in Sydney Harbour; Master of Fairlights' certificate suspended; Osprey was afterwards raised.
9 „ ...	Sea Nymph, brig	289	John Brady	John Brady	10	Nil.	In ballast; value and vessel, £2,000; insured, £1,600.	This vessel, whilst at anchor, was run down by the steamship Arawatta and sunk in Darling Harbour, during a heavy gale of wind; she was afterwards raised.
16 „ ...	St. Albans, steamer	63	John Dalton	John Dalton	3	Nil.	In ballast; value of vessel, £2,000; insured, £1,000.	Steamed on to the shore and became a total wreck near Long Bay. Master's certificate suspended for three calendar months.
20 „ ...	Lillian, ketch	32	F. Sheehy	I. Israel	3	Nil.	Cargo of timber; value of vessel and cargo, £600; insured, £400.	This vessel sprung a leak and was beached on Grasshopper Island, near Clyde River, to save life and property.
7 July ...	Atalanta, schooner	56	Francis Mazatetta	J. Booth	5	Nil.	In ballast; value of vessel said to be £900; insured for £500.	When crossing the Manning Bar the band of this vessel's rudder broke, causing her to become disabled and drift on the north beach, where she became a total wreck.
9 Sept. ...	Merchantman, schooner	184	Frederick Mahler	G. A. Lloyd	7	Nil.	Cargo of coals; value of vessel and cargo, £1,250; insured, £1,000.	This vessel was lost through striking the Bumbora Rock, near Port Hacking. Master's certificate suspended.
10 Oct. ...	Woniara, steamer	226	H. Lauridson	Bulli Coal Co.	16	15	Cargo of coals; value of vessel and cargo said to be worth £11,000.	Foundered, during a very heavy gale, off Botany Bay. One man saved; he was drifted on shore in the ship's boat.
11 Nov. ...	Austral, steamer	3289	John Murdoch	Orient S. S. Co.	192	5	Value not known; said to be insured for over £100,000.	This vessel capsized and sunk whilst coaling in Neutral Bay, Port Jackson; she has since been raised.
9 Dec. ...	Alfred Edward, ketch	35	Ed. Conway	Ed. Conway	4	Nil.	In ballast; value of vessel, £600; insured for £500.	This vessel was lost through missing stays in the attempt to work out of Ulladulla.
9 „ ...	Plutus, steamer	812	J. G. Kish	Thomas Kish	51	Nil.	Cargo of coals; value of vessel and cargo said to be £12,000; insured, £10,000.	This vessel on passage, Newcastle to Melbourne, struck the rocks and became a total wreck about 10 miles south of Shoalhaven, during hazy weather. Master's certificate suspended for six calendar months.
27 „ ...	New England, steamer	223	J. Mann	C. & R. R. S. N. Co.	48	11	Colonial Produce; value of vessel and cargo, £11,500, insured, £9,000.	This vessel was lost on the Clarence River Bar in attempting to get to sea on the ebb tide with insufficient water. The master was one of the persons drowned.

Sydney: Thomas Richards, Government Printer—1883.

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FRANCIS HIXSON,
President of the Marine Board.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STEAMSHIP "BALLINA."
(FURTHER CORRESPONDENCE)

Ordered by the Legislative Assembly to be printed, 21 March, 1883.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 27th February, 1883, That there be laid upon the Table of this House,—

“Copies of all correspondence, minutes, petitions, and other documents relating to the wreck of the steamship ‘Ballina,’ now lying at the entrance to the Harbour of Port Macquarie.”

(*Mr. Roberts.*)

NOTE.—Previous papers on this subject laid upon the Table 18th March, 1881, Session 1880-81.

STEAMSHIP "BALLINA."

No. 1.

J. H. Young, Esq., M.P., to The Colonial Treasurer.

Sir,

Legislative Chamber, Sydney, 1 March, 1881.

I have the honor to enclose a letter from the Union Fire and Marine Insurance Company of New Zealand, in reply to an application from Messrs. John Booth & Co. to insure their steamer "Ne Oblie," trading to Port Macquarie.

I beg to draw your attention to the fact that they decline to accept the risk until the wreck of the "Ballina" has been removed, and to request that you will take the necessary steps to cause this to be done.

I have, &c.,

J. H. YOUNG, M.P.

I think the Marine Board should take the necessary steps to compel the owners of the "Ballina" to have her removed.—J.W., 3/3/81. The President, Marine Board.—G.E., B.C., 4/3/80.

The Marine Board have had several communications with the owners of the "Ballina" with the view of inducing them to move the wreck (see the accompanying papers). As they have paid no attention to the Board's remonstrances, and the vessel is now more than ever dangerous to navigation, it is submitted that the Crown Law Officers be requested to take the matter up on behalf of the Board, under the powers conferred by the 111th clause of the Navigation Act.—By order, G.S.L., 20/4/81. The Under Secretary for Finance and Trade.

The Crown Solicitor.—J.W., 22/4/81. G.E., B.C., 22/4/81. Recd.—J.W., 23rd April, '81.

[Enclosure to No. 1.]

The Secretary, U. F. and M. I. Co. of New Zealand, to Messrs. J. Booth & Co.
Union Fire and Marine Insurance Co. of New Zealand,

Dear Sirs,

75, Pitt-street, Sydney, 23 February, 1881.

Your favour of 22nd instant *re* insurance on hull of "Ne Oblie" is duly hand.

I have made inquiries at other offices on the subject, and all are of the same opinion as myself, namely, that until wreck of "Ballina" has been removed from its present position, almost in the fairway, we cannot insure your steamer for the bar risk at Port Macquarie.

Regretting I am unable to meet your wishes in this matter in the meantime, and calling your attention to the fact that your steamer has already got into trouble, probably from no other cause than that above indicated,—

I am, &c.,

M. MONTGOMERY,

Manager.

Put with other papers.—G.S.L., 20/4/81.

No. 2.

Mr. J. H. Bedford to The President of the Marine Board.

Sir,

Sydney, 14 March, 1881.

I have the honor to report at your request in reference to the alleged obstruction to the navigation of Port Macquarie caused by the wreck of the s. "Ballina." Twelve months after the loss of the above ship I was there twice in the s. "Queensland," and did not find that the wreck caused any impediment to the navigation of the port; there was more water and the channel more direct in and out. Before the loss of the "Ballina" I had been running there nearly every week for between three and four years, and on my last voyage there in the "Queensland," a much larger ship, I could not see that there was any material difference in what was usual there. I cannot see how the wreck would be the cause of the bar shoaling, as it is a long way inside of it. Where that ship was lost was always more or less shoal during my experience of the place. The channel might shift north or south at times, but the direction would be invariably the same, and should it shift so far north as to bring the wreck into the middle of it then it might be an obstruction. I am of opinion, from my past experience of the place, that the wreck is not the cause of the bar shoaling. I may add that the "Ballina" after striking on the spit which caused her loss was thrown a considerable distance over on to the north banks into the position where the wreck now lies, and a long distance inside the bar—the ship was not lost on the bar.

I have, &c.,

JOHN H. BEDFORD.

Put with other papers.—G.S.L.

No. 3.

The Secretary to the Marine Board to Pilot Kingsford.

Sir,

Sydney, 8 March, 1881.

I have the honor, by direction of the Marine Board, to request that you will be good enough to report on the present position of the wreck of the "Ballina," relative to the place where she first struck; the condition in which the wreck now is, *i.e.*, number of pieces it is broken up into; also whether these parts are sanded up or not, and whether in your opinion they could be easily removed; and in fact any information that will be useful to the Board to decide as to whether the wreck is interfering injuriously with the entrance to the port and can be removed.

I have, &c.,

GEO. S. LINDEMAN,

Secretary.

No. 4.

3

No. 4.

Pilot Kingsford to The President of the Marine Board.

Sir,

Pilot Station, Port Macquarie, 16 March, 1881.

In accordance with instructions received to report upon the wreck of the "Ballina," I do myself the honor to submit for your information the subjoined report. The wreck lies in a north and south position (her head to the north) about 200 yards in a north-westerly direction from where she first struck, and about 700 feet north of the rocks on the southern shore. It is listed well over to port, and at low-water the lower part of the starboard paddle-wheel is just level with the water. The dome of the boiler is also then above water, but nothing else. The hull lies in one whole piece, and is only partially sanded up. Just close to the bow and stern and along the west side of her there are deep holes, but there are parts of the hull with only about 3 feet of water over them at low-water. There is a channel forming north of the wreck, and the main channel now in use runs rather close just at present to her stern. This channel is also available to approach the wreck from the westward. As regards its removal, I can only say that, as far as I am able to judge, it would be attended with some difficulty, the chief part of which would be the removal of the *debris*, in the event of its being blown up with dynamite or torpedoes, which latter part of the work would no doubt be quite practicable.

I have, &c.,
EDWD. ST. A. KINGSFORD,
Pilot.

Put with other papers.—G.E., 20/4/81.

No. 5.

Pilot Kingsford to The President of the Marine Board.

Sir,

Pilot Station, Port Macquarie, 27 March, 1881.

I have the honor to forward for your inspection a rough sketch of this port in its present state. The fact is I was afraid of making an incomprehensible complication of matters by correcting the one you sent me, and I thought it best to commence *de novo*. You will see by it that a narrow channel has formed north of the wreck of the Ballina, and I cannot but give it as my opinion that the wreck is injuriously affecting the entrance to the port. Trusting that my sketch will give you all the information you seek,—

I have, &c.,
EDWD. ST. A. KINGSFORD,
Pilot.

Put with other papers.—G.S.L., 20/4/81.

No. 6.

The Crown Solicitor to The President of the Marine Board.

Sir,

Crown Solicitor's Office, Sydney, 15 July, 1881.

I have the honor to forward herewith the papers relating to the "Ballina," with an authority to be given by the Marine Board, to some person to be named by the Board, under the 111th section of the Navigation Act of 1871, and the form of information to be filed. I shall be obliged by your filling in the date and name, &c., and returning this to me, and making any alteration you may think necessary as to the description of the place in which the vessel is stranded.

You will please return the papers to me.

I have, &c.,
JOHN WILLIAMS,
Crown Solicitor.

The Board have named Edward St. A. Kingsford, Pilot at Port Macquarie, and filled in the accompanying forms.—G.S.L., 26/7/81. The Crown Solicitor. Recd. 27th July, 81.—J.W.

No. 7.

The Crown Solicitor to The President of The Marine Board.

[Urgent.]

Sir,

Crown Solicitor's Office, Sydney, 27 July, 1881.

I do myself the honor to state that, as I find by the papers this day received from you relating to the wreck of the "Ballina," that Pilot Kingsford has been appointed by the Board to take the necessary proceedings, I shall be glad to be informed when he will be in Sydney to act in the matter.

I have, &c.,
JOHN WILLIAMS,
Crown Solicitor.

Pilot Kingsford has been telegraphed to at Port Macquarie to come to Sydney.—FRANCIS HIXSON, 27/7/81.

No. 8.

No. 8.

The Secretary to the Marine Board to The Crown Solicitor.

Sir,

Sydney, 9 August 1881.

In reply to your letter of the 4th instant, I have the honor to inform you the Marine Board is of opinion that a complaint should be filed.

Taking into consideration, however, the difficulties attending the removal of the wreck of the "Ballina," the Board think that if application is made for a postponement by the Clarence and Richmond Rivers Steam Navigation Company it should be consented to, in view of their being able to devise means of removing the wreck, after a thorough examination of the locality.

I have, &c.,

GEO. S. LINDEMAN, Sec.

No. 9.

Messrs. Creagh & Williams to The Crown Solicitor.

Without prejudice.—Wreck of the "Ballina."

Sir,

Bridge-street Chambers, Sydney, 19 August, 1881.

On behalf of the Clarence and Richmond Rivers Steam Navigation Company, we beg to call your attention to section cccclxxv of the Shipping Act, 17 and 18 Vict. chap. 104, and to suggest that instead of continuing the proceedings at present instituted against the Company, to obtain an order from the Justices for the removal and disposal of the wreck, the Government should hand the wreck over to the "Receiver of Wreck," to be dealt with by him under that section.

We suggest this course, as it seems to us that the vessel is within the meaning of the section we have referred to, she having been in her present position since the 14th February, 1879.

We shall be glad to know if you can advise the adoption of this course, as the Company sold the wreck by public auction on the 26th February, 1879, for a small sum, and are anxious if possible to avoid adding to their loss by intermeddling in the matter at all.

We have, &c.,

CREAGH & WILLIAMS.

No. 10.

Pilot Kingsford to The President of the Marine Board.

Sir,

Pilot Station, Port Macquarie, 20 August, 1881.

In accordance with your instructions I have the honor to submit for your information the subjoined report upon the wreck of the s.s. "Ballina." The depth of water all around her is about 5 or 6 feet at low-water, at which time about half of her starboard paddle-wheel and the dome of the boiler are visible. The hull is one piece, but its upper surface is very irregular. The sea nearly always breaks upon it more or less, and it is also in the tide-way. The main channel runs to the northward of it, and has widened considerably during the last few weeks, but at the same time has shoaled about 6 inches. There is still a channel to the southward of it, available for small craft in ballast at or near high-water. There can be no question but what it is still an obstruction and should be removed, and I beg to recommend that it be blown up by explosives and the debris carefully removed. I simply recommend these means as I know of no other; but not being an expert in these matters myself, it would perhaps be desirable to have the opinion of one who is upon the subject, for it is useless to ignore the fact that, under any circumstances, the removal of this wreck will be a difficult undertaking.

I have, &c.,

EDWD. ST. A. KINGSFORD,

Pilot.

No. 11.

Messrs. Creagh & Williams to The Crown Solicitor.

"Ballina."

Dear Sir,

Bridge-street Chambers, Sydney, 29 August, 1881.

Herewith we beg to hand you a copy of a report made by Captain Banks, Marine Surveyor, on the wreck of the "Ballina," and the practicability of removing her. We of course send you this report without prejudice to our client's legal position, as they sold the wreck some years ago and disclaim all liability in connection with her removal or the expenses connected therewith.

Yours truly,

CREAGH & WILLIAMS.

[Enclosure to No. 11.]

Mr. J. W. Banks to The Directors of the C. & R. R. S. N. Co.

Gentlemen,

Sydney, 22 August, 1881.

As requested I visited, and so far as practicable examined, the wreck of the steamer "Ballina," and remained at Port Macquarie for three days collecting such information as I could obtain on the subject referred to in your instructions, and now for your information beg to report as follows:—

After making a number of measurements and taking a good many bearings, I discovered that a survey of the harbour was in existence which showed the relative position of the wreck in connection with the distant headland more accurately than I could determine, and therefore deemed it advisable to obtain a tracing of the chart referred to, which I now attach.

The

The wreck of the "Ballina" lies nearly north and south, and at right angles to the flow and ebb of tide. She lies with a strong list to port, and has only the top of starboard wheel and about 18 inches of the steam-dome above the surface at dead low-water. I was informed that for the first three months after her wreck she kept sinking, but from that date has kept her present position, from which I conclude she has reached a substance harder than sand. I attempted to pierce the sand for the purpose of determining this matter, but was not successful, owing to the hardness of the sand and occasional break of the sea on the wreck, though the morning was calm and sea smooth, except on the wreck and bar. Owing to this breaking of the sea referred to the boat could not be kept attached to the wreck, but after some little delay I was enabled to get on the steam-dome, from which I made the following observations.

The decks and wood-work are entirely gone fore and aft. The midship line of beams is about 8 feet under water; the starboard sponson 4 or 5 feet. The port side of vessel entirely covered by sand, which is also nearly up to the beams amidships. The after steam-winch, several feet under water, is clearly seen as it stands abaft the open after-hatch.

All this as described is at dead low-water; at high-water only the rim of the starboard-wheel is visible, except in the hollow of the seas as they break over her. At present there is a clear straight channel of about 700 feet to the south, with a similar straight channel to the north of the wreck. From evidence taken I learned that, immediately previous to the wreck of the "Ballina," there existed only the southern channel, which at a point somewhere between the present wreck and the "Diamantina" Rocks took a sudden turn to the northward, and either bisected the present northern channel or curved into it in its way out over the bar.

The question whether the wreck has injured or improved the entrance to the harbour is one of opinion which I found to be pretty equally divided amongst those capable of forming one. My own is that while it may be in the way of small sailing-vessels trying to beat in, it can do no permanent injury to the harbour so far as steamers are concerned, but may be found to form a good foundation for its permanent improvement. But as these are matters of opinion, I will now confine myself to the question of its removal.

First.—Owing to the vessel lying as I have described across the tide, nearly full of sand, and well sanded up, having a bum-bowler occasionally breaking over her even in the calmest weather, an almost continuous rush of tide and scarcely perceptible slack water, I think no contractor would undertake to remove the wreck as a whole if held responsible for all contingencies—the risk of pontoons or lighters sinking alongside being so great; and this is presuming that he succeeded in getting chains under her, which I doubt, and I do not think the beams and upper works will bear the strain of lifting the vessel, therefore I assume that—

Second.—She must be blown up, and here again difficulties arise which I do not at present see can be overcome, but presuming they may, that divers can burrow down through this mass of sand by cofferdam or otherwise can get under the bottom and there place such powerful explosives as will when ignited raise the whole mass and scatter it in thousands of pieces. Who will venture to say what its effect shall be? One, I know, suggests itself to my mind, viz.—that instead of vessels as at present navigating Port Macquarie having only known dangers to avoid, which with ordinary care can be accomplished, they would be in continual dread of getting a pointed piece of iron through their bottom; and one such case occurring, the trade of the port would for years suffer by the necessary action of underwriters.

I remain, &c.,

JAMES W. BANKS.

No. 12.

The Secretary to the Marine Board to The Crown Solicitor.

Sir,

Sydney, 9 September, 1881.

Referring to the interviews which the President of the Marine Board has had with you in the matter of the "Ballina," I have now the honor to return the accompanying papers, and to inform you the Board do not see their way to recede from the position they have taken, unless the Clarence and Richmond River Steam Navigation Company will guarantee to remove the wreck. If the Company will do this, the Board is quite willing to stay proceedings.

In the event of the Company declining to remove the wreck, the Board request that the Justices will order and direct it to be blown up, and the debris carefully removed in accordance with the recommendation of the Pilot at Port Macquarie, whose letter, dated 20th August, is amongst the papers.

I have, &c.,

GEO. S. LINDEMAN,

Secretary.

No. 13.

The Crown Solicitor to The Secretary to the Marine Board.

Sir,

Crown Solicitor's Office, Sydney, 10 September, 1881.

I have the honor to acknowledge receipt of your letter of yesterday's date respecting the matter of the "Ballina." In it you say that unless the Clarence and Richmond Rivers Steam Navigation Company will guarantee to remove the vessel application must be made to the Justices for an order to authorize the vessel being blown up. I understood from the President that he would intimate this to some one or other of the Directors of the Company. If it is intended that a formal offer of this kind should be made, I would suggest that it should be made by the Marine Board.

The matter stands adjourned until Wednesday, the 21st September instant, at half-past 2 o'clock in the afternoon, at which time Mr. Pilot Kingsford should be in attendance to give evidence.

If I do not hear from you to the effect that the Company have agreed to your proposal, I will attend before the Justices, and apply for the order as directed in your letter to which this is in reply.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

No. 14.

The Secretary to the Marine Board to The Crown Solicitor.

Sir,

Sydney, 16 September, 1881.

In reply to your letter of the 10th instant, I have the honor to inform you that the President of the Marine Board tells me that the Directors of the Clarence and Richmond River Steam Navigation Company have instructed their attorneys, Messrs. Lyons, Creagh, & Williams, to state that they have agreed to the proposal to remove the wreck themselves.

I have, &c.,

GEO. S. LINDEMAN,
Secretary.

No. 15.

Petition from Inhabitants of Port Macquarie to The Colonial Treasurer.

Sir,

Port Macquarie, 12 November, 1881.

Owing to no decisive action having been as yet taken by the Government for the removal of the wreck "Ballina" from the entrance to Port Macquarie Harbour,—We the undersigned freeholders, farmers, tradesmen, and others of the district of Port Macquarie and the Hastings River, respectfully request that immediate steps be at once taken for the removal of the above-named obstruction to the safe ingress and egress to our harbour.

We would respectfully point out, that since the wreck occurred the channel and bar have been shifting and shoaling up, to the very great danger, inconvenience, and loss of time to owners of vessels trading to this port, and that as a necessary sequence, consequently upon the loss involved, together with their inability to carry a full cargo, ship-owners have been compelled to raise the freights, thereby inflicting a serious pecuniary loss upon every resident of this important district.

We would therefore pray that we be relieved from the great disadvantage under which we at present suffer, caused by the wreck of the "Ballina" obstructing the navigation of our bar and harbour.

We have, &c.,

Thomas Platt, freeholder.
G. Setechfield, storekeeper.
H. C. Brown, storekeeper.
Joseph Wallace, storekeeper.
John Hibbard, timber merchants
John Hayward, freeholder.
Henry Betts, storekeeper.
James Butler, freeholder.
C. C. R. Nobbs, resident.
P. J. Ryan, resident.
Jas. R. Cummins, freeholder.
J. C. Waraker, resident.
Edward Wesley, freeholder.
James Carney, resident.
George La Roche, surgeon.
John Condon, freeholder.
James Blair, freeholder.
Austin Edwards, residence.
J. H. Wilson, householder.
Thomas Elford, freeholder.
George Goyce, freeholder.
John Monger, residence.
Isaac Andrews, freeholder.
James Andrews, freeholder.
Thomas Denham, freeholder.
Josiah Secombe, freeholder.
David Lewis, resident.
Walter Cunning, resident.
Henry Hyde, resident.
Robert Baker, resident.
John J. Fenn, freeholder.
E. McVerney, freeholder.
Samuel Strutt, freehold.
George Francis, freeholder.
G. Harriott, freeholder.
Thomas Cleave, ship carpenter.
Charles Walker, shipwright.
John Graham, shipwright.
William Reed, freeholder.
John Doyle, farmer.
Wm. Reid, farmer.
James A. Wallace, storekeeper.
H. Fraser, teacher.

James Campbell, farmer.
T. D. Wilson, grazier.
John Stokes, farmer.
A. C. Gamark, gentleman.
William Rowsell, farmer.
Alexander M'Kay, grazier.
H. A. M'Kay, grazier.
W. W. Steward, grazier.
William Tracey, schoolmaster.
R. Woodlands, farmer.
Wm. Bransdon, farmer.
Ellis Reid, farmer.
J. C. Morton, teacher.
Robert M'Kay, grazier.
John Hibbard, resident.
A. E. Kemp, resident.
P. Hawes, timber merchant.
William B. Dick, resident.
John Stirson, resident.
James Absalom, leaseholder.
D. Cooper, resident.
J. Cook, resident.
W. Canse, freeholder.
James Gill, leaseholder.
T. Fry, householder.
George Canes, householder.
George Bones, freehold.
W. Lee, freehold.
John Lee, engineer.
William Hyde, resident.
W. Hinton, freeholder.
Charles Potter, resident.
Lewis Tolano, resident.
William Hyde, resident.
William John Kerr, resident.
James Gauz, freeholder.
H. Bennett, resident.
John Thompson, resident.
Robert Thomas, freeholder.
Daniel Harrott, freeholder.
Francis Cuning.
Michael Vovil.
George Schweiken, freeholder.

C. W. Hayward, freeholder.
J. M'Keene, resident.
Wm. Fage, freeholder.
G. Denham, resident.
H. Lillier, freeholder.
D. W. Brien, storekeeper.
Geo. Frederick, master mariner.
Frederick Hayward, freeholder.
Alfred Altaine, freeholder.
John Ernham, resident.
Edward Makes, freeholder.
Alexander Blair, butcher.
James Dick, freeholder.
Charles Wilkins, freeholder.
Edward M'Inherny, butcher.
S. Pountney, resident.
Peter N. Dreed, resident.
George Denham, leaseholder.
Louis Staader, resident.
Thomas Wallace, storekeeper.
Albert Sinfield, blacksmith.
W. G. Sinfield, blacksmith.
P. Daniher, farmer.
P. O'Hern, farmer.
N. Hollis, junior, farmer.
John M'Carthy, farmer.
A. Quin, farmer.
Rd. Woodlands, farmer.
Thomas Suters, junior, farmer.
John Suters, farmer.
Mervyn K. Patterson, farmer.
Thomas Knight, farmer.
Isaac Andrews, farmer.
John Roach, farmer.
Thomas Woodlands, farmer.
C. Payne, contractor.
W. Mahar, farmer.
G. Eyles, farmer.
John Colwell, resident.
A. W. M'Kinnon, resident.
W. A. Spence, resident.
Philip Wotton, resident.

Presented by J. H. Young, M.P., 17/1/82.

This matter has been delayed too long. The Marine Board should either have the wreck removed; or if the Board considers it unnecessary that it should be removed, it should be so stated, so that the petitioners and others may be so informed.—J.W., 21/1/82. The President, Marine Board, Urgent, B.C., 21/1/82.—G.E. See Marine Board minute, 22/2/82.*

* This will be found at foot of No. 17.

No. 16.

The Crown Solicitor to The Under-Secretary for Finance and Trade.

Sir,

Crown Solicitor's Office, Sydney, 28 November, 1881.

I have the honor to return herewith the papers relating to the wreck of the "Ballina" at Port Macquarie, and to state that, acting upon the instructions forwarded to me, I caused an information to be filed and a summons to be issued calling upon the Clarence and Richmond River Steam Navigation Company to appear upon an application for authority for the Marine Board to remove the wreck. Upon the suggestion of Messrs. Creagh & Williams (the Company's solicitors), and with the consent of the Marine Board, the matter stood over from time to time, to enable the Company to decide whether it would remove the wreck or leave the Marine Board to obtain an order for that purpose. The President of the Board subsequently had an interview with the Directors of the Company, as I am informed, when the Company agreed to remove the wreck. Of this I was informed by letter from the Marine Board, dated 16th September, 1881, which with other letters is forwarded herewith. Upon this, when the matter was called on for hearing, I informed the Bench that it was not proposed to proceed further with the matter, as the Company had agreed to remove the wreck, until a reasonable time had elapsed to enable it to be done, and the proceedings were accordingly withdrawn.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

The President, Marine Board.—I should like to know if the course agreed on is being carried out.—J.W., 30/11/81. B.C.—G.E., 30/11/82. Perhaps the Directors of the Clarence and Richmond Steam Navigation Company will kindly say whether the course agreed on is being carried out or not.—By order, G.S.L., 16/12/81. The Secretary, C. & R.R.S.N. Co. See Marine Board Minute, 22/2/82.*

* This will be found at foot of No. 17.

No. 17.

J. H. Young, Esq., M.P., to The Colonial Treasurer.

Sir,

Sydney, 10 February, 1882.

I called on the President of the Marine Board this morning to ascertain what steps had been taken with reference to the removal of the wreck of the "Ballina" from the entrance to Port Macquarie Harbour.

That gentleman informed me that the Board had as yet taken no action since the receipt of the petition presented by me at your office, now nearly a month ago, and I write now to urge on you the necessity which exists to take such steps as are necessary to relieve the residents and producers of that district from such a serious impediment to their commerce.

So long ago as the 1st March, 1881, you personally informed me that you had instructed the Marine Board to proceed in the matter, and it does seem somewhat strange that such a body as this should be allowed to be so inattentive to their duties and to your instructions as they have shown themselves in this matter.

If the said wreck is an obstruction, as has been admitted by the various officers of the Government, it seems the plain duty of those in power to cause the responsible parties to remove her, and I do hope that no further delay will be allowed.

I have, &c.,

J. H. YOUNG, M.L.A.

I should be glad to have some information from the Marine Board, as the matter has remained in abeyance quite long enough. I made a minute on a petition forwarded some time ago, but to this I have had no reply from the Marine Board. If the wreck is an obstruction it should be removed, and if it is not, then the parties should be so informed.—J.W., 13/2/82.

The President Marine Board.—G.E., B.C., 13/2/82. Urgent.

The delay complained of by the Hon. the Treasurer was occasioned in consequence of the Marine Board being unable to obtain a reply from the Clarence and Richmond Steam Navigation Company to the Board's communication of the 16th December last. This is now attached, and it will be seen that considerable difficulties are raised in the way of removing the wreck. Since the Board initiated law proceedings in the case they have had an opportunity of inspecting the wreck of the "Ballina," and they are certainly of opinion that the vessel does not cause the injury alleged. If the removal of the wreck were an easy matter, the Board would have no hesitation in again initiating law proceedings; but in view of the difficulties of the undertaking, and from fear of the attempt failing, and thereby causing a real injury to the navigation of Port Macquarie by a portion of the debris of the wreck being blown into the channel, the Board are undecided what course to adopt. By order G.S.L., 22/2/82. The Under Secretary for Finance and Trade.

Wreck of s.s. "Ballina."

The minute of the Marine Board of 22/2/82, taken in connection with the previous action of the Board, appears to me unsatisfactory. The Board now say "they are undecided what course to adopt." This seems to me strange, when only a short time since the Board must have held a different opinion, when they instituted proceedings to compel the owners to remove the wreck. One of the officers of the Board states the wreck obstructs the navigation of the port, and yet the Board say "they are undecided what course to adopt."

The papers may be referred back to the Marine Board, so that the members may come to some decision, and as this matter has remained in abeyance long enough I hope no further delay will take place in arriving at a decision, in accordance with such facts as may be before the Board.—J.W., 3/3/82.

The President, Marine Board.—G.E., B.C., 4/3/82.

In re "Ballina" wreck.

The Marine Board's present indecision is due to what the Honorable the Treasurer seems to have overlooked, viz., their having lately visited the wreck of the "Ballina," and realized a different state of affairs to what they were led to expect. They do not now think the entrance to Port Macquarie anything like so injuriously affected as represented; the wreck has filled with sand, and nearly disappeared below the breakers. The removal would be a most difficult, dangerous, and expensive operation.—By order, G.S.L., 21/3/82. This

This minute, I regret to say, is as unsatisfactory as previous one. The Board is mistaken in assuming that I overlooked the fact that *some* members of the Board had recently visited the scene of the wreck of the "Ballina"; but their casual visit does not, as appears to me, get over the difficulty of the report of their permanent officer residing at the place. The reply of the Marine Board does not deny that the entrance to the harbour is affected by the "Ballina" remaining in her present position; but, apparently as an excuse for the non-removal, state it "would be most difficult, dangerous, and expensive." These are not matters, as it appears to me, to which the Government, under the law, can take cognizance, and on a careful consideration of all the facts, the C. & R.R.S.N. Co. should be compelled to remove the obstruction to the navigation of the harbour, and the necessary steps should be taken to carry out this object.—J.W., 25/3/82.

The President, Marine Board.—G.E., B.C., 27/3/82.

The Clarence and Richmond Steam Navigation Company having declined to remove the wreck of the "Ballina," as shown by their letter of the 16th ultimo attached, it is now submitted, in deference to the wishes of the Honorable the Treasurer, as expressed herein, that the Crown Law Officers be requested to initiate fresh proceedings, similar to those lately carried on, with a view of forcing the Company to remove the wreck.—By order, G.S.L., 31/3/82. The Under-Secretary for Finance and Trade.

The Crown Solicitor should be instructed to take the necessary steps to cause the C. & R.R.S.N. Co. to remove the wreck, in accordance with the law.—J.W., 17/4/82. Mr. Ross,—Forward these papers in a letter conveying the Treasurer's instructions.—G.E., 20/4/82. Done.—20, M.R.

No. 18.

The Secretary, C. and R. R. S. N. Co., to The President of the Marine Board.

Clarence and Richmond Rivers Steam Navigation Company,
Sydney, 16 February, 1882.

Sir,

Reverting to your favours of 16th December and 18th ultimo, I am now directed to say that while there appeared any chance of removing the wreck the Board were not disposed to stand on their legal position in the matter, and would have used any means they were advised might be effectual to meet your wishes, but they have sent an experienced competent surveyor to the spot, who reports that the wreck cannot be removed, and that the attempt to do so may be fraught with greater inconvenience to the navigation; that as a matter of fact there is now little or no danger or impediment to the navigation; and the demand that this Company should undertake an impracticable attempt seems unreasonable, and such as the Board, in their duty to their shareholders, must decline to comply with.

They therefore respectfully submit that as they are not the owners of the ship; that as she was sold in open market, and purchased by Mr. Short, who paid for her and proceeded to save all he could from her, this Company could not undertake the removal of the ship, involving her destruction, without his permission; and that any property they removed from the wreck would be his, and he it is who would be entitled to any funds arising from the sale of any portion thereof by order of the Justices empowered in that behalf by the Act.

The Board also submit that, from the report above alluded to, it seems clear that it is virtually impossible to move the wreck at all, and that an attempt to blow her up would in that shallow entrance involve greater risks to the navigation than the wreck at present causes.

I have, &c.,
JOHN WHITE,
Secretary.

No. 19.

Mr. A. C. Garrick to Captain Hickson, R.N.

"Ballina."

Sir,

127, Pitt-street, Sydney, 15 February, 1882.

I am very sorry that this matter is again becoming troublesome, but I think that Mr. Young, M.P., is impelled by his constituents, more than by his convictions, that the wreck is an obstruction to navigation. I forward the papers relating to the case, and am obliged for your allowing me to peruse them.

Believe me, &c.,
ALFRED C. GARRICK.

No. 20.

Mr. J. H. Young to The Colonial Treasurer.

Sir,

Sydney, 28 February, 1882.

I have the honor to request that I may be informed what decision has been arrived at by the Marine Board with reference to the removal of the wreck of the "Ballina" from the entrance to Port Macquarie harbour.

I have repeated complaints from the residents of the district that this wreck should be allowed so long to obstruct navigation, and I know vessels have been detained with valuable produce for considerable times.

I beg to remind you that on the 20th instant you promised to inform me what action the Marine Board had taken.

I have, &c.,
J. H. YOUNG, M.P.

There is considerable danger apprehended by the Marine Board that if the wreck of the "Ballina" is blown up the debris will impede the navigation of the channel now open, and the question is still under the consideration whether it is not more in the interest of the navigation of the port to allow the wreck to remain as she lies in preference to removing her by powder or dynamite.—J.W., 2/3/82. Mr. Ross.—G.E., 3/3/82. Informed.—M.R., 3.

No. 21.

The Under-Secretary for Finance and Trade to The Crown Solicitor.

Sir,

The Treasury, New South Wales, Sydney, 20 April, 1882.

I have the honor, by direction of the Colonial Treasurer, to enclose the papers relative to the obstruction at the entrance to Port Macquarie, caused by the wreck of the steamship "Ballina."

I am to request that you will take the necessary steps to cause the Clarence and Richmond River Steam Navigation Company to remove the wreck, in accordance with the law.

I have, &c.,

JNO. J. EATON,
(For U.-S.)

Received.—H.H.O., 21/4/82.

No. 22.

The Crown Solicitor to The Under-Secretary for Finance and Trade.

Sir,

Crown Solicitor's Office, Sydney, 9 May, 1882.

I have the honor to return herewith your letter of date 20th April, and the papers forwarded therewith, instructing me to take the necessary steps to cause the Clarence and Richmond River Steam Navigation Company to remove the wreck of the steamship "Ballina," and to state that until further instructed I am unable to take any steps in this matter.

The power given by the Navigation Act is not to compel the owner of a sunk or stranded vessel to remove same, but to call upon him so to do, and in case of neglect or refusal to remove the vessel at his cost.

The 111th section of the Navigation Act provides that if the owner of a wreck is called upon and fails to remove same, two Justices upon the complaint of any person appointed by the Marine Board may issue their warrant for removing the vessel *in such manner as the Justices shall order and direct*, and provides for the sale of the wreck, and that if the proceeds of the sale shall be insufficient to pay the expenses of removing the wreck, the owner shall be chargeable with any balance then remaining due.

It seems, therefore, that the mode in which the wreck is to be removed must be considered and decided upon by the Justices, as this mode of removal may materially affect the cost to which the owners will be rendered liable. I, some time since, under instructions received from your Department, filed an information in order to make application to Justices for an order to remove the "Ballina," and the application was adjourned from time to time to allow the Marine Board to decide as to the mode of removal which the Justices should be asked to sanction, but this information was not supplied, and eventually it was understood that the Company had arranged with the Board as to the removal of the "Ballina."

I have, therefore, to request that you will inform me as to the course to be adopted for the removal of this vessel which I am to ask the Justices to sanction. I have been informed, verbally, that the vessel cannot be raised and removed, and that the navigation of the river will be injuriously affected if the wreck is blown up; but, however this may be, it is necessary that I should request the Justices *to approve of some defined mode of removal* of the wreck, which at present I am not in a position to do.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

The President of the Marine Board.—J.W., 11/5/82. G.E., 11/5/82, B.C.

The removal of this wreck will be a matter of considerable difficulty and danger. It is therefore submitted that the Engineer-in-Chief for Harbours and Rivers may be requested to send a professional officer to Port Macquarie, to thoroughly examine the locality with the view of advising the Marine Board as to the best mode of proceeding in this matter.—By order, G.S.L., 18/5/82.

Urgent.—I should be glad if the Secretary for Public Works will act on the suggestion of the Marine Board.—J.W., 20/5/82. The Under-Secretary for Public Works.—G.E., 22/5/82, B.C. Harbours and Rivers, B.C., 26/5/82, J.R.

Captain Howard in the first instance to make accurate survey of the position of the wreck; I will then consider as to the best method for its removal.—E.O.M., 27/5/82. B.C., Captain Howard. Carrying out other urgent work in Sydney Harbour and elsewhere has prevented me attending to this up to the present time.—F. HOWARD, R.N., 14/9/82. As Captain Howard's time is so much occupied, I will send Mr. Hickson from Newcastle if the Hon. the Treasurer desires it.—E.O.M., 14/9/82. Seen.—J.W.

[Two sketches.]

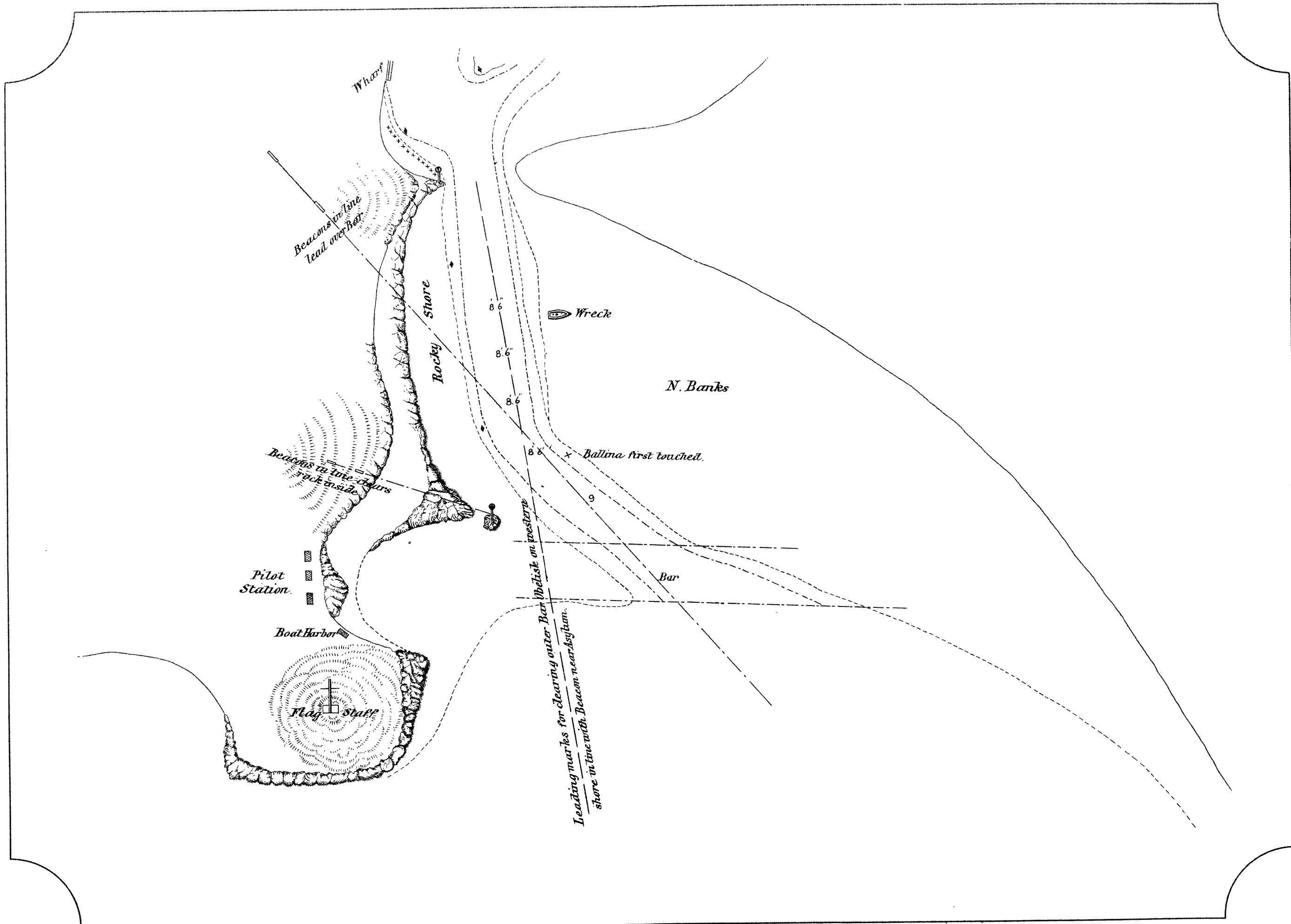


Fig. 208.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAND AND WHARF AT ST. LEONARDS.

(APPLICATIONS OF MESSRS STUART AND HARNETT FOR.)

Ordered by the Legislative Assembly to be printed, 17 April, 1883.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, made on the 20th March, 1883, That there be laid upon the Table of this House,—

“Copies of all letters, minutes, papers, plans, or other documents having reference to the applications of Messrs. Stuart and Harnett for certain land and a wharf at St. Leonards.”

(*Mr. Abigail.*)

SCHEDULE.

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2. Memorandum by the Surveyor-General and the Engineer-in Chief for Harbours and Rivers, with minutes. 4 July, 1882.	2
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No. 1.

Messrs. Harnett & Stuart to The Secretary for Lands.

Sir,

Sydney, 7 February, 1882.

We have the honor to enclose herewith application for rescission of reservation of water-frontage, Hillison's 5-acre and Gilbert's 16-acre grants, Mossman's Bay, per plan herewith. The improvements consist of a quarry, tramway, and drain, also a wharf, cranes for loading stone, which have cost us £5,000 or more to present date. We have the honor to beg your favourable consideration to our application.

We have, &c.,

R. HARNETT.

ALEX. STUART.

Minute on above.

The Engineer-in-Chief for Harbours and Rivers and the Surveyor-General.—C.O. B.C., Lands Department, 17-18 February, 1882.

[*Enclosure A to No. 1.*]

Application for Special Purchase under Section 12.

Sir,

310, George-street, Sydney, 7 February, 1882.

I have the honor to apply, pursuant to the 12th clause of the Crown Lands Alienation Act of 1861, for the rescission of reservation of water-frontage of the land hereunder described.

Appended hereto is a plan illustrative of this application, together with a receipt showing that the sum of £5 has been deposited in the Treasury on account thereof.

We have, &c.,

Signature of applicants—R. HARNETT.

ALEX. STUART.

The Minister for Lands,

Description

Description of land applied for.
100 feet reservation, embraced in Hillison's 5-acre grant and Gilbert's 16-acre grant, at head of Mossman's Bay, on the western side of the bay, parish of Willoughby, county of Cumberland.

Received the above-mentioned sum of £5 on account of the foregoing application.
Colonial Treasury, Sydney, 9 February, 1882.

W. NEWCOMBE,
(For the Colonial Treasurer.)

No. 2.

Memorandum by Surveyor-General and Engineer-in-Chief for Harbours and Rivers.

Stuart & Harnett applying for the rescission of the reservation of 100 feet above high-water-mark, contained in Hillison's 5-acre and Gilbert's 16-acre grant, at Mossman's Bay, parish of Willoughby, county of Cumberland.

We recommend that applicants be permitted to purchase the rescission of the reservation of 100 feet above high-water-mark of Mossman's Bay, contained in the Crown grants hereunder mentioned:—

T. Hillison's 5 acres.
J. Gilbert's 16 acres.

P. F. ADAMS.
E. O. MORIARTY.

The Under-Secretary for Works, 4/7/82.

Minutes on No. 2.

Forward to Lands.—J.L., 6/7/82. The Under-Secretary for Lands.—W.F., *pro* U.S., B.C., 15/7/82. Submitted for approval.—F.H.W., 21/7/82. C.O., 21/7/82. Approved.—Jno. R., 22/7/82. Records as to objections, then to Mr. Peyton.—J.B.T., 16/8/82. Mr. Furber,—For memorandum of obstructions, please, to Mr. District-Surveyor Woolrych.—S.L.P., 16 February, 1883.

No. 3.

The Under-Secretary for Lands to Messrs. Stuart & Harnett.

Gentlemen,

Department of Lands, Sydney, 2 August, 1882.

With reference to your application of the 7th February last for the rescission of the reservation of 100 feet above high-water-mark contained in Hillison's 5-acre and Gilbert's 16-acre grants at Mossman's Bay, parish of Willoughby, county of Cumberland, I am directed to inform you that, under a report which has been received from the Engineer-in-Chief for Harbours and Rivers and the Surveyor-General, the Secretary for Lands has approved of your being allowed to purchase the rescission in question, provided that, at the expiration of four weeks from the date of a notice to be published in the Government Gazette inviting the public to lodge any objections they may have to a compliance with your application, no valid objections shall have been lodged.

2. You must clearly understand that this approval extends only so far as this Department is concerned; and, further, that any work undertaken by you in connection with the proposed rescission will, until such time as final approval shall have been given by the Governor and Executive Council, be regarded as at your own risk.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 4.

Gazette Notice of Application made by Messrs. Stuart & Harnett.

Application to purchase rescission of reservation.

Department of Lands, Sydney, 11 August, 1882.

NOTICE is hereby given that application has been made by the parties hereunder mentioned, under the 12th clause of the Crown Lands Alienation Act of 1861, for the rescission of the reservations of the lands within 100 feet of high-water-mark in front of their properties, as particularized in the annexed description; and all persons interested are invited to state within one month from this date their objections (if any) to the proposed rescission.

JOHN ROBERTSON.

Registration No.	Name of Applicants.	Description.
Ms. 82-10,773 82-1,229 S. P.	Messrs. Stuart & Harnett...	County of Cumberland, parish of Willoughby, the reservation of 100 feet above high-water-mark of Mossman's Bay, contained in the following Crown grants:—T. Hillison's 5 acres and J. Gilbert's 16 acres.

SCHEDULE.

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No. 1.

Messrs. Stuart & Harnett to The Secretary for Lands.

Sir

Sydney, 7 February, 1882.

We beg to hand you herewith application for the rescission of the reservation of the water-frontage at Little Sirius Cove of Manson's 30-acre grant, now our property, and on which a number of improvements have been made; four residences are now on the block, and several more will be erected shortly. We have expended a large amount of money in improving the Government road on the western boundary of this land, and have spent a considerable amount in improvements in this locality generally.

We have, &c.,

R. HARNETT.

ALEX. STUART.

Minute on above.

The Engineer-in-Chief for Harbours and Rivers and the Surveyor-General.—C.O. B.C., Lands Department.—F.H.W., 17 February, 1882.

[Enclosure A to No. 1.]

Application for Special Purchase under Section 12.

Sir,

310. George-street, 7 February, 1882.

We have the honor to apply, pursuant to the 12th clause of the Crown Lands Alienation Act of 1861, for the rescission of reservation of water-frontage of the land hereunder described.

Appended hereto is a plan illustrative of this application, together with a receipt showing that the sum of £5 has been deposited in the Treasury on account thereof.

We have, &c.,

R. HARNETT.

ALEX. STUART.

Description of land applied for.

100 feet reservation embraced in Manson's grant, Little Sirius Cove (of 30 acres), parish of Willoughby, county of Cumberland.

Received the above-mentioned sum of £5 on account of the foregoing application.

Colonial Treasury, Sydney, 9 February, 1882.

W. NEWCOMBE,

(For the Colonial Treasurer.)

No. 2.

Memorandum by Surveyor-General and Engineer-in-Chief for Harbours and Rivers.

Stuart & Harnett applying for the rescission of the 100 feet reservation above high-water-mark contained in R. Manson's 30-acre grant at Little Sirius Cove, parish of Willoughby, county of Cumberland.

We recommend that applicants be permitted to purchase the rescission of the reserve of 100 feet above high-water-mark of Little Sirius Cove, in the Crown grant hereunder mentioned:—

R. Manson's 30-acre grant.

The Under-Secretary for Public Works.

P. F. ADAMS.

E. O. MORLIARTY.

Minutes on No. 2.

Forward to Lands.—J.L., 6/7/82. The Under-Secretary for Lands.—W.F., pro U.-S., B.C., 15/7/82. Submitted for approval.—T.H.W., 21/7/82. C.O., 21/7/82. Approved.—Jno. R., 22/7/82. Records.—As to objections, then to Mr. Peyton.—J.B.T., 16/9/82. Mr. Furber.—For memo. of instructions, please, to Mr. District-Surveyor Woolrych.—J.B.D., 16 February, /83.

No. 3.

The Under-Secretary for Lands to Messrs. Stuart and Harnett.

Gentlemen,

Department of Lands, Sydney, 2 August, 1882.

With reference to your application of the 7th February last, for the rescission of the reservation of 100 feet above high-water-mark, contained in R. Manson's 30-acre grant, at Little Sirius Cove, parish of Willoughby, county of Cumberland, I am directed to inform you that, under a report which has been received from the Engineer-in-Chief for Harbours and Rivers and the Surveyor-General, the Secretary for Lands has approved of your being allowed to purchase the rescission in question, provided that, at the expiration of four weeks from the date of a notice to be published in the Government Gazette, inviting the public to lodge any objections they may have to a compliance with your application, no valid objections shall have been lodged.

2. You must clearly understand that this approval extends only so far as this Department is concerned; and, further, that any work undertaken by you in connection with the proposed rescission will, until such time as final approval shall have been given by the Governor and Executive Council, be regarded as at your own risk.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

No. 4.

No. 4.
Gazette Notice.

Application to purchase rescission of reservation.

Department of Lands, Sydney, 11 August, 1882.

NOTICE is hereby given that application has been made by the parties hereunder mentioned, under the 12th clause of the Crown Lands Alienation Act of 1861, for the rescission of the reservation of the land within 100 feet of high-water-mark in front of their properties, as particularized in the annexed description; and all persons interested are invited to state within one month from this date their objections, if any, to the proposed rescission.

JOHN ROBERTSON.

Registration No.	Name of Applicants.	Description.
* * 82-10,774 82-1,230, S.P.	* * * * Messrs. Stuart & Harnett...	* * * * * County of Cumberland, parish of Willoughby, the reservation of 100 feet above high-water-mark of Little Sirius Cove, contained in the following Crown grant—R. Manson's 30 acres.

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46. Same to Messrs. Stuart & Harnett. 3 February, 1883	20
47. William H. McLean, Council Clerk, Borough of St. Leonards, to the Under-Secretary for Lands. 10 February, 1883	20
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No. 1.

Mr. J. Bell to The Colonial Secretary.

Sir,

4 King-st., Sydney, 3 April, 1830.

I have the honor to inform you that I am at present fitting up the brig "William Stoveld" for the whale fishery, and not having water-side premises I am obliged to store and cooper my casks, &c., on the King's wharf, and also at this moment I am compelled to pump oil from one cask into another, the proceeds of the last voyage. These operations, viz., the noise of coopering, lumbering the wharf, and the offensive smell of the oil, the Custom House Officers very justly complain of, so much so that if I am not allowed to proceed it will very materially retard my object and affect my interest. In order to prevent a recurrence of the nuisance when the vessel returns, I beg through you to solicit His Excellency the Governor to grant me a portion of unlocated land bounded by the harbour of Port Jackson, for the purpose of erecting a wharf and suitable premises for the equipment of vessels employed in the whale fishery.

I have, &c.,

JOHN BELL.

No. 2.

The Colonial Secretary to Mr. J. Bell.

Gentlemen,

Colonial Secretary's Office, Sydney, 8 June, 1830.

I have had the honor to receive and submit to the Governor your application of the 3rd April last, for an allotment of land on the north shore of Port Jackson, and am directed by His Excellency to inform you that from the great value of the land in the spot alluded to it is thought proper to bestow it exclusively on such persons as are really engaged in the whale fisheries or some other undertaking which requires a water-side allotment, and will immediately form the establishments requisite for carrying on their trade.

I do myself the honor accordingly to request that you will state, for His Excellency's information, what proof it is in your power to offer that you have actually embarked your capital in any such speculation as above mentioned, and on what date it is your intention to commence, *bona fide*, the necessary wharfs and buildings, if an allotment be granted to you.

I have, &c.,

ALEXANDER McLEAY.

No. 3.

Mr. J. King to The Colonial Secretary.

Sir,

Sydney, 12 June, 1830.

I had the honor to receive your favour of the 8th instant, addressed to Mr. Bell, regarding his application for a water-side allotment, which I take the liberty of replying to, having authority from him for that purpose. For the information of His Excellency the Governor, I do myself the honor to enclose a document* which I hope will sufficiently prove that Mr. Bell has already embarked considerable capital and is actually engaged in the whale-fishing business. He now accompanies the vessel on her present voyage. If further proof is necessary, I will be most happy to render it.

* Vide enclosure B.

I beg respectfully to inform His Excellency that I am instructed by Mr. Bell, † during his absence, to make the requisite arrangements for the erection of such premises and wharfs as will be necessary, previous to the arrival of the vessel, which may reasonably be expected in a few months, with a cargo of oil.

† Vide enclosure A.

Subjoined is a copy of the instructions I hold from Mr. Bell.

I have, &c.,

JAMES KING.

[Enclosure A to No. 3.]

Sir,

Sydney, 18 April, 1830.

I hereby authorize you to open and answer any letters that may be sent from the Honorable Colonial Secretary's Office regarding the water-side allotment I have applied for, to select it, and to manage any other matters regarding the same.

To Mr. J. King, 5, King-street.

JOHN BELL.

[Enclosure B to No. 3.]

WE, the undersigned, do hereby certify that Mr. Bell is personally known to us, that he has embarked a considerable amount of capital in the whale fishing, and that he at present accompanies the vessel on a whaling voyage.

Sydney, 12 June, 1830.

EDWARD WOLLSTONE CREFT.

ROBERT HOWE.

JOHN BINGLE.

ARCHD. MOSSMAN.

JAMES KING.

No. 4.

The Colonial Secretary to Mr. J. Bell.

Sir,

Colonial Secretary's Office, 26 July, 1830.

With reference to your application of the 3rd April last, for a portion of land bounded by the harbour of Port Jackson, for the purpose of erecting a wharf and stores, &c., required to enable you to carry on your whaling pursuits, and also to your letter of the 12th ultimo, in reply to mine of the 8th, representing the extent of your engagements in this trade and your intention to commence the necessary buildings immediately, I have now the honor to inform you that the point of land between Careening Cove and Neutral Harbour, as well as that between Great and Little Sirius Coves, has been laid out into allotments for this purpose, and that His Excellency the Governor has been pleased to order that you may receive one of them.

At the same time I am directed to apprise you that these allotments will only be granted on the express condition of the necessary buildings being commenced within six months, in default of which they will

will be forfeited. You will accordingly have the goodness to notify the selection you may make to the Surveyor-General, in order that that officer may include the same, if unobjectionable, in his half-monthly report for final approval previous to your obtaining the regular authority for possession, which will state more specifically the conditions it will be granted on.

I have, &c.,
ALEXANDER McLEAY.

No. 5.

The Colonial Secretary to Mr. A. Mossman.

Sir,

Colonial Secretary's Office, 19 October, 1830.

With reference to your letter of the 5th August last, renewing your application for a portion of land in the harbour of Port Jackson, for the purpose of erecting a wharf and stores, &c., required to carry on your whaling pursuits, I do myself the honor to inform you that as the point of land between Neutral Harbour and Careening Cove, as well as that between the Great and Little Sirius Coves, has been laid out into allotments for the purpose, that His Excellency the Governor has been pleased to order that you may receive one of them.

At the same time I am directed to apprise you that these allotments will only be granted on the express condition of the necessary buildings being commenced within six months, in default of which they will be forfeited. You will accordingly have the goodness to notify your selection to the Surveyor-General, in order that that officer may include the same, if unobjectionable, in his half-monthly report for final approval previous to obtaining the regular authority for possession, which will state more specifically the conditions it will be granted on.

I have, &c.,
ALEXANDER McLEAY.

No. 6.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 19 October, 1830.

I do myself the honor to inform you that His Excellency the Governor has been pleased to order Mr. Archibald Mossman and Mr. Charles Staples are to be allowed to select each an allotment on the North Shore for the purposes of whaling establishments, either at the point of land between Careening Cove and Neutral Harbour, or that between Great and Little Sirius Coves, which have been set apart for these purposes, and to request that after those gentlemen have fixed upon the spots they wish to receive, taking care that Mr. Mossman has the priority of selection, you will be pleased to include their names in your half-monthly return for His Excellency's final approval.

I have, &c.,
ALEXANDER McLEAY.

No. 7.

Mr. J. King to The Surveyor General.

Sir,

Sydney, 2 December, 1830.

By virtue of the permission granted me by His Excellency the Governor to select an allotment on the north shore of Port Jackson, I have the honor to apprise you that I have selected section No. 7 (seven) in Little Sirius Cove.

I have, &c.,
(For JOHN BELL),
JAMES KING.

Minute on No. 7.

Abstract of 1-15th December, 1830. 4 acres more or less, special reserve allotment No. 7, for the purpose of erecting stores and other suitable buildings necessary for the formation of a whaling or other mercantile establishment. Possession given Mr. John Bell, or in his absence, Mr. James King, his agent. Surveyor-General, collection, interest, revenue, 1st January, 1831.

No. 8.

The Colonial Secretary to The Surveyor-General.

Sir,

Colonial Secretary's Office, Sydney, 1 January, 1831.

I am directed by His Excellency the Governor to apprise you that Mr. John Bell, or in his absence, Mr. James King, his agent, has received permission to take possession of the 4 acres more or less of land, described as No. 30-344 in your abstract of lands selected between the 1st and the 15th of December, 1830, to be held agreeably to the existing regulations, as a special reserve for the purpose of erecting stores and other buildings necessary for the formation of a whaling or other mercantile establishment, the reservation of 100 feet from high-water-mark and the conditions as to personal residence on the land being omitted.

I have, &c.,
T. C. HARRINGTON,
(For the Colonial Secretary.)

No. 9.

The Colonial Secretary to The Surveyor-General.

Sir,

Colonial Secretary's Office, Sydney, 1 January, 1831.

I am directed by His Excellency the Governor to apprise you that Mr. Archibald Mossman has received permission to take possession of the 4 acres more or less of land, described as No. 30-345 in your abstract of lands selected between the 1st and the 15th of December, 1830, to be held agreeably to the

the existing regulations, as a special reserve for the purpose of erecting stores and other buildings necessary for the formation of a whaling or other mercantile establishment, the reservation of 100 feet from high-water-mark and the condition as to personal residence on the land being omitted.

I have, &c.,

T. C. HARINGTON,

(For the Colonial Secretary.)

No. 10.

The Colonial Secretary to Mr. J. Bell.

Sir,

Colonial Secretary's Office, Sydney, 1 January, 1831.

The Surveyor-General having stated in his report for 1-15 December, 1830, that in pursuance of the authority given to you by His Excellency the Governor you have selected 4 acres more or less of land situated in the county of Cumberland, parish of Willoughby, being allotment No. 7 (seven), between Great and Little Sirius Coves, for the purpose of erecting stores and other buildings necessary for the formation of a whaling or other mercantile establishment, I am directed to communicate to you His Excellency's sanction to take possession of the said 4 acres more or less of land, and to retain the same (if it has been surveyed) for two years from the present date, or until His Majesty's pleasure shall be made known on the subject, provided that you apply it immediately to the purpose stated and do not convert any part of it to any other purpose whatsoever; but if the selection which you have made be in an unsurveyed part of the country, it will not be possible to determine at present whether there are any prior claims or other objections to your obtaining the precise spot applied for or not. It is presumed, however, that there will be a sufficiency of land for all purposes, and the Government will not interfere with your selection if it can be avoided.

If it be found, at the end of two years, that you have failed to carry into effect the purpose above stated, the land will be immediately resumed and granted to another applicant; but if, during that time, you shall fully and *bona fide* comply with the intention of this reserve, and if the same shall be approved by His Majesty, you will be allowed a grant of the land in free and common socage on the following conditions, viz:—

1. You will have to pay a quit-rent to the Crown of 5 per cent. per annum on the value of the land, as it may be hereafter fixed by the Commissioners appointed for that purpose or by order of His Majesty's Government.
2. The payment of the quit-rent will not commence until the end of seven years from this date, but within that period you must expend in improvements on the land a sum equal to its full value, estimated as above, under the penalty of forfeiting the grant.
3. The quit-rent will be redeemable at your option on a payment to the Colonial Treasury of a sum equal to twenty years' purchase, provided such payment be made within twenty years from the present date.
4. The land will not be alienable under any pretence whatever before the expiration of seven years from this date, nor until the sum above stipulated to be laid out in improvements shall have been actually expended on it, and you will not be put in possession of the title deeds until the end of that period.
5. The Crown reserves to itself all mines of gold, silver, and coals, the right of making and constructing all roads and bridges which may be necessary for public purposes, and such stones, indigenous timber, and other materials, the produce of the land, as may be required at any time for the construction and repair of the said roads and bridges, for naval purposes, and for public works.
6. You must apply other land to the purpose above stated, and never convert any part of it to any other purpose whatever, under penalty of forfeiture.

I have, &c.,

ALEXR. MCLEAY.

[Enclosure to No. 10.]

Extract from half-monthly Return, No. 2, fol. 242.

No.	Name.	Date of Order.	No. of acres.	Date of notice of selection.	Situation of land selected.	Surveyor-General's Report.	Decision, &c.
344	John Bell, per agent, James King.	1830. July, 26.	4, more or less.	1830. 2 December.	County of Cumberland, parish of Willoughby, Allotment No. 7, between Great and Little Sirius Coves.	Vacant. Descriptions forwarded to Colonial Secretary for deeds in S. G. blank cover 43/82, dated 22 April, 1842, on application 41/9116.	Selection approved, 1 January, 1831. To be held agreeably to the existing regulations as a special reserve for the purpose of erecting stores and other buildings necessary for the formation of a whaling or other mercantile establishment; the reservation of 100 feet from high-water-mark and the condition as to personal residence being omitted. Charted: see cat. N. 3-699. Measured by J. Larmier.

No. 11.

The Colonial Secretary to Mr. A. Mossman.

Sir,

Colonial Secretary's Office, Sydney, 1 January, 1831.

The Surveyor-General having stated in his report for 1-15 December, 1830, No. —, that, in pursuance of the authority given to you by His Excellency the Governor, you have selected 4 acres, more or less, of land situated in the county of Cumberland, parish of Willoughby, being allotment No. 6 (six) between Great and Little Sirius Creeks, for the purpose of erecting stores and other buildings necessary for the formation of a whaling or other mercantile establishment, I am directed to communicate to you His Excellency's sanction to take possession of the said 4 acres, more or less, of land, and to retain

retain the same (if it has been surveyed) for two years from this present date, or until His Majesty's pleasure shall be made known on the subject, provided that you apply it immediately to the purpose stated, and do not convert any part of it to any other purpose whatsoever.

But if the selection which you have made be in an unsurveyed part of the country, it will not be possible to determine at present whether there are any prior claims or other objections to your obtaining the precise spot applied for or not. It is presumed, however, that there will be a sufficiency of land for all purposes, and the Government will not interfere with your selection *if it can be avoided*.

If it be found at the end of two years that you have failed to carry into effect the purpose above stated, the land will be immediately resumed and granted to another applicant. But if, during that time, you shall fully and *bonâ fide* comply with the intentions of this reserve, and if the same shall be approved by His Majesty, you will be allowed a grant of the land in free and common socage on the following conditions, viz. :—

1. That you will have to pay a quit-rent to the Crown of 5 per cent. per annum on the value of the land, as it may be hereafter fixed by the Commissioners appointed for that purpose, or by order of His Majesty's Government.
2. The payment of the quit-rent will not commence until the end of seven years from this date, but within that period you must expend in improvements on the land a sum equal to its full value, estimated as above, under penalty of forfeiting the grant.
3. The quit-rent will be redeemable at your option on a payment to the Colonial Treasury of a sum equal to twenty years' purchase, provided such payment be made within twenty years from this present date.
4. The land will not be alienable under any pretence whatever before the expiration of seven years from this date, nor until the sum above stipulated to be laid out in improvements shall have been actually expended on it, and you will not be put in possession of the title deeds until the end of that period.
5. The Crown reserves to itself all mines of gold, silver, and coals, the right of making and constructing all roads and bridges which may be necessary for public purposes, and such stone, indigenous timber, and other materials, the produce of the land, as may be required at any time for the construction and repair of the said roads and bridges, for naval purposes, and for public works.
6. You must apply the land to the purposes above stated, and never convert any part of it to any other purpose whatever, under penalty of forfeiture.

I have, &c.,
ALEX. McLEAY.

Minute on No. 11.

Original is endorsed on back by A. Mossman, written, 12 February, 1831, to the Surveyor-General, requesting him to survey the land on the North Shore.—ARCHIBALD MOSSMAN.

[*Enclosure to No. 11.*]

Extract from half-monthly Return, No. 2, fol. 242.

No.	Name.	Date of Order.	No. of acres.	Date of notice of selection.	Situation of land selected.	Surveyor-General's Report.	Decision, &c.
345	Arch. Mossman	1830, 19 Oct.	4, more or less.	1830, 2 December.	County of Cumberland, parish of Wiltoughby. Allotment No. 6, between Great and Little Sirius Coves.	Vacant. Descriptions forwarded to Colonial Secretary for deeds in S. G. blank cover 43/82, dated 22 April, 1842, on application 41/9116.	Selection approved, 1 January, 1831. Agreeably to the existing regulations as a special reserve for the purpose of erecting stores and other buildings necessary for the formation of a whaling or other mercantile establishment; the reservation of 100 feet from high-water-mark and the condition as to personal residence upon the land being omitted. Chartered; see cat. N. 3-693. Measured by J. Larmer.

No. 12.

The Colonial Secretary to Mr. J. Bell.

Sir,

I am directed by His Excellency the Governor to request that you will report to me before the 1st of the ensuing month what progress you have made in fulfilling the conditions on which the allotment at the North Shore was expressly given to you.

I have, &c.,
ALEXANDER McLEAY.

Minute on No. 12.

Duplicate of the above was again sent on 23rd August, 1831.

No. 13.

The Colonial Secretary to Mr. A. Mossman.

Sir,

I am directed by His Excellency the Governor to request that you will report to me before the 1st of the ensuing month what progress you have made in fulfilling the conditions on which the allotment at the North Shore was expressly given to you.

I have, &c.,
ALEXANDER McLEAY.

No. 14.

Messrs. Hughes & Hosking to The Colonial Secretary.

Sir,

Sydney, 11 October, 1841.

You will oblige us by stating whether a grant for 4 acres of land, dated 12th February, 1831, allotment No. 6, at Sirius Cove, parish of Willoughby, in favour of Archibald Mossman, is in your office, the same not being marked off as usual on the parish map in the Surveyor's office when issued.

We have, &c.,

HUGHES & HOSKING.

Minutes on No. 14.

The Surveyor-General is requested to report, furnishing the description if the grant be noted.—E.D.-T., blank cover, 15 October, 1841.

Mr. Assistant-Surveyor Dalgety having furnished me with descriptions of the allotments 6 and 7 at Great Sirius Cove, for the deeds of grant of which Messrs. Hughes & Hosking have applied in their letter of the 8th November, 1841 (see No. —), copies are forwarded herewith; so that deeds of grant can now be prepared if His Excellency the Governor should think proper. Owing to a supposed discrepancy in the surveys of Messrs. Larmer and White the descriptions of these allotments have not been previously forwarded.—T.L.M., Surveyor-General's Office, 22 April, 1842.

I conclude the deeds may be advertised, upon Messrs. Hughes & Hosking sending the necessary letters within one month; and in default, then to advertise for the original donors.—30 April, 1842.

The authenticated letters should be furnished previously to advertising in Messrs. Hughes & Hosking's names.—3 May, 1842.

No. 15.

Messrs. Hughes & Hosking to The Colonial Secretary.

Sir,

Sydney, 8 November, 1841.

There being a discrepancy between the surveys of Messrs. White and Larmer over two portions of land, containing 4 acres each, in Great Sirius Cove, known as Mossman's Bay, which occasions the non-issue of the deeds of grant which we require as proprietors by purchase from Archibald Mossman, we will feel obliged by the Government adopting early measures for rectifying any error in the original measurement of the portions already alluded to, standing as Nos. 6 and 7 in the parish map of Willoughby.

We are, &c.,

HUGHES & HOSKING.

Minutes on No. 15.

The Surveyor-General is requested to report. Blank cover.—E.D.-T., 11 November, 1841. The Assistant-Surveyor will receive again instructions to attend to this.—T.L.M., 18 November, 1841. Returned Colonial Secretary's office.—19 November, 1841. Inform Mr. Terry Hughes as above.—19 November.

No. 16.

The Colonial Secretary to Messrs. Hughes & Hosking.

Gentlemen,

Colonial Secretary's Office, Sydney, 23 November, 1841.

In reply to your letter of the 8th instant respecting a discrepancy in the measurement of two portions of land at Sirius Cove, I do myself the honor to inform you that the Assistant-Surveyor will now again receive instructions to attend to this matter.

I have, &c.,

E. DEAS-THOMSON.

No. 17.

The Colonial Secretary to The Surveyor-General.

Sir,

Colonial Secretary's Office, Sydney, 23 November, 1841.

In pursuance of your report of the 18th instant on a letter from Messrs. Hughes & Hosking respecting a discrepancy in the measurement of two portions of land at Sirius Cove, I do myself the honor to inform you that Messrs. Hughes & Hosking have been apprised that the Assistant-Surveyor will now again receive instructions to attend to this matter.

I have, &c.,

E. DEAS-THOMSON.

No. 18.

The Surveyor-General to Mr. Assistant-Surveyor Dalgety.

Sir,

Surveyor-General's Office, 24 November, 1841.

I enclose you copies of Mr. Assistant-Surveyor Larmer's description of the allotments Nos. 6 and 7, at Sirius Cove. These descriptions have never been acted on, because Mr. Assistant-Surveyor H. F. White represented that there was a considerable error in them. This Mr. Larmer denied, and instructions were accordingly issued, I believe, either to Mr. Butler or yourself, to inquire into this discrepancy between the work of the two surveyors. Unfortunately, Mr. H. F. White's letter and explanatory sketch and Mr. Larmer's letters have been mislaid. The Colonial Secretary having handed to me, under blank cover of 15 October, 1841, an application from Hughes & Hosking for the deed of grant of No. 6, and also another application, under blank cover of 11 November, 1841, for the deeds of grant of allotments Nos. 6 and 7, and praying an investigation of the discrepancy, I have to request that you will take the earliest opportunity of inquiring into this business, which has been standing over now since 1836, and furnish a plan and fresh descriptions if necessary.

I have, &c.,

T. L. MITCHELL.

No. 19.

Mr. Assistant-Surveyor Dalgety to The Surveyor-General.

Sir,

North Shore, 9 March, 1842.

According to the instructions contained in your letter, I have the honor to forward a plan and descriptions of allotments Nos. 4, 5, 6, 7, and 8, at Sirius Cove, in the county of Cumberland, parish of Willoughby, and I beg leave to report that the only error I find is in the southern boundary of lot No. 8; which is too little, being only 8 chains and 40 links, instead of, as formerly described, 9 chains and 20 links, in consequence of which the area is also too little, being only 3 acres 1 rood and 30 perches, instead of, as originally stated, 4 acres.

I have, &c.,

J. G. DALGETY,

Assistant-Surveyor.

[Enclosure B to No. 19.]

Description.—Archibald Mossman, 4 acres.

Four acres, county of Cumberland, parish of Willoughby, at Great Sirius Cove, allotment No. 6. Commencing at the north-west corner of allotment No. 7; and bounded on the south by the northern boundary of allotment No. 7 bearing east six degrees thirty minutes south eight chains; on the east by a road one chain wide bearing north twenty-four degrees east; on the north by a road one chain wide bearing north sixty-five degrees west seven chains fifty links to Great Sirius Cove; and on the west by Great Sirius Cove to the north-west corner of allotment No. 7.

Minutes on Enclosure B.

Promised by Governor Darling on the 19th October, 1830, and possession given on the 1st January, 1831, as a special reserve for the erection of stores and other buildings necessary for the formation of a whaling or mercantile establishment.

Quit-rent, 8d. sterling per annum, commencing 1st January, 1838.

[Enclosure C to No. 19.]

Description.—John Bell, 4 acres.

Four acres, county of Cumberland, parish of Willoughby, at Great Sirius Cove, allotment No. 7. Commencing at the south-west corner of allotment No. 6; and bounded on the north by the southern boundary of allotment No. 6 bearing east six degrees thirty minutes south eight chains; on the east by a road one chain wide; on the south by a road one chain wide bearing west eleven chains to Great Sirius Cove; and on the west by Great Sirius Cove to the south-west corner of No. 6 allotment.

Minute on Enclosure C.

Promised by Governor Darling on the 26th July, 1830; selection approved 1st January, 1831, as a special reserve for erection of stores and other buildings necessary for the formation of a whaling or mercantile establishment.

No. 20.

The Colonial Secretary to Messrs. Hughes & Hosking.

Gentlemen,

Colonial Secretary's Office, Sydney, 7 May, 1842.

With reference to your letters of 11th October and 8th November, 1841, claiming the deeds of two portions of land at Great Sirius Cove, containing 4 acres each, and located to Archibald Mossman and John Bell respectively, I now do myself the honor to request that you will obtain the usual authentication letters within one month from this date, otherwise the deeds will be advertised for the original donees.

I have, &c.,

E. DEAS-THOMSON.

No. 21.

Mr. A. Mossman to The Colonial Secretary.

Sir,

Sydney, 24 July, 1843.

I have the honor to apply for the issue of a deed of grant in my favour of 4 acres (more or less) of land situated in the county of Cumberland, parish of Willoughby, being allotment No. 7 (seven), between Great and Little Sirius Coves, granted to John Bell, Esquire, by virtue of a letter of possession, signed by the Honorable the Colonial Secretary, upon the 1st January, 1831, marked special, and conveyed to me by Mr. Bell by deeds of lease and release, bearing date the 9th and 10th of December, 1836, herewith exhibited, and upon which land have been erected stores and other buildings necessary for the formation of a whaling or other mercantile establishment.

I have, &c.,

ARCHIBALD MOSSMAN.

Minutes on No. 21.

This being a comparatively recent alienation, I conclude His Excellency will sanction the issue of a grant for the land; but Bell, the promisee, is I believe deceased, and the case therefore would seem to be one for the Court of Claims. 25 July. Approved.—G.C., 26 July. Commissioner of Claims to report accordingly. Blank cover, 27 July, 1843.—For the Colonial Secretary, W. ELYARD.

No. 22.

Mr. A. Mossman to The Colonial Secretary.

Sir,

Sydney, 24 July, 1843.

I beg to apply for the issue in my favour of a deed of grant of 4 acres (more or less) of land situated in the county of Cumberland, parish of Willoughby, being allotment No. 6, between Great and Little Sirius Coves, which was granted to me by virtue of a letter of possession, signed by the Honorable the Colonial Secretary, upon the 1st January, 1831, marked special, and upon which I have erected stores and other buildings necessary for the formation of a whaling or other mercantile establishment.

I have, &c.,

ARCHIBALD MOSSMAN.

Minutes

Minutes on No. 22.

This being a comparatively recent alienation, I conclude His Excellency will sanction the issue of a grant for the land; if so, the deeds should perhaps be at once advertised for the promisee Messman, Messrs. Hughes and Hosking, who claimed this land, having failed to produce the proper authority from Messman. 25 July, 1843. Approved.—G.G., 26 July, 1843. Commissioner of Claims to investigate and report. B.C., 26 April, 1844.—E.D.-T.

No. 23.

Gazette Notice.

Court of Claims Office, Sydney, 13 August, 1843.

NOTICE is hereby given, that the following claims for a deed of grant of land will be ready for the examination of the Commissioners appointed for that purpose under the Act of Council, 5 William IV., No. 21, at the expiration of two months from this date, before which day any caveat or counter claim must be entered at this office. Due notice will be given of the days appointed for the hearings,—

Case, No. 1,208—Archibald Mossman, of Sydney, merchant.

Four acres, county of Cumberland, parish of Willoughby, at Great Sirius Cove, allotment No. 7: Commencing at the south-west corner of allotment No. 6; bearing east 6 degrees 30 minutes south 8 chains; on the east by a road 1 chain wide; on the south by a road 1 chain bearing west 11 chains to Great Sirius Cove; and on the west by Great Sirius Cove to the south-west corner of No. 6 allotment.

This land was selected on an order of Governor Darling's, dated the 26th July, 1830, in favour of John Bell, deceased, who, it is alleged, sold to claimant, who has erected stores, &c., for a whaling establishment, the condition on which the land was promised.

By direction of the Commissioners,

JOHN THOMPSON,
Secretary.

No. 24.

Gazette Notice.

Colonial Secretary's Office, Sydney, 21 August, 1843.

THE following description of a grant of land, with the name of the person to whom it was originally promised, is published for general information, in order that all parties concerned may have an opportunity of correcting any errors or omissions that may have been made inadvertently.

It is requested that within one month from the present date the following particulars may be accurately furnished to this office, viz., surname and all christian names of the person in whose favour the deed is to be prepared, written at full length, his residence, and the intended name of the property.

Also (if required in any name but that of the original promisee) the grounds of the claim, and a letter from the said promisee, if living, and from all intermediate assigns, if any, giving his and their consent and sanction thereto, and witnessed either by a Magistrate or a Solicitor of the Supreme Court.

If these be duly furnished and satisfactory, and if no caveat be lodged, or other cause of uncertainty appear, the deeds will be prepared accordingly, as soon as possible after the expiration of the stated period of one month. If the required particulars be not furnished within that period, or if a caveat be lodged, or other cause of uncertainty arise which cannot be satisfactorily determined by the Government, the case will be referred to the Commissioners of Claims, and the parties subjected to the expense of that proceeding.

CUMBERLAND.

12.—Archibald Mossman, 4 (four) acres, parish of Willoughby, at Great Sirius Cove, allotment No. 6: Commencing at the north-west corner of allotment No. 7; and bounded on the south by the northern boundary of allotment No. 7 bearing east 6 degrees 30 minutes south 8 chains; on the east by a road of 1 chain wide bearing north 24 degrees east; on the north by a road 1 chain wide bearing north 65 degrees west 7 chains 50 links to Great Sirius Cove; and on the west by Great Sirius Cove to the north-west corner of allotment No. 7.

Promised by Governor Darling, on the 19th October, 1830, and possession given on the 1st January, 1831, as a special reserve, for the erection of stores and other buildings necessary for the formation of a whaling or mercantile establishment.

Quit-rent, 8d. sterling per annum, commencing 1st January, 1838.

By His Excellency's Command,

E. DEAS-THOMSON.

No. 25.

Gazette Notice.

Court of Claims.—Notice of Hearing.

Court of Claims Office, 21 September, 1843.

THE Commissioners hereby give notice of their intention to proceed in the investigation of the under-mentioned claim to land and town allotment, the description of which, for a deed of grant, has been fully set forth in former advertisements.

Monday, the 16th day of October next, and following days, at eleven o'clock, has been appointed for the hearing, and all parties interested are desired to be in attendance with their documents and witnesses, as the case will be heard consecutively from day to day, and those cases in which there may be no attendance will be postponed at the discretion of the Court.

No. of Case.	Name of Claimant.	Solicitors.
1,208	Archibald Mossman, of Sydney, merchant. ... ..	.....

Such cases as were postponed at the last sitting are also appointed to be heard at the present one.

By the direction of the Commissioners,
JOHN THOMPSON,
Secretary.

No. 26.

Gazette Notice.

Court of Claims Office, 6 May, 1844.

NOTICE is hereby given that the following claim to a deed of grant of land and a town allotment will be ready for examination by the Commissioners appointed for that purpose, under the Act of Council, 5 William IV. No. 21, at the expiration of two months from this date, before which day any caveat or counter claim must be entered at this office; due notice will be given of the days appointed for the hearing.

Case No. 1,226, Archibald Mossman, of Sydney, opposed by Messrs. Hughes & Hosking.

Four acres, county of Cumberland, parish of Willoughby, at Great Sirius Cove, allotment No. 6: Commencing at the north-west corner of allotment No. 7; and bounded on the south by the northern boundary of allotment No. 7 bearing east 6 degrees 30 minutes south 8 chains; on the east by a road of 1 chain wide bearing north 24 degrees east; on the north by a road 1 chain wide bearing north 85 degrees west 7 chains 50 links to Great Sirius Cove; and on the west by Great Sirius Cove to the north-west corner of allotment No. 7.

This allotment was located on an order of Governor Darling's, dated 19th October, 1830, in favour of Archibald Mossman, who, it is alleged, conveyed to Hughes & Hosking. The allotment was promised on condition of forming a whaling establishment, which condition has, it is alleged, been fulfilled.

By direction of the Commissioners,
JOHN THOMPSON,
Secretary.

No. 27.

Gazette Notice.

Court of Claims.—Notice of Hearing.

Court of Claims Office, 22 June, 1844.

THE Commissioners hereby give notice of their intention to proceed in the investigation of the under-mentioned claim to land and town allotment, the description of which, for a deed of grant, has been fully set forth in former advertisements.

Monday, the 15th of July now next, and the following days, at eleven o'clock, has been appointed for the hearing; and all parties interested are required to be in attendance, with their documents and witnesses, as the cases will be heard consecutively from day to day, and those cases in which there may be no attendance will be postponed at the discretion of the Court.

1,226, Archibald Mossman, of Sydney, opposed by Messrs. Hughes & Hosking.

Such cases as were postponed at the last sitting will also be ready for investigation at the present one.

By direction of the Commissioners,
JOHN THOMPSON,
Secretary.

No. 28.

Report of the Commissioners of the Court of Claims on case No. 1,208.

New South Wales.

Report of the Commissioners appointed under the Act of Council of 5th William IV. No. 21, for hearing and examining claims to grants of land.

Case, No. 1,208.

Proposed grantee's name and address—Henry Roxburgh and Henry Smyth.

Claimant's name and address—Archibald Mossman.

Opponent's name and address—Messrs. Hughes & Hosking.

Name of promisee, first possessor, lessee, or purchaser—John Bell.

Date of promise, lease, or purchase—26th July, 1830.

By whom promised, leased, or of whom purchased—Governor Darling.

Description of the land—Four acres, county of Cumberland, parish of Willoughby, at Great Sirius Cove, allotment No. 7: Commencing at the south-west corner of allotment No. 6; and bounded on the north by the southern boundary of allotment No. 6 bearing east 6 degrees 30 minutes south 8 chains; on the east by a road 1 chain wide; on the south by a road 1 chain wide bearing west 11 chains to Great Sirius Cove; and on the west by Great Sirius Cove to the south-west corner of No. 6 allotment as aforesaid.

Date of determination—31st March, 1845.

REPORT.

REPORT.

THE Commissioners have the honor to report, for the information of His Excellency the Governor—

That the allotment of land, No. 7, included in this case was under an order made by His Excellency Governor Darling, and dated 26th July, 1830, selected by John Bell, on condition that the necessary wharfs and stores should be erected for carrying on a whaling establishment.

That by certain indentures of lease and release, dated the 9th and 10th of December, 1836, the said John Bell, in consideration of £300, released and conveyed the allotment of land included in this case to Archibald Mossman.

That by indenture of lease and release, bearing date the 11th and 12th days of August, 1843, and made between the said Archibald Mossman of the one part, and John Terry Hughes and John Hosking of the other part, in consideration of an annuity of £2,000 per annum, the said Archibald Mossman released and conveyed (amongst other lands) the allotment of land included in this case to the said John Terry Hughes and John Hosking, and their heirs.

That by certain indentures of lease and release, the latter dated 15th August, 1843, and made between John Terry Hughes and Esther, his wife, of the first part; John Hosking and Martha Foxlowe, his wife, of the second part; the said Archibald Mossman, of the third part; and Thomas Brown and Robert Thomson, of the fourth part,—the said parties of the first and second part did direct, appoint, release, and convey (amongst other lands) the allotment of land included in this case to the said Thomas Brown and Robert Thomson, and their heirs, upon trust, in the event of the said annuity of £2,000 being in arrear and unpaid, to sell the said lands.

That the said Archibald Mossman became insolvent, and the said Thomas Brown and Thomas Ware Smart were appointed trustees of his estate and effects.

That by a certain indenture of the 5th June, 1844, John Campbell Lyall was appointed a trustee under the said annuity deed, in the place of the said Robert Thomson.

That the said annuity being in arrear, the said Thomas Brown and John Campbell Lyall, in pursuance of the power vested in them, sold the land included in this case to Andrew Roxburgh and Henry Smyth.

That by a certain indenture of release, dated 22nd February, 1845, and made between the said Thomas Brown and John Campbell Lyall, of the one part, and Andrew Roxburgh and Henry Smith, of the other part, in consideration of the sum of £1,090, the said Thomas Brown and John Campbell Lyall released and conveyed (amongst other lands) the lands and hereditaments (?) included in this case to the said Andrew Roxburgh and Henry Smyth, and their heirs and assigns absolutely.

That by the deposition of Gotter Kerr Mann, surveyor, sworn before the Commission on the 31st March, 1845, it appears that a wharf has been erected upon the land included in this case, of the value of £1,000 or thereabout.

That the transfers and deeds above alluded to, and an abstract of title containing the particulars of the annuity deed, were exhibited to the Commissioners and verified.

The Commissioners therefore respectfully recommend that the deed of grant of the allotment of land included in this case be made to Andrew Roxburgh, of Surry Hills, in the city of Sydney, builder, and Henry Smyth, also of Surry Hills, Esquire, late a Major in the 39th regiment of foot, and to their heirs as joint tenants.

Dated this 10th day of May, 1845.

WILLIAM CARTER.
CHARLES WINDEYER.
THOMAS CALLAGHAN.

NOTE.—The application, description, and four documents handed to the Commissioners by the Colonial Secretary, under blank cover No. 42-31 of 27th July, are returned herewith, and two depositions are enclosed with the papers in case No. 1,226.

GOTTER KERR MANN.
WILLIAM CARR.

Minute on No. 28.

Approved.—G. GIPPS, 16 May, 1845.

No. 29.

Report of the Commissioners of the Court of Claims on case No. 1,226.

New South Wales.

Report of the Commissioners appointed under the Act of Council of 5th William IV., No. 21, for hearing and examining claims to grants of land.

Case, No. 1,226.

Proposed grantee's name and address—Andrew Roxburgh and Henry Smyth.

Claimant's name and address—Archibald Mossman.

Opponent's name—Messrs. Hughes & Hosking.

Name of promisee, first possessor, lessee, or purchaser—Archibald Mossman.

Date of promise, lease, or purchase—19th October, 1830.

By whom promised, leased, or of whom purchased—Governor Darling.

Description of the land—4 acres, county of Cumberland, parish of Willoughby, at Great Sirius Cove, allotment No. 6: Commencing at the north-west corner of allotment No. 7; and bounded on the south by the northern boundary of allotment No. 7 bearing east 6 degrees 30 minutes south 8 chains; on the east by a road of 1 chain wide bearing north 24 degrees east; on the north by a road 1 chain wide bearing north 65 degrees west 7 chains 50 links to Great Sirius Cove; and on the west by Great Sirius Cove to the north-west corner of allotment No. 7 aforesaid.

Date of determination—31st March, 1845.

REPORT.

REPORT:

THE Commissioners have the honor to report, for the information of His Excellency the Governor,---

That the allotment of land No. 6 included in this case was located under an order made by His Excellency Governor Darling, dated the 19th October, 1830, in favour of Archibald Mossman, on condition of forming a whaling establishment.

That by the deposition of Gotter Kerr Mann, surveyor, sworn before the Commissioner on the 31st March, 1845 (and enclosed with report and papers in case No. 1,208, relating to the conterminous allotment No. 7) it appears that wharfs and buildings have been erected upon the allotment of land included in this case of the value of £5,000 or thereabout.

That by certain indentures of lease and release, the latter dated 12th August, 1843, and made between the said Archibald Mossman, of the one part, and John Terry Hughes and John Hosking, of the other part, in consideration of an annuity of £2,000 per annum, the said Archibald Mossman released and conveyed the allotment of land included in this case (amongst other lands) to the said John Terry Hughes and John Hosking, and their heirs.

That by certain indentures of lease and release, the latter dated 15th August, 1843, and made between John Terry Hughes and Esther, his wife, of the first part; John Hosking and Martha Foxlowe, his wife, of the second part; the said Archibald Mossman, of the third part; and Thomas Brown and Robert Thomson, of the fourth part,—the said parties of the first and second part did direct, appoint, release, and convey (amongst other lands) the lands included in this case to the said Thomas Brown and Robert Thomson, and their heirs, upon trust, in the event of the said annuity being in arrear and unpaid, as therein mentioned, to sell the said lands. That the said Archibald Mossman became insolvent, and the said Thomas Brown and Thomas Ware Smart were appointed trustees of his estate and effects. That by a certain indenture of the 5th June, 1844, John Campbell Lyall was appointed a trustee under the said annuity deed, in the place of the said Robert Thomson.

That the said annuity being in arrear, the said Thomas Brown and John Campbell Lyall, in pursuance of the power vested in them, sold the land included in this case to Andrew Roxburgh and Henry Smyth.

That, by a certain indenture of release dated 22nd February, 1845, and made between the said Thomas Brown and John Campbell Lyall, of the one part, and Andrew Roxburgh and Henry Smyth, of the other part, in consideration of the sum of £1,000, the said Thomas Brown and John Campbell Lyall released and conveyed (amongst other lands) the lands and hereditaments (?) included in this case to the said Andrew Roxburgh and Henry Smyth, and their heirs and assigns absolutely.

That the several deeds above alluded to, and an abstract of title containing the particulars of the annuity deed, were exhibited to the Commissioners and verified.

The Commissioners therefore respectfully recommend that the deed of grant of the allotment of land included in this case be made to Andrew Roxburgh, of Surry Hills, in the city of Sydney, builder, and Henry Smyth, also of Surry Hills, Esq., late a Major in the 39th regiment of foot, and to their heirs as joint tenants.

Dated this 10th day of May, 1845.

WILLIAM CARTER.
CHARLES WINDEYER.
THOMAS CALLAGHAN.

NOTE.—The application, description, and two documents handed to the Commissioners by the Colonial Secretary, under blank cover of 26th April, and returned herewith, and two depositions are enclosed.

WILLIAM CARR.
GOTTER KERR MANN.

Minute on No. 29.

Approved.—GEO. GIPPS, 16th May, 1845.

[Enclosure A to No. 29.]

Monday, 16th December, 1844.

Cases No. 1,208 and 1,226.

WILLIAM CARR, of Sydney, solicitor, being sworn, saith That he is solicitor for Messrs Thomas Brown and John Campbell Lyall, trustees under deeds dated on the 15th August, 1843, and 5th June, 1844, made for the purpose of receiving an annuity from Messrs. Hughes & Hosking to Archibald Mossman of £2,000 per annum; that Mr. Solomon, the auctioneer, was authorized by the said trustees, in consequence of default in payment of the said annuity, to sell (amongst other lands) the allotments in question under the power contained in the said deeds, and that these allotments, with other lands, were sold to John Stirling, Esq., who represented himself to have purchased as agent for Andrew Roxburgh and Henry Smyth.

WILLIAM CARR.

WILLIAM CARTER.
CHAS. WINDEYER.

[Enclosure B to No. 29.]

Cases No. 1,226 and 1,208.

March 31st, 1845.

GOTTER KERR MANN, of Sydney, surveyor, being sworn, saith: I am acquainted with the allotments Nos. 6 and 7 at Great Sirius Cove, promised to Archibald Mossman and John Bell respectively, on certain conditions of erecting buildings for whaling purposes; I have inspected the premises, and have seen that on No. 6 valuable buildings and a wharf have been erected to a value of about £5,000, and on No. 7 there is a wharf which cost at least £1,000; the buildings and premises are devoted to shipping purposes.

GOTTER KERR MANN.

WILLIAM CARTER,
THOMAS CALLAGHAN.

15

No. 30.

Messrs. Stuart & Harnett to The Secretary for Lands.

Sir,

Sydney, 7 February, 1882.

We have the honor to enclose herewith application for the rescission of reservation of water-frontage—*Mossman's 30-acre grant, Mossman's 10-acre grant, Jones's 30-acre grant, at head of Mossman's Bay, St. Leonards. The improvements are a chain road through the centre of the blocks, made by ourselves and given to the public, fencing, and an old dam where a fine-washing and fellmongering establishment was carried on some years since; also, improvements on the Government road, making same on eastern boundary, costing us £2,000 and upwards, from Mossman's Point to the Military Road; also, wharf houses and a store, worth £3,000 to £4,000.

We have, &c.,

R. HARNETT.

ALEX. STUART.

* Mossman's 30-acre grant partly fronts a fresh-water creek.—A.S., R.H.

Minutes on above.

The Engineer-in-Chief for Harbours and Rivers, and the Surveyor-General.—C.O. B.C., Lands Department, 17 February, 1882.—F.H.W.

[Enclosure A to No. 30.]

Sir,

310, George-street, Sydney, 7 February, 1882.

We have the honor to apply, pursuant to the 12th clause of the Crown Lands Alienation Act of 1861, for the rescission of reservation of water-frontage of the land hereunder described. Appended hereto is a plan illustrative of this application, together with a receipt showing that the sum of £5 has been deposited in the Treasury on account thereof.

We have, &c.,

R. HARNETT.

ALEX. STUART.

DESCRIPTION OF LAND APPLIED FOR.

The 100 feet reservation sea-board in Mossman's 30-acre grant, at head of Mossman's Bay; Mossman's 10-acre grant, at head of Mossman's Bay; Jones's 30-acre grant, at head of Mossman's Bay; parish of Willoughby, county of Cumberland.

Received the above-mentioned sum of £5 on account of the foregoing application.

Colonial Treasury, Sydney, 9 February, 1882.

W. NEWCOMBE,

(For the Colonial Treasurer.)

No. 31.

Memorandum by Surveyor-General and Engineer-in-Chief for Harbours and Rivers.

Messrs. Stuart and Harnett applying to purchase the 100 feet reservation above high-water-mark, contained in Mossman's 30 acres, Mossman's 10 acres, and Jones's 10 acres, at Mossman's Bay, parish of Willoughby, county of Cumberland.

We recommend that applicants be permitted to purchase the rescission of the reservation of 100 feet above high-water-mark of Mossman's Bay, contained in the Crown grants hereunder mentioned:—A. Mossman's 30 acres, A. Mossman's 10 acres, J. Jones's 10 acres.

P. F. ADAMS.

E. O. MORIARTY.

Minutes on No. 31.

Forward to Lands.—J.L., 6/7/82. The Under-Secretary for Lands, B.C., 15/7/82.—W.L., *pro* U.S. Submitted for approval.—F.H.W., 21/7/82. C.O., 21/7/82. Approved.—JNO. R., 22/7/82. Records as to objection, then to Mr. Peyton.—J.B.T., 16/9/82. Mr. Furber,—For memorandum of instructions, please, to Mr. District-Surveyor Woolrych.—J.B.D., 16 February, 1883.

No. 32.

The Under-Secretary for Lands to Messrs. Stuart & Harnett.

Gentlemen,

Department of Lands, Sydney, 2 August, 1882.

With reference to your application of the 7th February last, for the rescission of the reservation of 100 feet above high-water-mark, contained in Mossman's 30- and 10-acre, and Jones's 10-acre grants, at Mossman's Bay, parish of Willoughby, county of Cumberland, I am directed to inform you that, under a report which has been received from the Engineer-in-Chief for Harbours and Rivers and the Surveyor-General, the Secretary for Lands has approved of your being allowed to purchase the rescission in question, provided that, at the expiration of four weeks from the date of a notice to be published in the Government Gazette inviting the public to lodge any objections they may have to a compliance with your application, no valid objections shall have been lodged.

2. You must clearly understand that this approval extends only so far as this Department is concerned; and further, that any work undertaken by you in connection with the proposed rescission will, until such time as final approval shall have been given by the Governor and Executive Council, be regarded as at your own risk.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

No. 33.

Gazette Notice of application by Messrs. Stuart & Harnett.

Applications to purchase rescission of reservation.

Department of Lands, Sydney, 11 August, 1882.

NOTICE is hereby given that applications have been made by the parties hereunder mentioned, under the 12th clause of the Crown Lands Alienation Act of 1861, for the rescission of the reservation of the lands, within

within 100 feet of high-water-mark, in front of their properties, as particularized in the annexed descriptions; and all persons interested are invited to state within one month from this date their objections, if any, to the proposed rescission.

JOHN ROBERTSON.

Registration No.	Names of Applicants.	Description.
82-10,775 ... 82- 1,228 S.P.	Messrs. Stuart & Harnett ...	County of Cumberland, parish of Willoughby, the reservation of 100 feet above high-water-mark of Mossman's Bay, contained in the following Crown grants:—A. Mossman's 30 acres, A. Mossman's 10 acres, and J. Jones's 30 acres.

No. 34.

Mr. H. A. Stephenson to The Under-Secretary for Lands.

Sir, Council Chambers, St. Leonards, 5 September, 1882.

At a meeting of the Council of this Borough, held this evening, a deputation from the residents of Mossman's Bay waited upon the Council and pointed out that Messrs. Harnett and Stuart had applied for the rescission of the reservation of water-frontage at Mossman's Bay, and that the granting of such application would exclude the public from having any landing-place.

As chairman of that meeting, and in consequence of the Mayor being prevented through illness from attending to the duties of the office, I have the honor to request you to be good enough to inform me if it would be convenient for the Honorable the Secretary for Lands to receive a deputation consisting of three of the Aldermen of this Council and three of the residents of Mossman's Bay on the matter above referred to on Friday the 8th instant, and at what hour.

I would respectfully urge upon you the necessity of this request being favourably considered, as the time allowed for objections expires on 11th instant.

I have, &c.,
H. A. STEPHENSON,
Alderman and Chairman.

Minutes on No. 34.

Submitted.—F.H.W., 7/9/82. C.O., 7/9/82. Friday week, at noon.—Jno. R., 7/9/82.

No. 35.

Mr. W. Trumfield to The Secretary for Lands.

Sir, Mossman's Bay, 7 September, 1882.

Being a purchaser of a portion of Bell's grant, Mossman's Bay, I strongly protest of the 100 feet reserve being given to Mr. Copeland and Slaber, Mr. Harnett and Stuart, as a public wharf is much needed at Mossman's Bay; it would be great benefit to the public at large. I humbly pray this will be seen into.

Yours, &c.,
WILLIAM TRUMFIELD,
Mossman's Bay.

No. 36.

Mr. H. A. Stephenson to The Under-Secretary for Lands.

Sir, Council Chambers, St. Leonards, 8 September, 1882.

At a meeting of the Council held on the 5th instant it was resolved that the Government be at once communicated with requesting that no water-frontage in Mossman's Bay be alienated until arrangements are made to conserve the rights of the freeholders in that locality to a public wharf.

As chairman of the meeting referred to, I have the honor to protest against the applications of Messrs. Harnett and Stuart for the rescission of reservation of water-frontage in Great and Little Sirius Coves, on the ground that it is not desirable that any water-frontages in Port Jackson should be alienated, and also on the ground that the granting of the applications will cut off the residents of Mossman's Bay from any means of access to the water by way of a public wharf.

I have, &c.,
H. A. STEPHENSON.

Minutes on above.

Deputation interviewed Under-Secretary for Lands on this subject on 15th instant.—F.H.W., 16/9/82. Submitted, whether the necessary action on Messrs. Stuart and Harnett's application, under 12th section Act 1861, may be proceeded with.—J.M'G., 22/11/82.

No. 37.

The Under-Secretary for Lands to Mr. H. A. Stephenson.

Sir, Department of Lands, Sydney, 11 September, 1882.

In reply to your letter of the 5th instant, respecting Messrs. Stuart and Harnett's application for the rescission of reservation of the frontage of certain lands at Mossman's Bay, I have the honor to inform you that Sir John Robertson will receive the proposed deputation in connection with this matter on Friday, the 15th instant, at noon.

I am, &c.,
CHARLES OLIVER,
Under-Secretary.

No. 38.

No. 38.

The Progress Committee, Mossman's Bay, to The Secretary for Lands.

Sir, Mossman's Bay, 20 September, 1882.

Referring to the deputation which waited upon you on Friday, the 15th instant, consisting of Aldermen Langley, Stevenson, and Captain Jenkins, representing the Borough Council of St. Leonards, and Messrs. Captain Blix, S. S. Garling, and A. Macalpine, members of the Progress Committee, representing the residents and landholders of Mossman's Bay and vicinity, we have now the honor to lay before you, at your suggestion, our request that you will be pleased to take steps to obtain for Mossman's Bay a public wharf, with road suitable for vehicle and passenger traffic from same to Raglan-street. We would respectfully submit in support of our request,—

1. That our communication with Sydney is by water.
2. That the only suitable place for a wharf for the district generally is that now in use, or the frontage immediately adjoining.
3. That the aforesaid wharf and the land adjoining are claimed by Messrs. Harnett and Stuart as their property.
4. That the residents and the public have access to said wharf upon sufferance only, there being no public road to it, and communication could at any time be cut off by the proprietors.
5. That we beg respectfully to point out that our interests suffer very materially through want of efficient steam ferry communication with Sydney consequent upon there being no public wharf.
6. We therefore pray that you will take into your most favourable and early consideration our petition for a public wharf and road leading from it.
7. We enclose plan showing wharf referred to, and also indicating proposed line of road.

We have, &c.,

W. H. Barraclough, J. F. Cullen,
C. G. F. Blix, Wm. Edwd. Wilson,
Sepbarius S. Garling, Archd. Macalpine (Hon. Sec.),
Members of the Progress Committee, Mossman's Bay.

Minute on No. 38.

The Engineer-in-Chief for Harbours and Rivers and the Surveyor-General. Blank cover.—C.O., Lands Department, September, 1882.

No. 39.

The Under-Secretary for Lands to The Secretary of Court of Claims.

Sir, Department of Lands, Sydney, 10 October, 1882.

In compliance with the request contained in your letter of the 22nd ultimo, I have the honor to forward herewith the papers relating to claims by Archibald Mossman, cases 1,208 and 1,226.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 40.

Mr. A. Macalpine to The Secretary for Lands.

Sir, 363, George-street, Sydney, 20 October, 1882.

I have the honor to direct your attention to a letter dated 20th September, 1882, signed by Messrs. J. F. Cullen, G. C. F. Blix, S. S. Garling, W. E. Wilson, W. H. Barraclough, and A. Macalpine, requesting that a public wharf, with road from same, be granted for Mossman's Bay.

In support of their request it was submitted that we were and are entirely dependent upon the sufferances of the proprietors (Messrs. Harnett and Stuart) for an outlet, and could not in any way control ferry communication.

This has now become so very unsatisfactory as to be unbearable, and as our only relief lies in obtaining a public wharf, &c., I would respectfully request, on behalf of those signing the letter referred to, and on behalf of those whose interests are affected, and at present suffering, the favour of an early reply.

I have, &c.,

ARCH. MACALPINE,
Hon. Secretary, Progress Committee, Mossman's Bay.

No. 41.

Messrs. Stuart & Harnett to The Secretary for Lands.

Sir, Sydney, November, 1882.

We have the honor to address you on the subject of the application we have made for the rescission of the reservation of water-frontages to certain lands on the North Shore, in Mossman's Bay and its vicinity, to which we understand that objections have been made by inhabitants of the North Shore.

To enable the matter to be understood more clearly, we have prepared a sketch of the coast line, showing approximately the land which belongs to us, and the frontage reservations for which we have applied.

It will be observed that certain portions of land, marked *a*, were granted without any reservation. The others form two classes; those marked *b* were originally what were known as "Whaling Grants," and those marked *c* were grants by purchase in the ordinary manner. The Whaling Grants were given to encourage that pursuit, which at that time, and for many years afterwards, formed a most important industry for this port. The grants were promised under letters of license from the Government, for the

purpose of making wharfs, and building stores close to the water's edge, on the very frontages which form the subject of these applications, and, as one would naturally expect, the printer's words, "The Crown reserves to itself all land within 100 feet of high-water-mark on the sea-coast, creeks, harbours, and inlets," were ruled out.

The applications were approved by Governor Darling on 26th July and 10th October, 1830, and the letters of license are dated 1st January, 1831, "for the purpose of erecting stores and other buildings necessary for the formation of a whaling or other mercantile establishment," and provide that a Crown grant will issue on fulfilment of the conditions. The conditions were fulfilled, a large sum of money expended, and a whaling establishment of great extent was carried on for many years, while it formed the only place for careening vessels prior to the making of dry-docks.

On 24th July, 1843, Mr. A. Mossman applied for the grants for his own lands, and for that of Mr. Bell, which he had purchased.

These applications were referred by Sir George Gipps, the Governor, to the Court of Claims for investigation, and on 10th May, 1845, reports were sent in by William Carter, Charles Windeyer, and Thomas Callaghan, the Commissioners, that £5,000 had been expended on wharfs and buildings, and all other conditions had been fulfilled, and recommending that a deed of grant should be issued.

The deeds were issued accordingly on 29th May, 1845, and in them the parcels of land are identified as those authorized under the letters of 1st January, 1831, and approved by the Commissioners of Court of Claims, but by some oversight the printed words "reserving within 100 feet of high-water" have been left in the deeds, and the omission to delete them, and bring them into accord with the original letters of occupation, and the very object for which that occupation was given, was unnoticed until recently; the various dealings with these lands, however, have always been in the knowledge that as whaling grants there was no reservation, the grant, from the nature of the object, having been purposely given of the very land usually reserved.

In asking for the rescission of the reservation on these grants, we are therefore merely asking for the removal of a blot upon the title deeds, which had inadvertently crept in, and been allowed to remain there undiscovered; we ask for no concession, but merely that the intentions of the two parties to the original contract be carried out, the Crown on the one hand, and Messrs. Mossman and Bell, through whom we derive our title, on the other.

The reservations of 100 feet in the other grants stand in the same position as hundreds of other cases which have been granted, and we can see no reason why they should be withheld from us.

On Hilson's and Gilbert's grants the reservations would be practically of no use to anyone except the owners of the land, as it is an extremely steep rock, down the face of which, on a part of the reservation, we have, at great expense, erected a steep-gradient railroad, to convey the stone from the quarries on the upper portion to the wharf which we have made for shipping it, and part of remainder of the reservation will be required for road to lands. On the other grants we have given, or are willing to give up, an equal or larger area in roads of greater practical use and benefit to the public.

The main object, we understand, of the North Shore deputations which waited on you was to obtain for the public benefit the wharf, or a portion of it, on which we, or those through whom we derive our title, expended so large a sum of money.

We have no desire to monopolize the bay to the exclusion of other parties; on the contrary, several thousand persons land weekly upon our wharf and land, some for pursuing their avocations, but the great majority for recreation and enjoyment of the bay and surrounding scenery; but we feel sure that you would never sanction such injustice as to take away without full compensation that to which we have shown we have an equitable title, and have a right to obtain a legal one.

We would point out that there have been reserved by the Government of former days several points of access to the water, marked in the plan with an x, and although these may appear very steep and inaccessible, yet they are in reality not more so than our land was before we incurred the necessary expenditure.

Any or all of these points could be made available and convenient for the accommodation of the residents; but if our wharf be considered more desirable for a public wharf, then let it be valued and resumed for the purpose.

We do not desire to rest upon mere technical points when we have a strong, just, and equitable claim, but we would merely point out that the gazetted time for lodging objections to the issue of these rescissions had expired before the objections were made to you.

Resting assured that you will decide this matter in accordance with its equities.

We have, &c.,

ALEXR. STUART.
R. HARNETT.

Minutes on above.

Suggested, in view of this letter, that the papers be referred to the Engineer-in-Chief for Harbours and Rivers and the Surveyor-General for a further report.—F.H.W., 23/11/82. The Engineer-in-Chief and Surveyor-General.—C.O., B.C., 24 November, 1882.

No. 42.

Memorandum by Mr. Peyton.

THE Borough Council of St. Leonards and others objecting to the rescission, in favour of Messrs. Stuart and Harnett, of reservation of water-frontage at Mossman's Bay; also, an application by residents of Mossman's Bay asking for wharf and road of access.

THE wharf now sought to be obtained by certain residents of Mossman's Bay is situated on whaling lots, one of the conditions in connection with which was, as pointed out by Messrs. Stuart and Harnett, that such improvements should be erected.

Further, a letter by Messrs. Stuart and Harnett is now under consideration proposing, conditionally, on the closing of certain roads to dedicate others, one of which would provide the access herein sought to be obtained, and marked "2" on the enclosed lithograph.

I have attached copies of the original letters of possession, from which it will be seen that the 100 feet reservation clause has been struck out, though included in the deed subsequently issued, on the report of the Court of Claims (also attached) that improvements, including a wharf, had been erected to the value of £6,000.

It appears that the quit-rent has been redeemed by payment of twenty years' purchase.

S. L. PEYTON,
28 December, 1882.

Minutes on No. 42.

Although the objections of the Municipal Council and individuals were not made until after the time for making such objections had lapsed, it may be well to consider them. Reference to the facts herein stated shows that with respect to J. Bell's 4 acres and Mossman's 4 acres the predecessors of Messrs. Stuart and Harnett have fulfilled all the conditions imposed, and to the extent of £6,000 on the 8 acres, and it is now sought to deprive them of the benefit thereof. We would specially point to the fact that the 100 feet reservation was struck out of the order to select, and naturally so, because it is not to be expected that they would have laid out the amount on anything but an indefeasible title (*vide* case 1,208, Court of Claims, herewith). There is nothing to show that the subsequent insertion of the conditions of 100 feet reservation was by authority; but having been put there, we see no other opening for a title than by purchase, which is recommended. It will, however, be advisable to leave out from reserving (?) the road of approach offered by Messrs. Stuart and Harnett, which the public are no doubt entitled to by user.—P. F. ADAMS, 2 January, 1883; E. O. MORIARTY, 17 January, 1883.

The above minute was written by the direction of the Engineer-in-Chief and the Surveyor-General, but cannot be signed by the former to-day, as he is out of town.—S.L.P., 2 January, 1882.

Submitted. This case would have been dealt with before had not the Surveyor-General been away from the Colony.—C.O., 2/1/83. Approved.—J.R., 2/1/83. Blank cover, Under-Secretary Public Works. Forward to Lands.—H.C., 25/1/83. The Under-Secretary for Lands. Blank cover.—J.R., 25 January, 1883.

No. 43.

The Under-Secretary for Lands to Mr. Macalpine.

Sir,

Department of Lands, Sydney, 30 January, 1883.

With reference to the letter of the 20th September last, from the Mossman's Bay Progress Committee, requesting that steps may be taken to provide for the residents of that locality a public wharf, with road leading therefrom, I have the honor to inform you that, as the wharf at present in use at Mossman's Bay was erected by Messrs. Stuart and Harnett's predecessors at a cost of £6,000, and in accordance with certain conditions contained in the original "letters of possession," the Secretary for Lands declines to take action which would deprive the present owners of the benefit thereof.

2. I am to add that a letter from Messrs. Stuart and Harnett is now under consideration, and which proposes, conditionally, on the closing of certain roads to dedicate others, one of which would provide the access sought to be obtained.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 44.

The Under-Secretary to Mr. H. A. Stephenson.

Sir,

Department of Lands, Sydney, 30 January, 1883.

With reference to your letter of the 8th September last, protesting on behalf of the Borough Council of St. Leonards against Messrs. Stuart and Harnett's application for the rescission of reservation of certain water-frontage at Mossman's Bay, I have the honor to inform you that, as the Crown grant of the land containing the reservation mentioned was only issued on the fulfilment of certain conditions contained in the original letters of possession, which conditions were fulfilled by Messrs. Stuart and Harnett's predecessors by the erection of a wharf at a cost of £6,000, and as the 100 feet reservation clause was struck out in the letters referred to, and there is nothing to show that its insertion afterwards in the grant was by authority, the Secretary for Lands has decided to uphold the application in question.

2. I am at the same time to add that a road of approach has been offered by Messrs. Stuart and Harnett, and which will not be included in the rescission contemplated.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 45.

The Under-Secretary to Mr. W. Trumfield.

Sir,

Department of Lands, Sydney, 30 January, 1883.

With reference to your letter of the 7th September last, protesting against Messrs. Stuart and Harnett's application for the rescission of reservation of certain water-frontage at Mossman's Bay, I have the honor to inform you that, as the Crown grant of the land containing the reservation mentioned was only issued on the fulfilment of certain conditions contained in the original letter of possession, which conditions were fulfilled by Messrs. Stuart and Harnett's predecessors by the erection of a wharf at a cost of £6,000, and as the 100 feet reservation clause was struck out in the letters referred to, and there was nothing to show that its insertion afterwards in the grant was by authority, the Secretary for Lands has decided to uphold the application in question.

2. I am at the same time to add that a road of approach has been offered by Messrs. Stuart and Harnett, and which will not be included in the rescission contemplated.

I have, &c.,

CHARLES OLIVER,
Under Secretary.

No. 46.

No. 46.

The Under-Secretary for Lands to Messrs. Stuart & Harnett.

Gentlemen,

Department of Lands, Sydney, 3 February, 1883.

With reference to the objections from the Borough Council of St. Leonards and others to your application for the rescission of reservation of certain water-frontage at Mossman's Bay, I have the honor to inform you that as the Crown grant of the land containing the reservation mentioned was only issued on the fulfilment of certain conditions contained in the original letters of possession, which conditions were fulfilled by your predecessors by the erection of a wharf at a cost of £6,000, and as the 100 feet reservation clause was struck out in the letters referred to, and there is nothing to show that its insertion afterwards in the grant was by authority, the Secretary for Lands has decided to uphold your application, provided that you first convey to the Crown the road of approach to the wharf from the southerly extension of Lucan-street proposed by you.

2. I am to add that the parties objecting have been informed of the decision arrived at.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

No. 47.

Mr. W. H. M'Lean to The Under-Secretary for Lands.

Sir,

Council Chambers, St. Leonards, 10 February, 1883.

I am directed to acknowledge the receipt of your letter of 30th January, No. ———, and also to convey to you the following resolution passed by the Council of this Borough at a meeting held on the 6th instant, viz. :—

That this Council is surprised that, after the pledge given to a public deputation in the presence of three representatives of the Press by the late Minister for Lands, that *nothing further would be done*, with regard to Messrs. Stuart and Harnett's applications for the rescission of certain portions of 100 feet above high-water-mark reservation, *without reference to the Council*, the Government should have dealt with the matter, *the Borough Council of St. Leonards never having been communicated with* in the interval.

I have, &c.,

WILLIAM H. M'LEAN,

Council Clerk.

No. 48.

Mr. A. Macalpine to The Under-Secretary for Lands.

Sir,

263, George-street, Sydney, 14 February, 1883.

I have the honor to acknowledge receipt of your letter of 30th January, in reply to communication from Mossman's Bay Progress Committee of 20th September, 1882, requesting that a public wharf, with road leading therefrom to main road (Raglan-street) be granted for Mossman's Bay and vicinity.

In reply, I would respectfully point out that the request preferred by the deputation, consisting of Messrs. Blix, Garling, and Macalpine, which waited upon the Honorable the Minister for Lands upon 15th September, was for a public wharf and road therefrom, and in reply the Minister (Sir John Robertson) stated that we should have them, at the same time suggesting that our request be embodied in writing, if only as a record, which we accordingly did on 20th September.

The question of reservation alluded to in yours was not raised or referred to in our letter. In it we simply pointed out that the site occupied by the present wharf (and in terms of your letter, owned by Messrs. Stuart and Harnett) was "the most suitable place for the district generally," and there is nothing in it which can be construed into a request "to take action which would deprive the present owners of the benefit thereof." We naturally supposed that if the Government resumed land they would compensate the proprietors.

I note that "conditionally upon the closing of certain roads," the public will have access to the wharf; but, inasmuch as your letter makes no mention of the dedication of any portion of the existing wharf, it does not appear very clear what the gain to the public will be having a road leading through and to private property.

Permit me to point out that your communication cannot be looked upon as satisfactory. We were distinctly given to understand that our reasonable request, that the growing community of Mossman's Bay would have a public outlet provided for them by the Government, and thus secure to them communication with Sydney by water, which they enjoy upon sufferance only, would be granted.

At a meeting of the Progress Committee, held on Monday, 12th instant, it was unanimously resolved "That the following members, Messrs. Capt. G. C. T. Blix, S. S. Garling, W. C. Wilson, and Archibald Macalpine, form a sub-committee to wait upon the Minister for Lands, and to urge upon him the claims of the inhabitants to the rights of a public wharf or the use of a Government one."

I shall be pleased to learn if it will be convenient for the Minister to receive the abovenamed gentlemen as a deputation upon Friday, first, 16th instant.

I have, &c.,

ARCHIBALD MACALPINE,

Honorary Secretary, Mossman's Bay Progress Committee.

Minute on No. 48.

Inform Mr. Macalpine that the request contained in the latter part of this letter was overlooked, and that the Secretary for Lands will be happy to receive the deputation on Friday next, at noon.—C.O., 6/3/83.

21

No. 49.

The Under-Secretary for Lands to Mr. Archibald Macalpine.

Sir,

Department of Lands, Sydney, 6 March, 1883.

I have the honor to inform you that the request contained in the latter part of your letter of the 14th ultimo, as to a deputation waiting on the Secretary for Lands with respect to obtaining a public wharf for Mossman's Bay, was overlooked, but may state that Mr. Secretary Farnell will be happy to receive the deputation on Friday next at noon.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

No. 50.

Mr. A. Macalpine to The Under-Secretary for Lands.

Sir,

263, George-street, Sydney, 6 March, 1883.

I have the honor to acknowledge receipt of yours of date, in reply to mine of 14th ultimo, intimating that the Honorable the Secretary for Lands will receive the gentlemen named as a deputation on Friday, 9th instant, *re* public wharf at Mossman's Bay, at which time they will attend.

I have, &c.,

ARCHIBALD MACALPINE,

Honorary Secretary, Vigilance Committee, Mossman's Bay.

No. 51.

The Under-Secretary for Lands to Mr. A. Macalpine.

Sir,

Department of Lands, Sydney, 8 March, 1883.

Referring to my letter of the 6th instant, appointing to-morrow, the 9th, at noon, for a deputation to meet Mr. Secretary Farnell with respect to obtaining a public wharf for Mossman's Bay, I am directed to inform you that, as there will be a Cabinet Council to-morrow at 11.30 a.m., and a meeting of the Executive Council at 12, the Secretary for Lands is sorry that he cannot receive the deputation at the appointed hour, but will be prepared to do so at half-past 2 o'clock to-morrow afternoon.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

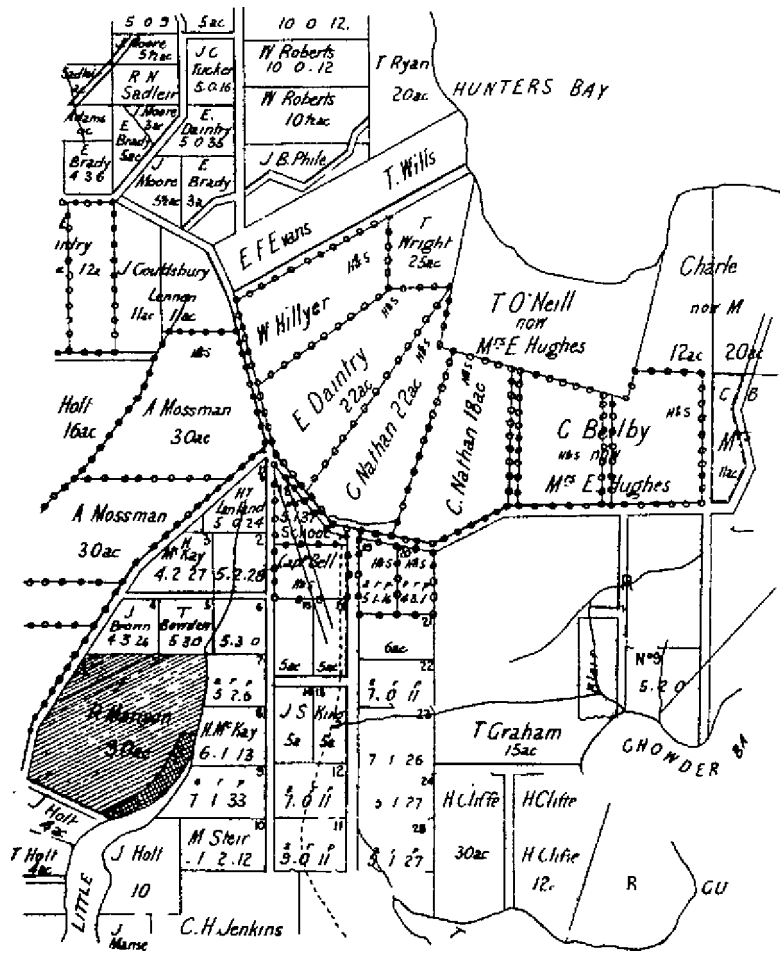
[Four sketches.]





[2s.]

Sydney : Thomas Richards, Government Printer.—1883.

370—D


Copy of Sketch of M^s 823136



Note. Portions shown in red on Original Sketch on this Copy are shown thus 
do " Yellow. 
do " Pink. 
do " Green. 

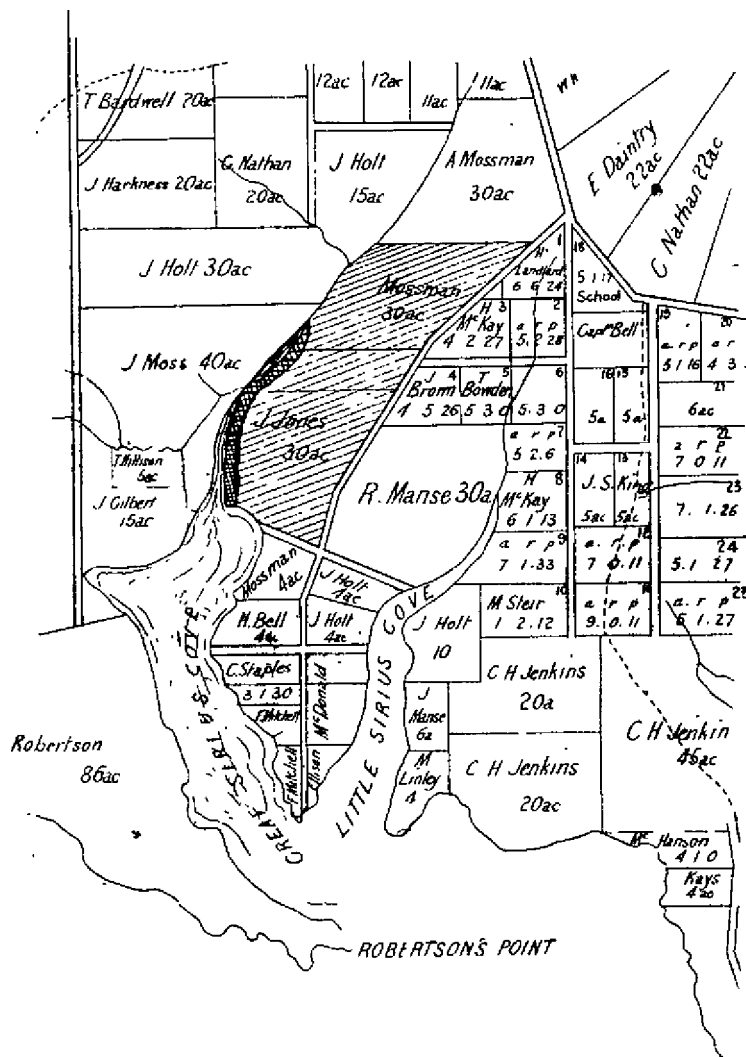
* Land marked Green was taken for Military purposes from H & S.
* Land marked Pink is R. Harnell & A. Stuar's.




Land marked Yellow is the 100 ft reservation which Messrs R. Harnell & A. Stuart the present owners of Manson's Grant wish to get the resumption of

 R. H. J.

K. Smith
S.D.S.
 Sig. 370

Copy of Sketch Map M^o 82.3137.



Note. Portion shown in red on original Sketch, on this Copy are shown thus 
do Yellow do 
do Blue do 

Land marked in red is R. Harnell & A. Stewart's property & the yellow portion denotes the reservation of 100ft from high Water Mark for which they wish to get rescission.

R.H.J.

(Sig 370)

W. Leslie
23.2.31.31.

(Sig 370-)

Enclosure A to N^o 19.

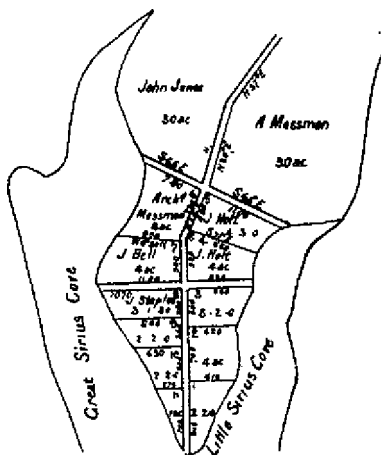
Copy of Plan

Shewing Allotments 6 & 7 at Sirius Cove

Parish of Willoughby
County of Cumberland.

Scale 20 Chains to 1 Inch

This Plan Cancels NS 699 by Larmer also Cat
N^o C91 690 by Larmer
For Survey of Allotments N^o 1 2.3.5 10 & 11 500
Cat C461 690
The deeds of 4.5 & 8 have already been prepared
the Descriptions are therefore cancelled
N.B. These being Whaling Allotments there is
no reserve of 100 feet from High Water Mark
The ground is very precipitous and rocky
See also H.F. White's Survey C 224 600



Transmitted with accompanying letter N^o 11/42 dated March 9th 1842

Signed J. G. Walgety
Assistant Surveyor

Sig. 370

Traced by S. Hornby

[Signature]
[Sig 370]

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MANLY PIER.

(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 13 March, 1883.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 7th February, 1883, That there be laid upon the Table of this House,—

“Copies of all correspondence with reference to applications and granting
“of lease of Manly Pier.”

(*Mr. Hugh Taylor.*)

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MANLY PIER.

No. 1.

Mr. R. B. Smith, for information respecting Pier at Manly Beach.

Legislative Assembly, Votes and Proceedings, 30 June, 1876.

QUESTION :—

(16.) Pier at Manly Beach :—Mr. R. B. Smith asked the Secretary for Lands, pursuant to Notice,—

(1.) Is the Pier at Manly Beach public or private property?

(2.) If it is public property, have the Government granted sole permission to the proprietors of the Manly Beach steamers, or to any other person or persons, to use the pier as a public wharf, or how otherwise?

Mr. Garrett answered,—It appears that Mr. Henry Gilbert Smith obtained in 1868 permission from the Government to erect this wharf. The public were invited at the time to make objections, but none were made. The permission was granted without conditions, and Henry Gilbert Smith or his successors have retained the right to this time, but nothing more than a permissive right until the public choose to step in and interfere has been given. No such step has been thought necessary up to the present time. So far as I can gather from the documents there is no lease—it is simply on sufferance.

No. 2.

Memo. by Officer-in-charge, Occupation of Lands.

I THINK this occupation should no longer be allowed except an equivalent is rendered. Any papers that there may be having reference to the matter should be referred to Occupation, so that the case may be dealt with.—A.O.P., 3 July, /76. The Under-Secretary for Lands, B.C., 7th July, 1876.—A.O.P. Approved, T.G., 7/7/76.

No. 3.

Memo. to Under-Secretary for Lands.

Papers as to occupation of foreshore at Manly Beach for pier, &c.

THE Secretary for Lands desired that these papers should be referred to Occupation. Perhaps the Under-Secretary will kindly give the necessary directions. Previous minute was of date 7th ultimo. The Under-Secretary for Lands.—A.O.P., 8th August, /76. Send papers over to the Occupation Branch.—W.W.S., 16 Aug., 76-5,677. Herewith, for Occupation Officer, 18/8/76. Copies of papers now herewith.—E.O'D., 22/8/76.

No. 4.

The Officer-in-charge, Occupation of Lands, to Mr. H. G. Smith.

Sir,

Occupation of Lands, Sydney, 6 October, 1876.

Referring to the permission granted you to extend your wharf at Manly Beach, I have the honor to request you will be good enough to inform me what amount of rent you are prepared to offer by way of equivalent for the occupation of the fore-shore.

I have, &c.,

A. O. PRETIUS,

Officer-in-charge.

No. 5.

Mr. J. R. Carey to The Officer-in-charge, Occupation of Lands.

Sir,

Circular Quay, Sydney, 30 November, 1876.

Your communication of the 6th October last (No. 76-2,065 M.) to H. G. Smith, Esq., care of J. Thomas, Esq., Commercial Bank, Sydney, has been forwarded to the writer. In reply, I have the honor to inform you that H. G. Smith sold all his right, title, and interest in and to the Manly Pier to Heselton and Parker, who also sold their right, title, and interest to J. R. Carey, who afterwards sold his right, title, and interest to the Port Jackson Steamboat Company, the proprietors of which are J. R. Carey, Sydney, J. B. Watson, Sandhurst, Victoria, Jenkin Collier, Melbourne, and John Woods, Manly. All these sales and transfers were effected and paid for on the grounds that unconditional permission was granted by the Government to erect the pier, and afterwards to make additions thereto, consequently that the Government would not demand any rent; however, after the verbal conversation between you, Mr. J. Woods, and the writer, this morning, and in compliance therewith, the Port Jackson Steamboat Company are prepared and willing to pay a rental of £25 per annum, should the Government demand same, for the term as you specified the Act demanded, viz., five (5) years, to be computed from the 1st December next, with the understanding that they shall get a further renewal of five (5) years, in consideration of the large amount of money that has been expended on the pier, owing to the Government having given unconditional leave to erect same.

I have, &c.,

J. R. CAREY,

Managing Director of the Port Jackson Steamboat Co.

I think this rent may be accepted and occupation sanctioned.—A.O.P., 6 Dec. Approved as to rental for five years, but parties should be informed I have no power to promise extension beyond the period of five years, or renewal.—T.G., 6/12/76. Port Jackson Steam Co., and Treasury, 15 Dec., /76.

No. 6.

No. 6.

The Officer-in-charge, Occupation of Lands, to The Port Jackson Steamboat Company.

Special Lease.

Gentlemen,

Occupation of Lands, Sydney, 15 December, 1876.

Having submitted your application for permission to lease a portion of Crown Land on which the pier at Manly Beach is erected, for five years, for the consideration of the Honorable the Minister for Lands, I have now to advise you that you will be permitted to lease the land applied for at a rental of £25 per annum, payable on or before the 31st December in each year, in advance for the ensuing year, in default of which the lease will lapse, and the land may be resumed by the Government.

I have therefore to request that you will pay into the Colonial Treasury the sum of £2 1s. 8d., now due for rent, from the commencement of the current month to the 31st December next, on payment of which a promise and contract for lease will issue. The lease will confer no right to purchase the land in virtue of improvements or otherwise.

The Honorable the Minister directs me to inform you that he has no power to promise extension of the lease beyond the period of five years, or any renewal thereof.

I have, &c.,
A. O. PRETIUS,
Officer-in-charge.

Annual rent,
£25.Amount now
called, £2 1s. 8d.

No. 7.

The Officer-in-charge, Occupation of Lands, to The Under-Secretary for Finance and Trade.

Sir,

Occupation of Lands, Sydney, 15 December, 1876.

I have the honor to advise you that the Port Jackson Steamboat Company have been permitted to lease the land on which the pier is erected at Manly Beach, at an annual rental of £25 payable in advance in the usual way.

The Company have been directed to pay into your hands the sum of £2 1s. 8d. for rent from the 1st December to 31st December next, and I have to request that I may be favoured with a report when such payment shall have been credited to revenue.

I have, &c.,
A. O. PRETIUS,
Officer-in-charge.

Annual rent,
£25.Amount called
for, £2 1s. 8d.

No. 8.

Mr. W. Johnson to The Secretary for Lands.

Sir,

Manly Beach, 4 September, 1880.

A public meeting of the inhabitants of Manly was held on August 20th, and the following resolution was unanimously carried:—"That in order to carry out the object of the requisition calling this meeting just read, a deputation be appointed to wait upon the Hon. Minister for Lands with the view of explaining to him our grievances, and urge upon him the necessity of terminating the permit at present held by the Port Jackson Steamboat Company on the expiration of their existing agreement."

Sir, I have the honor, by the direction of the deputation appointed at that meeting, to communicate with you to know what day you will receive the deputation.

The Hon. John Macintosh, M.P., will introduce the deputation.

I have, &c.,
W. JOHNSON.

No. 9.

Memo. by Under-Secretary for Lands.

Manly Wharf.

THE wharf is a private one, and was originally erected by Henry Gilbert Smith, but, it appears, is now the property of the Port Jackson Steamboat Company.

The Company pay a rental of £25 per annum to the Government for the occupation of the fore-shore, such occupation to be for a period of five years, dating from December, 1876.

C.O., 17/9/80.

No. 10.

Memo. by Secretary for Lands.

A DEPUTATION of the residents of Manly Beach, introduced by Mr. Macintosh, M.P., waited upon me this day, to urge that the existing lease of the wharf at Manly Beach to the Port Jackson Steamboat Company should not be renewed after the termination of such lease in December, 1881, and I promised that a minute conveying their request should be noted on the papers.

J.H., 17/9/80.

No. 11.

The Mayor of Manly to The Secretary for Lands.

Sir,

Municipal Chamber, Manly, 7 January, 1881.

As my term of office as Mayor of this Municipality will shortly expire, I am requested by my fellow Aldermen to again address you concerning the lease of the pier or wharf granted some years since to the Port Jackson Steamboat Company, and which will terminate on or about November next.

I

I would firstly remind you that several deputations have during the last year or two waited upon you to endeavour to have the site upon which the wharf is erected handed over to the Municipality, but you were prevented complying with their request, as you could not interfere with the existing lease; at the same time you promised should you continue in office that a renewal should not be granted, as the district was incorporated after the lease was issued, and you agreed with the deputation that the municipal authorities were the proper custodians of the wharf, or rather that they should be.

In addition to the several deputations, I have frequently by order of the Council of Manly addressed you letters on this important subject, respectfully protesting against any renewal of the existing lease to the present proprietors or lessees, or to the lease being granted to any but the Municipal Council; and I now once more have the honor, on behalf of the Municipal Council of Manly, to impress on you the importance of this matter, and to request that you will comply with the application from this Council that, at the termination of the existing lease, the site on which the wharf referred to is erected be handed over or leased to the Municipal Council of Manly.

As I am about to retire from municipal duties, I take this opportunity to thank Her Majesty's Ministers for the great courtesy and consideration I have received from them at various times.

I have, &c.,
ALFRED HILDER,
Mayor.

Minutes on No. 11.

The case is one for the Dept. of Mines so far as the special lease is concerned.—C.O., 12/1/81. This letter should be forwarded, as suggested, to the Dept. of Mines, who deal with special leases, and the Mayor of Manly informed of the action taken.—J.H., 13/1/81. The Under-Secretary for Mines.—C.O., B.C., Dept. of Lands, 17 Jan., 1881. Informed.—A. HILDER, 17 Jan., 1881. The Port Jackson Steamboat Company's lease expires 30 Nov., /81.—J.O'D., 19/1/81.

Recommended that, if the special lease which expires this year is not to be renewed, the present lessees should be informed to that effect as early as possible.—T.W.H., Occ. Lands, 22/1/81.

In consequence of protests by the Municipal Council of Manly against the renewal of the within lease, it may be necessary to consider whether a renewal shall be granted, and the lessees may be asked to state any reasons why the lease should be renewed.—E.A.B., 27/1/81.

The Port Jackson Steamboat Company, 31/1/81.

No. 12.

The Under-Secretary for Lands to The Mayor of Manly.

Sir, Department of Lands, Sydney, 17 January, 1881.

In reference to your letter of the 17th instant, urging that upon the termination of the lease of the wharf at Manly, granted to the Port Jackson Steamboat Company, the wharf be handed over or leased to the Municipal Council of that place, I am directed to inform you that the matter of dealing with special leases comes within the province of the Secretary for Mines, to whom the case has accordingly been referred.

I have, &c.,
CHARLES OLIVER,

No. 13.

The Chief Officer, Occupation of Lands, to The Manager, Port Jackson Steamboat Company.

Sir, Occupation of Lands, Sydney, 31 January, 1881.

Referring to the special lease held by the Port Jackson Steamboat Company at Manly, which will expire on the 30th November next, I have the honor to inform you that a protest against the renewal thereof has been received from the Municipal Council of Manly, and I am directed by the Honorable the Minister for Mines to request that you will be good enough to state any reasons why the lease should be renewed.

I have, &c.,
T. WARRE HARRIOTT,
Chief Officer.

No. 14.

The Manager, Port Jackson Steamboat Company, to The Chief Officer, Occupation of Lands.

Sir, No. 1 Jetty, Circular Quay, Sydney, 11 February, 1881.

I have the honor to acknowledge the receipt of your communication of the 31st ultimo, informing me that a protest had been received from the Municipal Council of Manly against the renewal of the special lease held by the Port Jackson Steamboat Company at Manly, which expires on 30th November next, and requesting that I will state any reasons why the lease should be renewed.

In reply I beg to point out, for the information of the Minister at the head of your Department,—

- 1st. That, in the year 1855, Henry Gilbert Smith made application to the Government to be allowed to erect a jetty or wharf at Manly Cove; that permission was granted, and Henry Gilbert Smith executed a bond and found sureties for the due fulfilment of the conditions imposed; after which the said wharf or jetty was erected by and at the sole expense of the said H. G. Smith.
- 2nd. That H. G. Smith sold and transferred all his right, title, and interest in and to the said wharf or jetty to Messrs. Heselton & Parker, who paid him a large sum for same.
- 3rd. Messrs. Heselton & Parker sold and transferred all their right, title, and interest in and to the said pier, wharf, or jetty, to John R. Carey, for a valuable consideration.
- 4th. That John R. Carey afterwards sold and transferred all his right, title, and interest to the Port Jackson Steamboat Company (Limited), for a valuable consideration. 5th.

- 5th. That the Officer in charge of the Occupation of Lands in 1876 for the first time demanded rent for the occupation of the foreshore on which the wharf was erected, from the Port Jackson Steamboat Company; whereupon the representatives of the Port Jackson Steamboat Company interviewed that officer, and verbally protested and explained the hardship of their being required to pay a rental for the use of the foreshore when permission had been granted to their predecessors to erect the said jetty, and to add to it from time to time, at considerable outlay, without any condition as to the likelihood of a rental being afterwards demanded—a matter duly taken into consideration and valued in the purchase money paid by the Port Jackson Steamboat Company for the said jetty.
- 6th. That the said Officer in charge of the Occupation of Lands averred that the Government had power to demand a rent for the foreshore, and that the same was being demanded and paid in every other instance where people previously held permission to erect wharves or jetties on the foreshore of the harbour; also that the usual length of lease was five years, but it would beyond doubt be renewed from time to time.
- 7th. That notwithstanding the Port Jackson Steamboat Company were led to believe that the original permission granted to H. G. Smith was a sufficient title to occupy the said foreshore without paying any rent therefor, the Managing Director of the Port Jackson Steamboat Company (Limited), relying upon the statement of the said Officer in charge of the Occupation of Lands being *bona fide* and correct, and at his request, wrote, agreeing under the circumstances to pay a rental of £25 per annum for five years, should the Government demand same, but at the same time protesting and complaining of the hardship of being compelled to do so, which rental is far in excess of the rents paid for any other wharf within the harbour of Port Jackson.
- 8th. That in 1878 the Port Jackson Steamboat Company (Limited), relying upon the aforesaid statements of the said Officer in charge of the Occupation of Lands, extended the said jetty or wharf to the full extent of the permission previously granted, and otherwise expended large sums in strengthening and renewing the original jetty.
- 9th. That the said jetty has been built, maintained, and extended from time to time at the sole expense of the owners and occupiers, and that recently large sums have been expended thereon. That the said jetty is not an inconvenience where it stands to the Corporation of Manly; on the contrary, that it is, and has been for many years, a public convenience to all the residents of the district, no wharfage having ever been charged to the public for landing goods on the said wharf; also that it does not front or abut on to a public street or highway over which the Municipal Council has any control, but fronts a public reserve, the Trustees of which have in no way objected to our occupation of that portion of the foreshore on which the said jetty is erected.
- 10th. That this Company and its predecessors have, during a period of years, run steamboats to Manly, in season and out of season, for the convenience of the public, and thus built up a trade solely of their own accord.
- 11th. That this Company has recently, at an enormous outlay and expense, built and purchased new and improved steamers for the said trade.
- 12th. That they have also leased from the Government jetties at Circular Quay for a period of five years, and the right to call at Cowper's Wharf, Woolloomooloo, at certain hours during each day, for which they pay the revenue a large rental, and for the sole purpose of trading between them and the said jetty at Manly.
- 13th. That the above outlay and expense have been incurred, relying upon the words of the Government officer that there would be no doubt as to the renewal of the lease of the foreshore over which the said jetty is built.

I humbly submit that all the foregoing circumstances are sufficient, good, and valid reasons why the said lease should be renewed, independent of the fact that a cruel and unprecedented injustice would be done, whereby a serious and enormous loss to the extent of many thousands of pounds would accrue to this Company, should a renewal of said lease not be granted.

I have, &c.,
J. R. CAREY,
Managing Director, Port Jackson Steamboat Co.

No. 15.

The Council Clerk, Manly, to The Under-Secretary for Mines.

Sir, Municipal Chamber, Manly, 24 January, 1881.

I have the honor to call your attention to a letter dated the 7th instant from the Mayor of this Municipality, addressed to the Honorable the Minister for Lands, protesting on behalf of the ratepayers to the renewal of the lease of the site of the pier at Manly to any Company, person, or persons, other than the Council of this Municipality; in reply to which communication a letter has been received from the Lands Department stating that such matters were within your province.

It is the desire of this Council that the Government should not overlook their claim to have the wharf placed under their control when the present lease expires, in or about November next.

I have, &c.,
J. N. LEES,
Council Clerk.

Minutes on No. 15.

The lessees of the jetty have been asked to state any reasons why the lease should be renewed.—E.O'D., 2/2/81. Acknowledge receipt, and inform that the subject has already received attention, under the letter referred to as addressed to Department of Lands.—T.W.H., 2/2/81. Informed, 4/2/81.

No. 16.

The Chief Officer, Occupation of Lands, to The Council Clerk, Manly.

Sir, Occupation of Lands, Sydney, 4 February, 1881.

I have the honor to acknowledge the receipt of your letter of the 21th ultimo, calling attention to a communication from the Mayor of Manly, addressed to the Minister for Lands, protesting on behalf of the Municipal Council against the renewal of the special lease held by the Port Jackson Steamboat Company of the pier at Manly.

The subject has already received attention under the letter referred to as addressed to the Department of Lands,

I have, &c.,

T. WARRE HARRIOTT,
Chief Officer.

No. 17.

The Mayor of Manly to The Secretary for Mines.

Sir, Municipality of Manly, Council Chambers, Manly, 10 February, 1881.

I have the honor to acknowledge receipt of your letter of the 4th instant, numbered 81-936 M, addressed to the Council Clerk, referring to a letter of 7th January last, written by the late Mayor of Manly, A. Hilder, Esq., addressed to the Minister for Lands, protesting against any renewal of the existing lease of the site of present pier at foot of Pittwater Road, or to a lease being granted to any but the Municipal Council of Manly.

I need scarcely refer to the circumstances under which the present lease was granted. You will perhaps remember that the subject was brought under the notice of Parliament at the time by petition of the residents of Manly. The circumstances were simply these:—Some time after the petition for incorporation had been forwarded to the Government, we were informed that the petition had been lost, and that it would be necessary to forward another petition. This was done, but unfortunately during the time that elapsed between the notification of the loss of the first petition and the preparation of the second a lease of the pier was granted.

The Council shortly after its formation, as far back as 14th March, 1877, through its then Mayor, Thos. Rowe, Esq., endeavoured to secure this site in question for a municipal wharf. Letters have been forwarded to the Minister for Lands, and deputations have waited upon that gentleman, setting forth in substance what the Municipality of Manly have considered to be their right, viz., full control of the wharf or jetty at Manly, in accordance with the Municipalities Act, 1867, section 117, wherein it says—"The Council shall within the boundaries of the Municipality have the care, construction and management of wharves, jetties, &c."

The present Minister for Lands has admitted this right of the Council, but owing to the Port Jackson S. B. Company having obtained a lease thereof, he could not, until the expiration of that lease, grant such right.

I have now the honor to call your attention to the fact that the lease to Port Jackson S. B. Company will expire on or about end of October next, and at the request of the Municipal Council of Manly I repeat the protest made by my predecessor.

This is a matter that affects the interests of the inhabitants of Manly very considerably; indeed ever since the lease was given to the P. J. S. B. Co. they have felt themselves much aggrieved, and now that that lease will shortly expire they urge upon the Council to repeat the application to the Government to secure what they emphatically say they are fully entitled to, viz.,—to have the site of the present pier, with such further land adjoining that may be necessary for the construction of a wharf or pier at that spot, to meet the growing requirements of this largely patronized watering-place.

Trusting that this very important matter, affecting the interests not only of the residents of Manly but also the public generally, will receive your immediate and earnest attention,—

I have, &c.,

GEO. JOHN BARKER,
Mayor.

Urgent.—The Chief Officer, 11/2/81, G.H., *pro* U.S.

No. 18.

The Under-Secretary for Mines to The Mayor of Manly.

Sir, Department of Mines, Sydney, 25 February, 1881.

Referring to your letter of the 10th instant, respecting the objection made, on the part of the Municipal Council of Manly, to the granting of any renewal to the Port Jackson Steam-boat Company of the existing lease of the site of the pier at the foot of the Pittwater Road, I have the honor to inform you that papers in connection with this matter are being prepared to be laid before Parliament, and until that has been done no action can be taken in regard to the lease.

I have, &c.,

HARRIE WOOD,
Under-Secretary.

No. 19.

Mr. J. R. Carey to The Under-Secretary for Mines.

Sir, No. 1 Jetty, Circular Quay, 15 March, 1881.

I have the honor to ask you for the following information at your earliest convenience, viz., whether the reasons why the lease of the foreshore on which our pier at Manly is erected as stated in mine of the 11th February last, are considered sufficient by the Minister for Mines.

I have, &c.,

J. R. CAREY,
Managing Director, Port Jackson Steamboat Company.

No. 20,

No. 20.

Memo. by Secretary for Mines.

Manly Beach Pier.

INFORM that the question of the granting or refusal of the renewal of the lease has not yet been determined. Leases for special purposes are, upon application, usually renewed as a matter of course. In this case, however, the Municipal Council of Manly has protested against the renewal of the special lease in question to the Port Jackson Steamboat Company. Their protest will receive due consideration, as will the statements made by the Port Jackson Steamboat Company in support of their lease being renewed.

E.A.B., 24/3/81.

Inform the Manager of the Port Jackson Steamboat Company.—H.W., 24/3/81. Informed, 24/3/81.

No. 21.

Mr. S. C. Brown to The Secretary for Lands.

Sir,

77, Pitt-street, Sydney, 26 July, 1881.

I have the honor, on behalf of the Municipality of Manly, to address you on the following matter:—

As you are doubtless aware, the Port Jackson Steamboat Company have a lease from the Government of the land (portion of the foreshore), and land covered with water, upon which the present pier is erected.

This lease will expire about November next; and the inhabitants of Manly, which has now become a very populous and important place, are not desirous that the Port Jackson or any Steam Company should have the sole control of this pier, but that the same should be vested in the Municipality, so that the Council thereof should deal with it as might be best for the interests of the whole of the residents of the district.

In order to carry out this object, and to prevent any complications, the Directors of the Steam Company have agreed to waive their claim to a renewal from the Government of their lease, upon receiving from the Council of the Municipality a lease of the pier for a certain term, at a rent, and subject to conditions on their part, which are manifestly for the interests not only of the Municipality and its inhabitants but those of the whole district, and the inhabitants of Sydney.

Such being the case, and in order to carry out such agreement, I have now to ask that the Government will be pleased to dedicate to and vest in the Municipality that portion of the foreshore of Manly, and that portion of the land covered with water, extending immediately in front, as shown in the plan or sketch sent herewith.

I trust you will give this application your approbation, which is for the dedication of the land and the carrying out of the agreement with the Steam Company, as it will be of great benefit to the whole public; and even if such application be somewhat novel, the circumstances of the case and the position of the inhabitants of Manly are exceptional.

If you desire it, I will wait upon you and give any further explanation or evidence that may be deemed necessary.

I have, &c.,

S. C. BROWN.

Minutes on No. 21.

Urgent.—The Under-Secretary. This letter to be registered and returned to me.—J.H., 27/7/81.

Urgent. Acknowledge the receipt of this letter, and state that it is considered desirable to ascertain, in writing, from the Port Jackson Steam Company, whether they assent to the proposal embodied in this letter.—J.H., 1/7/81. Urgent.—The Surveyor-General. For report at an early date.—J.H., 4/8/81.

No. 22.

The Under-Secretary for Lands to The Directors, Port Jackson Steamboat Company.

Gentlemen,

Department of Lands, 1 August, 1881.

The Municipal Council of Manly having represented that you have agreed to waive your claim to a renewal from the Government of the lease of the pier at Manly, upon receiving from them a lease of such pier for a certain term, at a rent and subject to certain conditions agreed upon, I am directed by the Secretary for Lands to request that you will be good enough to state whether you have made such an agreement with the Municipal Council of Manly.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

No. 23.

The Under-Secretary for Lands to Mr. S. C. Brown.

Sir,

Department of Lands, 1 August, 1881.

Referring to your letter of the 26th ultimo, on behalf of the Municipal Council of Manly, with respect to the pier at that place, I am directed by the Secretary for Lands to inform you that the Port Jackson Steam Company have been asked whether they assent to the proposal embodied in your letter, and that further action will be taken in the matter on receipt of their reply.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

No. 24.

No. 24.

Mr. J. R. Carey to The Secretary for Lands.

Sir, Port Jackson Steam-boat Company's Office, Circular Quay, Sydney, 3 August, 1881.

We beg to acknowledge receipt of a letter from the Department of Lands, dated 1st August, 1881 (Mis. 81-13,357), respecting this Company's claim for a renewal of the lease of the pier at Manly Beach. In reply, we have the honor to inform you that the Company have agreed with the Municipal Council of Manly to waive their claim to such renewal, upon the Council granting to the Company a lease of the pier for the term, at the rent and subject to the conditions mentioned in such agreement.

And have, &c.,

J. R. CAREY,

Managing Director, Port Jackson Steam-boat Company.

Minute on No. 24.

Urgent: The Under-Secretary,—Please place this letter, after registration, with the other papers having reference to the application of the Municipal Council at Manly to have the wharf vested or dedicated in them, and afterwards return the whole of the papers to me.—J.H., 3/8/81.

No. 25.

Memo. on Manly Pier, by the Secretary for Lands.

Perhaps the Minister will direct that this case may be dealt with without the papers.—C.O., 26/8/81.

As it appears, from the information conveyed in the minute of the Under-Secretary for Mines, that the papers cannot be found in that Department, having reference to the special lease granted to the Port Jackson Steamboat Company at Manly, the Survey Branch should be asked to report in respect to the application of the Municipal Council of Manly to have the wharf and approaches vested in them.—J.H., 26/8/81. The Surveyor-General.—C.O., 26/8/81.

No. 26.

Report by the Surveyor-General.

Borough Council of Manly, applying for the dedication of certain land above and below high-water-mark at Manly, parish of Manly Cove, county of Cumberland.

The Surveyor-General,

It should, I think, be pointed out that it is not the practice to dedicate areas below high-water-mark for the erection of pile jetties such as that herein referred to, and that no sufficient reasons are advanced in the enclosed application why the rule should be infringed. Further, that the requirements of the case might probably be met by a renewal of the lease on the conditions usually imposed in such cases, but in the name of the Borough Council of Manly. But the question involved would appear to be one for the joint consideration of the Engineer-in-Chief and yourself.

It may be mentioned, in connection with the above, that the land which fronts the jetty applied for is about to be applied for by the Borough Council of Manly, as a continuation of the aligned Corso, and that such continuation of the Corso would place the approach to the pier under the control of the Borough Council.

S. L. PEYTON,

2 September, 1881.

Report submitted.—P.F.A., 3/9/81. Under-Secretary for Lands,—As it appears that the Council will shortly have the control of the approaches to the wharf, the course to be pursued will be for the Council to apply for a lease under the 38th section of the Act of 1875, and 19th section of the Act of 1880. There is no power conferred for the purpose of dedicating land below low-water-mark.—C.O., 12/9/81. Approved.—J.H., 14/9/81.

No. 27.

Mr. J. R. Carey to The Secretary for Lands.

Sir, No. 1 Jetty, Circular Quay, Sydney, 19 September, 1881.

Referring to our letter of the 3rd August, in reply to yours of the 1st of that month, in which we stated that we had agreed with the Municipal Council of Manly to waive our claim to a renewal of a lease which we now hold of the pier at Manly Beach from the Government, subject to the conditions mentioned in such agreement, we have now the honor to state that one of the conditions upon which this Company agreed to waive their claim was that, upon the pier passing into the legal possession of the Municipal Council of Manly, the Council should give us a lease of the same for a period of twelve years, upon our performing or undertaking to perform certain things.

We are now advised that unless the Municipal Council are placed by the Government in such a position as to enable them to grant us a lease of the wharf and approaches thereto for twelve years, the Council will be unable to fulfil the conditions of their agreement with the Company.

In the event of the Government, from any reason whatever, failing to give the Council the necessary power to enable them to grant us the twelve years' lease, it must be clearly understood that the Company withdraw their conditional waiver of our claim to a renewal of our existing lease of the site of the pier at Manly; and also respectfully request that our application for a renewal of the same may thereafter be favourably considered by you at your earliest convenience.

I have, &c.,

J. R. CAREY,

Chairman of Directors, Port Jackson Steamship Company.

No. 28.

Memo. by Under-Secretary for Lands.

SINCE the decision given by Mr. Secretary Hoskins on the 14th instant the within letter has been received. From its nature it appears that the proposal to lease the wharf to the Council for a term of five years will not meet the requirements of the agreement entered into between the Council and the Port Jackson Steam Company, the chief feature in the agreement being an undertaking by the Council to lease the wharf to the Company for a term of twelve years. As the Government can only lease for a period of five years with the privilege of renewal, the Council could not of course lease, or rather sub-let under the lease to be granted by the Government, for any longer period or with greater privileges than the lease conferred.

The Company appear to have anticipated this difficulty, and, by the letter before referred to, have withdrawn any waiver made to any claim the Company may have to a renewal of the existing lease.

Although the 5th clause of the Crown Lands Alienation Act of 1861 provides for public quays or landing-places, I do not consider that the clause contemplated the dedication of land under the waters. Even if the dedication could be made, it would not meet the object of the Council and Company, as the wharf would be a public wharf, and therefore open to the public.

Personal representations having been made, the case is re-submitted before communicating the decision arrived at. The question of renewing the lease to the Company is one for the Department of Mines to deal with. C.O., 19/9/81.

The decision given should be conveyed to the parties interested.—J.H., 29/9/81.

No. 29.

The Under-Secretary for Lands to Mr. J. R. Carey.

Sir,

Department of Lands, Sydney, 8 October, 1881.

In reply to your letter of the 19th ultimo, on behalf of the Directors of the Port Jackson Steamship Company, relative to the lease of the pier at Manly Beach. I am directed by the Secretary for Lands to inform you that, as the Government can only lease for a period of five years with the privilege of a renewal, the Municipal Council of Manly could not sub-let under a lease to be granted by the Government for any longer period, or with greater privileges than the lease conferred; and although the 5th clause of the Crown Lands Alienation Act of 1861 provides for public quays or landing-places, it is not considered that the clause contemplated a dedication of land under the water; and even if the dedication could be made, it would not meet the object of the Council and Company, as the wharf would be a public wharf, and therefore open to the public. I am to add that the question of renewing the lease to the Company is one for the Department of Mines to deal with.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 30.

The Under-Secretary for Lands to Mr. S. C. Brown.

Sir,

Department of Lands, 8 October, 1881.

With reference to your letter of the 26th July last, on behalf of the Municipality of Manly, applying for the dedication of certain land above and below high-water-mark at Manly, I am directed by the Secretary for Lands to inform you that it is not the practice to dedicate areas below high-water-mark for the erection of pile jetties, &c.; and although the 5th clause of the Crown Lands Alienation Act of 1861 provides for public quays or landing-places, it is not considered that the clause contemplated a dedication of land under the water; and as it appears that the Council will shortly have the control of the approaches to the wharf, the course to be pursued will be for the Council to apply for a lease under the 38th section of the Lands Acts Amendment Act of 1875, and the 19th section of the Lands Acts Further Amendment Act of 1880, such application to be made to the Department of Mines. I am, however, to add that at present the lease of the jetty is held by the Port Jackson Steam Company, who have withdrawn any waiver they may have made to any right of renewal that the Company may be entitled to.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 31.

Mr. J. R. Carey to The Secretary for Mines.

Sir,

Port Jackson Steamboat Company (Limited),

Circular Quay, 26 October, 1881.

I have the honor to inform you that this Company have transferred all their interest in the present lease (special) from the Government of the site of the pier opposite the Corso and Pittwater Road at Manly, to Robert Matcham Pitt, of Manly, and further to request that a renewal of the said lease may be granted to him.

I have, &c.,

J. R. CAREY,
Managing Director.

No. 32.

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No. 32.

The Mayor of Manly to The Secretary for Mines.

Sir,

Municipal Chambers, Manly, 26 October, 1881.
I have the honor, by direction of this Council, to withdraw all objections heretofore lodged against the re-leasing of the site of the pier in front of the Corso and Pittwater Road at Manly, to any other than the Municipal Council of Manly, and further to request that a lease of the said site be granted to Robert Matcham Pitt, of Manly.

I have, &c.,

GEO. WM. BARKER,
Mayor of Manly.

No. 33.

Mr. R. M. Pitt to The Secretary for Mines.

Sir,

Sydney, 27 October, 1881.

I have the honor to inform you that the Port Jackson Steamboat Company (Limited), have transferred to me all their right, title, and interest in and to the special lease of the site of the pier, opposite the Corso, Manly, hitherto held by them from the Government. I enclose herewith letter from the Company waiving all claim to the site of the said pier, also one from the Municipality of Manly, withdrawing their objections to the re-leasing of the site to any other than the said Council, and requesting that a renewal of the said lease be granted to me.

I now beg to make application for a renewal, in my name, of the lease hitherto held by the Port Jackson Steamboat Company, viz. :—The land upon which the pier is erected at Manly Beach, five years at £25 per annum.

I have, &c.,

ROBERT M. PITT.

Minutes on No. 33.

The question of renewal has been for so long before the Minister that perhaps a decision can be arrived at without reference to the Surveyor-General.—T.W.H., Occ. of Land, 5 November, 1881.

If the Chief Officer thinks there is in this case no need for the usual reference, and will recommend the renewal, I will submit it.—H.W., 7/11/81.

Referring to the minute of the Minister, dated 24th March, 1881 (Treasury 10,906), and the Municipal Council of Manly having now withdrawn all opposition, a renewal of the lease for five years is recommended on the same terms and conditions as that expiring on 30th Nov., 1881.—T.W.H., Occ. Lands, 15 Nov., 1881.

Submitted.—H.W., 16/11/81. Approved.—A.R., 3/1/82.

No. 34.

Minute by Colonial Treasurer.

Manly Beach Jetty.

THERE are grave objections to the renewal of the lease of this jetty to the Port Jackson Steamboat Company, as by so doing it practically gives the Company a monopoly of the trade of this suburb, so far as the passenger traffic is concerned, which is most objectionable; and if the Minister for Mines will give the subject his favourable consideration, I think he may probably see his way clear to place the jetty in the hands of the Manly Municipality.

J.W.,

27/10/81.

The Under-Secretary for Mines.—G.E., B.C., 27/10/81. Mr. Pitt asked by note to wait upon the Secretary for Mines on Thursday next, 29th instant.—G.E.H., 22/12/81.

No. 35.

Minute for Executive Council.

Renewal of Special Lease, Manly Beach Pier.

Department of Mines, Crown Lands Occupation Branch, Sydney, 4 January, 1882.

It is recommended to His Excellency the Governor and the Executive Council, that Mr. R. M. Pitt be granted a renewal of his special lease of the land on which the pier is erected at Manly Beach, under the provisions of the 38th clause of the Lands Acts Amendment Act of 1875, and 19th clause of the Lands Acts Further Amendment Act of 1880, for a further period of three years, on the same terms and conditions as that which expired on the 30th November last.

The lease not necessarily to confer any right to purchase the land in virtue of improvements or otherwise.

ARTHUR RENWICK.

Clerk of the Executive Council.—T.W.H., B.C., 5 January, 1882.

The Executive Council advise that a lease of the land on which the pier at Manly Beach is erected be issued, upon the terms and conditions herein recommended, to Mr. R. M. Pitt, for a further period of three years.

A. C. BUDGE,

Clerk of the Executive Council.

Approved.—A.L., 10/1/82. Min. 82/3, 10/1/82.—Confirmed, 17/1/82.

1883.

LEGISLATIVE ASSEMBLY,
NEW SOUTH WALES.

MANLY PIER.

(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 24 April, 1883.

FURTHER RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 7th February, 1883, That there be laid upon the Table of this House,—

“Copies of all correspondence with reference to applications and granting
“of lease of Manly Pier.”

(*Mr. Hugh Taylor.*)

MEMORANDUM OF AGREEMENT made in the twenty-fifth day of October one thousand eight hundred and eighty-one between Robert Matcham Pitt of Manly near Sydney in the Colony of New South Wales gentleman of the one part and the Port Jackson Steamship Company Limited of Sydney aforesaid of the other part Whereas the said Company are at present owners of the pier at Manly Beach in front of the “Pier Hotel” and the lessees from the Government of the said Colony of the site upon which the same is erected and whereas the term for which the said property is leased will very shortly expire and whereas the said Robert Matcham Pitt being about to apply for a lease of the said property the said Company have agreed to waive any claim to the renewal of their said lease upon the terms hereinafter stated now this agreement witnesseth that it is mutually agreed by and between the said parties as follows

1. Upon execution by both parties of this agreement the said Company shall assign and transfer to the said Robert Matcham Pitt their present lease and shall withdraw all applications made by them or on their behalf to the Government of said Colony for the renewal of the lease of the site of the present pier or wharf in front of the “Pier Hotel” at Manly aforesaid or of the said pier and shall request the said Government to lease transfer or grant the said site to the said Robert Matcham Pitt

2. That the said Company shall forthwith hand over and dispose of to the said Robert Matcham Pitt the present pier and all their right and title thereto in consideration of the following conditions namely

3. That the said Robert Matcham Pitt so soon as he obtains a lease of the said site shall grant to the said Company an under-lease of the same and a lease of the said pier for the term of his said lease (less one day) to commence from the commencement of said lease at an annual rental of one hundred and eighteen pounds and such rent as may be charged by the Government payable half-yearly and that the said Robert Matcham Pitt shall (if he so long live) at or before the expiration of the said lease so to be applied for apply to the proper authorities and if possible obtain a renewal of said lease for another five years and shall if successful execute to the said Company an under-lease for the term thereof (less one day) and shall at or before the expiration of such second lease apply to the proper authorities and if possible obtain a renewal of such second lease and if successful shall execute to the said Company an under-lease thereof for the period of two years both under-leases to be at the rent aforesaid and that in the event of the death of the said Robert Matcham Pitt prior to the expiration of the first or second lease the executors of the said Robert Matcham Pitt will transfer the lease then current to the said Company so that they may be entitled to apply for the renewal thereof provided at the expiration of two years of the said third lease or in all twelve years from the commencement of said first lease the said Company will assign the remainder or unexpired term of such third lease and deliver up such pier to any person whom the Council of the Municipality of Manly may appoint or if the said Council shall have obtained power to deal with the same then to the said Council

4. That the said Company shall maintain and keep the said pier and all additions or alterations thereto in good repair during the currency of the leases to be granted to them as aforesaid fair wear and tear excepted excepting in the event of a new pier being erected by the said Robert Matcham Pitt or the Council of the Municipality of Manly

5. That it shall be lawful for the said Company to cancel the said leases and also this agreement should any Government pier or public wharf be erected at Manly which shall be antagonistic to their interest and not under the control of the Council of the Municipality of Manly but they will still be bound to pay the rent to the said Robert Matcham Pitt which he is liable to pay under the said leases from the Government

6. That in consideration of the foregoing agreement on the part of the said Robert Matcham Pitt the said Company shall within fourteen months from the date hereof have a new double-ended paddle steamer built completed and in Port Jackson subject (should the said steamer be built out of this Colony) to all accidents such steamer shall be of such character and dimensions as to be fit to carry six hundred passengers at least in the Manly trade safely and comfortably according to the regulations of the Marine Board in that behalf and the speed of such steamer shall be contracted for at not less than that of the steamer "Fairlight" now the property of the said Company and such steamer shall so soon after her arrival in Port Jackson as is practicable be placed in the Manly trade

7. That the fares and freights to be charged by the said Company from the date hereof and during the currency of the said leases shall not exceed those now charged by the said Company that season and return tickets shall be issued on demand and shall be available for any trip day or night and that passengers shall be permitted to carry fifty-six pounds weight of personal luggage free of charge

8. That private steam launches and yachts shall be allowed to land private parties at the said pier or wharf included in the said leases or at one of the said Company's wharves at Manly whichever may be most convenient to the Company free of charge

9. That the said Company shall not charge any wharfage rates for goods carried by their own steamers in the ordinary daily trade

10. That the said wharf or pier shall from the date hereof and during the currency of either of said leases be free to the public to promenade at all times when passengers are not embarking or disembarking and shall be always free to the police force and shall be deemed a public place for the purpose of the punishment for all offences

11. That the said Company shall from the date hereof and during the currency of either of said leases allow cargoes of goods if for one individual in each instance to be landed on the said wharf or pier or on one or other of their wharves whichever may be most convenient to the said Company upon payment of charges not exceeding Government wharfage rates provided that vessels discharging shall not impede the passenger or regular traffic and shall make way for the Company's steamers when required so to do and in case of their neglect or refusal so to do when required the said Company shall have power at their own risk and expense to remove them forthwith and also to remove any goods from off such wharf at the owner's risk and expense should the said owner neglect to remove them as landed after reasonable notice given to him in that behalf

12. That the said Company shall not from the date hereof and during the currency of either of said leases take the steamers "Fairlight" "Emu" and the new vessel mentioned in paragraph six (when completed) or any or either of them off the run or out of the Manly trade for any purpose whatsoever unless for repairs cleaning or the like or unless prevented from running any or either of them by stress of weather without the consent of the said Robert Matcham Pitt or the Council of the said Municipality for that purpose first had and obtained

13. That should any steamer employed from the date hereof or during the currency of said leases in the Manly trade be wrecked or otherwise lost the said Company shall within eighteen months from such wreck or loss provide another boat to replace the same of at least equal accommodation and speed to the one so wrecked or lost and in the meantime shall provide a good substitute for such lost or wrecked boat to be approved of by the said Robert Matcham Pitt or the Council of the said Municipality and in the event of such approval being withheld the question shall be decided by arbitration as is hereafter provided

14. That the said Company shall from the time fixed in clause fifteen and during the currency of any of said leases run eleven trips each way from Sydney and Manly on every day excepting Sundays and public holidays according to the time-table in the Schedule hereto or as near thereto as possible with all due allowances for accidents unavoidable delays and dangerous weather after the expiration of twelve months from the commencement of such trips the said Company shall be at liberty to alter the said time-table in respect of the times of departure but not in respect of the number of trips and in the event of any such alterations being made the said Robert Matcham Pitt or Council shall have the power to name and fix the times of the first three trips in the morning and the last two trips in the evening from Manly and also the last three trips in the evening from Sydney and in the event of all or any of such times being considered by the Company impracticable the said times shall be fixed by arbitration provided however and it is hereby agreed that in no case shall the excursion trips be interfered with by said Robert Matcham Pitt or Council or arbitrators such "excursion trips" being the three trips from Manly between the hours of half-past four and half-past five in the evening and the four trips from Sydney between the hours of ten in the morning and thirty minutes past two in the afternoon the said Company also agree to run an early trip in the morning daily from Sydney not later than thirty minutes past seven and on holidays a trip from Manly between eight and nine in the morning and one from Sydney between six and seven in the evening in addition to the late trip from Sydney every night.

15. That the eleven trips per diem mentioned in the last paragraph shall commence as soon as the new steamer hereinbefore agreed to be built shall be ready and running in the trade but in the meantime the said Company agree to run and continue the present time-table (except Sundays) and excepting the 8 p.m. trip from Sydney daily and the 11:30 a.m. from Sydney and 12:30 p.m. from Manly on Saturdays

16. That in the event of any dispute arising between the said Robert Matcham Pitt or the said Council and the said Company as to the meaning of this agreement or any clause or clauses thereof the matter in dispute shall be left to arbitration according to the Statutes in that behalf in this Colony and in the event of the said Company failing to carry out this agreement or any clause thereof it shall be lawful for the said Robert Matcham Pitt his executors administrators or assigns to cancel the same after

after such non-compliance has been referred to arbitration and decided against the said Company and provided that in the opinion of the arbitrators the said Company shall not have complied with the spirit of the said agreement

THE SCHEDULE HEREINBEFORE REFERRED TO.

<i>Time-table.</i>	
From Sydney.	From Manly.
7:15 A.M.	7:10 A.M.
7:55 "	8:10 "
10:15 "	8:45 "
11:30 "	11:15 "
1:30 P.M.	12:15 P.M.
2:30 "	3:30 "
4:30 "	*4:45 "
5:30 "	*5:00 "
6:15 "	5:30 "
7:30 "	6:30 "
11:15 "	10:00 "

* The Company to have power to alter this trip to between seven and eight p. m. at any time.

In witness whereof the said Robert Matcham Pitt hath hereunto set his hand and seal and the seal of the said Company hath been hereunto affixed the day and year firstly hereinbefore written.

Signed sealed and delivered by the said } ROBERT M. PITT.

Robert Matcham Pitt in the presence of }

C. WAGSTAFF Witness.

The common seal of the Port Jackson Steamship Company Limited was hereunto affixed by forming a Board of Directors of the said Company in the presence of

AGREEMENT made the twenty-fifth day of October in the year of our Lord one thousand eight hundred and eighty-one between the Municipality of Manly of the one part and the within-named Port Jackson Steamship Company Limited of the other part Whereas the within-named Robert Matcham Pitt has entered into the within agreement on behalf of the said Municipality and at the request of the Council thereof and whereas the Council of the said Municipality have agreed in consideration of the agreements within contained on the part of the said Company to enter into the agreements on their part hereinafter contained Now it is witnessed that the said Municipality in consideration of the premises do hereby covenant promise and agree to and with the said Port Jackson Steamship Company Limited their successors and assigns in manner following

1. That the said Municipality or the Council thereof shall at their own expense provide three lamps on the said pier and maintain and keep same lit every night during the currency of the said lease

2. That in case the said Municipality or the Council thereof shall obtain power so to do it shall be lawful for them if they shall think proper to erect a new wharf or pier upon the site of the present pier and in lieu thereof or upon any site in close proximity thereto provided that they give notice of their intention so to do to the said Company before the expiration of the third year of the first of the said leases and provided also that the cost of such new wharf shall not exceed two thousand five hundred pounds and in the event of the said Municipality or the Council thereof erecting such new wharf the said Company shall pay to them in addition to the rental mentioned in the third paragraph of the within agreement a further annual rental amounting to 10 per cent. upon the cost of the said wharf and shall maintain and keep the same in good repair fair wear and tear only excepted

3. That any new pier or wharf to be erected by the said Municipality or the Council thereof in pursuance of the power contained in the last paragraph shall be leased by the said Council to the said Company such lease to include so far as the said Council can grant the same the approaches to such pier for the rent mentioned in the within agreement with the 10 per cent. added for the terms mentioned therein and as if it were included in the leases therein referred to

4. That the said Municipality and the Council thereof shall not erect any other pier antagonistic to the interests of the said Company and shall oppose by all means in their power the erection of any pier or wharf at Manly which may be antagonistic to the interests of the said Company and further shall not oppose in any way the renewal of said leases to said Robert Matcham Pitt or the granting a lease to the said Company in case of the death of the said Robert Matcham Pitt prior to the expiration of such first lease but on the contrary shall do all in their power to support same provided that the said Company shall be bound to carry out the covenants and agreements in within agreement contained and if necessary shall enter into a covenant with the said Council so to do and also that at the end of the twelve years the said Company shall in case of the said Robert Matcham Pitt having died transfer their interest in the said leases and their right to the renewals thereof to any nominee of the said Municipality or if the said Council have obtained power to deal with the same then to the Council of the said Municipality

In witness whereof the Corporate Seal of the Municipality of Manly hath been hereunto affixed the day and year firstly hereinbefore written

The Corporation Seal of the Municipality of Manly was hereunto affixed by George William Barker Mayor and Alderman Austin Duff Hayes Lawrence and Pitt being a full Council of the said Municipality duly convened in the presence of (Seal of Municipality of Manly.)

C. WAGSTAFF

Council Clerk.

We certify that the writing contained above in this and the preceding page is a true copy of the original agreement the same having been examined and compared therewith by us this seventeenth day of November, 1881,—

GEO. HELLINGS, }
ARTHUR SHELDON, } Clerks to S. C. BROWN, Solicitor, Sydney.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CLARENCE RIVER WORKS.

(MINUTE OF THE ENGINEER-IN-CHIEF OF HARBOURS AND RIVER NAVIGATION.)

Ordered by the Legislative Assembly to be printed, 12 April, 1883.

The Engineer-in-Chief for Harbours and River Navigation to The Under-Secretary
for Public Works.

I would beg to submit, for the consideration of the Hon. the Secretary for Public Works, the necessity for obtaining a further vote of (say) £100,000 on the Loan Estimates towards the Clarence River Works.

About £117,000 have been already expended, and there still remains a credit balance on existing votes of about £5,000.

My original proposals were for a breakwater of 2,000 feet in length, and an internal training-wall 10,170 feet in length on the south side, and a breakwater on the north side of 1,270 feet and training-wall of 8,160 feet. Of the works on the south side 1,250 feet of breakwater and 4,750 feet of training-wall have been constructed, leaving 5,420 feet of internal wall to be completed. But as regards the southern breakwater, the changes which have taken place from time to time have shown that it will not have to be carried out to the full extent originally contemplated.

An addition to the present length of 450 feet, or 1,700 feet in all, will be sufficient to reach a depth of 19 or 20 feet of water.

On the north side, however, very great difficulties have been encountered, which will be seen by the plan I have had prepared, showing the state of the entrance to the river as it has existed at different times since 1845.

The survey of the entrance of the Clarence, made by the late Mr. James Burnett in 1845, a copy of which I have obtained from the Survey Office, shows that at the time it was made the northern limit of the channel extended back as far as Iluka, and the width of the entrance to the river was then about 6,800 feet, or more than $1\frac{1}{4}$ mile, the channel being filled with sandbanks, through which the river found its way to the sea, by numerous small channels too tortuous and shallow to be navigable, unless by the smallest class of coasters.

Between 1845 and 1860, when my first survey was made, a great change had taken place; the north sand-spit had formed and grown down towards the south shore, till the width of the entrance channel was reduced to about 750 feet abreast of Yamba (see the red line on the accompanying plan), which shows the high-water mark in 1860. But in 1860 another change in the opposite direction set in: The north sand-spit commenced again to recede towards the north, and in 1863 it had gone back to the extent shown by a blue line on the plan, the channel having widened out to about 1,000 feet abreast of Yamba. In 1864 it had gone back to the limit shown by the orange tint, the width of the entrance being about 1,250 feet. In 1870 it had gone back to the yellow line, the width of entrance being about 1,400 feet. In 1873 it had gone back to the dark neutral tinted line, the width of the entrance then being 3,000 feet, and in Feb., '75, June, '75, July, '80, Jan., '82, and up to May, 1882, it kept steadily working back to the extent shown by the several lines indicating the high-water margin at these different times, till in 1880 it bid fair to work back to the former limits shown by Mr. Burnett's survey in 1845.

The causes of these changes are not far to seek. It will be remembered that 1860, '64, '67, '72, '76, '79, '80, were years of unusual rainfall, or of very heavy floods; the effect of such floods was to cut away the sandspit and widen the channel at the entrance, and the collateral result of such widening of the channel was to admit a larger body of tidal water, which, by its scour, produced a corresponding effect on the channel, increasing still further its width, and thus aggravating the evil. The question then came to be whether to allow the retrocession of the north spit to go on unchecked, or to endeavour to arrest it and save as much of the point as possible by protecting it with a stone facing, and it seemed to be imperative to adopt the latter course, which was done.

The north spit has been faced with stonework. The cutting back action has been arrested, and we have now got a safe base from which to start the works originally proposed.

These works, as mentioned in my original report, are an internal training-wall along the margin of the channel, from Iluka to abreast of Yamba, and thence along the outer shore in a curved line to the position marked on the plan.

The inner training-wall will protect the spit on that side, while the outer one will confine and regulate the channel in the neighbourhood of the reef, preventing the sand from growing down on it by concentrating the tidal scour at that part, and directing the current to seaward across the bar.

As the inner and outer training-walls are advanced in the manner of two groins, a slack water will be created in the space between them where the sand thrown in by the waves will be impounded, reforming the spit as it formerly existed between the years 1864 and 1875, and which, when once reformed, will not be liable as formerly to constant fluctuations. When this is obtained and, with the southern training-wall to regulate the channel on its side, a permanent condition of the entrance will be obtained, which aided by judicious dredging may be confidently expected in a few years to bring about the same beneficial condition of things, both on the bar and in the inner part of the harbour, as we have obtained at Newcastle.

The growing down of the sand-spit so close to the reef, which is at present interfering with the navigation, is solely due to the great width of the channel at the entrance, by which the tidal scour is dispersed over a wide space.

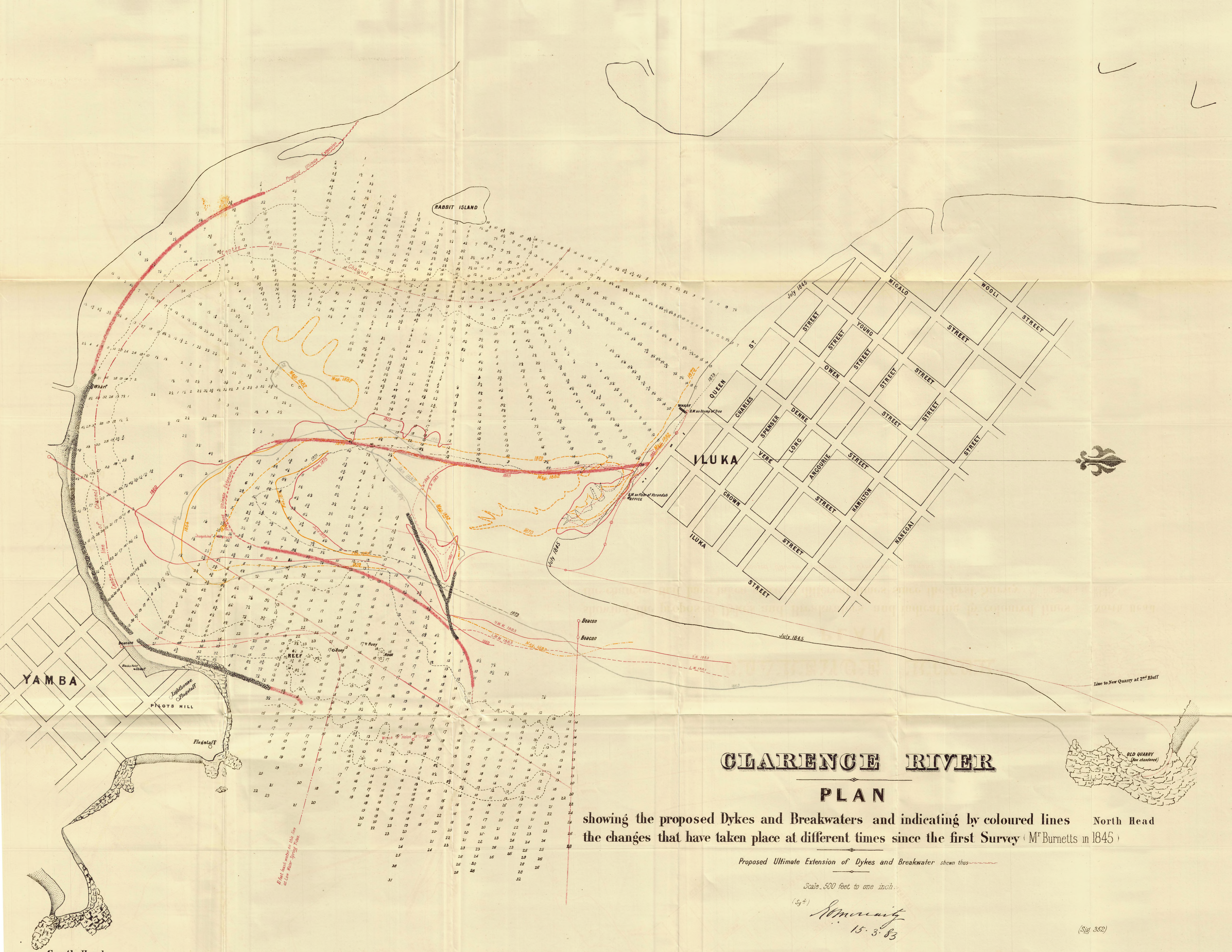
April 5, 1883.

B. O. MORIARTY,
Engineer-in-Chief for Harbours and Rivers.

[Plan.]

[2s. 3d.]

Sydney: Thomas Richards, Government Printer—1883.



CLARENCE RIVER PLAN

showing the proposed Dykes and Breakwaters and indicating by coloured lines the changes that have taken place at different times since the first Survey (Mr Burnetts in 1845)

Proposed Ultimate Extension of Dykes and Breakwater shown thus

Scale 500 feet to one inch.

Remerity
15. 3. 83

(Sig 352)

YAMBA

PILOTS HILL

Flotsstaff

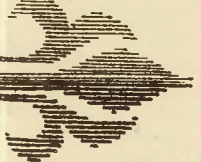
RABBIT ISLAND

ILUKA

ILUKA

OLD QUARRY
(New abundance)

South Head



1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WORKING HOURS ON DREDGES.

(FORMER AND PRESENT ARRANGEMENTS.)

Ordered by the Legislative Assembly to be printed, 6 February, 1883.

Memorandum from Engineer-in-Chief for Harbours and River Navigation to
Secretary for Public Works.

FORMERLY the men worked as follows :—Ten hours summer, nine hours winter, as under :—

Summer, 6 a.m. to 6 p.m., with three-quarters of an hour for breakfast and one hour for dinner.

Winter, 6.30 a.m. to 5.30 p.m., do. do. do.

On Saturdays the men knock off at 1 p.m.; the proper time would be 4 p.m., but, as will be seen above, they take only three-quarters of an hour for breakfast, instead of one hour, and thus about make up the difference.

The new regulations are as follows, giving a uniform time of nine hours, as under :—

Summer, 6 a.m. to 5 p.m. ;

Winter, 6.30 a.m. to 5.30 p.m. ;

with arrangements for Saturday as before.

If a further reduction to eight hours was adopted, the following would roughly be the result :—

The Sydney dredges which have long "tows," would only be able to send two sets of punts to sea instead of three, thus reducing the work by one-third.

The Clarence and Hunter River dredges would suffer a reduction of about one-quarter, and the Newcastle harbour dredges, by reason of the shorter "tows," one-eighth.

The men have the advantage of being paid full time, wet or dry, and have their meals cooked for them.

30 January, 1883.

E. O. MORIARTY.

1883.

—

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—

DREDGING OPERATIONS.
(REPORT OF ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.)

—

Ordered by the Legislative Assembly to be printed, 25 April, 1883.

—

The Engineer-in-Chief for Harbours and Rivers to The Secretary for Public Works.

Department of Public Works,
Harbours and Rivers Branch,

Sir,

Sydney, 24 April, 1883.

I do myself the honor to submit for your information the accompanying statistics and other matter relative to the Dredge Service, brought up to the close of the year 1882. These returns will be found in Appendices A to N, and a perusal of them will I think prove exceedingly interesting and instructive. As I am anxious there should be no delay in giving them the publicity which the importance of the subject they treat of demands, I have hastened their completion, so as to enable you to lay them before Parliament during the present Session, which is now so near its close. This must be my excuse, therefore, for not writing a long report. Attached will be found a tabulated statement showing what the Appendices consist of.

I would especially draw your attention to the Inspector's report, which contains a full account of the dredging operations of last year. I do not think I need add anything to the statements published in that document, as it probably embraces all that need be said on the subject in this connection.

As to our future operations, I am pleased to be able to report that tenders have already been invited for the construction of a dredge, tug, and punts, for the Richmond and other northern rivers, for which a sum of £25,000 has been voted by Parliament during the present Session.

Pending, however, the construction of these vessels, which must necessarily occupy many months, preparations are being made for the despatch, in a few days hence, of a dredge to the Richmond River, to remove some of the obstacles to navigation which exist there.

A dredge is also now on its way to Moruya, to complete the work which was begun some months ago. A plan accompanies, showing what has been done in the way of dredging on that river and what further we propose to do. I feel confident, when this work is completed, that the action of the tides and floods, regulated by the works which have been and are yet to be constructed, will be sufficient to maintain a permanent channel. It should be noted that the long prevalence of the N.E. winds, and the absence of floods, have had very prejudicial effects on all our river and harbour entrances, as is evidenced by the packing in of the sand at all the openings on our long coast line. While on this subject, I should like to draw your attention to Captain Allan's letter to the President of the Marine Board, with accompanying plan, setting forth the improvements which have taken place in the harbour of Newcastle, as the result of dredging and the construction of the breakwaters, which will be found amongst the Appendices. I think the valuable evidence

therein adduced is sufficient to give confidence to Parliament that, in carrying out similar works in the other harbours and rivers of the Colony—notably at the Clarence—like beneficial results may be expected to follow. Attached, also, will be found plans showing what Newcastle harbour was before the works were commenced, and what it is at the present time. An inspection of them will, I think, render further comment on that matter unnecessary.

I may also mention that I propose, as soon as the work at Moruya is finished, to despatch the dredge which will be shortly working there, to Ulladulla, to remove the sand which has for some time past been accumulating in that harbour, to the great detriment of the trade of the district.

Passing on to a brief mention of the dredging operations in Sydney Harbour, I would desire to explain that the work of deepening the cove along the line of the new wharfs on the eastern side of the Circular Quay is a very tedious one, owing to the berths being required to accommodate the vessels employed in our rapidly expanding commerce.

Now, however, that there is a little lull in the trade, we shall take advantage of the opportunity thus afforded to complete our dredging and blasting operations, so as to give a depth of from 28 to 29 feet at low-water.

We are also, as quickly as somewhat similar circumstances will allow, performing similar work at the head of Darling Harbour, where a considerable extension of the present wharf will be immediately undertaken.

In conclusion, I have with pleasure to express my sense of the obligations under which I lie to the Inspector and his Dredge-masters, for the successful results which their energy and intelligence have enabled me to present.

I have the honor to be,

Sir,

Your most obedient servant,

E. O. MORIARTY,

Engineer-in-Chief.

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APPENDIX A.

ANALYSIS of Dredge Expenditure and Work for the year ending 31st December, 1880. (Dredges.)

	"Newcastle."	"Samson."	"Vulcan."	"Hunter."	"Hercules."	"Fitzroy."	"Clarence."	"Archimedes."	"Pluto."	"Titan."
Tons dredged in 1880	360,300	152,135	125,140	79,600	87,560	101,830	173,610	88,890	136,560	35,870
Material dredged	Sand and soft rock.	Sand, soft rock, clay, and mud.	Sand and soft rock.	Sand and soft rock.	Hard clay and mud.	Sand and gravel.	Sand.	Clay, mud, and sand.	Sand.	Sand.
Where dredging	Newcastle.	Sydney.	Hunter River and Newcastle.	Newcastle and Hunter River.	Sydney.	Macleay River.	Clarence River.	Sydney harbour.	Shoalhaven.	Lake Macquarie and Myall River.
Where deposited	At sea.	At sea.	At sea and in river.	At sea and in river.	At sea.	In river.	In river.	Sea and reclaimed land.	In river.	In river and lake.
Hours dredging	1,960	1,646	2,375	2,270	2,045	2,020	2,233	2,310	2,145	1,406
Cost per hour	£ s. d. 3 18 4½	£ s. d. 2 6 9½	£ s. d. 1 4 6½	£ s. d. 1 4 6½	£ s. d. 1 8 5½	£ s. d. 1 7 2½	£ s. d. 1 10 2½	£ s. d. 1 2 1½	£ s. d. 1 0 1½	£ s. d. 2 11 9½
Tons dredged per hour (average)	183½	92½	52½	35½	42½	50½	77½	38½	63½	25½
Expenditure as under.										
Rope	0'0489	0'0286	0'0383	0'0603	0'0242	0'0042	0'0228	0'0885	0'0498	0'2162
Waste	0'0043	0'0085	0'0108	0'0108	0'0062	0'0093	0'0056	0'0060	0'0039	0'0274
Tallow	0'0101	0'0102	0'0052	0'0253	0'0105	0'0042	0'0045	0'0102	0'0105	0'0106
V. I. rubber	0'0136	0'0136	0'0012	0'0012	0'0012	0'0038	0'0010	0'0010	0'0010	0'0010
Paints and lead	0'0976	0'0233	0'0731	0'0999	0'0759	0'0749	0'0555	0'0546	0'0544	0'0544
Castor oil	0'0112	0'0057	0'0057	0'0057	0'0057	0'0057	0'0057	0'0057	0'0057	0'0057
Kerosene oil	0'0011	0'0011	0'0011	0'0011	0'0011	0'0011	0'0011	0'0011	0'0011	0'0011
Linseed oil	0'0071	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014
Cylinder oil	0'0048	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014	0'0014
Teal oil	0'0168	0'0020	0'0020	0'0020	0'0020	0'0020	0'0020	0'0020	0'0020	0'0020
Black oil	0'0004	0'0132	0'0132	0'0132	0'0132	0'0132	0'0132	0'0132	0'0132	0'0132
Cola oil	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Nest-foot oil	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Turpentine	0'0028	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Clydesdale grease	0'0055	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Albany compound	0'0059	0'0106	0'0106	0'0106	0'0106	0'0106	0'0106	0'0106	0'0106	0'0106
Chain	0'2590	0'1331	0'1331	0'1331	0'1331	0'1331	0'1331	0'1331	0'1331	0'1331
Iron and steel	0'2019	0'0520	0'0520	0'0520	0'0520	0'0520	0'0520	0'0520	0'0520	0'0520
Timber	0'0677	0'0123	0'0123	0'0123	0'0123	0'0123	0'0123	0'0123	0'0123	0'0123
Coal	0'1441	0'5045	0'3194	0'3002	0'3004	0'1915	0'1030	0'6739	0'3432	0'2180
Freight on coal	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Pilotage	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Removing snags	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Collisions	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Sundry stores, &c.	0'2046	0'1041	0'1041	0'1041	0'1041	0'1041	0'1041	0'1041	0'1041	0'1041
Salaries and allowances	1'0400	2'238 5 8	4'1139	2'145 1 3	6'4899	2'152 10 2	5'2312	1'908 9 10	4'2349	1'568 10 2
Repairs	2'1536	1'5861	0'7493	0'905 2 5	1'8575	0'77 14 3	1'0861	0'5722	1'5934	0'2274
Repairs Dock	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Cost per ton	5'1169	6'0710	5'5953	8'4062	7'9862	6'4798	4'6609	6'8931	3'7803	24'3606
Total expenditure	7,681 15 2	3,848 9 3	2,917 10 8	2,788 1 9	2,913 12 10	2,749 6 6	3,371 12 11	2,553 1 3	2,154 9 6	3,640 17 9
Coals consumed per hour	5 3 22	6 1 0	3 2 19	2 3 21	3 2 5	1 2 20	4 2 5	2 3 20	1 3 13	2 1 3
Cost per hour	0 2 24760	0 3 106215	0 1 38113	0 0 105348	0 1 103898	0 0 97272	0 2 32996	0 2 19316	0 1 98457	0 1 01337
Quantity and cost per ton dredged	3'626	7'5754	7'8099	6'3927	6'6772	6'5444	6'5444	6'5444	6'5444	6'5444
Castor oil used per hour	0'3992	0'0532	0'0532	0'0532	0'0532	0'0532	0'0532	0'0532	0'0532	0'0532
Quantity and cost per ton dredged	0'0017	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008
Olive oil used per hour	0'0224	0'0204	0'0204	0'0204	0'0204	0'0204	0'0204	0'0204	0'0204	0'0204
Quantity and cost per ton dredged	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001	0'0001
Nest-foot oil used per hour	0'0972	0'07351	0'07351	0'07351	0'07351	0'07351	0'07351	0'07351	0'07351	0'07351
Quantity and cost per ton dredged	0'0011	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008
Cylinder oil used per hour	0'0194	0'01895	0'01895	0'01895	0'01895	0'01895	0'01895	0'01895	0'01895	0'01895
Quantity and cost per ton dredged	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002
Albany compound used per hour	0'0426	0'0376	0'0376	0'0376	0'0376	0'0376	0'0376	0'0376	0'0376	0'0376
Quantity and cost per ton dredged	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002
Tallow used per hour	0'5826	0'5754	0'5754	0'5754	0'5754	0'5754	0'5754	0'5754	0'5754	0'5754
Quantity and cost per ton dredged	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002	0'0002
Waste used per hour	0'1658	0'1732	0'1732	0'1732	0'1732	0'1732	0'1732	0'1732	0'1732	0'1732
Quantity and cost per ton dredged	0'0009	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008	0'0008

Dredge and Tug	£ s. d.
"Newcastle" and Tug	0 7 2½
"Samson"	0 12 10½
"Vulcan"	0 7 3½
"Hunter"	0 7 2½
"Hercules"	0 14 5
"Fitzroy"	0 13 8½
"Clarence"	0 18 4½
"Archimedes"	0 15 9½
"Pluto"	0 18 9½
"Titan"	0 12 3½

APPENDIX A—continued.

ANALYSIS OF DREDGE EXPENDITURE AND WORK FOR THE YEAR ENDING 31st DECEMBER, 1880. (Tags.)

	"Ajax" s.s.	"Thetis" s.s.	"Diene" s.s.	"Cyclops" p.s.	"Ceres" s.s.	"Charybdis" p.s.	"Lattie Nell" s.s.	"Achilles" s.s.	"Pearl" p.s.	"Dector" p.s.	"Sylla" s.s.
	Size, 130 x 20. Engines, pair jet condensing. Cylinders, 20 in.; stroke, 20 in. Working pressure, 20 lbs.	Size, 180 x 20. Engines, pair jet condensing. Cylinders, 20 in.; stroke, 20 in. Working pressure, 20 lbs.	Size, 91 x 13. Engines, pair compound surface condensing. Cylinders, 22 and 16 in.; stroke, 16 in. Working pressure, 60 lbs.	Size, 80 x 15 ft. 6 in. Engines, pair high pressure. Cylinders, 15 in.; stroke, 20 in. Working pressure, 50 lbs.	Size, 105 x 15. Engines, compound surface condensing. Cylinders, 26 and 22 in.; stroke, 26 in. Working pressure, 50 lbs.	Size, 82 x 14. Engines, pair surface condensing. Cylinders, 18 in.; stroke, 26 in. Working pressure, 45 lbs.	Size, 82 x 12 ft. 6 in. Engines, pair surface condensing. Cylinders, 16 in.; stroke, 26 in. Working pressure, 50 lbs.	Size, 82 x 12 ft. 6 in. Engines, pair high pressure. Cylinders, 22 in.; stroke, 26 in. Working pressure, 45 lbs.	Size, 110 x 12. Engines, pair high pressure. Cylinders, 18 in.; stroke, 26 in. Working pressure, 45 lbs.	Size, 70 x 14. Engines, pair high pressure. Cylinders, 18 in.; stroke, 26 in. Working pressure, 60 lbs.	Size, 50 x 8. Engines, pair high pressure. Cylinders, 16 in.; stroke, 20 in. Working pressure, 60 lbs.
Tons of silts, &c. towed	358,300	155,875	60,500	111,985	65,730	101,830	123,425	39,320	136,560	34,210	13,420
Where carried	Sea	Sea	Sea and River	Sea and River	Sea	River	River	Sea and reclaimed land	River	River	Reclaimed land
Description of material	Sand & soft rock	Sand, soft rock, clay and mud	Sand clay and mud	Sand and soft rock	Hard clay and mud	Sand and gravel	Sand	Clay, mud, and sand	Sand	Sand	Clay and mud
Where employed	Newcastle	Sydney	Newcastle and Sydney	Newcastle and Clarence River	Sydney	Macleay River	Clarence River	Sydney and Newcastle	Shoalhaven	Lake Macquarie and Myall River	Sydney
Number of trips	900	393	384	732	262	1,355	540	276	1,142	591	113
Number of miles towed	6,300	7,828	7,174	3,904	5,562	7,038	3,728	4,002	3,263	3,154	974
Coals consumed per trip	12 1 25	50 1 20	11 1 24	12 3 26	24 0 1	4 2 13	10 2 8	18 1 17	7 1 5	4 3 21	2 0 15
" per mile	0 0 3 5086	0 0 14 2412	0 0 8 1317	0 0 9 4868	0 0 10 7178	0 0 5 1852	0 0 14 4604	0 0 5 1805	0 0 6 8319	0 0 9 5598	0 0 2 0155
Castor oil used per trip	0 15 88	0 6 17	0 0 14 7	0 27 60	0 8 703	0 0 266	0 0 266	0 0 209	0 0 1261	0 0 0 0	0 0 3 63
" per ton	0 0 0 027	0 0 0 037	0 0 0 017	0 0 0 034	0 0 0 034	0 0 0 034	0 0 0 034	0 0 0 034	0 0 0 034	0 0 0 034	0 0 0 034
Cylinder oil used per trip	0 0 7 11	0 0 1 70	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0
" per mile	0 0 0 001	0 0 0 004	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000
Albany compound used per trip	0 0 9 94	0 0 3 70	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0
" per mile	0 0 0 014	0 0 0 018	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000	0 0 0 000
Tallow used per trip	0 0 3 66	0 0 8 48	0 0 1 450	0 0 4 112	0 0 2 519	0 0 0 206	0 0 0 704	0 0 6 885	0 0 4 238	0 0 5 702	0 0 5 398
" per mile	0 0 0 0452	0 0 0 044	0 0 0 009	0 0 0 027	0 0 0 011	0 0 0 003	0 0 0 003	0 0 0 048	0 0 0 030	0 0 0 038	0 0 0 015
Waste used per trip	0 0 3 000	0 0 2 392	0 0 1 450	0 0 2 392	0 0 1 093	0 0 0 74	0 0 0 74	0 0 0 74	0 0 0 74	0 0 0 74	0 0 0 74
" per mile	0 0 0 0428	0 0 0 0120	0 0 0 0078	0 0 0 0078	0 0 0 0078	0 0 0 0078	0 0 0 0078	0 0 0 0078	0 0 0 0078	0 0 0 0078	0 0 0 0078
EXPENDITURE AS UNDER.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Rope	62 15 9	0 0 420	43 3 1	0 0 664	1 32 32	0 0 983	0 0 829	1 25 8	0 0 1208	1 18 7	0 0 1208
Waste	5 8 0	0 0 037	1 17 8	0 0 029	0 0 576	1 13 4	0 0 036	0 0 1024	1 18 5	0 0 018	0 0 118
Tallow	3 15 2	0 0 026	4 10 5	0 0 069	0 0 1386	0 0 14 11	0 0 029	0 0 249	0 0 119	0 0 012	0 0 012
V. I. rubber	6 7 6	0 0 043	7 3 5	0 0 110	0 0 2199	4 7 7	0 0 017	0 0 1465	11 3 3	0 0 027	0 0 186
Paints and lead	56 8 10	0 0 378	8 4 0	0 0 126	0 0 2514	10 9 0	0 0 024	0 0 6423	5 12 4	0 0 019	0 0 3616
Castor oil	4 2 1	0 0 028	7 2 2	0 0 109	0 0 2179	2 10 6	0 0 018	0 0 5995	1 6 0	0 0 007	0 0 131
Kerosene oil	3 0 7	0 0 020	3 7 6	0 0 025	0 0 1035	1 8 8	0 0 037	0 0 0313	0 0 10 4	0 0 008	0 0 0479
Lined oil	6 19 2	0 0 047	1 15 8	0 0 028	0 0 0516	4 3 10	0 0 008	0 0 2578	2 13 6	0 0 005	0 0 1543
Tell oil	7 8 7	0 0 050	16 17 1	0 0 025	0 0 0167	2 8 3	0 0 006	0 0 0807	4 2 7	0 0 009	0 0 0537
Cylinder oil	3 4 0	0 0 021	3 6 0	0 0 005	0 0 1012	0 2 8	0 0 004	0 0 1310	1 13 8	0 0 006	0 0 0224
Turpentine	3 0 3	0 0 020	0 11 47	0 0 000	0 0 1147	9 5 10	0 0 039	0 0 4016	224 2 1	0 0 013	0 0 96701
Albany compound	107 5 2	0 0 1320	638 15 9	0 0 9835	19 847	82 16 2	0 0 3280	2 7703	192 12 8	0 0 4128	11 8 422
Coal	74 6 11	0 0 0498	68 6 0	0 0 1053	3 0940	44 14 2	0 0 060	2 4785	65 18 6	0 0 2408	2 8 146
Freight on coal	1 326 14 2	0 0 8866	1 179 3 5	0 0 8180	36 1523	462 8 10	1 8317	15 4706	826 15 3	1 7718	50 8255
Sundry stores, &c.	1 515 5 8	1 0 749	369 2 5	0 0 4083	11 3172	196 3 2	0 0 7769	6 3623	148 1 3	0 0 3174	9 1028
Repairs	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Collisions	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pilotage	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total expenditure	3,285 11 8	2,381 9 2	376 16 6	1,293 12 5	1,433 17 9	1,345 8 3	2,257 9 6	1,629 1 8	918 13 4	1,308 4 4	108 15 8
Cost per ton	2 2007	3 6666	3 4731	2 7724	5 2355	61 8722	45 8793	43 896	9 9435	9 1777	1 8918
Cost per mile	125 1650	73 0135	29 3334	79 5258	61 8722	45 8793	145 3310	97 6961	67 5698	99 5473	26 0557
Cost of coal per trip	0 4 4 6022	0 1 13 6092	0 4 3 7552	0 5 3 1384	0 17 1 2862	0 2 1 8369	0 5 3 1335	0 11 6 4239	0 5 5 2855	0 2 4 3299	0 1 5 5752
Castor oil per trip	0 0 1 6944	0 0 4 3409	0 0 1 8594	0 0 3 4262	0 0 5 4809	0 0 0 1 075	0 0 4 4638	0 0 0 8029	0 0 0 3912	0 0 0 7999	0 0 0 1 062
Cylinder oil per trip	0 0 0 8533	0 0 0 2 053	0 0 0 2 053	0 0 0 3 114	0 0 0 4 763	0 0 0 5 114	0 0 0 3 130	0 0 0 3 4130	0 0 0 8 799	0 0 0 2 212	0 0 0 1 7345
Albany compound per trip	0 0 2 5311	0 0 0 9 6041	0 0 0 3 114	0 0 0 1 3128	0 0 0 8 054	0 0 0 0 664	0 0 0 2 2029	0 0 0 1 3739	0 0 0 1 8578	0 0 0 1 7345	0 0 0 0 6166
Tallow per trip	0 0 1 0022	0 0 0 2 7609	0 0 0 4 661	0 0 0 5 464	0 0 0 2 4619	0 0 0 0 370	0 0 0 2 2029	0 0 0 1 6812	0 0 0 0 7039	0 0 0 0 7039	0 0 0 0 6166
Waste per trip	0 0 1 4400	0 0 0 1 1501	0 0 0 0 7931	0 0 0 0 7931	0 0 0 0 7931	0 0 0 0 7931	0 0 0 0 7931	0 0 0 0 7931	0 0 0 0 7931	0 0 0 0 7931	0 0 0 0 7931

APPENDIX A 1.
Tugs employed on Special Service during 1880.

Charged against Dredge Vote.	Charged against Vote of £500 for "Expenses of Tugs employed on occasional Services unconnected with Dredging."				
"Scylla."	"Scylla."	"Ajax."	"Thetis."	"Dione."	"Achilles."
Carrying workmen, and other services in connection with Fitzroy Dock.	North Shore Water Supply.	Trip to Cape Hawke.	Towing punts, &c., to Port Hacking.	North Shore Water Supply.	North Shore Water Supply.
Number of trips 203 Number of miles steamed 3,704	Number of trips... 28 Number of miles steamed 149	Number of trips 1 Number of miles steamed 100	Number of trips 2 Number of miles steamed 88		Number of trips, 19 Number of miles steamed 41
Expenditure.	Expenditure.	Expenditure.	Expenditure.	Expenditure.	Expenditure.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Rope 1 1 7 Waste 1 3 1 Tallow 3 5 6 V. I. rubber... 0 3 1 Paints & lead 0 4 2 Castor oil..... 3 7 5 Teil oil..... 0 12 0 Kerosene oil... 0 1 3 Linseed oil ... 0 14 7 Cylinder oil... 0 3 0 Albany compound 0 8 5 Coal 33 1 10 Sundry stores, &c. 1 13 9 Salaries and allowances ... 216 3 9 Repairs 160 19 4 £423 2 9	Salaries 18 0 0 Repairs 7 14 0 Hose, 4½ yds. 0 18 0 Hydrant stand-pipe (1) 5 0 0 Brass union (1) 0 10 0 £32 2 0 Cost per mile, 4s. 3·7047d.	Ration allowance 1 14 6 Life-boat Service. Expenditure. £ s. d. Salaries ... 39 17 4 Life-belts (18) 8 6 0 Life-buoys, cork (10) 7 4 4 Rope, 6cwt. 2qr. 3lbs. 14 10 9 £69 18 5	Coal, 20 t. 14 0 0 Waste, 7 lbs. 0 2 10 Tallow, 9lbs. 0 2 6 Cylinder oil, 2 pints 0 2 0 Teil oil, 2 pints ... 0 1 1 Kerosene oil, 2 pints 0 0 6 Albany compound, 3 pints ... 0 6 0 £14 14 11 Cost per ml., 3s. 4·2159d.	Ration allowance 15 0 0	Ration allowance 8 13 2 Coal, 1½ ton 0 13 6 £9 6 8 Cost per ml., 4s. 6·6341d.
Cost per mile, 2s. 3·4171d.					

APPENDIX A 2.

Work performed by hired Tugs, and Amount paid for same during 1880.

Account of Dredge.	Tons towed.	Amount paid.	Remarks.
"Newcastle"	2,000	£ s. d. 9 10 0	Hired tug engaged in consequence of "Ajax" being away on special service to Cape Hawke.
"Samson"	2,450	28 0 0	Hired tug assisting "Thetis" when weather too rough for taking two barges at once to sea.
"Vulcan"	65,400	961 6 8	"Vulcan" had a hired tug until August, 1880, when "Dione" attended her.
"Hercules"	6,960	31 15 0	"Ceres" joined "Hercules" in March.
"Archimedes"	5,000	81 10 0	"Scylla" attending "Archimedes," hired tug taking her sea-barges.
"Pluto"	Towing empty punt to and from Cockatoo Island.....	1 10 0	
		£1,113 11 8	

E. O. MORIARTY.

APPENDIX B.

ANALYSIS of Dredge Expenditure and Work for the year ending 31st December, 1881. (Dredges.)

	"Newcastle."	"Samson."	"Vulcan."	"Hunter."	"Hercules."	"Fitzroy."	"Clarence."	"Archimedes."	"Pluto."	"Titan."	"Charon."	
Tons dredged in 1881	371,200	182,315	134,450	153,050	73,410	214,450	159,555	75,050	129,480	78,350	93,685	
Material dredged	Sand, mud, and stones.	Sand, mud, clay, and blasted rock.	Sand, mud, clay, and soft rock.	Sand, mud, clay, and soft rock.	Clay, mud, rock, and stones.	Sand, coarse gravel, and shingle.	Sand and clay.	Sand, mud, stiff clay, and at jetties.	Sand.	Sand.	Mud and sewage.	
Where dredging	Newcastle.	Sydney.	Hunter River and Newcastle.	Newcastle.	Sydney.	Macleay River.	Clarence.	Sydney.	Shoalhaven.	Myall River.	Sydney.	
Where deposited	Sea.	Sea.	River and sea.	Sea.	Sea.	River.	River.	Sea and reclaimed land.	River.	River.	Sea, and reclaiming land.	
Hours dredging	1,682½	1,685½	1,748	2,075	1,511½	2,411	1,845	1,767	1,937	2,087	1,225½	
Tons dredged per hour (average)	220½	108½	77	73½	48½	88½	86½	42½	66½	37½	76½	
EXPENDITURE AS UNDER.	Pence per ton of silt dredged.		Pence per ton of silt dredged.		Pence per ton of silt dredged.		Pence per ton of silt dredged.		Pence per ton of silt dredged.		Pence per ton of silt dredged.	
Rope	£ s. d. 6 6 5	8 6 4	£ s. d. 28 12 4	4 7 5	£ s. d. 33 18 9	0 6 6	£ s. d. 10 8 0	0 16 3	£ s. d. 40 2 5	0 13 2	£ s. d. 6 6 1	0 0 7
Waste	4 12 2	0 0 3	4 2 6	0 0 5	3 4 2	0 0 6	2 13 10	0 0 4	2 4 5	0 0 7	2 8 5	0 0 2
Tallow	9 3 3	0 0 5	7 5 4	0 0 5	3 6 5	0 0 5	7 13 3	0 0 2	1 14 11	0 0 2	1 14 11	0 0 2
V.I. rubber	2 7 7	0 0 1	0 11 5	0 0 7	3 0 10	0 0 5	1 6 6	0 0 2	2 5 4	0 0 2	2 2 0	0 0 4
Paints and leads	86 2 8	0 0 5	28 7 1	0 0 3	31 0 0	0 0 5	18 17 3	0 0 2	3 5 4	0 0 1	3 5 4	0 0 1
Castor oil	7 2 7	0 0 4	1 16 8	0 0 2	3 18 10	0 0 7	5 7 7	0 0 1	4 2 3	0 0 1	4 2 3	0 0 1
Kerosene oil	6 13 9	0 0 4	2 17 6	0 0 3	3 1 3	0 0 4	1 6 6	0 0 2	10 7 0	0 0 2	10 7 0	0 0 2
Lined oil	30 0 11	0 0 1	1 15 2	0 0 2	11 12 2	0 0 2	5 4 9	0 0 2	10 7 0	0 0 2	10 7 0	0 0 2
Cylinder oil	14 12 10	0 0 4	2 12 0	0 0 3	10 11 3	0 0 3	8 17 0	0 0 1	8 1 7	0 0 1	8 1 7	0 0 1
Teal oil	14 12 10	0 0 4	10 11 3	0 0 3	10 11 3	0 0 3	8 17 0	0 0 1	8 1 7	0 0 1	8 1 7	0 0 1
Neatsfoot oil	14 12 10	0 0 4	6 12 0	0 0 3	6 12 0	0 0 3	1 8 4	0 0 2	3 1 8	0 0 1	3 1 8	0 0 1
Black oil	2 17 9	0 0 1	2 18 8	0 0 3	0 13 0	0 0 0	0 8 8	0 0 0	4 11 4	0 0 0	4 11 4	0 0 0
Axle grease	2 9 10	0 0 1	0 19 10	0 0 0	0 19 10	0 0 0	0 8 8	0 0 0	2 7 8	0 0 0	2 7 8	0 0 0
Turpentine	4 5 10	0 0 2	0 15 0	0 0 1	0 15 0	0 0 1	2 3 4	0 0 0	5 0 1	0 0 0	5 0 1	0 0 0
Albany compound	4 5 10	0 0 2	0 15 0	0 0 1	0 15 0	0 0 1	2 3 4	0 0 0	5 0 1	0 0 0	5 0 1	0 0 0
Chain	118 5 2	0 0 7	21 11 1	0 0 8	73 1 1	0 1 3	11 10 7	0 0 1	3 16 7	0 0 0	3 16 7	0 0 0
Iron and steel	12 9 11	0 0 2	6 0 0	0 0 0	19 8 7	0 0 3	12 18 6	0 0 2	8 1 7	0 0 1	8 1 7	0 0 1
Timber	204 11 10	0 1 3	289 5 2	0 3 8	21 8 10	0 3 8	91 13 10	0 1 4	201 18 6	0 2 5	201 18 6	0 2 5
Coal	204 11 10	0 1 3	289 5 2	0 3 8	21 8 10	0 3 8	91 13 10	0 1 4	201 18 6	0 2 5	201 18 6	0 2 5
Freight on coal	12 4 4	0 0 0	49 19 2	0 0 5	61 11 6	0 1 0	123 17 4	0 1 0	152 8 2	0 2 2	152 8 2	0 2 2
Collisions	149 5 9	0 0 6	62 9 3	0 0 8	1,072 16 11	3 5 1	2,093 10 5	3 2 8	1,472 1 0	3 1 1	1,472 1 0	3 1 1
Sundry stores, &c.	3,261 13 9	14 6 4	2,281 17 7	3 0 0	3,261 13 9	14 6 4	2,281 17 7	3 0 0	3,261 13 9	14 6 4	2,281 17 7	3 0 0
Salaries and allowances	2,264 13 9	14 6 4	614 4 7	0 8 6	366 6 7	0 6 4	1,779 16 10	2 7 0	277 19 4	0 3 1	277 19 4	0 3 1
Repairs	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Raising dredge	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total expenditure	6,253 13 10	3,425 16 7	2,715 1 10	4,846 6	4,224 19 11	6,625 3	3,094 2 1	2,393 12 1	3,157 0 10	2,390 1 2	2,518 11 6	
Cost per ton	4 0 4	4 5 9	4 8 6	6 6 5	10 11 5	2 5 7	10 11 5	4 7 8	7 6 4	3 7 3	6 4 5	
Cost per hour	82 0 5	48 7 8	37 2 8	48 8 6	49 1 3	22 9 3	48 8 6	41 0 7	24 9 8	21 7 9	49 3 8	
Coals consumed per hour	c. q. lbs. 8 2 26	c. q. lbs. 6 3 14	c. q. lbs. 4 0 23	c. q. lbs. 3 2 27	c. q. lbs. 3 2 27	c. q. lbs. 3 2 27	c. q. lbs. 3 2 27	c. q. lbs. 3 2 27	c. q. lbs. 3 2 27	c. q. lbs. 3 2 27	c. q. lbs. 3 2 27	
Castor oil used per hour	0 16 4	0 0 0	0 0 4	0 0 4	0 0 4	0 0 4	0 0 4	0 0 4	0 0 4	0 0 4	0 0 4	
Cylinder oil used per hour	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
Axle grease used per hour	0 15 9	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
Albany compound used per hour	0 0 2	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
Tallow used per hour	0 3 7	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	0 2 6	
Waste used per hour	0 1 3	0 0 2	0 0 2	0 0 2	0 0 2	0 0 2	0 0 2	0 0 2	0 0 2	0 0 2	0 0 2	
Neatsfoot oil used per hour	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	

Cost of Coal per ton on board Dredges and Tugs, 1881.

	£ s. d.
"Newcastle" and Tug	0 4 10½
"Samson"	0 9 11½
"Vulcan"	0 5 11½
"Hunter"	0 4 7½
"Hercules"	0 11 3½
"Fitzroy"	0 12 4½
"Clarence"	0 14 0½
"Archimedes"	0 10 8½
"Pluto"	0 13 10
"Titan"	0 8 11½
"Charon"	0 12 3½

E. O. MORIARTY.

APPENDIX B—continued.

ANALYSIS of Dredge Expenditure and Work for the Year ending 31st December, 1881 (Tugs).

	"Ajax," S.S.	"Thetis," S.S.	"Dione," S.S.	"Cyclops," P.S.	"Ceres," S.S.	"Charybdis," P.S.	"Little Nell," S.S.	"Achilles," S.S.	"Pearl," P.S.	"Hector," P.S.	Scylla," S.S.
	Size, 130 x 20. Engines, pair jet condensing. Cyls. 36 in., stroke 20 in. Working pressure, 20 lbs.	Size, 130 x 20. Engines, pair jet condensing. Cyls. 36 in., stroke 20 in. Working pressure, 20 lbs.	Size, 91 x 13. Engines, pair compd. surface condensing. Cyls. 15 in. and 22 in., stroke 20 in. Working pressure, 40 lbs.	Size, 80 x 15 ft. 6 in. Engines, pair high pressure. Cyls. 15 in., stroke 20 in. Working pressure, 40 lbs.	Size, 105 x 15. Engines, compd. surface condensing. Cyls. 26 in. and 20 in., stroke 20 in. Working pressure, 20 lbs.	Size, 82 x 14. Engines, external pipe condensing. Cyls. 15 in., stroke 20 in. Working pressure, 45 lbs.	Size, 82 x 12 ft. 6 in. Engines, pair surface condensing. Cyls. 16 in., stroke 16 in. Working pressure, 50 lbs.	Size, 82 x 12 ft. 6 in. Engines, pair high pressure. Cyls. 16 in., stroke 16 in. Working pressure, 60 lbs.	Size, 110 x 12. Engines, single high pressure. Cyl. 21 in., stroke 36 in. Working pressure, 45 lbs.	Size, 70 x 14. Engines, single high pressure. Cyl. 18 in., stroke 36 in. Working pressure, 45 lbs.	Size, 50 x 9. Engines, pair high pressure. Cyls. 7 in., stroke 10 in. Working pressure, 50 lbs.
Tons of silt, &c., towed.....	343,395	169,640	141,285	102,780	101,610	214,294	159,560	71,539	94,800	73,650	47,965
Where carried	Sea.	Sea.	River and sea.	Sea.	Sea.	River.	River.	Sea and reclaimed land.	River.	River.	Reclaimed land.
Description of material.....	Sand, mud, and stone.	Sand, mud, clay, and blasted rock.	Sand, mud, clay, and soft rock.	Sand, mud, clay, and soft rock.	Clay, mud, rock, and stones.	Sand, coarse gravel, and shingle.	Sand and clay.	Sand, mud, and stiff clay.	Sand.	Sand.	Mud and sewage.
Where employed	Newcastle.	Sydney.	Hunter River.	Newcastle.	Sydney.	Macleay River.	Clarence River.	Sydney.	Shoalhaven.	Myall River.	Sydney.
Number of miles towed	7,000	7,695½	10,071	5,727	8,458	5,570	7,341	9,898	3,106	7,050	2,458
Number of hours under steam.....	2,150	2,032	2,629	2,411	2,265	2,927	2,828½	2,701	1,717	2,923½	1,648
Coals consumed per hour.....	5 3 23	8 3 20	2 3 17	4 1 8	4 1 10	1 3 23	2 3 11	3 0 23	3 0 9	2 1 11	1 24 55½
" per mile	1 3 9	2 1 12	0 3 0	1 3 7	1 0 18	1 0 3	1 0 11	0 3 14	1 2 23	0 3 25	1 7 5044
" per ton	4 1801	12 0420	6 0498	11 3430	10 8216	3 0010	5 6540	13 5914	10 4624	18 194	1 8194
Castor oil used per hour	0 0660	0 1289	0 1202	0 3314	0 0929	0 1466	0 0383	0 0237	0 0396	0 0123	0 0136
" per mile	0 0024	0 0044	0 0022	0 0021	0 0022	0 0033	0 0006	0 0016	0 0019	0 0005	0 0001
Cylinder oil used per hour	0 0268	0 0244	0 0244	0 0063	0 0066	0 0071	0 0179	0 0142	0 0009	0 0005	0 0005
" per mile	0 0007	0 0007	0 0003	0 0004	0 0004	0 0015	0 0003	0 0003	0 0003	0 0003	0 0004
" per ton	0 0003	0 0003	0 0003	0 0004	0 0004	0 0015	0 0003	0 0003	0 0003	0 0003	0 0004
Albany compound used per hour.....	0 0116	0 0115	0 0122	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002
" per mile	0 0097	0 0030	0 0032	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002
" per ton	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002	0 0002
Tallow used per hour	0 1074	0 0379	0 0601	0 1095	0 0088	0 0226	0 0000	0 1733	0 0000	0 1232	0 1314
" per mile	0 0339	0 0100	0 0156	0 0461	0 0003	0 0118	0 0000	0 0463	0 0000	0 0511	0 0881
" per ton	0 0007	0 0005	0 0011	0 0026	0 0002	0 0133	0 0000	0 1733	0 0000	0 0049	0 0045
Waste used per hour	0 0809	0 1314	0 0806	0 0344	0 1029	0 0065	0 0001	0 0355	0 0007	0 0341	0 0096
" per mile	0 0248	0 0347	0 0210	0 0145	0 0275	0 0001	0 0001	0 0097	0 0004	0 0142	0 0064
" per ton	0 0005	0 0016	0 0016	0 0008	0 0023	0 0001	0 0001	0 0013	0 0003	0 0013	0 0003
Expenditure as under.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Rope	39 14 11	1 3627	4 4368	90 9 3	0 1279	2 8212	10 6846	16 7 4	0 0278	0 3900	1 4941
Waste	3 8 2	0 0024	0 3805	5 5 8	0 0075	0 1648	0 6240	4 3 11	0 0071	0 0999	0 3830
Tallow	3 6 0	0 0023	0 3684	1 2 2	0 0015	0 0345	0 1309	2 5 6	0 0038	0 0512	0 2077
V. I. rubber	37 2 5	0 0259	1 2727	7 15 4	0 0199	0 2422	0 9173	2 14 2	0 0046	0 0645	0 2473
Paints and lead	4 14 37	1 2727	4 14 37	22 15 0	0 0223	0 7095	2 6870	9 18 5	0 0168	0 2364	0 9056
Castor oil	3 9 1	0 0024	0 3855	6 0 1	0 0085	0 1872	0 7092	7 0 6	0 0119	0 1674	0 6413
Kerosene oil	2 0 9	0 0015	0 0699	3 1 6	0 0044	0 0959	0 3632	0 17 0	0 0015	0 0202	0 0776
Linseed oil	4 0 4	0 0028	0 4484	4 8 0	0 0060	0 1373	0 5196	2 4 4	0 0037	0 0528	0 2024
Tell oil	5 7 9	0 0038	0 1847	5 0 2	0 0071	0 1563	0 5916	3 1 1	0 0024	0 0628	0 2788
Cylinder oil	2 15 4	0 0019	0 3088	1 11 8	0 0020	0 0663	0 2509	2 18 0	0 0049	0 0691	0 2648
Turpentine	6 1 10	0 0043	0 6800	1 16 2	0 0025	0 0564	0 2136	0 11 9	0 0010	0 0140	0 0536
Albany compound	130 3 11	0 0910	4 4638	453 2 6	0 0611	14 1316	53 51 57	127 7 2	0 2165	3 0355	11 6265
Coal	39 0 9	0 0273	1 3284	38 6 8	0 0843	1 1955	4 5296	28 12 10	0 0486	0 6810	2 6112
Sundry stores, &c.	963 7 10	0 6735	33 0266	1 102 10 3	1 5604	34 3982	130 27 12	865 12 10	1 4704	20 6289	79 0239
Salaries and allowances	261 17 2	0 1831	8 9780	395 2 1	0 5889	12 3222	46 6658	195 17 6	0 3229	4 6678	17 8813
Repairs	1 501 16 3	1 0499	51 4907	167 6442	2 140 18 6	3 0288	66 7684	2 1614	2 7798	49 8883	118 5027
Total expenditure	£1,501 16 3	£2,140 18 6	£1,272 8 7	£1,190 9 2	£1,720 17 0	£749 4 6	£1,056 6 7	£1,082 8 8	£1,305 14 11	£658 8 6	£236 18 11
Cost per ton	1 0499	12 6107	9 0328	11 6107	17 0420	3 4940	6 6600	15 1388	13 8570	9 0328	4 9580
Cost per mile	51 4907	28 0370	36 7684	30 3230	49 8883	13 2826	6 6600	15 1388	13 8570	22 1444	23 1354
Cost per hour	167 6442	252 8622	126 3622	116 1593	118 5027	182 3418	61 4328	89 6302	96 1807	182 5154	34 5066

APPENDIX B 1.

TUGS employed on Special Service during 1881.

	" Ajax. "						" Thetis. "			" Achilles. "			" Scylla. "								
	Ministerial trip to Grafton.			Trips to Hawkesbury, &c.			Life-boat Service.			Miscellaneous.			Miscellaneous.			North Shore Water Supply.			Carrying workmen, and other services in connection with Fitzroy Dock.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Number of miles steamed.....	938			580			908			580			550			26			2,287		
Number of hours under steam.....	167			112			450			130			267			36			1,535		
Expenditure as under.																					
Salaries and allowances.....	91	12	7	50	3	8	284	5	7	70	8	1	62	16	1	3	8	2	145	4	7
Repairs.....	55	4	1	13	12	10	54	16	2	25	4	4	12	2	5	0	10	4	21	18	0
Sundry stores, &c.....	66	19	11	14	8	2	59	0	3	39	9	8	32	2	4	1	5	0	53	11	2
Total expenditure.....	213	16	7	78	4	8	398	2	0	135	2	1	107	0	10	5	3	6	220	13	9
Cost per mile.....		s.	d.		s.	d.		s.	d.		s.	d.		s.	d.		s.	d.		s.	d.
Cost per hour.....		4	6	7	2	8	8	9	2	4	4	7	3	10	7	3	11	7	1	1	11
			11			24			28						9						15
			25			13			17			20			8			2			2
			7			11			3			0			2			0			10
			29			42			200			30			17			000			49

APPENDIX B 2.

Work performed by hired Tugs, and amount paid for same, during 1881.

For Dredge.	Tons towed.	Amount paid.	Remarks.
" Newcastle ".....	14,400	£ 54 10 0	" Ajax " was away in search of wreck of " Prince Victor. "
" Samson ".....	4,050	56 14 6	Hired Tug assisting " Thetis " when weather too rough for towing two barges at once to sea.
" Vulcan ".....	19,970	158 9 10	Hired Tug engaged while " Dione " was being completed.
" Hunter ".....	45,000	294 0 0	Hired Tug assisting " Cyclops. "
" Hercules ".....	5,060	18 10 0	" Ceres " attending " Samson, " &c., when " Thetis " was undergoing repair.
" Pluto ".....	34,680	{ *173 10 5 } †27 8 8	Hired Tug " Maggie " engaged while " Pearl " was undergoing extensive repairs.
" Archimedes ".....	8,070	108 14 6	" Achilles " attending other Dredges.
" Charon ".....	25,805	315 11 0	" Scylla " attending at dock, &c.

* Hire. † Stores supplied.

APPENDIX C.

COMPARATIVE Statement and Summary of Dredge and Tug Expenditure, &c., for years 1879-1880 and 1881.

Dredges.	1879.			1880.			1881.		
	Expenditure.	Tons dredged.	Pence per ton dredged.	Expenditure	Tons dredged.	Pence per ton dredged.	Expenditure.	Tons dredged.	Pence per ton dredged.
	£ s. d.			£ s. d.			£ s. d.		
"Newcastle"	7,091 14 7	388,400	4'3821	7,681 15 2	360,300	5'1169	6,253 13 10	371,200	4'0433
"Samson"	4,045 13 2	196,700	4'9362	3,848 9 3	152,135	6'0710	3,425 16 7	182,315	4'5097
"Vulcan"	4,522 16 11	152,100	7'1366	2,917 10 8	125,140	5'5953	2,715 1 10	134,450	4'8466
"Hunter"	3,154 13 6	74,280	10'1928	2,788 1 9	79,600	8'4062	4,224 19 11	153,050	6'6253
"Hercules"	3,079 16 9	64,570	11'4474	2,913 12 10	87,560	7'9862	3,094 2 1	73,410	10'1155
"Fitzroy"	2,438 10 9	90,800	6'4454	2,749 6 6	101,830	6'4798	2,303 12 1	214,450	2'5781
"Clarence"	5,314 3 7	247,080	5'1619	3,371 12 11	173,610	4'6609	3,157 0 10	159,555	4'7488
"Archimedes"	2,739 6 0	65,780	9'9944	2,553 1 3	88,890	6'8931	2,390 1 2	75,050	7'6431
"Pluto"	1,718 5 9	90,120	4'5759	2,154 9 6	136,560	3'7863	2,016 2 6	120,480	3'7370
"Titan"	2,720 9 4	111,780	5'8410	3,640 17 9	35,870	24'3606	1,895 13 3	78,350	5'8068
"Charon" .....	.....	.....	.....	.....	.....	.....	2,518 11 6	93,685	6'4520
Total Dredge expenditure	36,825 10 4	.....	.....	34,618 17 7	.....	.....	33,994 15 7	.....	.....
Total tons of silt lifted ...		1,481,610			1,341,495			1,664,995	
Average cost per ton			5'9652			6'1935			4'8999
Tugs.	Expenditure.	Tons towed.	Pence per ton towed.	Expenditure.	Tons towed.	Pence per ton towed.	Expenditure.	Tons towed.	Pence per ton towed.
	£ s. d.			£ s. d.			£ s. d.		
"Ajax"	3,944 3 6	387,600	2'4422	3,285 11 8	358,300	2'2007	1,501 16 3	343,305	1'0499
"Thetis"	2,267 17 10	186,900	2'9122	2,381 9 2	155,875	3'6666	2,140 18 0	169,640	3'0288
"Dione" .....	.....	.....	.....	876 16 6	60,590	3'4731	1,272 8 7	141,285	2'1614
"Cyclops"	1,671 0 7	72,540	5'5286	1,293 12 5	111,985	2'7724	1,190 9 2	102,780	2'7798
"Ceres" .....	.....	.....	.....	1,433 17 9	65,730	5'2355	1,720 17 0	101,610	4'0646
"Charybdis"	889 5 9	90,800	2'3505	1,345 8 3	101,830	3'1709	749 4 6	214,294	0'8391
"Little Nell"	2,085 0 10	247,080	2'0253	2,257 9 6	123,425	4'3896	1,056 6 7	159,560	1'5888
"Achilles"	1,715 6 5	82,010	5'0198	1,629 1 8	39,320	9'9435	1,082 8 8	71,539	3'6313
"Pearl"	847 4 11	90,120	2'2563	918 13 4	136,560	1'6145	1,305 14 11	94,800	3'3057
"Hector"	787 13 8	105,180	1'7973	1,308 4 4	34,210	9'1777	658 8 6	73,650	2'1456
"Seylla"	302 10 11	36,210	2'0052	105 15 8	13,420	1'8918	236 18 11	47,965	1'1855
Total Tug expenditure ...	14,510 4 5	.....	.....	16,836 0 3	.....	.....	12,915 11 1	.....	.....
Tons of silt towed		1,298,440			1,201,245			1,520,428	
Cost per ton (average) ...			2'6823			3'3637			2'0387

E. O. MORIARTY.

APPENDIX D.

RETURN shewing Quantity and Cost of Work performed by DREDGES and TUGS, from 1st January, 1875, to 31st December, 1881.

Dredges. Tugs.	1875.			1876.			1877.			1878.			1879.			1880.			1881.		
	Quantities.	Cost of dredging, towing, and repairing.	Rate per Ton.	Quantities.	Cost of dredging, towing, and repairing.	Rate per Ton.	Quantities.	Cost of dredging, towing, and repairing.	Rate per Ton.	Quantities.	Cost of dredging, towing, and repairing.	Rate per Ton.	Quantities.	Cost of dredging, towing, and repairing.	Rate per Ton.	Quantities.	Cost of dredging, towing, and repairing.	Rate per Ton.	Quantities.	Cost of dredging, towing, and repairing.	Rate per Ton.
	Tons.	£ s. d.	Pence	Tons.	£ s. d.	Pence	Tons.	£ s. d.	Pence	Tons.	£ s. d.	Pence	Tons.	£ s. d.	Pence	Tons.	£ s. d.	Pence	Tons.	£ s. d.	Pence
1. S. Newcastle and Ajax and other tugs (Newcastle)	355,085 sand, night and day.	7,801 14 8	5·27	589,870 sand, night and day.	12,173 4 1	4·95	770,995 sand, night and day.	11,864 7 10	3·69	661,355 sand, night and day.	12,312 19 9	4·46	388,400 night work ceased in March.	11,035 18 1	6·82	360,300 sand and soft rock.	10,976 16 10	7·31	370,600 sand, mud, and stone.	7,947 6 4	5·14
2. S. Samson and Thetis and other tugs (Sydney Heads)	223,560 sand, night and day, rough water.	9,513 6 6	10·21	240,780 sand, night and day, rough water.	10,740 17 0	10·66	312,200 sand, night and day, rough water.	12,142 1 1	9·33	225,380 work at heads finished in October, new boiler Thetis included in cost.	11,512 5 1	12·26	196,700 mud, &c., at Darling Harbour, day work cost new boiler, &c. included in expenses.	9,301 4 9	11·35	152,135 sand, soft rock, clay, and mud.	6,268 18 2	9·88	182,315 sand, mud, clay, and blasted rock.	5,845 18 11	7·61
3. Vulcan and Little Nell and other tugs (Hunter River).	210,090 sand, night and day, extensive repairs.	9,181 19 3	10·48	278,700 sand, night and day.	6,286 8 1	5·41	297,350 sand, night and day.	6,709 0 11	5·41	176,400 night work ceased in August, new boiler Vulcan charged to expenses.	7,709 6 2	10·49	152,100 day work, sand.	5,131 1 1	8·09	125,140 sand and soft rock.	4,438 1 10	8·51	134,450 sand, mud, clay, and soft rock.	3,900 10 4	6·97
4. S. Hunter and Cyclops and other tugs (Newcastle).	229,515 sand, night and day.	7,166 19 6	7·49	231,330 sand, night and day.	7,391 2 8	7·66	63,960 sand for 2 months, extensive repairs.	10,464 19 1	39·26	21,110 extensive repairs and working at rock.	5,791 17 9	65·84	74,280 rock, clay, and sand.	4,217 9 11	13·62	79,600 sand and soft rock.	3,794 6 2	11·44	153,050 sand, mud, clay, and soft rock.	5,741 2 7	9·00
5. S. & H. Hercules and Achilles, &c. (Sydney Harbour).	29,450 day work, rock, &c.	4,166 9 10	33·95	20,450 day work, rock, &c.	3,770 7 1	44·24	23,000 day work, rock, &c.	3,079 6 10	32·13	Under repairs....	8,507 6 8	..	64,570 day work, clay, mud, &c.	4,527 17 11	16·83	87,560 hard clay and mud.	4,685 15 4	12·84	173,410 clay, mud, rock, and stone.	4,256 4 1	13·95
6. Fitzroy and Charybdis (Macleay River) ..	99,750 day work, sand.	4,670 0 5	11·23	117,150 day work, sand.	3,298 1 6	6·75	118,125 day work, sand.	3,604 12 6	7·32	104,520 day work, sand.	3,499 18 1	8·03	90,800 day work, sand.	3,327 16 6	8·70	101,830 Sand and gravel.	4,094 14 9	9·65	214,450 sand, coarse gravel and shingle.	3,052 16 7	3·41
7. Pluto and Pearl (Shoalhaven River)	131,880 day work, sand.	3,090 16 6	5·62	58,200 day work, heavy repairs.	5,182 8 7	21·37	67,150 day work (repairs).	3,041 12 6	10·87	117,480 day work, sand.	3,143 5 0	6·42	90,120 day work, sand.	2,565 10 8	6·83	136,560 sand.	3,073 2 10	5·40	129,480 sand.	3,522 16 6	6·52
8. Titan and Hector and Scylla (Hawkesbury Lake Macquarie and Myall River).	54,000 day work, sand.	2,920 2 2	12·98	50,500 day work, sand.	2,793 18 11	13·27	43,750 day work, sand.	3,288 10 7	18·01	49,060 day work, sand.	3,461 10 10	16·93	111,780 night and day, sand.	3,619 17 11	7·77	35,870 sand.	4,681 0 10	33·53	78,350 sand.	2,554 1 9	7·95
9. Clarence and Little Nell (Clarence River)	.....	.....	..	.....	.....	..	56,104 started November, sand, night and day.	5,271 19 0	22·53	299,945 night and day, sand.	8,333 18 4	6·66	247,080 night work ceased in October.	7,399 4 5	7·18	173,610 clay, mud, and sand.	6,208 16 10	8·58	159,555 sand and clay.	4,213 7 5	6·83
10. S. & H. Archimedes and Scylla and Achilles, &c. (Sydney Harbour).	.....	.....	..	.....	.....	..	.....	.....	..	49,090 day work at Jetties and reclaiming.	3,947 11 11	19·27	65,780 day work, Jetties.	3,197 7 3	11·66	88,800 clay, mud, and sand.	4,345 5 11	13·49	75,050 sand, mud, stiff clay, and at jetties.	3,052 0 10	11·04
11. S. & H. Charon, Achilles and other tugs, Sydney Harbour.	.....	.....	..	.....	.....	..	.....	.....	..	.....	.....	..	.....	.....	..	.....	.....	..	98,685 mud and sewage.	4,029 19 7	10·32

The material lifted by the dredges marked S was wholly deposited at sea, and the cost of dredging has been enhanced by detentions during stormy weather, a disadvantage which the other dredges have not laboured under. The dredgings from the "Hercules," "Archimedes" and "Charon," were partly sent to sea and partly used for reclaiming water frontages.

1. The "Newcastle" first started work in Newcastle Harbour in May, 1875. Night-work began in June of that year, and continued until April, 1879, when a collision at night took place between the "Ajax" and the ship "Duart Bay," entailing, with other smaller collisions, a loss to the department of £1,527 13s. 1d., which amount, although debited to the work of 1879, together with £597 0s. 5d., the cost of a collision with the "Eagle" charged against 1878, might very fairly, as contingencies of night-work, be distributed over the whole period embraced by the return. The outfit of the dredge is included in the working expenses. Extensive repairs to dredge and to tug's boiler in 1880.

2. The "Samson" from 1875 until October, 1878, was deepening the Sow and Pigs Channel, and was thereby subjected to much detention, owing to damage to buckets and to the water being too rough for dredging. The charges for 1876 and 1877 include the sum of £1,637 12s. 5d. paid for recovery and repairs to a punt wrecked at the Heads during the "Dandenong" gale, and in 1878 and 1879 special votes of £1,693 6s. 10d. and £2,987 13s. 9d. for new boilers fitted in the "Thetis" and "Samson," together with a thorough overhaul of dredge punts and machinery, are a charge against the expenses of these years, but may fairly be distributed over the period (eleven years) from 1868 to 1879. Deducting cost of these renewals paid by special vote, the rate of the "Samson" and "Thetis" work for 1879 was 7·62d. per ton, the rate shown in the details of expenditure. The employment of the "Thetis" upon services not connected with dredging has increased the cost of the "Samson's" work chiefly by the impossibility of obtaining a substitute tug equal to the dredge's requirements. From 1875 until October, 1878, the "Samson" worked night and day.

3. The "Vulcan," built in 1864, underwent an extensive overhaul in 1875, and was supplied with a new boiler in 1878, the cost of which is charged against the work of the latter year, but is a legitimate charge to be spread over fourteen previous years. Much of the sand lifted by the "Vulcan" was towed long distances; in some cases the depositing place was over 12 miles away from the dredge. The "Vulcan" worked night and day from 1875 until August, 1878.

4. The "Hunter" worked night and day dredging sand in Newcastle Harbour during 1875 and 1876, when it was found necessary to supply her with new boilers, renew much of the woodwork, add a hurricane deck, and thoroughly overhaul the machinery. The heavy expenditure of 1877 and 1878 is in all fairness a charge distributable over each year's work since 1859, the year the "Hunter" first started to work. The high rate per ton, and the small quantity of work performed in 1879, is owing to the employment of the dredge at rock work.

5. The "Hercules" is the oldest dredge in the service, having been at work nearly forty years. Like the "Hunter," she was most extensively repaired in 1878, much of the hull having been rebuilt and new hurricane deck fitted. Employed chiefly in dredging clay, rock, and silt (used for reclamation in Sydney Harbour), it is not to be wondered at that the quantity of work performed is so much less than that of other dredges not having the same difficulties to contend with.

6. The dredge "Fitzroy" has been since 1875 steadily employed, day-work only, lifting sand at the Macleay River. The only detentions have been for repairs or from floods in the river. The material dredged in 1881 was deposited at an easy distance from the dredge.

7. The "Pluto," employed at Shoalhaven for five years, dredging sand, underwent extensive repairs in 1876. This dredge was built in 1862, and has never worked at night. Cost of new boiler and extensive repairs to "Pearl" included in expenses of 1881.

8. The "Titan," built for coast lakes, &c., was employed up to October, 1875, at Brisbane Water, and from February, 1876, until June, 1880, she was occupied deepening the entrance and tributary creeks of Lake Macquarie. The increased work of 1879 is owing to the dredge working night and day during that year. The material lifted at the lake was chiefly sand with some mud and gravel.

9. The "Clarence," built in 1877, commenced working at the Clarence River Heads in October of that year. For a short time previous to leaving Sydney, some work, as a trial, was performed at Woolloomooloo Bay. Night and day work was carried on for two years after her arrival at the Clarence; the material lifted was sand, which was deposited behind islands and out of the main channel. The expenditure for 1877 includes the outfit of the dredge.

10. The "Archimedes," designed specially for the removal of sewage deposits and jetty deepening in Sydney Harbour, started to work early in 1878, and was employed for a considerable time at the mouths of the Corporation sewers. After the completion of this work she was removed to Rushcutters' Bay, where deepening and reclaiming the water-frontage by the silt lifted in the bay and elsewhere has been steadily going forward.

11. The "Charon" started work in Blackwattle Bay early in 1881 and was wholly employed removing sewage and material deposits.—A.B.P., 31/12/82.

APPENDIX E.

Work performed by Dredges and Tugs from 1st January, 1880, to 31st December, 1881.

	1880.				1881.		
	Quantities.	Cost of Dredging, Towing, and Repairing.	Rate per Ton.		Quantities.	Cost of Dredging, Towing, and Repairing.	Rate per Ton.
1. "Newcastle"	Tons, 360,300	£ s. d. 7,681 15 2	d 5·1169	1. "Newcastle"	Tons, 371,200	£ s. d. 6,253 13 10	d 4·0483
Towed by— Tons.				Towed by— Tons.			
"Ajax"	358,300	3,295 1 8	2·1949	"Ajax"	339,400		
Hired Tug ..	2,000			"Dione"	15,600	1,693 12 6	1·0968
Tons	360,300	10,976 16 10	7·3118	"Cyclops"	1,200		
				Hired Tug ..	14,400		
2. "Samson"	152,135	3,848 9 3	6·0710	Tons	*370,600	7,947 6 4	5·1401
Towed by— Tons.				2. "Samson"	182,315	3,425 16 7	4·5097
"Thetis"	142,335			Towed by—			
"Dione"	2,450	2,420 8 11	3·8184	"Thetis"	168,810		
"Achilles"	3,850			"Ceres"	12,380	2,420 2 4	3·1097
"Ceres"	1,050			"Achilles"	1,540		
Hired Tug ..	2,450			Hired Tug ..	4,050		
Tons	152,135	6,268 18 2	9·8894	Tons	†186,780	5,845 18 11	7·6194
3. "Vulcan"	125,140	2,917 10 8	5·5953	3. "Vulcan"	134,450	2,715 1 10	4·8466
Towed by—				Towed by—			
"Dione"	47,620			"Dione"	114,025	1,185 8 6	2·1232
"Cyclops"	12,120	1,520 11 2	2·9162	Hired Tug ..	19,970		
Hired Tug ..	65,400			Tons	*133,995	3,900 10 4	6·9698
Tons	125,140	4,438 1 10	8·5115	4. "Hunter"	153,050	4,224 19 11	6·6253
4. "Hunter"	79,600	2,788 1 9	8·4062	Towed by—			
Towed by—				"Ajax"	2,760		
"Cyclops"	49,680			"Dione"	3,720	1,516 2 8	2·3775
"Achilles"	3,920	1,006 4 5	3·0339	"Cyclops"	101,570		
Hired Tug ..	26,000			Hired Tug ..	45,000		
Tons	79,600	3,794 6 2	11·4401	Tons	153,050	5,741 2 7	9·0028
5. "Hercules"	87,560	2,913 12 10	7·9862	5. "Hercules"	73,410	3,094 2 1	10·1155
Towed by—				Towed by—			
"Ceres"	64,080			"Ceres"	67,320		
"Achilles"	3,600			"Achilles"	230	1,162 2 0	3·8411
"Thetis"	7,880	1,772 2 6	4·8574	Hired Tug ..	5,060		
"Dione"	5,040			Tons	*72,610	4,256 4 1	13·9566
Hired Tug ..	6,960			6. "Fitzroy"	214,450	2,303 12 1	2·5781
Tons	87,560	4,685 15 4	12·8436	Towed by—			
6. "Fitzroy"	101,830	2,749 6 6	6·4798	"Charybdis"	*214,294	749 4 6	0·8391
Towed by—				Tons	*214,294	3,052 16 7	3·4172
"Charybdis"	101,830	1,345 8 3	3·1709	7. "Pluto"	129,480	2,016 2 6	3·7370
Tons	101,830	4,094 14 9	9·6507	Towed by—			
7. "Pluto"	136,560	2,154 9 6	3·7863	"Pearl"	94,800	1,506 14 0	2·7928
Towed by—				Hired Tug ..	34,680		
"Pearl"	136,560	918 13 4	1·6145	Tons	129,480	3,522 16 6	6·5298
Tons	136,560	3,073 2 10	5·4008	8. "Titan"	78,350	1,895 13 3	5·8068
8. "Titan"	35,870	3,640 17 9	24·3606	Towed by—			
Towed by—				"Hector"	73,650		
"Hector"	27,200	1,040 3 1	9·1777	Discharged by Dredge crew	4,700	658 8 6	2·1456
Discharged by Dredge crew	8,670			Tons	78,350	2,554 1 9	7·9524
Tons	35,870	4,681 0 10	33·5383	9. "Clarence"	159,555	3,157 0 10	4·7488
9. "Clarence"	173,610	3,371 12 11	4·6609	Towed by—			
Towed by—				"Little Nell"	159,555	1,056 6 7	1·5888
"Little Nell"	123,425	2,837 3 11	3·9222	Tons	159,555	4,213 7 5	6·3376
"Cyclops"	50,185			10. "Archimedes"	75,050	2,390 1 2	7·6481
Tons	173,610	6,208 16 10	8·5831	Towed by—			
10. "Archimedes"	88,890	2,553 1 3	6·8931	"Achilles"	34,224		
Towed by—				"Scylla"	3,300		
"Achilles"	27,950			"Ceres"	1,130	661 19 8	3·4003
"Hector"	7,010			Hired Tugs ..	8,070		
"Thetis"	5,660	1,792 4 8	6·6053	Discharged by Contractors for landing silt	28,326		
"Dione"	5,480			Tons	75,050	3,052 0 10	11·0434
"Ceres"	600			11. "Charon"	93,685	2,518 11 6	6·4520
"Scylla"	13,420			Towed by			
Hired Tug ..	5,000			"Achilles"	35,445		
Discharged by Contractors for landing silt	23,770			"Ceres"	20,720		
Tons	88,890	4,345 5 11	13·4984	"Dione"	7,940	1,511 8 1	3·8719
				"Ajax"	1,145		
				"Thetis"	830		
				"Scylla"	1,800		
				Hired Tug ..	25,805		
				Tons	93,685	4,029 19 7	10·3239

* The difference between the quantities dredged and that towed is contained in the "Punts" at the end of the year.

† A portion of this was twice towed, having been transferred from one tug to another.

E. O. MORIARTY.

APPENDIX F.

INTERIM STATEMENT shewing Quantity of Material dredged and approximate cost of dredging and depositing during 1882.

Name of Dredge.	Name of Tug.	Where employed.	Quantity of material dredged.	Cost of dredging per ton.	Cost of depositing per ton.	Remarks.
Newcastle ...	Ajax	Newcastle	Tons. 429,650	Pence. 4-01	Pence. 1-19	Widening and deepening North Channel, Newcastle. Material deposited at sea 3 miles away.
Samson	Thetis	Sydney	169,050	6-23	2-94	Cost of dredging augmented owing to Thetis being required for Fisheries Commission, Lord Howe Island trips, and other services, and by dredge being employed at rock work. Material deposited at sea 10 miles away.
Vulcan	Dione	Newcastle	175,198	4-91	2-03	Working at Raymond Terrace and Fishers' Crossing. Material deposited in river and at sea 4 miles away.
Hunter	Cyclops	"	136,600	6-53	2-13	Dredge laid up considerable time strengthening ladders to suit new and large buckets. Material deposited at sea 3 miles away.
Hercules	Ceres	Sydney	87,350	8-93	5-23	Dredging stiff clay, sewage, and hard rock, head of Darling Harbour. Delay from tug having to pass through Pyramont Bridge. Material deposited at sea 11 miles away.
Fitzroy	Hired Tug...	Macleay River	76,500	6-66	1-22	Dredge put in new dock specially constructed for the purpose; dock gates and approaches made by crew. Material deposited in river 1 mile away.
Pluto	Hired Tug ..	Shoalhaven	130,080	3-71	3-07	Dredging in canal and at mouth of Crookhaven. Material deposited partly in sea and partly in river 3 miles away.
Titan	Hector	Myall River	71,050	4-44	6-75	Dredging at Myall River. Material deposited in river 3 miles away. Extensive repairs to tug's hull, boiler, and machinery.
Clarence	Little Nell...	Clarence River	31,550	.....	.....	Dredge brought to Sydney undergoing very extensive repairs. Commenced work in October; tug also under repairs and assisting other dredges during the year. Material deposited in river 7½ miles away.
Archimedes...	Scylla	Hawkesbury River..	96,880	6-01	1-57	Dredging in Sydney Harbour at jetties and at Hawkesbury River. Material deposited in Hawkesbury River 3 miles away.
Charon	Achilles	Sydney	98,198	6 10	3-65	Dredging at jetties and at Blackwattle Bay. Material deposited partly on shore, but chiefly at sea 13 miles away.
Ulysses	Charybdis ...	Manning River	214,370	2-45	1-03	Dredging new channel near mouth of river. Material deposited in river 1 mile away. Tug remodelled and thoroughly repaired.
Minos	Pearl	Moruya	92,820	7-32	2-60	Dredging under difficulties of rough water at Moruya Heads. Material deposited partly at sea and partly in river 4 miles away.

APPENDIX G.

THE following Amounts have been received from Private Firms for Work performed for them by Dredges.

Dredges.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Samson .....	.....	.....	.....	340 0 0	245 0 0	200 0 0	1,244 0 0	360 0 0
Hercules	273 0 0	481 0 0	281 5 0	.....	138 14 0	58 10 0	85 12 0	.....
Archimedes .....	.....	.....	.....	346 6 8	175 14 2	135 10 0	359 18 2	.....
Charon .....	.....	.....	.....	.....	.....	.....	.....	103 10 0
Hunter .....	.....	.....	.....	.....	.....	.....	.....	540 0 0
	273 0 0	481 0 0	281 5 0	686 6 8	559 8 2	394 0 0	1,689 10 2	1,003 10 0

E. O. MORIARTY.

APPENDIX H.

The Engineer-in-Chief for Harbours and Rivers to The Inspector of Dredges.

ENCLOSED will be found the analysis of the Dredge Expenditure for the years 1880 and 1881, together with an interim statement for the year 1882. I should be glad if the Inspector would carefully examine these returns, with a view to point out or report on anything which they may disclose worthy of attention, and especially I wish him to carefully compare these records of results with previous ones.

E. O. MORIARTY,

13/2/83.

The Inspector of Dredges to The Engineer-in-Chief for Harbours and Rivers.

WITH the object of furnishing the comparisons of one year's expenditure with another in the clearest possible form I have had the subjoined return made out, which embraces all the information directed to be given. This return should be read in conjunction with Appendices A, B, C, D, E, and with my report dealing with the dredging work performed.—A.B.P.

APPENDIX H—continued.

Dredge "Vulcan."

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standard	1880.	1881.	Remarks.
Rope	per ton dredged '0378	per ton dredged '0383	per ton dredged '0606	£ s. d. 23 19 1	£ s. d. 19 10 5	£ s. d. 33 18 9	...	more	more	Large quantity issued in 1881. Returns for 1882 will probably show less. Albany compound not used in "Vulcan."
Waste	'0042	'0060	'0057	2 14 0	3 3 5	3 4 2	...	more	still more	
Tallow	'0082	'0082	'0059	5 3 11	2 13 3	3 6 5	...	less	less	
V. I. rubber	'0012	'0012	'0054	...	0 13 0	3 0 10	...	more	more	Dredge was not shipped during 1879
Paints and lead	'0166	'0781	'0563	10 11 0	33 2 2	31 0 0	...	less	less	
Castor oil	'0109	'0087	'0071	6 19 0	3 9 7	3 13 10	...	more	less	
Kerosene oil	'0076	'0092	'0054	4 17 2	4 15 7	3 1 8	...	more	more	Do. do. do
Linseed oil	'0087	'0203	'0203	5 11 0	13 14 11	11 12 2	...	more	more	
Neatsfoot oil	'0005	'0005	'0005	...	0 5 3	...	...	more	more	
Tell oil	'0171	'0193	'0182	10 17 6	10 1 9	10 4 0	...	more	more	
Turpentine	'0014	'0317	'0017	0 17 4	0 17 5	6 19 2	...	more	more	Chain obtained, as old chain became unsafe. No return in 1879.
Chain	'1407	'0393	'1304	94 17 4	15 11 10	73 1 1	...	less	less	
Iron and steel	'0157	'0347	'0347	...	8 4 4	19 8 7	...	more	more	
Timber	'0170	'0066	'0383	11 2 7	3 8 5	21 8 10	...	less	less	Explained by noting rates paid. Hired tug during 1879. Towage afterwards charged to "Dione."
Coal	'2021	'3002	'1716	166 2 0	156 0 4	96 2 9	...	more	less	
Towages	2 5107	...	...	1,391 3 2	...	...	...	more	more	
Collisions	'0220	'0220	...	...	11 10 0	...	...	more	more	Dredge not shipped in 1879.
Sundry stores	'0075	'1733	'1099	42 14 10	90 6 11	61 11 6	...	more	less	Reduction in number of hands.
Salaries and allowances	3 7250	4 1139	3 5216	2,369 13 10	2,145 1 3	1,972 16 11	...	more	more	Dredge not shipped in 1879.
Repairs	'2014	'7403	'6540	184 13 2	389 2 6	366 6 7	...	more	more	

Tons.	Pence @ ton.	Total expenditure	s. d.
1879	52,100 @ 7.1366	=	£4,522 16 11
1880	125,140 @ 5.6953	=	Do. 2,917 10 8
1881	134,450 @ 4.8466	=	Do. 2,715 1 10
Cost of Coal in 1879	...	...	6 10 per ton.
Do. 1880	...	...	7 3 1/2 "
Do. 1881	...	...	5 11 1/2 "
Hours of dredging, 1879	...	...	2,022
Do. 1880	...	...	2,375
Do. 1881	...	...	1,748

Dredge "Hunter."

Rope	'153	'0603	'0163	47 7 9	19 19 8	10 3 0	...	less	still less	Large issue in 1879.
Waste	'0076	'0108	'0042	2 7 6	3 11 9	2 13 10	...	more	less	
Tallow	'0213	'0253	'0121	6 12 1	8 7 8	7 13 3	...	more	less	
Paints and lead	'0543	'0399	'0296	16 16 8	13 4 11	18 17 3	...	less	still less	Albany compound partially used in 1880 instead of castor oil.
Castor oil	'0330	'0211	'0084	10 4 6	7 0 0	5 7 7	...	less	still less	
Kerosene oil	'0070	'0036	'0021	2 3 9	1 4 3	1 6 6	...	less	still less	Linseed oil not being required in dredging, rate per ton does not apply.
Linseed oil	'0225	'0207	'0032	6 19 9	6 17 5	5 4 9	...	less	still less	
Tell oil	'0347	'0407	'0133	10 15 1	13 10 3	8 17 0	...	more	less	
Turpentine	'0002	'0006	'0006	...	0 1 1	0 8 8	...	more	more	
Chain	'6266	'0260	'0131	102 19 11	8 12 3	11 10 7	...	less	still less	Chain obtained as old chain became unsafe. Partially replacing castor oil.
Albany compound	'0066	'0034	'0034	...	2 3 4	2 3 4	...	less	less	
Timber	'0096	'0375	'0203	21 5 1	12 8 10	12 18 6	...	less	still less	
Iron and steel	'0078	'0740	'0740	...	32 8 8	47 3 11	...	less	less	
Coal	'3064	'3004	'1438	122 14 1	99 12 10	91 13 10	...	less	still less	Reduced cost of coal explains economy.
Towages	'3378	'3004	'1438	290 5 0	...	...	...	more	less	
Sundry stores	'2651	'3197	'1043	81 16 6	106 0 9	123 17 4	...	more	less	
Salaries and allowances	6 8929	6 4399	3 9320	2,071 9 6	2,152 10 2	2,003 10 5	...	less	still less	Reduction of seamen
Repairs	'9719	'9033	2 7910	300 16 4	300 7 11	1,779 16 10	...	less	more	Extensive repairs and alterations in 1881, to enable dredge to work both ladders together.

Tons.	Pence @ ton.	Total expenditure	s. d.
1879	74,280 @ 10.1923	=	£3,154 13 6
1880	70,600 @ 8.4062	=	Do. 2,788 1 9
1881	153,050 @ 6.6253	=	Do. 4,224 19 11
Cost of Coal in 1879	...	...	8 2 1/2 per ton.
Do. 1880	...	...	7 2 1/2 "
Do. 1881	...	...	4 7 1/2 "
Hours dredging, 1879	...	...	1,791
Do. 1880	...	...	2,270
Do. 1881	...	...	2,075

Dredge "Hercules."

Rope	'0923	'0242	'1312	24 19 6	8 16 6	40 2 5	...	less	more	Dredge started in 1879, after extensive overhaul, when stock of rope was laid in. A large quantity appears to have been used in 1881. Machinery not fully at work until March of 1879.
Waste	'0042	'0062	'0073	1 2 9	2 5 3	2 4 4	...	more	still more	
Tallow	'0118	'0105	'0023	3 3 7	3 16 1	0 17 3	...	less	still less	
Paints and lead	'0437	'0759	'1872	11 15 7	27 13 7	57 5 4	...	more	still more	Less required during 1879, as plant had been thoroughly overhauled in 1873.
Castor oil	'0239	'0104	'0134	6 3 11	3 15 11	4 2 3	...	less	less	Albany compound partly used instead of castor oil
Kerosene oil	'0018	'0025	'0022	0 9 9	1 0 9	0 13 5	...	more	more	
Linseed oil	'0132	'0208	'0328	3 11 6	10 17 5	16 4 2	...	more	still more	See explanation as to paints and leads.
Cylinder oil	'0085	'0085	'0085	...	...	2 12 0	...	more	more	
Tell oil	'0107	'0018	'0083	2 18 9	0 13 0	2 10 2	...	less	less	
Turpentine	'0030	'0092	'0102	0 13 4	3 6 11	3 3 4	...	more	still more	See explanation as to paints and leads.
Albany compound	'0161	'0119	'0055	4 6 3	4 6 8	1 13 4	...	less	still less	More castor oil used in 1881 and less Albany compound than in 1880.
Chain	'1074	'0616	...	28 18 1	22 10 0	...	...	less	...	No blacksmith employed on "Hercules." Repairs done at Fitzroy Dock, and charged under repairs
Iron and steel	'0011	'0011	...	...	0 7 9	...	...	more	more	
Timber	'0331	'0070	...	8 18 4	2 17 10	...	...	less	less	
Coal	'6381	'6229	'4336	171 14 0	190 15 6	132 12 9	...	less	still less	See rates paid for coal. Small substituted for large.
Sundry stores	'2336	'1213	'0493	63 18 2	44 5 7	15 1 8	...	less	still less	
Salaries and allowances	7 2374	5 2312	6 2150	1,947 3 6	1,908 9 10	1,901 4 2	...	less	less	
Repairs	2 9716	1 8576	2 9353	799 10 1	677 14 3	913 2 6	...	less	more	

Tons.	Pence @ ton.	Total expenditure	s. d.
1879	64,670 @ 11.4474	=	£3,079 16 9
1880	87,560 @ 7.9862	=	Do. 2,913 12 10
1881	73,410 @ 10.1155	=	Do. 3,034 2 1
Cost of Coal in 1879	...	...	17 0 per ton.
Do. 1880	...	...	14 5 "
Do. 1881	...	...	11 3 1/2 "
Hours dredging in 1879	...	...	1,236
Do. 1880	...	...	2,045
Do. 1881	...	...	1,511 1/2

APPENDIX H—continued.

Dredge "Fitzroy."

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standard	1880.	1881.	Remarks.
	per ton dredged	per ton dredged	per ton dredged	£ s. d.	£ s. d.	£ s. d.				
Rope	0101	0042	0071	3 17 0	1 15 3	6 6 1	....	less	less	
Waste	0050	0093	0027	1 18 0	3 19 4	2 8 5	....	more	less	
Tallow	0032	0042	0020	3 2 8	1 14 10	1 14 11	....	less	still less	
Paints and lead	0040	0749	0036	13 2 2	31 15 4	3 5 3	....	more	less	Dredge plant thoroughly painted in 1880.
Castor oil	0285	0181	0105	10 15 11	7 13 5	9 0 5	....	less	still less	
Kerosene oil	0074	0112	0025	2 10 0	4 14 11	2 5 4	....	more	less	More kerosene used in 1880, owing to thoroughly cleaning machinery, &c.
Linseed oil	0165	0108	0024	6 5 5	8 3 0	2 2 0	....	more	less	See note to paints and lead.
Teal oil	0257	0247	0030	9 15 0	10 19 0	8 1 7	....	less	still less	
Turpentine							....		
Albany compound							....		
Chain	0207	0135	0060	7 16 11	5 15 10	5 16 7	....	less	less	
Iron and steel	2325	2325	0737		93 12 5	65 17 4	....			No return sent in for 1879.
Timber	0102	1567	0033	3 17 11	06 0 8	2 18 4	....	more	less	
Coal	3987	1930	0050	150 18 9	31 17 5	31 16 7	....	less	still less	Reduced price of coal; small substituted for large.
Freight on coal	6089	2431	2259	230 8 0	103 3 6	201 18 6	....	less	still less	Dredge laid up for boiler repairs, &c., in 1880.
Sundry stores	1034	2941	0404	33 16 4	124 16 0	36 1 8	....	more	less	Do do do.
Salaries and allowances	4 4903	4 0906	1 7824	1,698 17 4	1,735 11 7	1,592 13 7	....	less	still less	Reduction in number of crew.
Repairs	0770	1 0861	3110	256 3 4	460 16 3	277 19 4	....	more	less	Extensive repairs in 1880.

Tons	Pence @ ton.	Total expenditure	s. d.
1879	10,800 @ 6.4464 =	£2,488 10 0	
1880	101,830 @ 6.4798 =	Do 2,749 6 6	
1881	214,460 @ 2.6731 =	Do 2,303 12 1	

Cost of Coal in 1879	1880	1881	s. d. per ton.
Do	1880		22 1
Do	1881		13 5 1/2
Do	1881		12 4 1/2

Hours dredging, 1879	1880	1881	
Do	1880		2,050
Do	1880		2,020
Do	1881		2,411

Dredge "Clarence."

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standard	1880.	1881.	Remarks.
	per ton dredged	per ton dredged	per ton dredged	£ s. d.	£ s. d.	£ s. d.				
Rope	0410	0228	0236	42 5 2	16 0 3	19 1 0	....	less	less	Night work during part of 1879
Waste	0048	0050	0032	4 19 10	4 1 11	4 2 11	....	more	still more	
Tallow	0063	0045	0070	4 11 3	3 5 3	4 13 0	....	less	more	
Paints and lead	0394	0556	0519	49 11 8	40 3 11	34 10 8	....	more	more	
Castor oil	0230	0141	0118	24 2 3	10 5 4	7 7 4	....	less	still less	Albany compound first used instead of castor oil, 1880.
Kerosene oil	0097	0036	0071	10 0 2	6 4 11	4 14 0	....	less	still less	Night work in 1879 necessitated extra kerosene.
Linseed oil	0076	0037	0160	7 17 5	6 5 4	10 0 7	....	more	still more	
Cylinder oil		0005	0018		0 8 0	1 4 0	....		
Teal oil	0220	0131	0158	25 8	13 1 6	10 11 0	....	less	still less	do do do teal oil.
Turpentine	0041	0004	0069	4 6 1	4 12 5	4 11 4	....	more	more	
Albany compound		0027	0036		1 19 0	2 7 8	....		more	See note about castor oil
Chain	0060	0610	0763	7 3 1	44 3 1	50 1 3	....	more	still more	Extra strong chains required for safety of punts and dredge
Iron and steel		0470	0418		34 0 1	27 10 9	....		less	No return of iron and steel in 1879.
Timber		0078	0136		5 1 11	11 6 10	....		more	more
Coal	4788	3512	1894	492 19 6	254 0 0	123 18 9	....	less	still less	Reduced cost of coal, small substituted for large.
Sundry stores	1436	1496	2292	146 11 4	108 4 5	152 8 2	....	more	still more	
Salaries and allowances	2 0620	3 0397	3 1120	3,049 8 0	2,234 19 5	2,072 19 0	....	more	still more	Wages more during night work of 1879, but cost of dredging less. Reduction in the number of hands in 1881.
Repairs	0388	5722	4083	709 4 0	413 17 6	271 12 2	....	less	still less	

Tons	Pence @ ton.	Total expenditure	s. d.
1879	247,030 @ 6.1619 =	£5,314 3 7	
1880	173,610 @ 4.6609 =	Do 3,371 12 11	
1881	159,555 @ 4.7488 =	Do 3,157 0 10	

Cost of Coal in 1879	1880	1881	s. d. per ton.
Do	1880		24 9
Do	1881		18 4 1/2
Do	1881		14 0 1/2

Hours dredging, 1879	1880	1881	
Do	1880		2,927
Do	1880		2,233
Do	1881		1,845

Dredge "Archimedes."

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standard	1880.	1881.	Remarks.
	per ton dredged	per ton dredged	per ton dredged	£ s. d.	£ s. d.	£ s. d.				
Rope	0301	0885	1183	10 14 8	32 15 8	36 19 0	....	more	still more	Extra rope required when punts were being sent to sea by a hired tug.
Waste	0033	0060	0060	2 5 6	2 4 7	1 17 11	....	less	less	
Tallow	0074	0102	0128	2 1 1	3 15 9	4 0 1	....	more	still more	
Paints and lead	0639	0546	0378	18 17 10	20 4 6	11 16 9	....	less	still less	
Castor oil	0474	0108	0088	12 19 11	3 19 8	2 15 2	....	less	still less	See note respecting Albany compound.
Kerosene oil	0107	0040	0038	2 19 0	1 9 9	1 4 3	....	less	still less	
Linseed oil	0416	0168	0035	11 8 3	5 17 1	2 12 8	....	less	still less	
Teal oil	0204	0046	0092	5 11 10	1 14 4	3 1 8	....	less	less	
Turpentine	0039	0017	0023	1 1 8	0 12 9	0 13 10	....	less	less	
Albany compound	0039	0205		1 1 8	7 11 8		....	more		Albany compound introduced in lieu of castor oil late in 1879, and large quantity issued in 1880.
Chain	0131	0614	0145	3 12 0	22 14 5	4 9 11	....	more	more	New ladder chain required in 1880.
Iron and steel							....		
Timber	0532			14 12 0			....		
Coal	8324	6739	4434	228 3 0	249 11 10	138 13 0	....	less	still less	Cost of coal explains the rate per ton dredged; small substituted for large.
Sundry stores	4123	6079	0930	112 16 8	36 5 4	20 7 5	....	less	still less	
Salaries and allowances	6 2523	4 2349	4 7074	1,718 18 4	1,668 10 2	1,472 1 0	....	less	less	Reduction in number of men.
Repairs	2 1740	1 5934	2 1758	595 17 4	500 3 1	680 7 9	....	less	more	

Tons	Pence @ ton.	Total expenditure	s. d.
1879	65,780 @ 9.9944 =	£2,739 6 0	
1880	88,990 @ 8.8931 =	Do 2,553 1 3	
1881	75,050 @ 7.6431 =	Do 2,390 1 2	

Cost of Coal in 1879	1880	1881	s. d. per ton.
Do	1880		17 0
Do	1880		13 9 1/2
Do	1881		10 8 1/2

Hours dredging, 1879	1880	1881	
Do	1880		1,094
Do	1880		2,310
Do	1881		1,767

APPENDIX H—continued.
Dredge "Pluto."

	1879.	1880.	1881.	1879.	1880	1881.	1879 as standard	1880.	1881.	Remarks.
Rope	per ton dredged 0152	per ton dredged 0498	per ton dredged 0160	£ s. d. 5 11 2	£ s. d. 28 6 8	£ s. d. 24 16 11	....	more	more	Dredge not at work during five months in 1879. Working in strong tideway in 1880-81.
Waste	0068	0039	0041	2 11 5	2 5 0	2 4 4	....	less	less	
Tallow	0024	0105	0124	0 15 2	5 19 6	6 13 2	....	more	still more	Do. do. do
V. I. rubber	0049	0076	0048	1 17 0	4 6 5	2 11 3	....	more	less	
Paints and lead	0345	0154	0293	12 19 7	8 15 6	15 5 8	....	less	less	
Castor oil	0192	0115	0098	7 4 7	0 11 5	5 5 7	....	less	still less	Albany compound first used in 1881.
Kerosene oil	0059	0049	0055	3 7 3	2 15 10	2 17 5	....	less	less	
Linseed oil	0112	0054	0147	4 4 2	3 1 3	7 18 7	....	less	more	
Tail oil	0171	0092	0104	6 9 1	5 5 0	5 12 4	....	less	less	
Turpentine	....	....	....	....	....	....	....	....	....
Albany compound	....	....	0026	....	....	1 7 6	....	....	....
Chain	....	....	0307	....	....	16 10 10	....	....	....
Iron and steel	....	0545	0412	....	31 0 0	22 4 10	....	....	less	
Timber	0196	0257	0439	7 7 7	20 6 3	23 14 0	....	more	still more	Timber required for docking dredge.
Coal	2505	3432	1789	94 1 9	195 4 11	96 10 6	....	more	less	Southern coal at 10s. 6d. supplied by I. S. N. Company during 1879 and part of 1880, afterwards small coal at cheaper rate was sent from Newcastle.
Freight on coal	....	1011	2850	....	57 10 4	154 1 0	....	....	more	
Sundry stores	1304	1431	1831	48 15 8	81 9 5	98 16 5	....	more	still more	
Salaries and allowances	3 0683	2 6792	2 5231	1,377 9 3	1,521 9 10	1,361 4 9	....	less	still less	Supernumeration allowance granted by Parliament to late Dredge Master.
Repairs	3809	6830	3121	145 6 1	47 13 0	108 7 5	....	less	less	
Repairs to dock	....	2274	....	....	139 7 9	....	....	....	....

	Tons.	Pence per ton.	Total expenditure
1879	90,120	@ 4 5750 =	£1,718 5 9
1880	136,560	@ 3 7803 =	Do. 2,164 9 6
1881	129,480	@ 8 7370 =	Do. 2,016 2 6

s. d.
Cost of Coal in 1879 17 0 per ton.
Do. 1880 18 9 1/2
Do. 1881 13 10 1/2

Hours dredging, 1879 1,621
Do. 1880 2,145
Do. 1881 1,937

Dredge "Titan."

	1879.	1880.	1881.	1879.	1880	1881.	1879 as standard	1880.	1881.	Remarks.
Rope	0134	2162	0296	6 5 3	32 6 4	9 9 10	....	more	more	Dredge and punts taken over Lake Macquarie bar, brought to Sydney and sent to Myall River in 1880.
Waste	0066	0274	0054	4 10 3	4 1 11	1 15 1	....	more	less	Albany compound rendered less waste necessary. Cylinder oil used instead of tallow
Tallow	0091	0106	0042	4 5 3	1 11 7	1 7 3	....	more	less	
V. I. rubber	....	....	....	....	....	....	....	....	....
Paints and lead	0165	0415	0042	4 13 4	6 4 1	1 7 2	....	more	less	
Castor oil	0198	0273	0045	9 5 4	4 1 7	1 9 5	....	more	less	Albany compound used instead of castor oil.
Kerosene oil	0083	0257	0083	3 17 10	3 16 10	2 14 7	....	more	equal	
Linseed oil	0029	0205	0054	1 7 6	3 19 7	1 15 3	....	more	more	Extensive overhaul in 1880.
Cylinder oil	....	0040	0052	....	0 12 0	1 13 9	....	....	more	
Tail oil	0202	0345	0135	0 9 0	5 3 2	5 1 10	....	more	less	Night work in 1879.
Turpentine	0005	0039	0039	0 5 5	0 11 9	....	....	more	....
Albany compound	....	0145	0033	....	2 3 4	1 1 8	....	....	less	
Chain	....	0903	....	....	13 9 10	....	....	....	....
Iron and steel	....	0503	0534	....	127 1 8	17 8 10	....	....	less	Punts covered with galvanised iron in 1880.
Timber	0030	0156	0079	1 8 7	2 6 8	2 10 11	....	....	more	
Coal	4119	4736	1806	191 16 11	71 1 8	53 19 0	....	more	less	Night work in 1879. Small coal used at Myall River.
Freight on coal	....	3180	4175	....	47 10 6	136 6 0	....	....	more	Local coal used while at Lake Macquarie.
Sundry stores	3329	7607	0036	154 13 8	113 13 6	30 11 0	....	more	less	
Salaries and allowances	4 9753	11 6902	4 8462	2,317 5 6	1,747 4 1	1,582 1 10	....	more	less	Night work during 1879. Extensive repairs 1880.
Repairs	0236	9 3096	0 1226	11 0 6	1,391 7 8	39 19 11	....	more	more	Most extensive repairs in 1880.

	Tons.	Pence per ton.	Total expenditure
1879	111,780	@ 5 3410 =	£2,720 9 4
1880	35,370	@ 24 3600 =	Do. 3,640 17 9
1881	78,350	@ 5 8008 =	Do. 1,895 13 3

s. d.
Cost of Coal, including freight in 1879 11 6 1/2 per ton.
Do. do. 1880 12 3 1/2
Do. do. 1881 12 3 1/2

Hours dredging, 1879 3,030
Do. 1880 1,406
Do. 1881 2,037

"Ajax" s.s.—Attached to dredge "Newcastle" at Newcastle.

	1879.	1880.	1881.	1879.	1880	1881.	1879 as standard	1880.	1881.	Remarks.
Rope	pence per ton deposited 0430	pence per ton deposited 0420	pence per ton deposited 0277	79 4 0	62 15 9	39 14 11	....	less	still less	Night work part of 1879.
Waste	0029	0037	0024	4 15 2	5 8 0	3 8 2	....	more	less	
Tallow	0033	0026	0023	5 7 7	3 15 2	3 6 0	....	less	still less	
V. I. rubber	0059	0043	....	9 11 3	6 7 6	....	....	less	....	No new valves required in 1881.
Paints and lead	0176	0378	0250	28 8 10	56 3 10	37 2 5	....	more	....	Extensive repairs in 1880.
Castor oil	0081	0023	0024	13 1 11	4 2 1	3 9 1	....	less	still less	Albany compound superseding castor oil.
Kerosene oil	0023	0020	0015	3 15 0	3 0 7	2 0 9	....	less	still less	Night work, 1879
Linseed oil	0022	0047	0028	3 12 1	0 19 2	4 0 4	....	more	more	Extensive repairs, 1880.
Tail oil	0054	0050	0038	8 15 6	7 8 7	5 7 9	....	less	still less	Night work 1879, and extensive repairs 1880.
Cylinder oil	....	0021	....	....	3 4 0	....	....	....	....
Turpentine	0026	0020	0019	4 4 0	8 0 3	2 15 4	....	less	still less	
Albany compound	0010	0064	0043	1 12 6	9 9 10	6 1 10	....	more	more	Commenced to use compound middle of 1879.
Coal	1237	1320	0910	199 17 0	197 5 2	130 3 11	....	more	less	Price per ton explains result.
Sundry stores	0320	0498	0273	51 2 7	74 6 11	39 0 9	....	more	less	
Salaries and allowances	1 0221	8838	6735	1,650 15 11	1,326 14 2	963 7 10	....	less	still less	Special service vote charged with part of salaries in 1881.
Repairs	2182	1 0140	1831	352 8 4	1,515 5 8	261 17 2	....	more	less	Boiler lifted and extensive repairs in 1880.
Collisions	0459	....	....	1,527 13 1	....	....	....	....	....	Collision with ship "Duart Bay" in 1879.

	Tons.	Pence per ton.	Total expenditure
1879	387,600	@ 2 4422 =	£3,944 3 6—See Collision item.
1880	358,300	@ 2 2007 =	Do. 3,235 11 8—See Repairs item.
1881	348,305	@ 1 0490 =	Do. 1,601 16 8

s. d.
Cost of Coal in 1879 6 0 1/2 per ton.
Do. 1880 7 2 1/2
Do. 1881 4 10 1/2

Miles towed, 1879 6,721=140 8 per mile.
Do. 1880 6,800=125 16
Do. 1881 7,000=51 40
Towed one 400-ton punt each trip, from Newcastle Harbour to sea.

APPENDIX H—continued.

"Thetis" s.s. attached to dredge "Samson," at Sydney.

	1879.	1880.	1881.	1879 as standard.	1880.	1881.	1879 as standard.	1880.	1881.	Remarks.
Rope	pence per ton deposited '0672	pence per ton deposited '0664	pence per ton deposited 1279	£ s. d. 52 8 1	£ s. d. 43 8 1	£ s. d. 90 9 3	....	less	more	Outfit of new rope when "Thetis" towed "Ulysses" to Manning River in 1881. A large quantity issued in 1879.
Waste	'0123	'0029	'0075	0 11 11	1 17 8	5 5 8	....	less	less	
Tallow	'0111	'0009	'0015	8 13 7	4 10 5	1 2 2	....	less	still less	
V. I. rubber	'0060	'0110	'0100	4 14 9	7 3 5	7 15 4	....	more	more	
Paint and lead	'0228	'0126	'0328	17 15 2	5 4 0	22 15 0	....	less	more	
Castor oil	'0230	'0109	'0085	18 13 5	7 2 2	6 0 1	....	less	still less	Albany compound used with castor oil. Long towages.
Kerosene oil	0046	'0052	'0044	3 12 6	3 7 0	3 1 0	....	more	less	
Linseed oil	'0051	'0028	'0062	8 19 10	1 15 8	4 3 0	....	less	more	
Tall oil	'0122	'0250	'0071	0 10 8	16 17 1	5 0 2	....	more	less	Large quantity issued in 1880.
Cylinder oil	'0051	'0030	'0030	....	3 6 0	2 2 0	....	....	....
Turpentine	'0027	'0023	'0023	2 3 1	....	1 11 8	....	....	....
Albany compound	'0030	'0244	'0025	7 0 10	15 10 6	1 16 2	....	more	less	Large quantity issued in 1880 and used in 1881.
Coal	1 0872	'0535	'0411	840 14 3	638 15 9	433 2 6	....	less	still less	Small coal substituted for large in 1880.
Freight on coal .....	....	0008	....	....	6 8 0	....	....	....	....
Sundry stores	'0791	'1053	'0543	61 0 0	68 0 0	33 6 8	....	more	less	
Salaries and allowances	1 8248	1 8156	1 5604	1,081 15 0	1,179 3 5	1,102 19 3	....	more	more	See special service return for 1881.
Repairs	'2442	'5083	'5589	190 4 0	309 2 6	395 2 1	....	more	more	
Collisions	0 100	....	....	....	0 10 0	....	....	....	....

	Tons.	Pence	
		per ton.	
1879	185,900	@ 2.9122 =	Total expenditure £2,267 17 10
1880	155,875	@ 3.6966 =	Do. 2,381 9 2
1881	169,640	@ 3.0288 =	Do. 2,140 18 0

Cost of Coal in 1879	16 9 per ton.
Do. 1880	12 10 1/2 "
Do. 1881	9 11 1/2 "

Miles towed in 1879	8,430 = 64.18 Cost per mile.
Do. 1880	7,828 = 73.01 "
Do. 1881	7,095 1/2 = 66.76 "

During and since 1879 two punts together have frequently been taken to sea by the "Thetis" Under favourable circumstances the custom is to make two trips with two punts and one with single one in one day, following the next day by one double and two single barge trips, thus towing in two days nine instead of six punts, thereby very largely increasing the quantity and lessening the cost of work.

"Dione" s.s., attached to dredge "Vulcan," at Hunter River.

	1880.	1881.	1880.	1881.	1880.	1881.	Remarks.
Rope	pence per ton deposited '0933	pence per ton deposited '0278	£ s. d. 24 10 1	£ s. d. 16 17 4	....	less	As "Dione" only started to work in July, 1880, and was afterwards laid up to complete deck-house, &c., no comparison can well be made until returns for 1882 are made out.
Waste	'0046	'0071	1 2 6	4 3 11	....	more	
Tallow	'0029	'0033	0 14 11	2 5 6	....	more	
V. I. rubber .....	....	'0046	....	2 14 2	....	....
Paints and lead	'0173	'0168	4 7 7	0 18 5	....	less	
Castor oil	'0118	'0110	2 19 6	7 0 6	....	....
Kerosene oil	'0097	'0015	0 18 8	0 17 0	....	less	
Linseed oil	'0050	'0037	0 18 8	2 4 4	....	less	
Tall oil	'0096	'0052	2 8 3	3 1 1	....	less	
Cylinder .....	....	'0049	....	2 18 0	....	....
Turpentine	'0001	'0010	0 2 1	0 11 9	....	more	
Albany compound	'0097	'0049	4 19 8	2 17 0	....	less	
Coal	'3280	'2103	82 10 2	127 7 2	....	less	
Sundry stores	'3626	'0486	91 10 5	23 12 1	....	less	
Salaries	1 8917	1 4704	462 8 10	865 12 10	....	less	
Repairs	'7760	'3329	196 3 2	195 17 0	....	less	

	Tons.	Pence	
		per ton.	
1880	60,590	@ 3.4731 =	Total expenditure £876 16 6
1881	141,235	@ 2.1614 =	Do. 1,272 8 7

Cost of Coal in 1880	7 3 1/2 per ton.
Do. 1881	5 11 1/2 "

Miles towed in 1880	7,174 = 20.8334 cost per mile
Do. 1881	10,071 = 30.8230 "

Towed one punt each trip, chiefly deposited in river.

"Cyclops," p.s. attached to dredge "Hunter," at Newcastle.

	1879.	1880.	1881.	1879	1880.	1881.	1879 as standard.	1880.	1881.	Remarks.
Rope	pence per ton deposited '0170	pence per ton deposited '0762	pence per ton deposited '0488	£ s. d. 5 3 3	£ s. d. 35 11 6	£ s. d. 20 17 8	....	more	more	Considerable stock on board at the beginning of 1879 Sent to Clarence River to tow in 1880.
Waste	'0104	'0036	'0030	3 3 5	1 13 4	1 13 3	....	less	less	
Tallow	'0088	'0080	'0080	2 13 9	4 0 1	3 16 2	....	less	more	
V. I. rubber	'0021	'0016	'0016	0 13 2	....	0 13 7	....	....	less	
Paints and lead	'1160	'0372	'0226	35 1 5	17 6 0	10 2 7	....	less	still less	More painting in 1879 than afterwards.
Castor oil	'0369	'0224	'0145	11 3 0	10 0 0	6 4 9	....	less	still less	
Kerosene oil	'0054	'0042	'0030	1 18 0	2 0 1	1 5 10	....	less	still less	
Linseed oil	'0121	'0089	'0077	3 13 6	4 3 10	3 6 8	....	less	still less	
Tall oil	'0213	'0088	'0068	7 10 6	4 2 7	2 18 5	....	less	still less	
Cylinder oil .....	....	....	....	....	....	....	....	....	....
Turpentine	'0028	'0045	'0023	0 17 5	2 2 8	1 0 4	....	more	less	
Albany compound .....	....	....	....	....	....	....	....	....	....
Coal	'5831	'4128	'2732	176 5 1	192 12 8	116 10 4	....	less	still less	See rates per ton.
Sundry stores	'1046	'0960	'1348	31 7 6	44 14 2	57 14 3	....	less	more	
Salaries and allowances	3 8505	1 7718	1 8109	1,108 16 7	826 15 3	775 10 5	....	less	less	Sick pay to Captain Price in 1879 and part of 1880.
Repairs	'7531	'8174	'4398	227 12 0	148 1 8	188 6 11	....	less	less	

	Tons.	Pence	
		per ton.	
1879	72,540	@ 5.6283 =	Total expenditure £1,071 0 7
1880	111,985	@ 2.7794 =	Do. 1,293 12 5
1881	102,750	@ 2.7798 =	Do. 1,190 9 2

Cost of Coal 1879	8 2 1/2 per ton.
Do. 1880	7 2 1/2 "
Do. 1881	4 7 1/2 "

Miles towed in 1879	4,058 = 69.5 Cost per mile
Do. 1880	8,904 = 79.62 "
Do. 1881	5,727 = 49.88 "

Towed one punt each trip to sea a Newcastle, but while at Clarence River in 1880 depositing in river.

APPENDIX H—continued.

“Ceres” s.s. attached to dredge “Hercules,” at Sydney.

	1880.	1881.	1880.	1881.	1880.	1881.	Remarks.
	pence per ton deposited	pence per ton deposited	£ s. d.	£ s. d.			
Rope	0837	1666	22 18 7	70 10 5		more	“Ceres” started work February, 1880, but afterwards was laid up for bridge-deck; extra hawsers required when occasionally taking two punts.
Waste	0098	0100	2 13 9	4 12 5		more	
Tallow	0082	0007	0 17 7	0 5 9		less	Cylinder oil used instead of tallow.
V. I. rubber	0411	0249	11 5 3	10 10 11		less	Rubber required for pump valves of engine.
Paints and lead	0454	0463	12 3 10	19 11 0		more	
Castor oil	0210	0183	5 19 8	7 15 8		less	Bearings inclined to heat; consumption of oil and compound heavy.
Kerosene oil	0024	0030	0 13 5	1 5 9		more	
Linseed oil	0098	0083	2 13 6	3 10 5		less	
Tell oil	0131	0098	3 11 6	4 2 11		less	
Cylinder oil	0190	0152	5 4 0	0 8 0		less	Used instead of tallow.
Turpentine	0062	0037	1 13 8	1 11 8		less	
Albany compound	0339	0175	9 5 10	7 8 4		less	
Coal	8183	0558	224 2 1	277 13 4		less	
Sundry stores	2408	0896	65 18 6	37 19 1		less	
Salaries and allowances	31704	23005	869 19 5	973 19 8		less	
Repairs	7105	0935	191 12 2	293 11 8		less	

Tons. Pence per ton.

1880 ... 65,780 @ 5 2355 = Total expenditure £1,433 17 9

1881 ... 101,610 @ 4 0646 = „ „ 1,720 17 0

s. d.

Cost of Coal in 1880 14 5 per ton.

Do 1881 11 3½ „

d.

Miles towed in 1880 5,502 = 61 8722 cost per mile.

Do 1881 8,453 = 48 8299 „

Towed with one punt each trip when working for “Hercules” only, and two punts when towing simultaneously for “Hercules” and “Charon.” While towing for “Samson” instead of “Thetis,” took frequently two punts to sea.

“Ceres” towages wholly to sea, and chiefly from Darling Harbour above Pyrmont Bridge. Vexatious detentions at bridge.

“Charybdis” p.s., attached to dredge “Fitzroy,” at Macleay River.

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standard	1880.	1881.	Remarks.
	pence per ton deposited	pence per ton deposited	pence per ton deposited	£ s. d.	£ s. d.	£ s. d.				
Rope	0030	0145	0149	23 17 4	6 2 10	13 0 8	less	less		
Waste	0036	0005	0003	1 7 3	0 4 2	0 14 1	less	less		
Tallow	0058	0009	0012	2 4 4	0 7 6	0 19 2	less	less		
V. I. rubber	0187	0012	0012	7 13 8	7 13 8	1 0 4	less	less		
Paints and lead	0053	0020	0010	2 0 8	0 17 2	0 18 8	less	less		
Castor oil	0126	0022	0028	4 15 8	0 18 11	2 11 4	less	less		
Kerosene oil	0041	0009	0007	1 11 3	0 7 7	0 13 3	less	less		
Linseed oil	0068	0029	0029	2 10 2	2 18 3	2 18 3	less	less		
Tell oil	0116	0021	0012	4 8 0	1 1 0	1 1 1	less	less		
Cylinder oil										
Turpentine										
Albany compound										
Coal	5065	3433	0024	214 6 10	145 17 5	82 11 2	less	still less	Small coal substituted for large in 1880 & 81.	
Sundry stores	0112	1811	0152	4 3 4	76 17 5	13 10 1	more	more	Extensive repairs in 1880	
Salaries and allowances	15764	16257	6888	696 0 0	648 12 5	615 0 5	less	still less	Reduction of crew.	
Repairs	0849	10752	0160	32 0 11	460 3 2	14 5 0	more	less	Extensive repairs in 1880.	

Tons. Pence per ton.

1879 90,800 @ 2 3505 = Total expenditure £ 89 5 9

1880 101,830 @ 3 1709 = Do. 1,345 8 3—extensive repairs in 1880.

1881 214,294 @ 0 8301 = Do. 749 4 6

s. d.

Cost of Coal in 1879 1 2 1 per ton.

Do. 1880 0 13 5½ „

Do. 1881 0 12 4½ „

d.

Miles towed in 1879 8,709 = 24 5—Cost per mile.

Do. 1880 7,088 = 48 87 „

Do. 1881 5,570 = 32 236 „

Towed one punt each trip. None of the punts discharged at sea.

S.S. “Little Nell,” attached to dredge “Clarence,” at Clarence River.

	1879.	1880.	1881.	1879.	1880.	1881.	1879.	1880.	1881.	Remarks.
	pence per ton deposited	pence per ton deposited	pence per ton deposited	£ s. d.	£ s. d.	£ s. d.				
Rope	0158	0170	0164	16 5 6	8 15 8	10 17 9	more	more	Night work in 1879.	
Waste	0036	0042	0046	3 14 7	2 8 5	3 0 10	still more	still more	Do. do.	
Tallow	0020	0011	0011	2 0 11	0 10 4	.....	less	less	Cylinder oil used instead of tallow.	
V. I. rubber	0023	0039	0057	2 6 8	2 0 4	3 16 1	more	still more		
Paints and lead	0140	0217	0149	14 9 2	11 3 3	9 17 11	more	more		
Castor oil	0139	0109	0097	19 8 7	5 12 4	6 8 4	less	still less	Night work in 1879. Albany compound in 1880 & 81.	
Kerosene oil	0024	0037	0033	2 10 0	1 17 11	2 3 0	more	more		
Linseed oil	0038	0050	0028	3 7 10	2 18 11	1 15 8	more	less		
Tell oil	0148	0094	0066	15 5 1	4 6 10	4 8 3	less	still less	Night work in 1879.	
Cylinder oil			0020	.....	.....	1 7 6	less	less		
Turpentine	0008	0016	0023	0 17 2	0 16 9	1 9 9	more	still more		
Albany compound			0028	.....	.....	1 18 2	more	less		
Coal	3180	2776	1365	325 5 11	142 14 6	124 0 7	less	still less	Night work in 1879. Small coal substituted for large in 1880 & 81.	
Sundry stores, &c.	0317	0799	0367	32 12 4	41 1 0	24 7 10	more	more		
Salaries and allowances	13418	16422	12424	1,381 7 2	844 10 6	825 19 6	more	less	Night work in 1879	
Repairs	2579	19829	0623	265 9 11	1,019 15 9	34 15 10	more	less	Extensive repairs to boiler, &c., in 1880.	

Tons. Pence per ton.

1879 247,080 @ 2 0263 = Total expenditure £ 2,085 0 10—Night work, 1879.

1880 123,425 @ 4 8996 = Do. 2,257 9 6—Repairs, 1880.

1881 159,500 @ 1 5888 = Do. 1,056 6 7

s. d.

Cost of Coal in 1879 1 4 9 per ton.

Do. 1880 0 13 4½ „

Do. 1881 0 14 6½ „

d.

Miles towed in 1879 10,341 = 48 99 cost per mile.

Do. 1880 8,728 = 143 8310 „ —See Repairs item.

Do. 1881 7,341 = 84 5646 „

Towed one punt each trip; material dredged not taken to sea.

APPENDIX H—continued.

S.S. "Achilles," attached to dredge "Charon," at Sydney.

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standa	1880.	1881.	Remarks.
Rope	0050	0108	0090	1 14 9	19 16 0	20 15 3	..	more	more	Commenced in October, 1881, to tow two punts occasionally.
Waste	0058	0118	0064	2 0 2	1 18 8	1 18 5	..	more	more	
Tallow	0197	0156	0218	6 15 2	2 10 8	6 9 11	..	less	more	Cylinder oil used instead of tallow in 1880.
V. I. rubber	0016	..	..	0 11 4	..	..	..	..	..
Paints and lead	0132	0272	0063	4 10 7	4 8 10	1 17 4	..	more	less	
Castor oil	0341	0314	0049	11 18 0	5 2 8	1 9 3	..	less	still less	See Albany compound.
Kerosene oil	0007	0079	0008	0 4 9	1 5 9	0 4 9	..	more	more	
Linseed oil	0033	0157	..	1 2 11	2 11 5	..	..	more	..	
Teil oil	0065	0091	0013	2 5 0	1 9 8	0 8 1	..	more	less	
Cylinder oil	..	0232	..	..	3 16 0	..	..	..	..	See tallow.
Turpentine	0023	0056	..	0 16 2	0 18 11	..	..	more	..	
Albany compound	0073	0240	0063	2 0 10	3 18 6	0 19 9	..	more	less	
Coal	1 30 36	0714	8005	445 9 6	159 3 9	238 12 5	..	less	still less	Small coal used during 1881 and part of 1880.
Sundry stores	0021	1802	1747	21 0 7	29 10 9	52 1 0	..	more	more	
Salaries and allowances	2 40 54	4 43 26	2 13 04	822 19 4	726 3 11	635 0 5	..	more	less	
Repairs	1 14 62	4 00 40	4118	391 13 4	666 5 11	122 11 7	..	more	less	Extensive boiler repairs at end of 1879 and in 1880.

Tons.	Pence per ton.	Total expenditure	s. d.
1879	82,010 @ 5 0198 =	£1,715 4 5	
1880	39,320 @ 9 9435 =	Do. 1,629 1 8	See item repairs in 1880 and 1881.
1881	71,539 @ 3 6318 =	Do. 1,082 8 8	

Cost of Coal in 1879	s. d.
Do. 1880	17 0 per ton.
Do. 1881	13 9 1/2
Do. 1881	12 3 1/2

Miles towed in 1879	d.	Cost per mile	Remarks
Do. 1880	7,536 = 54 5/8	See repairs item.	
Do. 1881	4,002 = 97 6/9	Do. do.	
Do. 1881	3,898 = 26 2/4	Do.	

Towed one punt each trip until October, 1881, afterwards occasionally two to sea.
"Achilles," tows partly from Sydney harbour to sea, and partly to Rusheutter's Bay, with silt for reclamation purposes.

"Pearl," p.s., attached to dredge "Pluto," at Shoalhaven.

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standa	1880.	1881.	Remarks.
Rope	0282	0323	0116	8 14 0	18 7 2	4 11 7	..	more	less	Laid up for new boilers and partial renewal of hull in 1881.
Waste	0030	0020	0014	1 9 2	1 3 10	0 11 5	..	less	still less	Do. Do.
Tallow	0091	0114	..	3 8 5	6 10 9	..	..	more	..	Do. Do.
V. I. rubber	..	..	..	..	..	..	..	..	..
Paints and lead	0279	0174	0076	10 9 3	9 10 4	3 0 4	..	less	still less	Do. Do.
Castor oil	0094	0066	0045	3 19 10	3 16 5	1 15 8	..	less	still less	Do. Do.
Kerosene oil	0049	0035	0022	1 16 10	1 2 3	0 17 3	..	less	less	Do. Do.
Linseed oil	0037	0043	0022	1 7 6	2 14 0	0 17 7	..	more	less	Do. Do.
Teil oil	0105	0065	0044	3 19 5	3 14 3	1 15 2	..	less	still less	Do. Do.
Cylinder oil	..	..	..	..	..	..	..	..	..
Turpentine	0026	0028	..	0 19 5	1 14 1	..	..	more	..	
Albany compound	..	..	..	..	..	..	..	..	..
Coal	6845	5459	2055	257 8 0	310 13 0	81 8 10	..	less	still less	See coal rates.
Freight on coal	..	..	..	..	..	..	..	..	..
Sundry stores	0286	0233	0256	10 14 3	18 19 9	10 1 0	..	less	still less	
Salaries and allowances	1 42 78	0089	1 27 26	596 2 11	516 15 11	502 13 7	..	less	less	Laid up, as above explained, in 1881.
Repairs	0199	0216	1 76 82	7 9 6	12 5 11	695 7 4	..	more	still more	Expenditure for boilers and hull in 1881.

Tons.	Pence per ton.	Total expenditure	s. d.
1879	90,120 @ 2 2563 =	£547 4 11	
1880	136,560 @ 1 6145 =	Do. 913 13 4	
1881	94,800 @ 3 3057 =	Do. 1,305 14 11	See expenditure for repairs.

Cost of Coal in 1879	s. d.
Do. 1880	17 0 per ton.
Do. 1881	13 9 1/2
Do. 1881	13 10 "

Miles towed in 1879	d.	Cost per mile	Remarks
Do. 1880	2,752 = 78 9		
Do. 1881	3,263 = 67 5	Do.	
Do. 1881	1,717 = 100 29	Do.	

Towed one punt each trip.

"Hector" p.s., attached to dredge "Titan," at Myall River.

	1879.	1880.	1881.	1879.	1880.	1881.	1879 as standa	1880.	1881.	Remarks.
Rope	0111	0354	0137	4 17 7	5 1 1	4 3 11	..	more	more	
Waste	0051	0122	0066	2 4 9	1 14 8	2 0 7	..	more	more	
Tallow	0107	0320	0168	4 13 10	4 11 6	5 2 10	..	more	more	
V. I. rubber	..	..	..	..	..	..	..	..	..
Paints and lead	0047	0190	0085	2 1 4	2 15 9	2 12 5	..	more	more	
Castor oil	0153	0068	0027	6 14 2	0 19 5	0 16 6	..	less	still less	Albany compound used instead of castor oil.
Kerosene oil	0019	0051	0033	0 17 5	0 15 4	1 0 5	..	more	more	
Linseed oil	0012	0025	0046	0 11 1	0 7 4	1 8 6	..	more	still more	
Teil oil	0004	0278	0113	4 2 10	3 19 4	3 9 8	..	more	more	Night work in 1879.
Cylinder oil	..	..	..	..	..	..	..	..	..
Turpentine	..	0044	0004	..	0 12 11	0 2 1	..	..	less	
Albany compound	..	0152	0071	..	2 3 4	2 3 4	..	..	less	
Coal	3747	4804	2475	164 4 0	69 15 3	75 19 4	..	more	less	See rates paid for coal.
Sundry stores	0293	1680	0549	12 14 2	23 19 2	16 17 3	..	more	more	
Salaries and allowances	1 33 39	4 22 36	1 76 82	584 12 0	602 18 3	542 12 1	..	more	more	
Repairs	..	4 10 08	..	..	584 11 0	..	..	..	..	Extensive overhaul after working night and day during previous years.
Pilotage	..	0286	..	..	4 0 0	..	..	..	..

Tons.	Pence per ton.	Total expenditure	s. d.
1879	105,180 @ 1 7073 =	£4787 13 8	
1880	84,210 @ 0 1777 =	Do. 1,308 4 4	See repairs items.
1881	73,650 @ 2 1456 =	Do. 658 8 6	

Cost of Coal, 1879	s. d.
Do. 1880	11 5 1/2 per ton.
Do. 1881	12 3 1/2
Do. 1881	8 11 1/2

Miles towed in 1879	d.	Cost per mile	Remarks
Do. 1880	4,828 @ 39 16		
Do. 1881	3,154 @ 99 5 1/3	Do.	See repairs items.
Do. 1881	7,050 @ 22 4 1/4	Do.	

Towed one punt each trip.

APPENDIX H—continued.

"Scylla," s.s., attached to dredge "Archimedes," Hawkesbury River.

	1870.	1880.	1881.	1870.	1880.	1881.	1870 as standard	1880.	1881.	Remarks.
	pence per ton deposited	pence per ton deposited	pence per ton deposited	£ s. d.	£ s. d.	£ s. d.				
Rope	0026	0048	0219	0 8 1	0 5 5	4 7 7	..	more	more	
Waste	0074	0052	0016	1 2 3	0 5 9	0 6 4	..	less	still less	Night work, 1870.
Tallow	0823	0140	0157	4 17 6	0 16 4	3 2 11	..	less	..	Night work, 1870. Used cylinder oil in 1880 and 1881.
V. I. rubber	0605	0007	..	0 1 7	0 0 0	..	..	..	..
Paints and lead	0060	0009	..	0 18 3	0 1 1	..	..	more	..	
Castor oil	0450	0150	0026	6 18 8	0 16 10	0 10 4	..	less	still less	Night work, 1870. Albany compound in 1880 and 1881.
Kerosene oil	..	0009	0009	..	..	0 3 3	..	..	..
Linseed oil	0006	0084	..	0 1 10	0 3 8	..	..	more	..	
Tell oil	0089	0027	0011	0 11 11	0 3 0	0 4 6	..	less	still less	
Cylinder oil	..	0009	0042	..	0 1 0	0 16 8	..	..	more	
Turpentine	..	..	..	..	..	..	..	..	..
Albany compound	..	0019	0031	..	0 2 1	0 12 5	..	..	more	
Coal	3074	1470	1239	46 7 6	8 5 6	24 15 2	..	less	still less	Night work, 1870, at Lake Macquarie.
Sundry stores	0193	0076	1123	2 18 0	0 8 6	22 11 1	..	less	more	
Salaries and allowances	14497	0600	7802	218 14 4	54 0 11	155 18 5	..	less	still less	See special service return.
Repairs	1296	7190	1176	19 11 0	40 4 10	23 10 3	..	more	less	

	Tons.	Pence per ton.	
1870	36,210	@ 2.0052=	Total expenditure £302 10 11
1880	13,420	@ 1.8018=	Do. 105 15 8
1881	47,065	@ 1.1855=	Do. 236 19 11

	s. d.
Cost of Coal in 1879	17 10 per ton.
Do. 1880	13 9½ "
Do. 1881	10 8¼ "

	d.
Miles towed in 1879	3,209=22.01 Cost per mile.
Do. 1880	974=23.00 "
Do. 1881	2,468=23.13 "

Towed one punt each trip.

The Inspector of Dredges to The Engineer-in-Chief for Harbours and Rivers.

Sir,

Harbours and Rivers Office, 10 January, 1883.

I have the honor to submit for your perusal the following report upon the dredging operations in progress in our principal ports and rivers.

In Sydney Harbour three dredges have been constantly at work; the largest—the "Samson"—owing to the great length of her ladders, has been found specially suited to meet the berthing and port requirements of the heavy draught merchant steamers which appear likely (and at no distant time) to almost wholly monopolize the European trade of the Colony. To keep abreast of this altered state of things, the Circular Quay on its western side has been sufficiently deepened to berth the "Austral" and other kindred vessels; while the P. & O. steamers find suitable accommodation further north, at the southern end of the A. S. N. Co.'s Wharf. Shallow places in Sydney Cove have been deepened, and the "Samson," when asked for, has been hired to the many enterprising wharf proprietors, who are vying with each other by the erection of lofty warehouses and spacious quays to secure a share of Sydney's altered ocean-borne trade.

The necessity that arose for taking advantage, for wool shipping, of the fine stretch of new wharfs at the eastern side of Sydney Cove, just erected by the Department, has prevented rock blasting and dredging from being carried on, to attain the required depth of water, at present; but even in its unfinished state it has been constantly occupied during the past two months by steamers and ships of large tonnage. When the dredge "Samson" was not employed at the more urgent work to which I have been referring, the deepening of Darling Harbour below Pymont Bridge was proceeded with. Much inconvenience, and lessened dredging work, has resulted from the necessity which existed for the employment of the tugs "Thetis" and "Ajax" on services not connected with dredging, as many as four trips having been made during the past year to Lord Howe Island—each occupying about a fortnight. Besides these, the "Thetis" was employed for about two months on survey service for the Fisheries Commission. Were it possible to obtain suitable substitute tugs, the dredges would suffer less; but the fact is that there is quite a dearth of towing steamers in our ports, and tug-owners are not making any efforts to supply the want. In view of the constant applications made to the Dredging Branch from other Government Departments for steamers, I would very respectfully urge that a steamer of the "Ajax" and "Thetis" class, with compound engines, be built for general Government use, but to be employed by our Department when not otherwise required. If such a steamer were available our present tugs could be more frequently docked, and such docking or repairs would not lay a dredge plant idle.

The dredge "Hercules" has been for some time past employed at the head of Darling Harbour, above Pymont Bridge. The rocky nature of the bottom in some places, and the vast quantities of road and sewage deposits continually pouring into the harbour on its southern shore combine to render the work of permanent improvement slower and more costly than could be wished. More than ten years ago a large amount of dredging was done above the bridge; but as might have been looked for there have been fresh deposits, which are being again removed, and the general depth of the area is continually improving, while the quay berths are being steadily and permanently deepened by the removal of large quantities of sandstone, by blasting and subsequent dredging. Advantage is frequently taken of the steam crane on the wharf to lift blasted blocks of stone many tons in weight from their beds on to the punt.

The dredge "Charon" employed at Blackwattle Cove has been for the last two years performing work which, though of less commercial value than that of either the "Samson" or "Hercules," is, nevertheless, of a character more likely to be appreciated by the people of Sydney. At a part of Pymont overlooking the western and eastern shores of Blackwattle Bay, it will be remembered that small-pox found a congenial atmosphere, and lingered long and disastrously, while on the opposite side of the Bay in the Glebe district it was a still more dangerous intruder, and there can be little doubt that the poisonous exhalations from the foreshores of the harbour, in this neighbourhood, contributed largely to spreading the infection. Nearly 200,000 tons of decayed vegetable matter, sewage, and mud, have been removed from the bay by the "Charon," and sent partly to sea and partly to Rushcutters Bay, to be converted from a destroyer to a preserver of the public health, by forming the groundwork of a future pleasure resort.

The dredge "Archimedes" until early in 1882, was employed chiefly removing deposits from the various sewers discharging into the harbour, but is now working on the Hawkesbury River, near the Pitt-town wharf. The people of Windsor are anxious to have the sandbanks which obstruct the river removed; but I fear from the character of the floods, which from time to time sweep down the river, that there is scant hope, if the channel is ever finished, of its enduring beyond the first heavy flood that may come after its completion.*

With the exception of the fine 27 feet channel cut by the "Samson" at Sydney Heads, there has been no deepening work performed by the Department which, as far as permanent improvement is concerned, has withstood the test of time so well as the dredging of Newcastle Harbour. Unlike the port of Sydney, there are no sewers of any importance here to diminish yearly the available deep water, nor are the flood deposits of the river Hunter found seriously to interfere with the work done, the obstructions to navigation from this cause taking place chiefly at the flats between Morpeth and Newcastle.

In

* Since the above report was written such a contingency has arisen, a flood shallowed the dredge cutting about 4 feet. The uselessness of keeping the dredge at work at this place having thus been proved, it was removed to Sydney.

APPENDIX II—*continued.*

In a previous report, I mentioned that three million tons of sand had been lifted and sent to sea from Newcastle, and, as will be seen by the returns, nearly another million has been got rid of since. The dredge "Newcastle" has been chiefly employed deepening additional crane berths at Bullock Island, and widening and deepening the channel leading to the North Harbour. It has now throughout its entire length a width of 600 feet, and a depth more than equal to the requirements of the largest ship that can enter the port. It is satisfactory to know that the deep water made by the "Newcastle" in the Horseshoe, has, with the exception of one of the southern berths, been well maintained without dredging. Where in 1875 but one or two ships could safely be placed, there is now accommodation for twenty to swing at the moorings between Newcastle and Stockton. In addition to this, the North Harbour opposite Bullock Island is now being enlarged by the "Newcastle" to keep pace with the growing requirements of the port.

The dredge "Hunter" has recently been fitted with stronger shafting, &c., to enable both ladders to be worked together; and, with the view of making her as useful at sand dredging as she has hitherto been at rock work, two sets of very large buckets have been supplied, to be used when required; new and larger punts are being built by Mort & Co., the using of which will considerably increase the quantity and diminish the cost of work performed. The want of towing power has been a drawback, the contractors for the steam barges built and building not being able to find skilled labour sufficient for their establishment. The "Hunter" has chiefly been employed at the lower end of the Bullock Island Wharf, and in deepening staith berths and the Southern or Coal Channel.

At no time since dredging was initiated has the river Hunter been in so satisfactory a state as it is at the present time. Steamers drawing over 10 feet of water can now without risk of detention reach Morpeth at any state of the tide, whereas in times past there was but from 6 to 7 feet on the many long sand flats which formed below the junction with tributary streams, and at other places, where, from the wideness of the river, a sluggish current prevailed. I do not think it will be practicable, unless at a very great cost, to further deepen the Hunter, there being such a length of it with low water soundings of about 11 feet. Notwithstanding the frequency of floods and freshes, and the difficulties of finding suitable places for depositing the sand lifted, the dredge "Vulcan" has not only been able to effect the improvements referred to, but has in addition performed a good deal of useful work in Newcastle Harbour. I am sanguine that we shall be able, on the completion of the second steam barge, to send a very large percentage of the sand lifted on the Hunter River to sea, as the present depth in the channels will enable a steam barge to act as tender for the "Vulcan." In referring to the useful work of a permanent character done by the dredges at Newcastle and the Hunter, I think the deepening of the bar from 17 to 22 feet should not escape notice, because, although the construction of the two breakwaters has brought about this most important improvement without any dredging on the spot, there can be little doubt that the enlargement and deepening of Newcastle Harbour has, by admitting a larger volume of water across the bar, been a not unimportant contributor to the very successful engineering at the entrance of this the chief coaling port in the Southern Seas.

Proceeding northwards, the operations of the small dredge "Titan" at the Myall River next claim attention. Work was first begun in October, 1880, at Myall Point near the river entrance, where there was but a low-water depth of from 2 feet 8 inches to 3 feet. Here a channel 600 feet in length, 100 feet wide, and 5 feet 6 inches deep, low water, was cut, after which vessels were able to enter at all states of the tide; but the most important advantages were gained after cutting the next channel from Corey Island to the Hawk's Nest, as the traders were then enabled to get up to the saw-mills and load both the locally sawn timber and the larger quantities conveyed by punts from the establishments higher up the river. A cutting was afterwards made from Hawk's Nest to the Tea Gardens, another from there to the Shell Heap, and afterwards one of nearly $1\frac{1}{2}$ miles in length (extending from "Pull-for-Nothing" to "Monkey Jacket") which has just been completed. At the two first described cuttings there has been some shoaling, at which the dredge will have to be again employed for a short time; but, generally, the original depth, 5 feet 6 inches, low-water, has been maintained throughout the $\frac{3}{4}$ miles of river improved by the "Titan" since 1880.

The dredge "Ulysses," built specially for the Manning River, was sent to her station towards the close of the year 1881, and has already made good headway in improving the navigation of the river. Over 200,000 tons of sand were dredged in the formation of a new channel at the crossing, near the heads, and steamers now pass through the cutting. The entrance to the Lansdown has been deepened, and the dredge is now making a channel through Taree flats to enable the Sydney steamers to reach Tinonee. The work at Taree will soon be completed, after which the Cundletown passage will, as directed, be dredged. Very likely another cut will have to be made through the crossing channel to widen and deepen it, as it is already showing indications of shoaling, a contingency not unlooked for in view of the lively nature of the sand borne shoreward from the sea.

The dredge "Fitz Roy," stationed at the Macleay River, completed deepening the last remaining shoal below Kempsey at the latter end of 1880, and ocean steamers were enabled to reach that town. During 1881 a long shingle flat between Central and West Kempsey was dredged, and the navigation for large vessels made available for several miles above the towns. While this work was going on, a site for a new dock was secured opposite the principle township, and was subsequently excavated by contract, the dock entrance and approach being undertaken by the officer in charge of the dredge and his crew. The "Fitz Roy" was successfully docked in June, 1882, and thoroughly chipped and painted. Dredging operations at Long Reach were afterwards resumed, and the plant is now engaged deepening channels cut some years ago and which have since been gradually shoaling.

The dredge "Clarence" is at present employed at Lawrence on the Clarence River. It is satisfactory to know that the long cutting made between Rabbit Island and Yamba, from which over 800,000 tons of sand were taken, continues sufficiently deep for navigation purposes. A few weeks' dredging was found necessary at this place lately, and attention to it will doubtless have to be paid from time to time, but this will not seriously interfere with the improvement of the river between the Heads and Grafton. The obstructions at Lawrence will take at least nine months to remove. The "Clarence" had to be towed to Sydney for docking in 1882, and it was found desirable to sheath and remetel the hull, and at the same time to strengthen the vessel throughout, as work has sometimes to be carried on near the Heads in very rough water.

South of Sydney the only dredge at present at work is the "Pluto," engaged keeping open the navigation of the Crookhaven River, chiefly at the canal cut by Mr. Berry in the olden times to connect with the Shoalhaven River and give the vessels bound thereto a safe entrance. In 1881, however, a considerable amount of dredging was performed on the Shoalhaven, near Terrara; but recent soundings show that the channel then deepened has already shoaled nearly 18 inches. The "Pluto" has for the past nine months been straightening and deepening the ocean steamers' channel between Greenwell Point and the Crookhaven Heads. The sand is deposited at sea when the tug can safely go out, otherwise it is towed up the river and dropped far away from the channel.

During about six months of 1882 the Coast Lakes dredge "Minos" was working near the bar at the entrance to the Moruya River. Dredging was carried on until with the prevailing north-east swell in November it was imprudent to approach nearer the sea. However, this much was effected, that steam communication (which was impossible before the dredge went to Moruya) afterwards became practicable, and the Mlawarra Company's steamer now plies to the district.

It is not necessary that I should further encumber this report (already I fear tediously extended) by enumerating the quantity and cost of work performed, because this is sufficiently dealt with not only in the returns sent to me for analysis, but likewise in the further amplification which it appeared to me desirable to put on record, and which places in juxtaposition the expenditure in detail of one year with another. I cannot conclude without expressing my conviction that, as contributory to the satisfactory working of the Dredge Service during the past two years, the regulations promulgated in 1880, and ever since most rigidly adhered to, have not been unimportant factors.

I have, &c.,

A. B. PORTUS.

APPENDIX I.

GENERAL REGULATIONS FOR THE MANAGEMENT OF THE DREDGE SERVICE*

Regulation 1.—The Dredge Service, which will be considered as a whole, shall be divided into the following grades, viz. :—

1st. The Engineer's grade, comprising—

A. Engineers, 1st, 2nd, 3rd class (excluding the Chief Engineers of the Dredges), with wages ranging from... ..	£20 per month to £12 per month.
B. Engine-drivers	13 " 10 "
C. Firemen	12 " 9 "

2nd. Mechanical grade, comprising—

A. Blacksmiths, carpenters, fitters and boilermakers, &c., with wages from £15 per month to £11 per month.
B. Strikers, boilermakers' assistants, machine attendants, &c., with wages varying from £10 per month to £6 5s. per month.

3rd. Nautical grade, comprising—

A. Masters of Tugs, from	£20 per month to £12 per month.
B. Mates, from	14 " 10 "
C. Coxswains and winchmen	10 "
D. A.B. seamen, including watchmen and cooks	8 13s. 4d. per month to £8 per month
E. Boys	4 per month to £6 5s. "

Regulation 2.—The whole of the men at present in the Service shall be classified according to the foregoing grades; the position to be assigned to each particular employé shall be determined by fitness and length of service. As vacancies occur, the senior hands shall be promoted until they reach the top of their respective grades, provided they are competent, and nothing has been recorded against them in the "Conduct Book" referred to in Regulation 3. In the case of engineers, however, it shall be indispensable that those to be appointed to the 1st class shall hold 1st class certificates; those to the 2nd class, 2nd class certificates; and to the 3rd class, 3rd class certificates. With regard to the nautical grade, all masters shall hold masters' sea-going certificates, and mates shall hold mates' certificates.†

Regulation 3.—There shall be entered in a "Conduct Book" the name of every employé in the Dredge Service, giving the date of his entry therein, age, and such particulars of his service (whether of good or bad conduct) as will determine promotion or otherwise; it being distinctly understood that nothing will be recorded against any employé in such book, except after due inquiry and on the report of the Inspector approved by the Engineer-in-Chief, and after an opportunity shall have been afforded the accused of appeal.

Regulation 4.—All new appointees shall enter at the bottom of whichever grade they may be nominated to, except in the case of vacancies which cannot be filled from the Service; but none shall be eligible who are over thirty-five years of age, and who cannot produce a certificate from the Medical Officer of the Department (for which such officer shall be entitled to be paid a fee of 2s. 6d., to be paid by the nominee) that they are physically fit for the position sought, together with satisfactory references from previous employers.

Regulation 5 ‡—From the 1st May to the 1st September the working hours shall be from 6 30 a.m. to 5 30 p.m., and during the remaining months of the year from 6 a.m. to 6 p.m. Three-quarters of an hour will be allowed for breakfast, and 1 hour for dinner. Owing to the shortened breakfast hour, work will terminate on Saturdays at 1 p.m. When circumstances render it necessary for the tugs to work continuously from 6 to 6 the meal hours must be taken while the steamers are towing.

Regulation 6.—Should any employé, by reason of accident occurring in the discharge of his duty, and by no fault of his own, be physically incapacitated for work, he shall be entitled (if his absence shall necessarily extend to that time) to two months' pay, or any lesser proportion, as the case may demand. If he is absent more than two months, such case thereafter will be specially dealt with on his merits. In the event of absence through sickness, not being the result of accident as before described, half-pay to the extent of one month will be allowed, if necessary, provided such sickness has not been brought about by misconduct on the part of such employé, to determine which a certificate to that effect shall be required from the Government Medical Officer, if the employé reside in Sydney or Newcastle. If he reside elsewhere, he must furnish from a properly qualified medical practitioner a certificate stating the nature of the disease from which he is suffering, which will be referred to the Government Medical Officer for report. For every examination or report such officer shall be entitled to a fee of 2s. 6d., which shall be paid from any money due or to become due to the patient, except in case of accidents occurring in the discharge of duty, when the fee shall be paid by the Department. A medical report will be required at least once each week, if absence from duty should extend beyond that time; for a period less than three days the certificate of the Dredge Master, endorsed by the Inspector, shall be held to be sufficient.

Regulation 7.—Nothing in the foregoing Regulations shall prevent the Minister from dealing in the way of promotion or otherwise with any specially meritorious case which may be brought before him.

Regulation 8.—Any person who has been in the Dredge Service, but whose services have been dispensed with owing to a reduction in the number of hands, shall be eligible for reappointment to any suitable vacancy, anything in these Regulations to the contrary notwithstanding.

Regulation 9.—In the event of any misbehaviour being proved against any employé, but not of such a serious nature as to demand dismissal from the Service, the Engineer-in-Chief shall have the power to punish by fine or disratment as the circumstances of the case seem to him to warrant.

E. O. MORIARTY,
Engineer-in-Chief for Harbours and Rivers.

Approved,—JOHN LACKY,
Secretary for Public Works,
21st June, 1880. 30th July, 1880.

* Nothing in these Regulations shall be held to apply to the Masters of Dredges, respecting whom a wider choice of selection may be necessary.

† In the case of those already in the Service who do not hold such certificates, it shall be considered that they have "Service" certificates; but they will not be eligible for promotion unless they can obtain and produce certificates of "competency."

‡ Since these regulations were passed, the summer working hours have, by direction of Mr. Secretary Lacky, been reduced from ten to nine hours per day.

APPENDIX I—continued.

CLASSIFICATION of Dredge Service, 1st January, 1883.

Seniority Number.	Name.	Age.	Joined Service.	Years in Service.	Capacity.	Years in present capacity.	Salary per annum.	Where now employed.	Classification of Tug.	Qualification.
ENGINEERS—GRADE A—ENGINEERS OF TUGS.										
1	J. Blackadder	47	1875	7	Engineer	7	£ 240	Thetis	1st class	Certificate of competency by Marine Board of New Zealand, for "Lyttelton" steam vessel, while trading within the colony of New Zealand.
2	W. C. Bennett.....	40	1868	19	do	2	240	Ajax	do	
3	R. Steel.....	30	1881	1	do .....	...	240	Neptune ...	do	Certificate of competency by Marine Board of N.S.W., as 1st class engineer. No. 61.
4	W. Jones	30	1878	4	do .....	...	216	Ceres	do	Certificate of competency by Marine Board of N.S.W., as 1st class engineer. No. 74.
5	T. Thomas	44	1870	12	do	6	192	Achilles.....	2nd class.	
6	H. L. Worthington	37	1880	2	do	2	192	Dione	do	
7	W. Richardson.....	42	1875	7	do .....	...	192	Little Nell...	do	Certificate of competency by Marine Board of N.S.W., as 2nd class engineer. No. 103.
8	S. R. M'Arthur ...	32	1876	6	do	6	180	Cyclops	do	
9	W. V. Laing.....	28	1878	3	do .....	...	180	Charybdis...	3rd class	Certificate of competency by Marine Board of N.S.W., as 3rd class engineer. No. 131.
10	C. M'Laughlin.....	49	1872	10	do	10	144	Pearl	do	Certificate of competency by Marine Board of N.S.W., as 3rd class engineer. No. 5.
11	W. Jell	51	1877	5	do	4	144	Hector	do	Certificate of service, by Marine Board of N.S.W., as 2nd class engineer. No. 5.
12	C. Huxtable	42	1872	10	do .....	...	144	Seylla	do	Certificate of service, coast trade, by Marine Board of N.S.W., as 2nd class engineer. No. 4.
ENGINE-DRIVERS OF DREDGES—GRADE B.										
1	R. Farrell	44	1868	14	Engine-driver	9	156	Samson		Certificate of service, by Marine Board of N.S.W., as 2nd class engineer. No. 53.
2	*A. Tillot	39	1874	8	do	8	156	Newcastle.		
3	J. Gray	41	1873	9	do	7	156	Vulcan.		
4	J. Hartley.....	57	1858	24	do	1	156	Hunter.		
5	B. Salvatori	37	1879	3	do	3	144	Archimedes..		Certificate of competency by Marine Board of N.S.W., as 3rd class engineer. No. 480.
6	D. Daley	29	1879	3	do .....	...	144	Minos.		
7	P. Meaney	34	1860	22	do	2	144	Hercules.		
8	†W. L. Stearn	44	1873	9	do	9	144	Charon		Certificate of competency by Marine Board of N.S.W., as 3rd class engineer. No. 496.
9	J. Toomey... ..	40	1875	7	do .....	...	144	Ulysses		Certificate of competency by Marine Board of N.S.W., as 3rd class engineer. No. 48.
10	J. Glass.....	49	1873	9	do .....	...	144	Clarence.		
11	A. Johnson	51	1875	7	do	7	120	Titan		Certificate of competency by Marine Board of N.S.W., as 3rd class engineer. No. 10.
12	H. Walker	35	1878	4	do .....	...	120	Fitzroy.		
FIREMEN OF DREDGES AND TUGS—GRADE C.										
1	J. Hughes.....	51	1875	7	Fireman	7	144	Samson		†Certificate of competency by Marine Board of N.S.W., as 3rd-class engineer, No. 45.
2	J. Mather.....	28	1879	3	do	3	144	Vulcan.		
3	A. Blomadh... ..	43	1875	7	do	2	144	Hunter.		
4	G. Rees.....	41	1876	6	do .....	...	144	Newcastle		
5	J. Stevens	35	1874	8	do	8	132	Thetis.		
6	S. Fowles	44	1875	7	do	7	132	Ajax.		
7	D. M'Millan.....	63	1863	19	do	19	132	Pluto.		
8	R. Walker.....	56	1872	10	do	10	120	Fitzroy.		
9	J. Knight	31	1875	7	do	2	120	Achilles.		
10	E. M'Hugh	31	1875	7	do	7	120	Hercules.		
11	J. French	32	1876	6	do .....	...	120	Minos.		
12	T. Pankhurst	31	1877	5	do .....	...	120	Ceres		Certificate of competency by Marine Board of N.S.W., as 3rd-class Engineer. No. 473.
13	J. Kessell	50	1877	5	do	2	120	Charon.		
14	W. Rutherford ...	26	1878	4	do .....	...	120	Little Nell.		
15	J. Bryden	51	1878	4	do .....	...	120	Neptune ...		Certificate of competency by Marine Board of N.S.W., as 3rd-class engineer. No. 163.
16	J. Glog	35	1880	2	do	2	120	Ceres.		
17	C. Werninok.....	34	1873	9	do .....	...	120	Ulyse.		
18	S. Gibson	29	1881	1	do .....	...	120	Dione		Certificate of competency by Marine Board of N.S.W., as 3rd-class engineer. No. 335.
19	J. Gray	34	1881	1	do	1	120	Cyclops ...		Certificate of competency by Marine Board of N.S.W., as 3rd-class engineer. No. 292.
20	C. Boland.....	31	1875	7	do .....	...	120	Archimedes.		
21	J. Gardiner	22	1882	...	do .....	...	120	Charybdis.		
22	T. Breen	42	1881	...	do .....	...	120	Thetis.		
23	E. M'Hue	32	1882	...	do .....	...	120	Clarence ...		Certificate of competency by Marine Board of N.S.W., as 3rd-class engineer. No. 169.
24	T. Johnson	30	1882	...	do .....	...	120	Hector.		
25	C. Ingram.....	34	1882	...	do .....	...	120	Neptune.		
26	W. Warren	35	1882	...	do .....	...	120	Ajax.		
27	J. Scaton	35	1882	...	do .....	...	114	Titan.		
28	H. Tessier.....	24	1881	1	do	1	108	Pearl.		
29	H. Downie	29	1881	...	Fireman and Watchman	1	120	Cyclops.		

* Fourteen years' previous service engine-driving; left Service in 1873, and rejoined in 1874. † Ineligible for promotion until 6th August, 1883. ‡ 3½ years previous service. Left and re-employed.

APPENDIX I—continued.

Seniority number.	Name.	Age.	Joined service.	Years in service.	Capacity.	Years in present capacity.	Salary per annum.	Where now Employed.	Qualification.
MECHANICAL—GRADE A.—BLACKSMITHS, &C.									
1	E. Hutchings	47	1864	18	Blacksmith	18	£ 168	Hunter.	
2	W. E. Smith	36	1874	8	do	8	168	Vulcan.	
3	T. O. Toole	28	1876	6	Boilermaker	6	168	Newcastle.	
4	J. M'Call	29	1879	3	Blacksmith	3	168	Clarence.	
5	R. Fairchild	34	1882	...	do	...	168	Newcastle.	
6	D. Gallagher	32	1882	...	do	...	168	Samson.	
7	T. Pinkston	37	1874	8	do	8	156	Fitzroy.	
8	J. Hickey	43	1876	6	do	6	144	Titan.	
9	C. Shore	40	1874	8	do	3	144	Pluto.	
10	L. Nicoll	54	1875	7	Painter	7	132	Newcastle	*Certificate of competency by Marine Board of N.S.W. as master of a coast trade ship.
MECHANICAL—GRADE A.—CARPENTERS.									
1	J. Johnson	56	1860	22	Carpenter	22	144	Pluto.	
2	J. Morrison	48	1862	20	do	20	144	Vulcan	Certificate of competency by Marine Board, N.S.W., as mate of a coast trade ship. No. 236.
3	C. Gavey	46	1865	17	do	17	144	Newcastle.	
4	P. M'Carthy	56	1874	8	do	8	144	Hunter.	
5	R. Sim	62	1875	7	do	7	144	Hercules.	
6	† J. Smith	41	1878	4	do	4	144	Hunter.	
7	J. E. Thompson	40	1879	3	do	3	144	Fitzroy.	
8	W. Watson	32	1879	3	do	3	144	Clarence.	
9	E. Clark	38	1881	1	do	...	144	Samson.	
10	J. Davis	24	1882	...	do	...	144	Titan.	
11	A. Chutfield	25	1882	...	do	...	144	Ulysses.	
MECHANICAL—GRADE B.—STRIKERS, BOILERMAKERS' ASSISTANTS, MACHINE ATTENDANTS, &C.									
1	|| J. Kelly	38	1873	9	Striker	7	120	Samson.	
2	C. Hurt	31	1876	6	do	6	120	Newcastle.	
3	F. Bolin	41	1876	6	do	6	120	Hunter.	
4	W. Prior	37	1877	5	do	2	120	Newcastle.	
5	W. Cullen	26	1878	4	do	4	120	Titan.	
6	W. Scadden	22	1879	3	do	3	120	Clarence.	
7	T. Rowe	44	1875	7	do	2	120	Vulcan.	
8	J. Walsh	37	1881	2	Boilermakers' Assistant	2	120	Newcastle.	
9	A. Robertson	41	1870	12	Striker	12	120	Pluto.	
10	J. Aldous	42	1881	1	Engineers' Assistant	...	120	Minos.	
11	H. Daniels	35	1881	1	do	1	120	Clarence.	
12	Wm. Lloyd	25	1882	...	Hammerman, &c.	1	120	Beta.	
13	W. Woods	23	1878	4	Striker	4	104	Fitzroy.	
14	J. Cavill	23	1878	4	Oiler	1	104	Newcastle.	
15	T. Cronin	20	1878	4	Machine Attendant	...	75	do	
16	A. Puck	18	1882	...	Greaser	...	75	Dione.	
17	E. Hutchings	18	1880	2	Boilermakers' Assistant	...	60	Newcastle.	
NAUTICAL—GRADE A.—MASTERS OF TUGS.									
1	J. M. Hutton	53	1868	14	Master	14	240	Thetis	Certificate of competency by Marine Board, N.S.W.† as extra master of a foreign-going ship.
2	Temporary Master in charge.	...	...	...	do	...	240	Ajax	
3	R. Donald	45	1877	5	do	...	228	Neptune	Certificate of service by Marine Board, N.S.W., as master of a coast trade ship. No. 2. Certificate of competency as pilot for Sydney, Twofold Bay, Moruya, Newcastle, Wollongong, Macleay, Numbucora, Bellinger, Clarence, Shoalhaven, No. 993.
4	J. Williams	44	1859	23	do	2	216	Ceres	Certificate of service by Marine Board, N.S.W., as master of a coast trade ship. No. 195.
5	J. Bissett	56	1873	9	do	4	192	Achilles	Certificate of competency by Marine Board, N.S.W., as master of a foreign-going ship. No. 37. Pilotage certificate limited to vessels under 200 tons to Sydney and Newcastle ports, Marine Board, N.S.W. No. 147.
6	D. Harding	62	1875	7	do	2	192	Dione	Certificate of service by Marine Board, N.S.W., as master of a coast trade ship. No. 110.
7	F. Sheed	49	1880	2	do	2	192	Cyclops	Certificate of service by Marine Board, N.S.W., as master of a coast trade ship. No. 28.
8	G. Budd	55	1878	4	do	4	192	Charybdis	Certificate of service by Marine Board, N.S.W., as master of a coast trade ship. No. 65. Pilotage certificate, Marine Board, N.S.W., for Sydney and Newcastle. No. 578.
9	C. Adams	39	1870	12	do	...	192	Little Nell	Certificate of competency by Marine Board, N.S.W., as master of a coast trade ship.
10	J. Thain	44	1870	12	do	...	168	Hector	Certificate of competency as master of a coast-trade ship by Marine Board, N.S.W.
11	J. M'Dougall	48	1875	7	do	7	144	Scylla	Certificate of competency by the Lords of the Committee of Privy Council for Trade as master in the Merchant Service. Certificate of competency as pilot for ports of Sydney, Newcastle, and Twofold Bay.
12	A. Murray	34	1875	7	do	...	144	Pearl	Certificate of competency by Marine Board, N.S.W. as master of a coast trade ship. No. 128

* Entitled to precedence over No. 1 Coxswain. † 9 years previous service. ‡ 6 years previous service.

APPENDIX I—continued.

Seniority Number.	Name.	Age.	Joined Service.	Years in Service.	Capacity.	Years in capacity.	Salary per Annum.	Where now employed.	Qualification.
NAUTICAL—GRADE B—MATES OF DREDGES, &c.									
1	*S. Cronin	45	1858	24	Mate of Dredge	2	168	Newcastle.	
2	S. Hare	33	1870	12	do	12	168	Samson	Certificate of competency by Marine Board, N.S.W., as master of a coast-trade ship. No. 445.
3	T. Harland	66	1864	18	do	18	156	Vulcan	Master's certificate of service by Registrar-General of Seamen, London, by order of Board of Trade. Thirty-one years service in coasting and foreign trade as appl. mates and master. No. 73,860. Certificate of discharge as mate of s.s. "Xantho."
4	W. J. Rivers.....	43	1872	10	do	9	156	Archimedes..	Certificate of competency, Marine Board, N.S.W., as master of a coast-trade ship. No. 412.
5	†J. Parker	51	1872	10	do	3	156	Hercules.	
6	‡S. Malcolm	40	1873	9	do	2	156	Hunter	Certificate of competency as master of a coast-trade ship by Marine Board, N.S.W. No. 261
7	E. Ling	40	1872	10	do	2	156	Charon.	
8	R. W. Johns.....	51	1874	8	do	5	156	Titan.	
9	R. Birch	50	1877	5	do .....	...	156	Minos	Certificate of competency by Pilot Board of N.S.W. for the ports of Sydney, Newcastle, Manning, Macleay, and Richmond. No. 1,461. Certificate of service by Marine Board, N.S.W., as master of a coast-trade ship. No. 130.
10	D. McLaren	39	1871	11	do .....	...	156	Fitzroy	Certificate of service by Marine Board, N.S.W., as mate of a foreign-going ship.
11	L. Burnett	37	1873	9	do	1	156	Ulysses	Certificate of competency by Marine Board, N.S.W., as master of a coast-trade ship. No. 409.
12	A. Jack	38	1874	7	do .....	...	156	Clarence ...	Certificate of competency by Marine Board, N.S.W., as master of a coast-trade ship. No. 443.
13	A. Harding	41	1868	14	do .....	...	156	Pluto.	
14	W. George.....	40	1875	7	2nd mate .....	...	144	Newcastle.	
NAUTICAL—GRADE C—COXSWAINS.									
1	M. Sullivan	56	1852	30	Coxswain	28	120	Hercules.	
2	J. W. Justin	60	1860	22	do	22	120	Pluto.....	Certificate of competency by Marine Board, N.S.W., as master of a coast-trade ship. No. 450.
3	J. Sullivan	41	1867	15	do	14	120	Samson.	
4	J. Latimer	44	1863	19	do	14	120	do	
5	J. Ewen	47	1872	10	do	10	120	Hercules.	
6	W. Coulter	34	1874	8	do	7	120	Fitzroy.	
7	L. Beemer	41	1875	7	do	6	120	Newcastle ...	Certificate of competency by Marine Board, N.S.W., as master of a coast-trade ship. No. 364. Pilotage certificate, Marine Board, N.S.W., limited to vessels under 200 tons, and to the ports of Newcastle and Sydney. No. 379.
8	T. Jones	40	1875	7	do	6	120	Newcastle.	
9	C. Cain	25	1875	7	do	5	120	Titan.	
10	J. Collins	31	1875	7	do	4	120	Archimedes.	
11	G. Pritchard	34	1874	8	do	4	120	Hunter.	
12	J. Kahler	36	1875	7	do .....	...	120	Minos.	
13	W. Peterson	41	1875	7	do	1	120	Hunter.	
14	H. Bastian	36	1875	7	do	1	120	Charon	Certificate of competency by Marine Board of N.S.W. as Master of a Coast-trade ship. No. 517.
15	J. Sullivan	34	1875	7	do	1	120	Samson.	
16	J. Falconer	52	1875	7	do	1	120	Vulcan.	
17	M. Dempsey	30	1876	6	do	1	120	Ulyses.	
18	H. Thistleton	38	1876	7	do .....	...	120	Minos.	
19	J. Davies	43	1875	7	do	1	120	Clarence ...	Certificate of competency by Marine Board of N.S.W. as master of a coast-trade ship. No. 346. Pilotage certificate by Marine Board of N.S.W., limited to vessels under 100 tons, for Sydney, Newcastle, Wollongong, and Clarence River. No. 521.
20	J. Foley	50	1880	2	do .....	...	120	Charon	Pilotage certificate by Marine Board of N.S.W. for Sydney, Newcastle, Shoalhaven, Twofold Bay, and Wollongong (unlimited), No. 1,737. Certificate of service by Marine Board of N.S.W. as master of a coast-trade ship. No. 170.
21	T. Coote	36	1875	7	do .....	...	120	Vulcan.	
WINCHMAN.									
1	§W. Johns	49	1875	7	Winchman	2	120	Newcastle	Certificate of competency as master of a coast-trade ship by Marine Board of N.S.W. No. 520.
NAUTICAL—GRADE D.—A.B. SEAMEN, COOKS, AND WATCHMEN.									
1	J. Taylor	62	1868	14	L. Seaman .....	...	120	Thetis.	
2	J. Rogers	40	1875	7	do .....	...	120	Ajax	Certificate of competency by Marine Board of N.S.W. as master of a coast-trade ship. No. 486.
3	F. E. Suter	66	1859	23	Cook .....	...	104	Vulcan	Certificate of service as app. seaman and mate by Registrar-General of Seamen, London. No. 69,879.
4	D. McLean	63	1863	19	Seaman .....	...	104	Pluto.	
5	J. Lenehan	58	1865	17	Cook .....	...	104	Archimedes.	
6	W. Cabel	46	1872	10	Seaman .....	...	104	Hercules.	
7	T. Brown	32	1873	9	do .....	...	104	Neptunc ...	Certificate of competency by Marine Board of N.S.W. as master of a coast-trade ship.
8	J. Lewis	40	1873	9	do .....	...	104	Samson	Certificate of competency by Marine Board of N.S.W. as master of a coast-trade ship. No. 10. Pilotage certificate by Marine Board of N.S.W., limited to vessels under 50 tons, for Sydney, Newcastle, Wollongong, Twofold Bay, and Manning, Macleay, and Clarence Rivers. No. 54.
9	M. Wood	42	1874	8	Watchman .....	...	104	Vulcan.	
10	B. Meekin.....	67	1875	7	do .....	...	104	Newcastle.	
11	J. Edwards	51	1875	7	do .....	...	104	Samson.	

*Carpenter "Hercules," for ten years before being appointed mate of "Samson."

†Four years second captain of "Ajax" during night work.

‡Three years 2nd captain of "Thetis" during night work.

§ Entitled to precedence over No. 7 Coxswain.

APPENDIX I—continued.

Seniority Number.	Name.	Age.	Joined Service.	Years in Service.	Capacity.	Years in present capacity.	Salary per Annum.	Where now employed.	Qualification.
NAUTICAL—GRADE D.—A. B. SEAMEN, COOKS, AND WATCHMEN—continued.									
12	J. Burnett	52	1875	7	Watchman	...	104	Archimedes.	
13	H. Fourneux	41	1875	7	Seaman	...	104	Hunter.	
14	R. Barry	39	1875	7	do	...	104	Ajax.	
15	J. Burl	42	1876	6	Brakcsman	...	104	Newcastle.	
16	J. Arthurson	39	1876	6	Seaman	...	104	Titan.	
17	J. Rufus	40	1876	6	do	...	104	Newcastle.	
18	W. Clarke	34	1876	6	do	...	104	Vulcan.	
19	H. Anderson	48	1877	5	do	...	104	Charon.	
20	* W. Bowers	46	1876	6	Cook	...	104	do	
21	W. Ward	40	1877	5	Seaman	...	104	Hunter.	
22	J. Fitzmons.	39	1877	5	Watchman	...	104	do	
23	F. Smith	30	1877	5	Seaman	...	104	Little Nell.	
24	E. Darragh	32	1877	5	do	...	104	Archimedes.	
25	J. Parker	38	1877	5	do	...	104	Newcastle.	
26	W. Bates	42	1875	7	Cook	...	104	Hunter.	
27	J. Briakworth	28	1877	5	Seaman	...	104	Samson.....	Certificate of competency by Marine Board, N.S.W., as master of a coast-trade ship No. 448.
28	G. Simmons	57	1876	6	do	...	104	Hercules.	
29	W. J. Rivers	22	1877	5	do	...	104	Charon.	
30	B. Gane	42	1877	5	do	...	104	Little Neil.	
31	J. Ferguson	43	1878	4	do	...	104	Clarence.	
32	H. Ward	33	1878	4	do	...	104	Fitzroy.	
33	J. Williams	39	1878	4	do	...	104	Minos.	
34	† G. Thorpe	38	1878	4	do	...	104	Samson.	
35	P. Foster	42	1878	4	Ladderman	...	104	Clarence.	
36	J. Oliver	30	1878	4	Cook	...	104	Newcastle.	
37	F. Boolin	58	1878	4	Seaman	...	104	Archimedes.	
38	† W. Jones	43	1878	4	do	...	104	Hercules.	
39	R. Fell	21	1878	4	do	...	104	do	
40	† H. Howell	27	1878	4	do	...	104	do	
41	C. Dutch	58	1880	2	Watchman	...	104	Charon.	
42	M. Georgeson	34	1875	7	Cook	...	104	Pluto.	
43	§ C. Coomber	35	1877	5	do	...	104	Hercules.	
44	J. Mercer	47	1881	1	Seaman	...	104	Ceres.	
45	M. Egan	40	1881	1	do	...	104	Hunter.	
46	T. Braden	30	1881	1	Cook and Seaman	...	104	Dione.	
47	R. Bracy	35	1881	1	Seaman	...	104	Newcastle.	
48	T. D. A. Carpenter	43	1882	...	do	...	104	Vulcan.	
49	D. Phillips	32	1881	1	do	...	104	Cyclops.	
50	H. Ewing	...	1881	1	do	...	104	Ulysses.	
51	S. McKeo	25	1881	1	do	...	104	Dione	
52	W. Knaggs	36	1881	1	Cook	...	104	Minos.	
53	W. Millar	29	1881	1	Seaman	...	104	Hunter.	
54	W. R. Russell	24	1881	1	do	...	104	Cyclops.	
55	J. Clifford	30	1881	1	do	...	104	Ulysses.	
56	W. Towns	24	1881	1	do	...	104	do	
57	J. Rossiter	24	1881	1	do	...	104	Thetis.	
58	E. J. Nicholas	35	1882	...	do	...	104	Beta.	
59	H. W. Parker	34	1882	...	do	...	104	Vulcan.	
60	J. W. Bratten	22	1882	...	do	...	104	Thetis.	
61	W. Hughes	31	1882	...	do	...	104	Clarence.	
62	C. Boore	26	1882	...	do	...	104	do	
63	A. Cameron	23	1882	...	do	...	104	Fitzroy.	
64	D. Adams	30	1882	...	do	...	104	Minos.	
65	T. Sorrell	33	1882	...	Cook and seaman	...	104	Neptunc.	
66	J. Underhay	23	1882	...	Seaman	...	104	do.	
67	J. Tyrrell	22	1880	2	do	...	104	Achilles.	
68	J. Mackison	26	1882	...	Cook and seaman	...	104	Thetis.	
69	W. Anderson	23	1882	...	Seaman	...	104	Charybdis.	
70	F. Johnson	31	1882	...	do	...	104	Titan.	
71	A. Johnson	28	1882	...	do	...	104	Hector.	
72	A. Anderson	34	1882	...	do	...	104	Ajax.	
73	W. Nicholson	28	1882	...	do	...	104	Neptune.	
74	S. Strain	30	1882	...	do	...	104	Clarence.	
75	W. Sayers	58	1867	15	Watchman	...	104	Hercules	Certificate of competency as Pilot for Sydney for any steam-vessel (of which he may be master) wholly engaged in coasting, and does not exceed 8 feet draught of water. No. 913.
76	T. Bourke	21	1882	...	Seaman	...	104	Samson.	
77	J. Langdon	30	1882	...	Cook	...	96	Titan.	
NAUTICAL GRADE E.—BOYS.									
1	J. Hughes	18	1880	2	Boy	2	75	Archimedes.	
2	G. Price	19	1879	3	do	3	75	Fitzroy.	
3	P. Moran	19	1880	2	do	2	75	Charon.	
4	C. Porter	17	1881	1	do	1	75	Achilles.	
5	T. Risk	16	1882	...	do	...	60	Samson.	

* Ten years' previous service. † 3½ years' previous service. ‡ 4 years' previous service. § 2 years' previous service.

APPENDIX J.

List of Dredges, Tugs, and Punts, now in commission, with estimated value.

Dredge, Tug, and Punts.	Where working.	Estimated present value.	Name of Master.	Dredge began to work.
"Newcastle" "Ajax" 3 iron 400-ton punts	Newcastle Harbour.....	£ 45,000	Jas. Rorison	1875
"Samson" "Thetis" 3 do. 350 do.	Sydney Harbour	34,200	John Laing	1868
"Vulcan" "Dione" 2 do. & 1 wood punts	Fisher's Crossing, Hunter River.	23,000	John Fyfe.....	1864
"Hunter" "Cyclops" 5 wooden punts	Newcastle Harbour.....	19,000	Joseph Mather.....	1859
"Hercules" "Ceres" 3 iron punts	Sydney Harbour	23,500	Alexr. Halkett	1842
"Fitzroy" ——— 2 do.	Macleay River	12,500	John Hamilton.....	1870
"Pluto" "Pearl" 2 do.	Shoalhaven River.....	10,000	Thos. Brodie.....	1862
"Clarence" "Little Nell" 2 do.	Clarence River	23,000	John Robertson ...	1877
"Archimedes" "Scylla" 1 iron & 1 wood punt	Hawkesbury River	10,000	D. S. Kirkwood ...	1878
"Titan" "Hector" 4 wooden punts	Myall River	6,500	John Ryan	1872
"Charon" "Achilles" 2 iron punts.....	Sydney Harbour	11,600	Henry Orr	1881
"Ulysses" "Charybdis" 2 do.	Manning River.....	14,600	John Carruthers ...	1882
"Minos" ——— 2 do.	Sydney Harbour	11,600	John Mather	1882
"Neptune" Steam hopper barge	Sydney Harbour	12,000		1882
Ten close bottom punts not attached to any particular dredge	Sydney Harbour	7,000		
	TOTAL	263,500		

APPENDIX K.

STATEMENT giving a list of the Dredging Plant now under construction, with the names of the Contractors, Amount of the Contracts, and specified date of completion.

Particulars of Plant now under construction.	Name of Contractors.	Amount of Contract.	Specified date of completion.
One steam hopper barge for Dredge Service	Mort's Dock and Engineering Company.	£ s. d. 10,237 10 0	31 March, 1882.
Four 240 tons hopper silt punts	Do. do. ...	11,000 0 0	{ 1st punt on 9 May, 1883. 2nd " 9 Aug. " 3rd " 9 Nov. " 4th " 9 Feb., 1884.
Small steam tug for Coast Lake Dredges	Being built at the Fitzroy Dock.	.....

APPENDIX L.

SCHEDULE to Dredge Service Estimate, showing probable expenditure of Vote, but contingent on such alterations (within the limits of the Vote) as the exigencies of the Service may from time to time demand.

NOTE.—Any alterations from the arrangements of 1882 are shown in the notes below Where there are no references to notes, the rates, &c., for 1882 have been adhered to for 1883.

Designation of Office.	"Newcastle" working 2 ladders.		"Samson" working 2 ladders.		"Hunter" working 2 ladders.		"Vulcan."		"Hercules."		"Archimedes."		"Titan."		"Fitzroy."		"Pluto."		"Clarence."		"Charon."		"Ulysses."		"Minos."		Total	
	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£		
Inspector of Dredges	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	400
* Clerk	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	250
Masters and Chief Engineers	1	325	1	325	1	325	1	300	1	800	1	800	1	800	1	275	1	275	1	275	1	275	1	275	1	275	275	
Mates	1	at 163 812	1	at 168 812	1	at 168 812	1	at 156 156	1	at 156 156	1	at 156 156	1	at 156 156	1	at 156 156	1	at 156 156	1	at 156 156	1	at 156 156	1	at 156 156	1	at 156 156	156	
Coxswains	2	at 120. 240	2	at 120. 360	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	120	
Seamen	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 312	2	at 104. 520	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	104. 312	
Engineers	1	156	1	156	1	156	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	144	
Firemen	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	144	
Blacksmiths	1	168	1	168	1	168	1	168	1	168	1	168	1	168	1	168	1	168	1	168	1	168	1	168	1	168	168	
Strikers	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	2	at 120. 240	120	
Carpenters	1	144	1	144	2	at 144. 288	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	1	144	144	
Painters	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	182	
Winchmen	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	120	
Brakesmen	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	2	at 104. 208	104	
Oilers	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	104	
Cooks	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	104	
Watchmen	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	104	
Leading Boiler-maker	1	180	1	180	1	180	1	180	1	180	1	180	1	180	1	180	1	180	1	180	1	180	1	180	1	180	180	
Boiler-makers	1	108	1	108	1	108	1	108	1	108	1	108	1	108	1	108	1	108	1	108	1	108	1	108	1	108	108	
Boiler-makers & Engineer's Assistants	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	120	
Boys	25	at 75. 150	1	60	16	2233	14	1948	15	1882	11	1451	12	1596	12	1600	9	1299	16	2067	11	1426	11	1479	11	1495	24077	
WAGES OF CREWS OF TUGS.																												
Masters	1	"Ajax" 240	1	"Thetis" 240	1	"Diomedes" 192	1	"Cyclops" 192	1	"Ceres" 216	1	"Scylla" 144	1	"Hector" 168	1	"Charybdis" 192	1	"Pearl" 168	1	"Little Nell" 204	1	"Achilles" 192	1	1	1
Leading Seamen	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	120	
Seamen	3	at 104. 312	3	at 104. 312	2	at 104. 208	2	at 104. 208	2	at 104. 208	1	144	1	104	1	104	1	104	1	104	1	104	1	104	1	104	104	
Engineers	1	240	1	240	1	192	1	192	1	216	1	144	1	168	1	192	1	168	1	192	1	192	1	192	1	192	192	
Leading Firemen	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	1	182	182	
Firemen	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	1	120	120	
Cooks	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	1	104	104	
Boys	1	.....	1	.....	1	75	1	60	1	75	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	1	.....	.....
Contingencies of Dredges and Tugs.																												
Coals, stores, repairs, renewals, and all other incidental expenses	.....	£ 3,894	.....	£ 4,000	.....	£ 3,000	.....	£ 2,000	.....	£ 2,000	.....	£ 2,000	.....	£ 1,500	.....	£ 2,000	.....	£ 1,500	.....	£ 2,000	.....	£ 2,000	.....	£ 1,200	.....	£ 1,200	27794
To provide for salaries, stores, and all other incidental expenses for two new Steam Hopper Barges and one new Steam Tug which will be in service during 1883, and for emergencies	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4000
The Dredges are at present stationed as under:—																												
"Samson" } Sydney.																												
"Hercules" } Sydney.																												
"Charon" } Sydney.																												
"Archimedes" } Hawkesbury River.																												
"Titan" } Myall River.																												
"Pluto" } Shoalhaven River.																												
"Newcastle" } Newcastle.																												
"Hunter" } Newcastle.																												
"Vulcan" } Hunter River.																												
"Fitzroy" } Macleay River.																												
"Ulysses" } Manning River.																												
"Minos" } Mortyna River.																												
"Clarence" } Clarence River.																												
Total																											£ 63,224	

Temporary addition of 10% on salaries and wages to meet increased cost of living

£ 33123

£ 3312

£ 36435

£ 27794

£ 4000

£ 63224

£ 63524

£ 63524

£ 8312

£ 64917

£ 68229

£ 8312

£ 9178

£ 4705

£ 13883

£ 9178

£ 4705

£ 1,200

£ 1,200

£ 1,479

£ 1,495

£ 4,000

£ 3,312

£ 13,883

£ 9,178

£ 4,705

* Last year this was £180, but the man then holding the position was promoted and the salary was reduced to £168, to assimilate it with the rates paid to the blacksmiths of the other double ladder Dredges.

† An increase of £1 per month has been made in the leading boiler-maker's wages, owing to the varied duties he has to perform.

‡ It is proposed to increase the salary of the mate of the "Hunter" from £156 to £168, being the rate given to the mates of the other Dredges working two ladders.

§ Much inconvenience and expense having arisen by interchanging the engineers, firemen, and cooks of the second and third class Dredges, as they became entitled to promotion, it is proposed to place the wages of these men in their respective classes at a uniform rate, the duties being similar. The engineers of the "Titan" and "Pearl" will therefore, under this arrangement, be increased from £120 to £144 per annum; the firemen of the "Titan" and "Pearl" from £114 and £108, respectively, to £120 each; and the cooks of the "Titan" and "Fitzroy" from £90 to £104.

|| Boys are interchanged in Dredges and Tugs as the requirements of the Service or promotion may demand. Last year there were nine boys at £75, one at £60, and four at £50. It is now proposed to give nine £75, four £60, and one £50; showing a total increase of £30.

¶ The "Pearl" being now a sea-going tug, it is thought desirable to increase the salaries of the master and engineer from £144 to £168 per annum respectively.

‡ The "Hunter's" contingent vote is increased from £2,000 to £3,000, necessitated by reason of her working two ladders instead of one as formerly, thus requiring extra tug power.

§ Last year this amount was £9,178, which included the expenses of the Dredges "Ulysses" and "Minos" not then scheduled, which is done in this Estimate.

|| £225 was the estimated expenditure under this heading for last year, but it was subsequently found desirable to increase it to £250 from the beginning of 1882.

¶ Tugs at present attached to the other Dredges will be liberated to attend these when the Steam Hopper Barges are at work.

‡ The "Archimedes" is really a third class Dredge, but the master being one of the oldest in the Service it was not thought fair to reduce his salary to £275, the rate which by the new regulations is affixed to that class of Dredge. That rating will, however, take place on the occasion of the first change in the command.

The total increase of £4,705 on last year's Estimates is made up as follows:—

Temporary addition of 10 per cent. on Salaries and Wages to meet increased cost of living

Salaries, Wages, and Contingencies (irrespective of date of claims)

TOTAL

63,524

64,917

£68,229

8,312

APPENDIX M.

List of Principal Officers at present in the Dredge Service.

Name.	Division.	Office.	Dredge.	Date of first appointment in Public Service.	Salary.	Remarks.
A. B. Portus .....	.....	Inspector .....	.....	Appointed Inspector 28 April, 1880. *	£ 400 per annum...	* Previously held an appointment as Dredge Master for 14½ years.
T. J. Cremen .....	.....	Clerk .....	.....	Appointed Clerk 1 January, 1882. †	250 "	† Previously held an appointment as Clerk in another Department of the Harbours and Rivers Office for 4½ years.
John Laing.....	A 1	Engineer and Master	Samson	1 August, 1868 ...	325 "	
James Rorison ...	A 2	" "	Newcastle	1 May, 1870	325 "	
Joseph Mather ...	A 3	" "	Hunter	22 Sept., 1874	325 "	
D. S. Kirkwood	B 1	" "	Archimedes	1 Nov., 1864	300 "	
Alexr. Halkett ...	B 2	" "	Hercules	23 Sept., 1872	300 "	
John Fyfe	B 3	" "	Vulcan	15 Nov., 1876	300 "	
Henry Orr	C 1	" "	Charon	June, 1868	275 "	
John Robertson ..	C 2	" "	Clarence	April, 1875	275 "	
John Carruthers...	C 3	" "	Ulysses	October, 1873 ...	275 "	
Thomas Brodie ...	C 4	" "	Pluto	June, 1877	275 "	
John Hamilton ...	C 5	" "	Fitzroy	March, 1881 ...	275 "	
John Ryan	C 6	" "	Titan	July, 1875	275 "	
John Mather	C 7	" "	Minos.....	February, 1882	275 "	

APPENDIX N.

The Harbour Master, Newcastle, to The President, Marine Board.

Sir,

Harbour Office, Newcastle, 16 June, 1882.

I have the honor to forward for your information copies of soundings in the fairway of this harbour, taken under favourable circumstances, 27/4/81 and '82, which shows a steady increase in the depth of water over those taken in 1880. This serves to confirm my opinion expressed in letter on that subject dated 30/4/80. The increased depth of water is owing to the very large amount of dredging done in the harbour, thereby admitting a large volume of water, which has greatly increased the scouring influence between the Southern Breakwater and the Northern Retaining Wall (or Breakwater). The latter has had the effect of removing a large sand-spit, which was partly above water, running out from Scott's Point, and caused a very dangerous eddy that does not now exist. Where it was dry, there is now 8 feet of water at low tide, and I have no doubt that, if the Retaining Wall is kept in repair, there will soon be 20 feet, thus giving about 150 feet more width in the narrowest and most intricate part of the harbour.

The North Channel still continues to increase in depth through the same influence. I may note that the much dreaded Oyster Bank, abreast of Nobby's, is now a thing of the past: where there was only 7 feet there is now 19. All these increased depths in the fairway and North Channel, where the dredges have never been employed, must be the result of extensive dredging in the harbour, which has caused a great scour in the fairway, as already expressed.

I have also forwarded copies of soundings taken across the harbour in 1860, with those taken on the same lines of bearings in May, 1882; which must be interesting to all concerned, as they show the enormous quantity of silt that has been removed, to obtain the present accommodation. You will observe the position of the Red Buoy on the south elbow of the Horse-shoe, where there was only 4½ feet, there is now 20 feet at low-water; also, the White Buoy on the north arm of the Horse-shoe, where there was 10 feet there is now 21 feet at low-water. Both of these buoys have been removed, being no longer required. The deep water extends a considerable distance to the westward beyond what is shown on the chart, until the end of the high-level coal staiths comes in line with cathedral.

Within a short distance off the wharf, there is not less than 23 feet across the harbour, over a sand-bank that formerly dried at low-water (see chart enclosed); but, notwithstanding all that has been done, a great deal more space is required to meet the requirements of the large ships and steamers now visiting this port.

It was only a few days ago that 50,000 tons of shipping were safely moored in this port (which proves its capabilities), that a few years ago was a mass of sand-banks forming dangerous eddies and intricate navigation. Such is the result of judicious engineering, which has made this once dreaded harbour to be perfectly secure, and safe to enter or leave by day or night.

I have, &c.,

D. T. ALLAN,

Harbour Master.

The Marine Board submits that this letter, with the accompanying plans, may be forwarded for the information of the Engineer-in-Chief for Harbours and Rivers.—By order, G.L., 20/6/82. The Under-Secretary for Finance and Trade.

I have read this report with much pleasure, and it may now, with accompanying plans, be forwarded to the Secretary for Public Works (first making a copy and retaining it for my information), for the information of his department.—J.W., 24/6/82.

The Under-Secretary for Public Works, with plan.—B.C., G.E., 26/6/82.

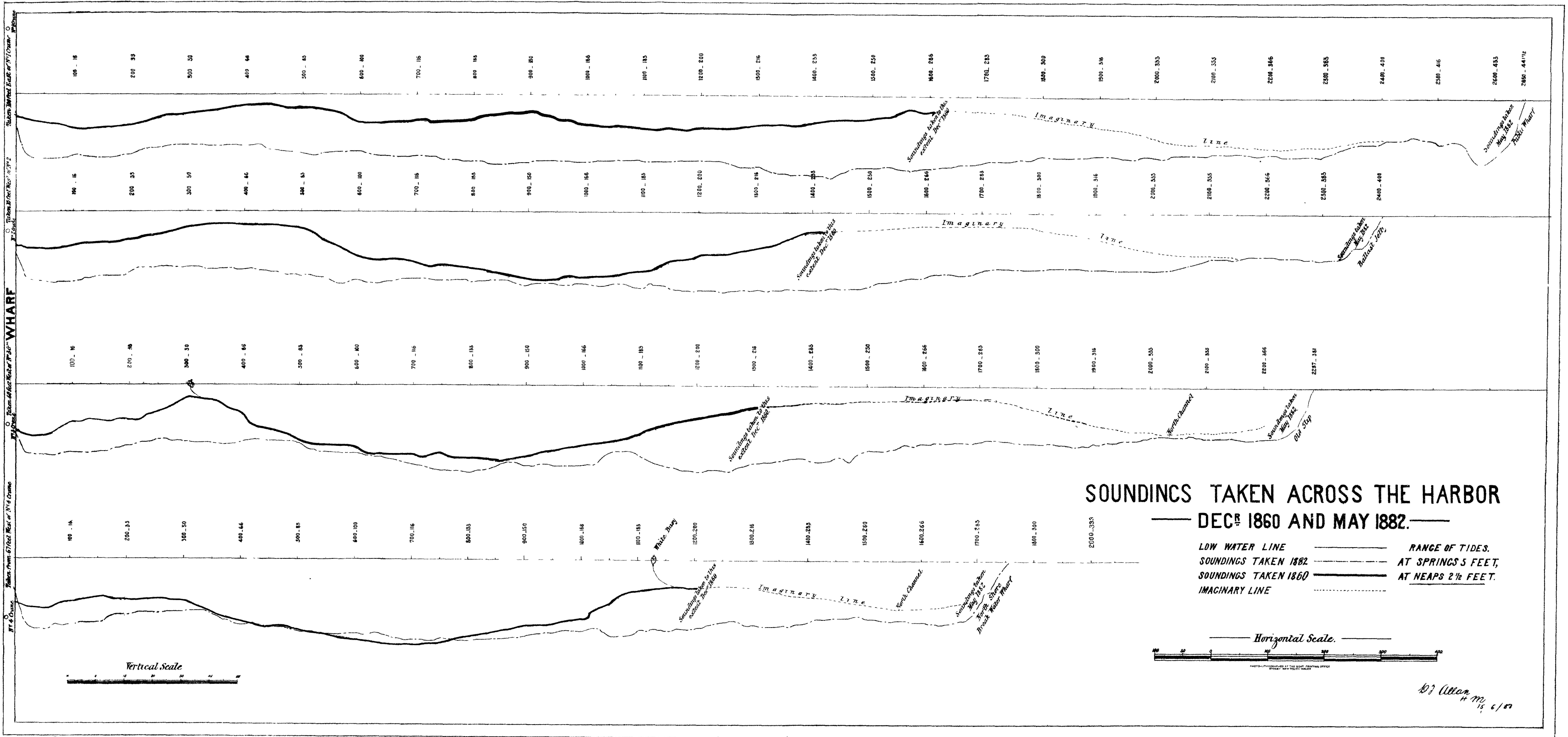
Harbours and Rivers, with plan.—B.C., J.R., 28-29/6/82.

Noted. I was already aware of the improvements which have taken place in Newcastle.—E.O.M., 29/6/82.

[One diagram and four plans.]

Sydney: Thomas Richards, Government Printer.—1883.

[3s. 6d.]



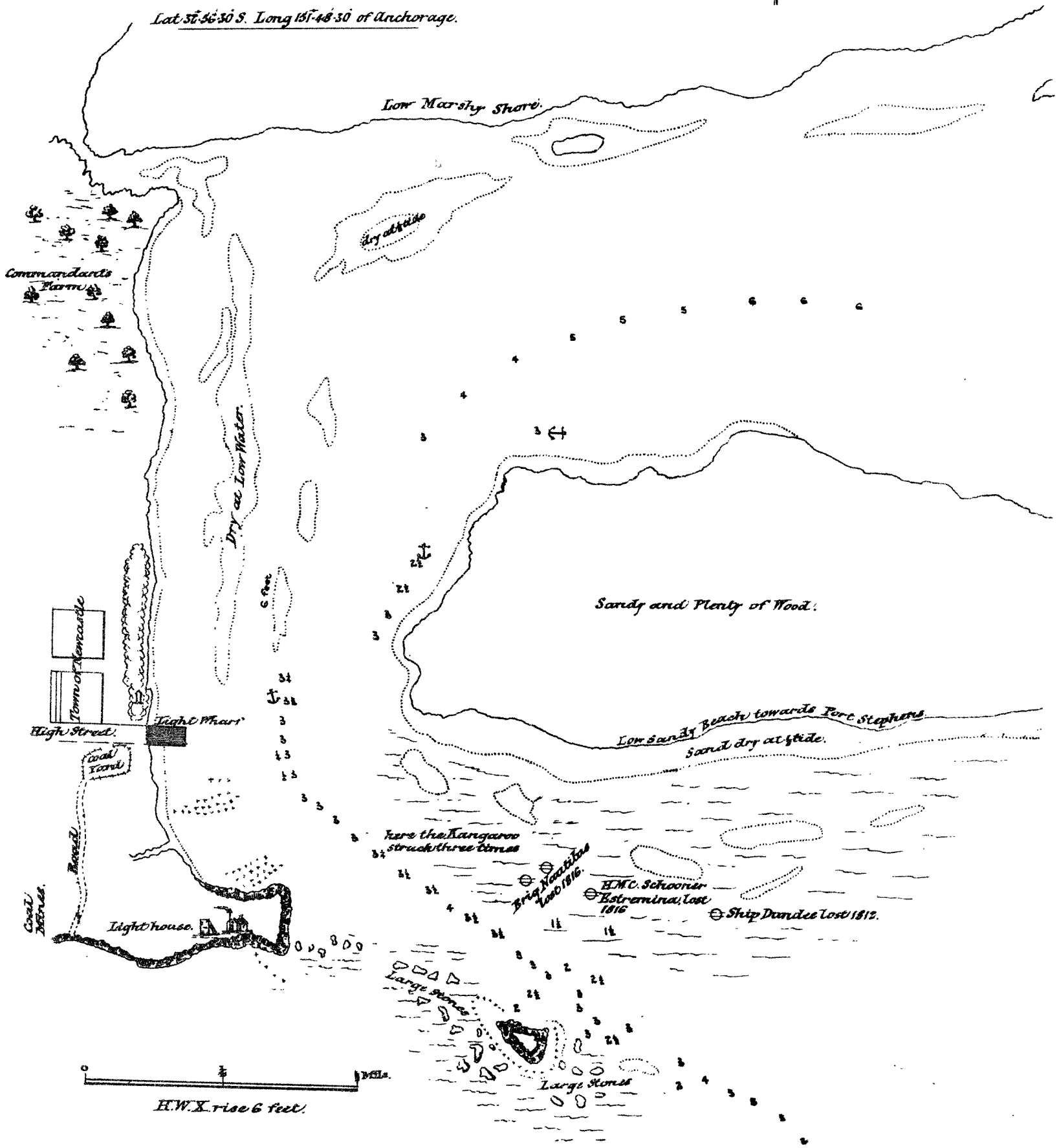
W. Allen
 15 6/82

PLAN
OF PART OF HUNTER'S RIVER (OR THE COAL RIVER)
 — Surveyed by Lieut C. Jeffries (a) Commander of —
 — H.M.C. Brig Kangaroo. —
 — March 1816. —

Somerset
 July 24. 1813



Lat 35° 56' 30" S. Long 151° 48' 30" of Anchorage.



PLAN OF THE PORT OF NEWCASTLE

REDUCED FROM RECENT SURVEYS BY OFFICERS OF THE HARBOURS & RIVERS DEPARTMENT.
 OUTER SOUNDINGS BY CAPTN. F. W. SIDNEY, R.N.
 Inner Soundings Corrected to May, 1882.

1883.

Soundings are shown in Feet, reduced to Low Water Spring Tides.

Contour Lines shown thus { 1 Fathom

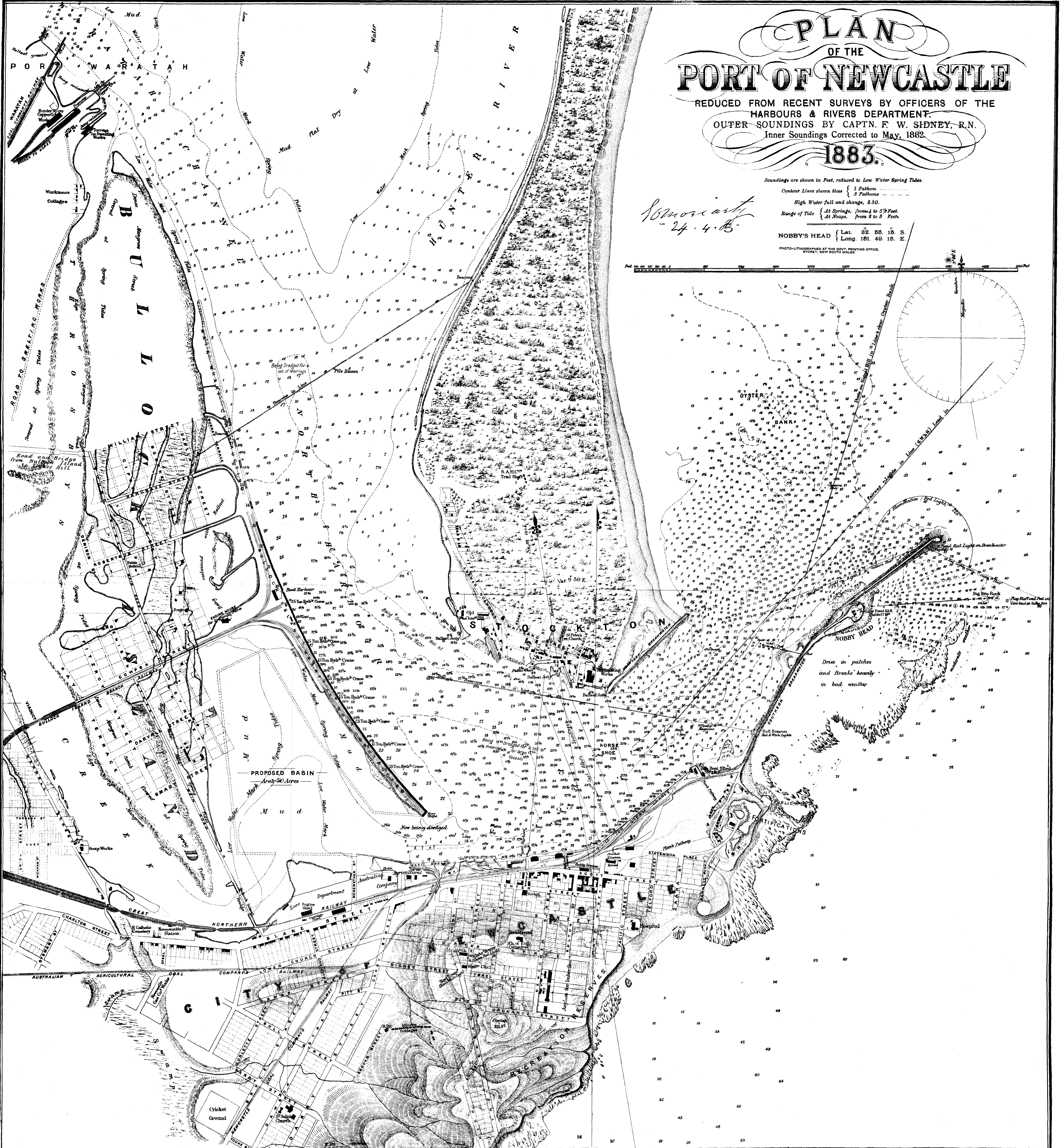
High Water full and change, 8.50.

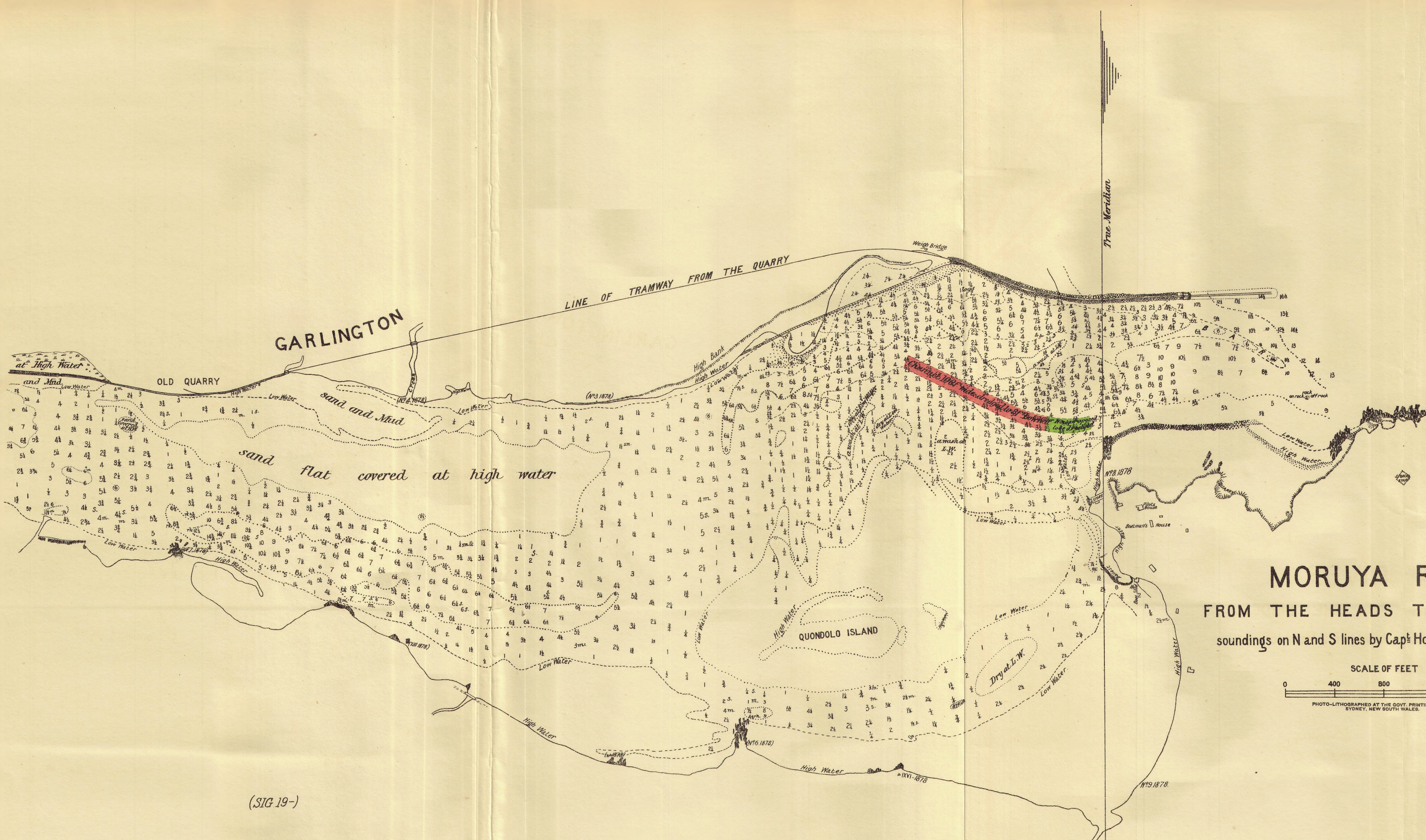
Range of Tide { At Springs, from 4 to 5 1/2 Feet.
 At Neaps, from 2 to 3 Feet.

NOBBY'S HEAD { Lat. 32. 55. 15. S.
 Long. 151. 49. 15. E.

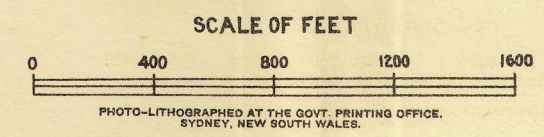
PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE, SYDNEY, NEW SOUTH WALES.

Reminiscence
 - 24.4.83





MORUYA RIVER
 FROM THE HEADS TO THE BRIDGE
 soundings on N and S lines by Cap^t Howard R.N. March 1882.



H. Monarty
 April 24/83

(SIG. 19-)

1883.

NEW SOUTH WALES.

WHARFAGE AND TONNAGE RATES ACT OF 1880.

(ADDITIONAL REGULATION UNDER.)

Presented to Parliament, pursuant to Act 44 Vic. No. 8, sec. 14.

ADDITIONAL WHARF REGULATION.

The Treasury, New South Wales, 18th December, 1882.

It is hereby notified, for general information, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to frame the following "Additional Wharf Regulation," under and pursuant to the provisions of the Act 44 Vic. No. 8.

JAMES WATSON.

ADDITIONAL REGULATION UNDER THE "WHARFAGE AND TONNAGE RATES ACT OF 1880"
(44 VIC. No. 8.)

RESTRICTION OF USE OF BOATMEN'S STAIRS.

No vessel shall berth at the Stairs or any other part or portion of any public wharf which is, or may hereafter be, set aside for use only by the boats of Licensed Watermen and other rowing boats, except permission to do so shall have been previously obtained from the officer in charge of such Public Wharf; and the owner or master of any vessel other than those specified, occupying or attempting to occupy the same for the landing or embarking of passengers, or for other purposes, without such permission as aforesaid, shall be subject to a penalty of ten pounds for each offence, the procedure for recovering which shall be in accordance with that of the regulations for the management of the Public Wharfs, published in Government Gazette, No. 344, of 24th August, 1880.

1883.

NEW SOUTH WALES.

MERCHANT SHIPPING ACTS, 1854 TO 1880.

(DESPATCH RESPECTING AMENDMENT OF.)

Presented to Parliament by Command.

The Treasury, New South Wales,
10th January, 1883.

His Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, transmitting copy of the Imperial Act, 45 and 46 Victoria, cap. 76, passed in the late Session of the Imperial Parliament to amend the Merchant Shipping Acts 1854 to 1880, with respect to Colonial Courts of Inquiry.

GEORGE R. DIBBS.

(Circular.)
Sir,Downing-street,
25th September, 1882.

I have the honor to transmit to you, for the information of your Government, a copy of the Imperial Act, 45 and 46 Victoria, cap. 76, passed in the late Session of Parliament to amend the Merchant Shipping Acts, 1854 to 1880, with respect to Colonial Courts of Inquiry.

I have, &c.,
KIMBERLEY.The Officer Administering
the Government of New South Wales.

CHAPTER 76.

An Act to amend the Merchant Shipping Acts, 1854 to 1880, with respect to Colonial Courts of Inquiry. [18th August, 1882.]

WHEREAS it is expedient to amend the Merchant Shipping Acts, 1854 to 1880, 17 & 18 Vic., c. 104, &c., with respect to Inquiries held in British possessions abroad into charges of incompetency or misconduct on the part of masters, mates, or engineers of ships, or into shipwrecks or other casualties affecting ships:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Merchant Shipping (Colonial Inquiries) Act, 1882.

Construction of Act.

2. This Act shall be construed as one with the Merchant Shipping Act, 1854, and the Acts amending the same, and the said Acts and this Act may be cited collectively as the Merchant Shipping Acts, 1854 to 1882.

Colonial Courts or tribunals to have jurisdiction to make inquiry into charges of misconduct or incompetency and shipping casualties in certain cases occurring outside the limits of the colony.

3. Every court or tribunal which is already authorised or which may hereafter be authorised by the legislative authority in any British possession to make inquiry into charges of

incompetency or misconduct on the part of masters, mates, or engineers of ships, or as to shipwrecks or other casualties affecting ships, shall in the cases following, that is to say,—

- I. When the incompetency or misconduct has occurred on board of a British ship on or near the coasts of the British possession or on board of a British ship in the course of a voyage to a port within the British possession:
- II. When the incompetency or misconduct has occurred in any part of the world on board a British ship registered in the British possession:
- III. When the shipwreck or casualty occurs to a British ship on or near the coasts of the British possession or to a British ship in the course of a voyage to a port within the British possession:
- IV. When the shipwreck or casualty occurs in any part of the world to a British ship registered in the British possession:
- V. When the master, mate, or engineer of a British ship who is charged with incompetency or misconduct on board of such British ship is found in the British possession:
- VI. When some of the crew of a British ship which has been wrecked or to which a casualty has occurred, and who are competent witnesses to the facts, are found in the British possession:

Wherever the incompetency, misconduct, shipwreck, or casualty has occurred, have the same jurisdiction as such court or tribunal would have had if such incompetency, misconduct, shipwreck, or casualty had occurred within the ordinary jurisdiction of such court or tribunal, but subject to all provisions, restrictions, and conditions which would have been applicable if they had so occurred: Provided that no inquiry shall be held under this Act into any shipwreck, or other casualty, or charge of incompetency or misconduct, which has once been the subject of such an inquiry and has been reported on by any competent court or tribunal in any part of Her Majesty's dominions, or in respect of which the certificate of a master, mate, or engineer has been suspended or cancelled by a naval

court; and provided also, that where any inquiry has been commenced in the United Kingdom no inquiry shall be made in the same case under the authority of this Act in any British possession.

In all the above cases the "British possession" shall mean the British possession by the legislative authority whereof the court or tribunal is authorised to make inquiry.

Colonial legislative authorities empowered to authorise inquiries into shipping casualties and charges of misconduct and incompetency in certain cases.

4. The legislative authority in any British possession is hereby empowered to authorise courts or tribunals to make inquiries in the cases enumerated in the last preceding section of this Act into charges of incompetency or misconduct on the part of masters, mates, or engineers of ships, or as to shipwrecks or other casualties affecting ships, subject to the provisions in the last preceding section of this Act mentioned.

Suspension or cancellation of certificates.

5. The powers of suspending or cancelling the certificate of any master, mate, or engineer of a ship, conferred by the provisions of the Merchant Shipping Acts, 1854 to 1880, upon or after any inquiry or investigation held under the provisions of the said Acts, shall be applicable to and be exercised upon or after any inquiry by any court or tribunal authorised by this Act, or authorised by the legislative authority of any British possession under the powers conferred by this Act. Such power of suspension or cancellation shall be exercised by the court or tribunal holding the inquiry in the manner provided by section twenty-three of the Merchant Shipping Act Amendment Act, 1862, 25 and 26 Vic., c. 63, and the Board of Trade shall in such cases have all the powers conferred upon them by the said section.

Appeal from Colonial Courts.

6. Whenever any inquiry authorised by or in pursuance of this Act has been held, a rehearing of the case may be ordered, and if an application for such rehearing has not been made or has been refused, an appeal shall lie from any order of finding of the court or tribunal holding such inquiry to the following court, namely, the Probate, Divorce, and Admiralty Division of Her Majesty's High Court of Justice in England:

Provided always, that no appeal shall lie from any order or finding in an inquiry into a casualty affecting a ship registered in a British possession, or from any decision respecting the suspension or cancellation of the certificate of a master, mate, or engineer, unless such certificate has been granted under the authority of the Merchant Shipping Act, 1854, or any Act amending the same, or of the Merchant Shipping Colonial Act, 1869, 32 and 33 Vic., c. 11.

Any such appeal shall be subject to and conducted in accordance with such conditions and regulations as may from time to time be prescribed by general rules made under section thirty of the Merchant Shipping Act, 1876, 39 and 40 Vic., c. 80.

Repeal of part of 17 & 18 Vict., c. 104, s. 242.

7. The words "and such report is confirmed by the governor or person administering the government of such possession" in case (V) of the cases enumerated in section two hundred and forty-two of the Merchant Shipping Act, 1854, are hereby repealed, and this repeal shall be deemed to take effect as if the said words had been expressly repealed by the Merchant Shipping Act Amendment Act, 1862. The confirmation of the report required by the said words shall be deemed to have been no longer necessary after the passing of the Merchant Shipping Act Amendment Act, 1862, as a condition precedent to the suspension or cancellation of the certificate of any master, mate, or engineer.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WATER FRONTAGE BETWEEN BRADLEY'S HEAD AND LANE COVE.
(TRACING SHOWING RESERVATIONS.)

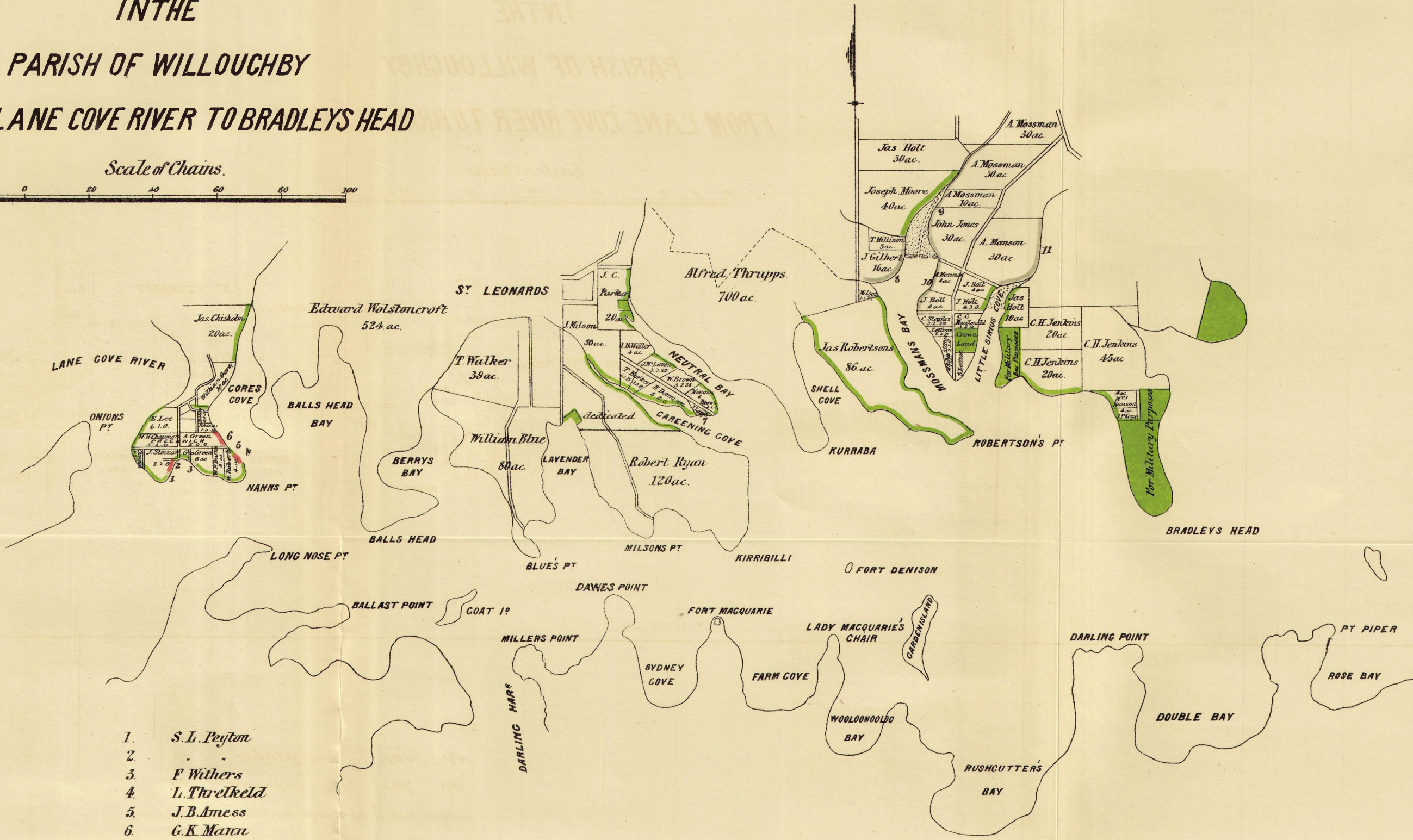
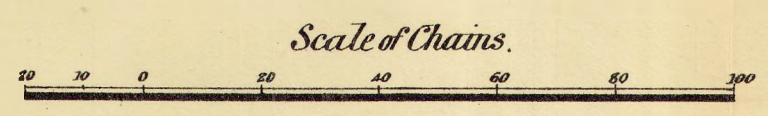
Ordered by the Legislative Assembly to be printed, 1 May, 1883.

[Laid upon the Table in accordance with promise made in answer to No. 1 part of Question No. 1, Votes No. 30, 9 March, 1883.]

RETURN (*in part*).—Tracing showing the reservations of water frontage at North Shore, between Bradley's Head and Lane Cove River, the alienations that have taken place out of the original reservations, and the land now applied for and in course of action.

[Tracing.]

PLAN
 SHEWING 100 FEET RESERVATIONS
 IN THE
 PARISH OF WILLOUGHBY
 FROM LANE COVE RIVER TO BRADLEYS HEAD



- 1. S. L. Peyton
- 2. "
- 3. F. Withers
- 4. I. Threlkeld
- 5. J. B. Amess
- 6. G. K. Mann
- 7. E. Lord
- 8. }
- 9. } A. Stuart and
- 10. } R. Harnett
- 11. }

Reservations existing shown by green color
 do alienated red do
 do applied for blue do

1883.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF PARRAMATTA.—ADDITIONAL BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 6th December, 1882.

BOROUGH OF PARRAMATTA—ADDITIONAL BY-LAWS.

THE following By-laws, made by the Council of the Borough of Parramatta, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the "Municipalities Act of 1867."

HENRY PARKES.

No. 1. No person shall throw or place upon any street, crossing, or footpath in the Borough of Parramatta, any fruit, fruit-skin, rind, or peel or any other vegetable matter.

No. 2. All persons standing or loitering upon any of the streets, footways, or other public places in the Borough of Parramatta, to the inconvenience of the passers-by or in any way interrupting the traffic, shall discontinue to do so on being required by any officer or servant of the Municipal Council of the Borough of Parramatta, or any police officer.

No. 3. Any street musician or vocalist shall when requested by any householder or his servant or by any officer or servant of the Municipal Council of the Borough of Parramatta, or by any police officer, depart from the neighbourhood of the premises of such householder.

No. 4. Any person offending against any of the foregoing By-laws, shall for each offence upon conviction forfeit and pay a penalty or sum not less than ten shillings nor exceeding ten pounds.

Passed by the Council of the Borough of Parramatta, on Monday, the fourteenth day of August, A.D. 1882.

SYDNEY WICKHAM,
Council Clerk.

(L.S.) JOSEPH BOOTH,
Mayor.

NO PERSON shall be allowed to use any vehicle of any kind or adopt any temporary means whatever for the purpose of plying his vocation whereby any number of persons may be attracted and congregated together on any street, road, footpath, thoroughfare, or public place within the Borough of Parramatta, thereby interfering with or in any manner lessening the free passage in any such street, road, footpath, thoroughfare, or public place; and any person so doing shall after being warned to desist by any public officer or any officer of the Borough Council of Parramatta, either refusing or delaying to do so, shall be deemed guilty of an offence against this By-law, and liable upon conviction to pay a penalty of not less than twenty shillings nor more than five pounds.

Passed by the Council of the Borough of Parramatta, on Friday, the twenty-fifth day of August, A.D. 1882.

SYDNEY WICKHAM,
Council Clerk.

(L.S.) JOSEPH BOOTH,
Mayor.

1883.

NEW SOUTH WALES.

NUISANCES PREVENTION ACT, 1875.

(BOROUGH OF VICTORIA.—BY-LAWS.)

Presented to Parliament, pursuant to Act 39 Vic. No. 14, sec. 18.

Colonial Secretary's Office,
Sydney, 4th January, 1883.

BOROUGH OF VICTORIA.

BY-LAWS.

THE following By-laws, made by the Council of the Borough of Victoria, for carrying into effect the provisions of the "Nuisances Prevention Act 1875," having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the above cited Act.

HENRY PARKES.

For carrying into effect the provisions of the "Nuisances Prevention Act of 1875."

1. Every person about to erect a closet, or form a cess-pit, shall, before commencing any such work, give to the Council Clerk seven days' notice in writing of his intention, and of the proposed position of such closet or cess-pit, and in default thereof, or in case of his commencing such work without such notice, he shall be liable to a penalty of not less than £1 nor more than £5.

2. No closet shall be erected or cess-pit formed except in such position as shall be approved by the Inspector of Nuisances or other officer appointed by the Council, or shall be approved by the Council, and any person being guilty of a breach of this By-law shall be liable to a penalty of not less than £1 nor more than £5.

3. No cess-pit shall be less than 3 feet by 3 feet in length and breadth internal measurement, nor of a less depth than 4 feet nor more than 6 feet below the ground surface; every cess-pit shall have walls on each side of brick or stone at least 4½ inches thick built in cement and rendered at least ½-inch thick inside with cement so as to make it thoroughly water-tight, such cess-pits may be diminished, modified, or altered, as circumstances may require in the opinion of the Council or its proper officer; and any person having or making a cess-pit contrary to this By-law, shall be liable to a penalty of not less than £1 nor more than £5.

4. A separate closet shall be provided for every tenement, any breach of this By-law shall render the person so offending liable to a penalty of not less than £1 nor more than £5.

5. In dwelling-houses where the number of persons who shall ordinarily sleep there, exceed twelve, the capacity of the cess-pit shall be increased by at least 4 cubic feet for every person beyond the number of twelve persons, or else a separate closet shall be provided for every twelve persons or fraction of twelve, and any person guilty of a breach of this By-law, shall be liable to a penalty of not less than £1 nor more than £5.

6. In schools or factories or other places of business where a number of persons exceeding twelve shall reside, or be occupied or employed, one closet shall be provided for every thirty persons, and if a cess-pit, such cess-pit shall be of a capacity of 80 cubic feet for every such thirty persons, and separate closets for each sex.

7. Every closet shall be built with walls 7 feet high, and not less than 3 feet 6 inches wide and 4 feet 6 inches long internal measurement, with a door capable of being fastened and provided with a fastening on the inside, and any person having or building a closet contrary to this By-law, shall be liable to a penalty of not less than £1 nor more than £5.

8. When two or more closets adjoin each other there shall be a sufficient dividing wall not less than 9 inches in thickness between each closet, and such wall shall extend from the bottom of the cess-pit or closet to the roof of the closet so as to effect a complete separation, and any person having or building closets adjoining each other contrary to this By-law, shall be liable to a penalty of not less than £1 nor more than £5.

9. The top of every cess-pit shall not be less than 6 inches higher than the highest part of the ground immediately adjoining it, and any person having or building a cess-pit contrary to this By-law, shall be liable to a penalty of not less than £1 nor more than £5.

10. No cess-pit shall be built under any dwelling-house, nor less than 6 feet therefrom, and any person having or building a cess-pit contrary to this By-law, shall be liable to a penalty of not less than £1 nor more than £5.

11. If any alteration shall be requisite, in the opinion of the Inspector of Nuisances, or any officer of the Council appointed in that behalf for preserving public health or decency in the case of any existing cess-pit or closet, the Inspector of Nuisances or other officer shall report the same to the Council, and if the Council shall adjudge such cess-pit or closet to be injurious to health, or opposed to decency, the same shall be altered by the occupier or owner of the premises upon which such cess-pit or closet exists, after due notice has been served upon such owner or occupier, and should such owner or occupier neglect or refuse to alter the same, the Inspector of Nuisances or other officer appointed by the Council, shall forthwith make the necessary alterations, and the cost of same shall be paid by the owner or occupier of the premises whereon the same shall be.

12. Until otherwise provided by the Council, all night-soil shall be removed from cess-pits by contract in water-tight covered vehicles, between the hours of 11 o'clock in the evening and 5 o'clock in the morning.

13. Until and unless otherwise provided by the Council, all night-soil shall be disposed of by burying in the earth.

14. The place of deposit shall be in such locality as may from time to time be determined upon by the Council.

15. In case the Council shall sell or give away any night-soil, the same shall be removed in the same manner as provided for in section 12, and on being removed from the vehicles in which it is carried shall be deodorized by chemicals, or in some other manner, or covered with earth so as to prevent any offensive smell arising therefrom, any person guilty of a breach of this By-law shall be punishable by a penalty of not less than £1 nor more than £20.

16. The Inspector of Nuisances or other officer appointed by the Council may visit and inspect any premises or do any work authorised by the "Nuisances Prevention Act of 1875," therein on all days except Sundays and public holidays between the hours of 10 o'clock in the morning and 4 o'clock in the evening.

17. No person shall be at liberty without the permission of the Council or of the Inspector of Nuisances or other officer appointed by the Council in that behalf, to use on his own premises any night-soil brought from elsewhere, and any person committing a breach of this By-law shall be liable to a penalty of not less than £2 nor more than £10.

18. Every person shall be at liberty to use on his own premises all night-soil collected thereon, by burying the same at least 2 feet in the earth, but if any nuisance shall arise therefrom he shall be liable to a penalty of not less than £1 nor more than £5.

19. Any person desirous of erecting an earth-closet shall be at liberty to do so after giving notice of his intention to the Council, provided proper provision is made for carrying it out to the satisfaction of the Council or the Inspector of Nuisances, and all night-soil shall be removed therefrom once in four days, or oftener if required, and buried in the earth, and every person infringing this By-law shall be liable to a penalty of not less than £1 nor more than £5.

20. It shall be the duty of the Inspector of Nuisances to furnish the Council with a report every three months containing a list of persons proceeded against for nuisances within this Borough, specifying the dates and giving particulars of each case.

21. The Council may, after due application, recover such sums for the emptying of cess-pits or attendance on earth-closets, at such rates as may from time to time be decided upon and fixed by the Council to be charged in respect of such services.

22. In any case where no special penalty is fixed in these By-laws for any breach of the same, the maximum penalty for any such breach shall be £20 and the minimum £1, unless otherwise provided by the "Nuisances Prevention Act of 1875."

Made and passed by the Municipal Council of the Borough of Victoria, this 2nd day of October, 1882.

(L.S.) FREDERICK SMITH,
Mayor.

WALTER G. WILLINGTON, Council Clerk.

1883.

NEW SOUTH WALES.

NUISANCES PREVENTION ACT, 1875.

(BOROUGH OF EAST ST. LEONARDS—BY-LAWS.)

Presented to Parliament, pursuant to Act 39 Vic. No. 14, sec. 18.

Colonial Secretary's Office,
Sydney, 9th December, 1882.

BOROUGH OF EAST ST. LEONARDS—BY-LAWS.

The following By-laws made by the Council of the Borough of East St. Leonards, for carrying into effect the provisions of the "Nuisances Prevention Act 1875," having been confirmed by his Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the above cited Act.

HENRY PARKES.

BOROUGH OF EAST ST. LEONARDS.

BY-LAWS for carrying into effect the provisions of the "Nuisances Prevention Act of 1875."

1. Every person about to erect a closet, or form a cesspit, shall, before commencing any such work, give to the Council Clerk seven days notice in writing of his intention and of the proposed position of such closet or cesspit, and in default thereof, or in case of his commencing such work without such notice he shall be liable to a penalty of not less than one pound nor more than five pounds.

2. No closet shall be erected or cesspit formed except in such position as shall be approved by the Inspector of Nuisances, or other officer appointed by the Council, or shall be approved by the Council, and any person being guilty of a breach of this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

3. No cesspit shall be less than three feet wide by three feet in length internal measurement, nor of a less depth than four feet, nor more than six feet below the ground surface; every cesspit shall have walls on each side of brick or stone at least four and a half inches thick built in cement, and rendered at least half-an-inch thick inside with cement, including bottom of the cesspit, so as to make it thoroughly watertight; such cesspits may be diminished, modified, or altered, as circumstances may require, in the opinion of the Council, or its proper officer; and any person having or making a cesspit contrary to this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

4. A separate closet shall be provided for every tenement. Any breach of this By-law shall render the person so offending liable to a penalty of not less than one pound nor more than five pounds.

5. In dwelling-houses where the number of persons who shall ordinarily sleep there exceed twelve the capacity of the cesspit shall be increased by at least four cubic feet for every person beyond the number of twelve persons, or else a separate closet shall be provided for every twelve persons, or fraction of twelve; and any person guilty of a breach of this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

6. In schools or factories or other places of business where a number of persons exceeding twelve shall reside, or be occupied, or employed, one closet shall be provided for every thirty persons, and if a cesspit, such cesspit shall be of a capacity of eighty cubic feet for every such thirty persons, and separate closets for each sex.

7. Every closet shall be built with walls seven feet high, and not less than three feet six inches wide, and four feet six inches long internal measurement, with a door capable of being fastened and provided with a fastening on the inside; and any person having or building a closet contrary to this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

8. When two or more closets adjoin each other there shall be a sufficient dividing-wall not less than nine inches in thickness between each closet, and such wall shall extend from the bottom of the cesspit or closet to the roof of the closet, so as to effect a complete separation; and any person having or building closets adjoining each other contrary to this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

9. The top of every cesspit shall not be less than six inches higher than the highest part of the ground immediately adjoining it; and any person having or building a cesspit contrary to this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

10. No cesspit shall be built under any dwelling-house, nor less than six feet therefrom; and any person having or building a cesspit contrary to this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

11. If any alteration shall be required in the opinion of the Inspector of Nuisances, or any officer of the Council appointed in that behalf for preserving public health or decency in the case of any existing cesspit or closet, the Inspector of Nuisances or other officer of the Council shall report the same to the Council, and if the Council shall adjudge such cesspit or closet to be injurious to health, or opposed to decency, the same shall be altered by the occupier or owner of the premises upon which such cesspit or closet exists, after due notice has been served upon such occupier or owner; and should such occupier or owner neglect or refuse to alter the same the Inspector of Nuisances or other officer appointed by the Council, shall forthwith make the necessary alterations, and the cost of the same shall be paid by the owner or occupier of the premises wherein the same shall be.

12. The place of deposit shall be in such locality as may from time to time be determined upon by the Council.

13. Until otherwise provided by the Council, all night-soil shall be removed from cesspits or earth closets by contractor in watertight covered vehicles, between the hours of eleven o'clock in the evening and five o'clock in the morning.

14. Until and unless otherwise provided by the Council, all nightsoil shall be disposed of by burying in the earth.

15. In case the Council shall sell or give away any night-soil the same shall be removed in the same manner as provided for in section 13 of these By-laws, and on being removed from the vehicles in which it is carried shall be deodorised by chemicals, or in some other manner, or covered with earth so as to prevent any offensive smell arising therefrom; any person guilty of a breach of this By-law shall be punishable by a penalty of not less than one pound nor more than twenty pounds.

16. The Inspector of Nuisances or other officer appointed by the Council, may visit and inspect any premises, or do any work authorized by the "Nuisances Prevention Act of 1875" therein, on all days except Sundays and public holidays, between the hours of ten o'clock in the morning and four o'clock in the evening.

17. No person shall be at liberty, without the permission of the Council, or of the Inspector of Nuisances or other officer of the Council appointed in that behalf, to use on his own premises any night-soil brought from elsewhere; and any person committing a breach of this By-law shall be liable to a penalty of not less than two pounds nor more than ten pounds.

18. Every person shall be at liberty to use on his own premises all night-soil collected thereon by burying the same at least two feet in the earth, but if any nuisance shall arise therefrom he shall be liable to a penalty of not less than one pound nor more than five pounds.

19. Any person desirous of erecting an earth-closet shall be at liberty to do so after giving notice of his or her intention to the Council Clerk, provided proper provision is made for carrying it out to the satisfaction of the Council or the Inspector of Nuisances, and all night-soil shall be removed therefrom once a week, or oftener if required, and buried in

the earth; and every person infringing this By-law shall be liable to a penalty of not less than one pound nor more than five pounds.

20. Upon the discovery of any nuisance arising from dead animals of any kind or species, it shall be the duty of the Inspector of Nuisances to give notice to the owner thereof to remove without delay, and destroy the same, within a period of six hours, and if not so removed or destroyed, to cause the removal and destruction of the same at the cost of the owner of the said dead animals.

21. It shall be the duty of the Inspector of Nuisances to furnish the Council with a report every three months containing a list of persons proceeded against for nuisances within this Borough, specifying the dates and giving particulars of each case.

22. The Council may, after due application, recover such sums for the emptying of cesspits, or attendance on earth-closets, at such rates as may from time to time be decided upon and fixed by the Council, to be charged in respect of such services.

23. In any case where no special penalty is fixed in these By-laws for any breach of the same, the maximum penalty for any such breach shall be twenty pounds and the minimum one pound, unless otherwise provided for by the "Nuisances Prevention Act of 1875."

Passed by the Municipal Council of East St. Leonards, this fifth day of September, in the year of our Lord one thousand eight hundred and eighty-two.

(L.S.) GEO. M. PITT,

GEO. L. COLEMAN, Council Clerk.

Mayor.

1883.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF MANLY.—BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 4th January, 1883.

MUNICIPAL DISTRICT OF MANLY.—BY-LAW.

THE following By-Law, made by the Council of the Municipal District of Manly, relating to the kerbing and asphaltting or flagging of foot-paths, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the "Municipalities Act of 1867."

HENRY PARKES.

MUNICIPALITY OF MANLY.

BY-LAW.

Kerbing and Asphaltting or Flagging Footpaths.

THE Council of this Municipality may cause the foot-way or path-way in front of any house or ground along any street, private street, or lane within this Municipality, to be kerbed and flagged or asphalted, in such manner as the Council may think fit. That one-third of the cost of kerbing be borne and paid for by the owner of such house or ground, and one-half the cost of asphaltting be borne and paid for by the said owner of such house or ground,—such costs may be recovered from the owner of such house or ground in a summary way before any two Justices of the Peace. Provided also that no proceeding for the recovery thereof shall be taken until at least one month after a requisition for payment of the amount, together with the amount of the total expenditure, signed by the Council Clerk, has been delivered to such owner.

Passed by the Municipal Council of the Municipal District of Manly, on the motion of Alderman Laurence, seconded by Alderman Pitt, at the regular meeting of Council, on 5th October, 1882.

(L.S.) CHAS. H. HAYES,
Mayor.

Stamped in Council, 7/12/82.

C. WAGSTAFF,
Council Clerk.

1883.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF MUSCLEBROOK—AMENDED BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Colonial Secretary's Office,
Sydney, 6th December, 1882.

MUNICIPAL DISTRICT OF MUSCLEBROOK—AMENDED BY-LAWS.

THE following amended By-laws, made by the Council of the Municipal District of Musclebrook, relating to the licensing of public vehicles, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the "Municipalities Act of 1867."

HENRY PARKES.

Alteration of section 1, Part IV, of the Municipal By-laws, passed at a Meeting of the Council, held in the Council Chambers (Musclebrook), on Wednesday, 29th March, 1882:—

PART IV.

Licensing Public Vehicles.

1. All carters, carriers, and owners of vehicles plying or carrying passengers or goods for hire within the said Municipal District, shall be licensed by the Council, and the owners shall have their names painted in legible letters with the word "Licensed" on some conspicuous part of such vehicles respectively. The license fee shall be ten shillings per wheel per annum, and be in force until the thirtieth day of June in each year; and every owner who shall omit or fail to comply with the provisions of this By-law shall forfeit a sum not exceeding forty shillings.

J. STAFFORD, Council Clerk.

(L.S.) S. J. DOWELL,
Mayor.

The following By-law for licensing water-carts, to be inserted in Part IV, as section 2 of the Municipal By-laws, was passed at a meeting of the Council, held in the Council Chambers (Musclebrook), on Wednesday, 29th March, 1882.

ALL water-carters and owners of water-carts plying or carrying water for sale or hire, within the Municipal District of Musclebrook, shall be licensed by the Council, and the owners shall have their names painted in legible letters, with the word "Licensed" on some conspicuous part of such carts respectively. The license fee for each water-cart shall be at the rate of £3 per annum, or 15s. (fifteen shillings) per quarter,—quarters ending 31st March, 30th June, 30th September, and 31st December in each year. And every owner who shall omit or fail to comply with the provisions of this By-law shall forfeit and pay a sum not exceeding £10 (ten pounds).

J. STAFFORD, Council Clerk.

(L.S.) S. J. DOWELL,
Mayor.

1883.

NEW SOUTH WALES.

MUNICIPALITIES.

(MUNICIPAL DISTRICT OF BROUGHTON CREEK AND BOMADERRY.—ADDITIONAL BY-LAWS.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 153.Colonial Secretary's Office,
Sydney, 4th January, 1883.

MUNICIPAL DISTRICT OF BROUGHTON CREEK AND BOMADERRY.—ADDITIONAL BY-LAWS.

THE following additional By-laws, made by the Council of the Municipal District of Broughton Creek and Bomaderry, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the "Municipalities Act of 1867."

HENRY PARKES.

MUNICIPAL DISTRICT OF BROUGHTON CREEK AND BOMADERRY.

ADDITIONAL BY-LAWS made by the Municipal Council of Broughton Creek and Bomaderry, providing for public decency and prevention of danger and inconvenience.

Travelling of Entire Horses during the Season.

1st. Any owner, groom, or person in charge of any entire horse during the season, allowing such horse to try or serve any mare or mares in or near or in view of any street, road, thoroughfare, or public place within the above Municipal District shall on conviction forfeit and pay any sum not exceeding Five Pounds nor less than One Pound.

2nd. Any owner, groom, or person in charge of any entire horse during the season, allowing such horse in his charge to obstruct any road, street, or public place to the inconvenience and danger of the public, shall on conviction forfeit and pay any sum not exceeding Five Pounds nor less than One Pound.

Passed by the Municipal Council of Broughton Creek and Bomaderry, this 21st day of October, 1882.

(L.S.) JOHN GRAY,
Mayor.HENRY TAYLOR,
Council Clerk.

1883.

NEW SOUTH WALES.

MUNICIPALITIES ACT OF 1867.

(BY-LAWS FOR FREE PUBLIC LIBRARY—BOROUGH OF HILL END.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.

Department of Public Instruction,
Sydney, 21st November, 1882.

BOROUGH OF HILL END.

THE following By-laws for the regulation of the Hill End Free Public Library, which have been made by the Council of the Borough of Hill End, and confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the Municipalities Act of 1867.

F. B. SUTTON.

BY-LAWS FOR THE REGULATION OF THE HILL END FREE
PUBLIC LIBRARY.

1. The Library shall be open on every day except Sunday, Christmas Day, and Good Friday, during the following hours, viz. :—Mondays, Tuesdays, Thursdays, and Fridays, from 6 to 7 p.m., and Wednesdays and Saturdays, from 2 to 5 p.m.

2. Every person who shall enter the Library or Reading-room shall, immediately upon entering the same, write his or her name and address in a book to be kept for such purpose in such Library, and to be called the "Visitors' Book"; and if such person shall be unable to write, then such name and address may be so written by any other person, or shall be so written by the proper officer of the Council at such Library or Reading-room, at the request of such person; and no person who shall refuse to comply with this regulation shall be permitted to remain in such Library or Reading-room; and it shall be the duty of the officer of the Council in charge of the Library or Reading-room to enforce this By-law.

3. Any person who, being intoxicated, shall enter such Library or Reading-room shall be at once removed from the premises. Any person who shall use therein any abusive, improper, or unbecoming language, or who shall, by unnecessarily loud talking, or by any noise or otherwise, disturb or annoy the persons using or resorting to such Library or Reading-room, or who shall without lawful excuse, but without felonious or larcenous intent, remove any property from such Library or Reading-room, shall forfeit and pay any sum not less than ten shillings nor more than ten pounds; and any such person may be forthwith removed by any officer of the Council in charge of such Library or Reading-room.

Miscellaneous.

4. Any society or class for mutual improvement or instruction, or study for experiments, may, with the consent of the Council, be formed in connection with, or hold its meetings or carry on its studies or experiments at the said Library or Reading-room, provided that the general free access to and use of the said Library or Reading-room by persons who are not members of such society or class, are not thereby interfered with; provided, however, that no rule made by the members of any such society or class for the management of the same shall conflict in any way with these By-laws, or with any other regulation made by the said Council hereafter.

5. Any person who shall wilfully damage any Visitors' Book, Catalogue, copy of By-laws, or any other book or record, kept at such Library or Reading-room for the general use thereof, shall for every such offence forfeit and pay any sum not less than ten shillings nor more than ten pounds.

6. It shall be the duty of the Librarian to report at any meeting of the Library Committee any infringement of these Rules or any injury to the books.

7. The foregoing Rules shall be printed, framed, and suspended in the Library-room for the information of visitors.

Passed by the Municipal Council of the Borough of Hill End, the thirteenth day of July, in the year of our Lord one thousand eight hundred and eighty-two.

(L.S.) JAMES FOX,
Mayor.

Council Clerk, A. LE MESSURIER.

1883.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF WAGGA WAGGA—AMENDED BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 158.Colonial Secretary's Office,
Sydney, 23rd February, 1883.

BOROUGH OF WAGGA WAGGA.—AMENDED BY-LAW.

THE following By-law, made by the Council of the Borough of Wagga Wagga, in substitution of section I of Part I of the By-laws of that Municipality, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the Municipalities Act of 1867.

ALEX. STUART.

BOROUGH OF WAGGA WAGGA.

By-law.—Section I.

PART I.

THE Council shall meet at the Council Chamber every alternate Thursday, at 3 o'clock p.m.

As amended.

PART I.

THE Council shall meet at the Council Chamber every alternate Thursday at 8 (eight) o'clock p.m.

We certify that the foregoing amended By-law was passed at a properly constituted meeting of the Borough Council of Wagga Wagga, on Thursday, the 7th day of December, A.D. 1882,—

(L.S.) A. T. BOLTON,
Mayor.R. MORRISON MARNOCK,
Council Clerk.

1883.

NEW SOUTH WALES.

MUNICIPALITIES.

(BOROUGH OF WOOLLAHRA.— BY-LAW.)

Presented to Parliament, pursuant to Act 31 Vic. No. 12, sec. 153.Colonial Secretary's Office,
Sydney, 11th April, 1883.**BOROUGH OF WOOLLAHRA.**

THE following By-law, made by the Council of the Borough of Woollahra, relating to the kerbing and guttering of footways, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the "Municipalities Act of 1867."

ALEX. STUART.

THE following By-law was passed by the Municipal Council of the Borough of Woollahra, on Tuesday, the sixteenth day of October, A.D. 1882.

THE Council of the Borough of Woollahra may cause the footway or pathway in front of any house or ground along any road, street, private road, or lane within the Borough to be kerbed and guttered in such manner as such Council may think fit, a part of the cost of such kerbing and guttering, to the extent of one shilling per lineal foot, to be borne and paid by the owner of such house or ground; such cost may be recovered in a summary manner before any two Justices of the Peace or a Stipendiary Magistrate: Provided also that no proceeding for the recovery thereof shall be taken until at least one month after a requisition for payment of the amount, signed by the Council Clerk, shall have been delivered to such owner, at his last known place of abode.

(L.S.) **ROBERT BUTCHER,**
Mayor.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITY OF PROSPECT AND SHERWOOD.

(COPY OF PETITION REQUESTING SPECIAL AUDIT OF ACCOUNTS.)

Ordered by the Legislative Assembly to be printed, 15 February, 1883.

MUNICIPALITY OF PROSPECT AND SHERWOOD.

To the Honorable the Colonial Secretary.

7 November, 1882.

Sir,

We, the undersigned Electors of the Municipality of Prospect and Sherwood, respectfully request that you will appoint two Special Auditors under the Municipalities Act of 1867 to hold a special audit of the accounts of the said Municipality.

Arthur T. Holroyd	James Galloway	James Bent Price
William Drew	C. W. Davison	S. Cantwell
R. L. Dunn	Daniel Hunt	Theophilus Paton
H. Miller	E. Vickery	John Stephen Howles
his	Wm. Wiley	Thos. Birch
Alfred × Edwards	Wm. Newman	P. R. Holdsworth
mark	F. W. Binney	Chas. W. Lloyd
Witness, Hugh Taylor	S. Crook	Alban Gee
Albert W. James	Arthur Hollier	A. W. Stephen, landowner
Henry W. Hardwick	Charles H. Elliott	H. White
G. S. Caird	David Houison	N. O'Neill
Charles Bent	John Sanders	W. A. Manning
Alex. C. Budge	William Sanders	J. Gilmore
Wm. Parkhurst	Walter Hodges	Geo. Stone
T. R. Smith	John Carson, junior	H. Stone
Thos. R. Allt	Isaac Ferris, senior	J. Ellison
H. Willan Jackson	Marchall Berrey	C. Noland
Wm. Matthews	Henry Woodward	F. M. Kenyon
J. Carson	John Woodward	Henry H. Metcalfe
C. B. Brown	P. Stieme	O. W. Rawson
Hugh Taylor	W. Stieme	
John A. Fraser	G. Gifford	

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES ACT.

(PETITION FOR INCREASED POWERS UNDER—MAYORS AND ALDERMEN OF CERTAIN MUNICIPALITIES.)

Received by the Legislative Assembly, 5 April, 1883.

To the Honorable the Speaker and the Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned Mayors and Aldermen of the Municipalities hereunder named,—
HUMBLY AND RESPECTFULLY SHOWETH:—

That provision having been made in the Act 43 Victoria No. 3, entitled the Sydney Corporation Act of 1879, giving to the City Council power to assess and to levy rates on all lands and buildings public and private, within the said city, with the exception of those mentioned in the 117th section of the said Act, viz., “Lands vested in trustees for the purposes of public recreation, health, or enjoyment; hospitals, benevolent asylums, and buildings used solely for charitable purposes, public worship, and schools under the Public Schools Act.”

Your Petitioners pray that the Municipalities Act of 1867, more particularly section No. 163 thereof, be so amended that similar powers may be vested in the Mayors and Aldermen of all Municipalities throughout the Colony, to be exercised by them in their respective Municipalities.

And your Petitioners further pray that, in the event of any new Bill for Local or Municipal Government being hereafter enacted, such provision be made therein as will secure to Municipal Councils the powers hereinbefore prayed for.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 333 signatures.]

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES ACT OF 1867.

(NUMBER OF FREE LIBRARIES ESTABLISHED UNDER.)

Ordered by the Legislative Assembly to be printed, 27 April, 1883.

[Reply to Question asked by Mr. Pigott in the Legislative Assembly, on 5th April, 1883.]

RETURN showing what Municipalities have taken advantage of the provision in the Municipalities Act of 1867 for the establishment of Free Libraries.

RETURN showing the number of Free Libraries established under the Municipalities Act of 1867.

No.	Name.	Amount granted.	Year of establishment.
		£	
1	Albury	200	1869
2	Kiama	200	1872
3	Camperdown	200	1873
4	Parramatta	200	"
5	Kiama (Jamberoo)	200	"
6	Shellharbour	200	"
7	Nowra	200	1874
8	Gerringong	200	"
9	Numba	100	"
10	Wagga Wagga	200	"
11	Central Illawarra	200	"
12	Inverell	200	1875
13	Broughton Creek	200	"
14	Wollongong	200	"
15	North Illawarra	200	"
16	Ulladulla	200	"
17	Redfern	200	1877
18	St. Peter's	200	1878
19	Burwood	200	"
20	Gulgong	200	1879
21	Hay	200	1880
22	Shellharbour (Albion Park)	100	"
23	Glebe	200	1881
24	Tamworth	200	"
25	Liverpool	200	1882
26	Hill End	100	1883

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1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CITY OF SYDNEY IMPROVEMENT BOARD.

(THIRD ANNUAL REPORT.)

Ordered by the Legislative Assembly to be printed, 6 February, 1883.

City of Sydney Improvement Board,
Offices, 35, Castlereagh-street,
Sydney, 31 August, 1882.

To the Honorable the Colonial Secretary.

Sir,

In submitting this, their third Annual Report, the members of the City of Sydney Improvement Board regret to have to repeat that the same difficulties still exist which have heretofore impeded their usefulness in carrying out the provisions of the Act No. 42 Victoria, No. 25, under which they were appointed, and in giving effect to the evident intention of the Legislature.

These difficulties, which presented themselves at the outset of the Board's career, as already pointed out in former Reports, proceed from the faulty construction of the Act, the absence of any officer under the control of the Board empowered to carry out its instructions, and the failure of the City Council to work in harmony with the Board.

These and other obstacles to the more effective operations of the Board have been fully brought under notice and explained in previous communications from time to time.

Bills having for their object the amendment of the Act now in force have been before Parliament, but have not, from various causes, become law.

Several of the suburban Municipalities are desirous of having the benefits of the City of Sydney Improvement Act extended to their districts under the provisions of the 4th section thereof, but in its present defective state it is exceedingly questionable whether it could be satisfactorily worked if so extended.

For this reason, in addition to the fact that a large field for usefulness within the city itself remains open to them if they were but sufficiently empowered to carry out measures which they are anxious to undertake, and the necessity for which is very apparent in many portions of Sydney, the members of this Board would again strongly urge the expediency of early legislative action, in order that they may be placed in a position to become instrumental in effecting a much needed improvement in city street architecture, and to effectually cope with the evils of ill-constructed and insanitary buildings, so prejudicial to the health, safety, and well-being of the community.

The members of the Board also desire to bring under special notice the great want of any effective supervision to regulate the nature and class of buildings permissible in certain streets. At present, so long as a building is not wholly constructed of wood, and the walls are of a certain thickness, it is in the power of any person to erect a most objectionable brick structure, uncemented and unpointed, adjoining or in close proximity to buildings of a far superior class, or in a neighbourhood where the remainder of the buildings are more in conformity with architectural symmetry. Instances of this state of things are unfortunately most numerous throughout the city; a few that have been casually noticed may perhaps be here mentioned, viz. :—

Castlereagh-street, next No. 259, between Bathurst and Liverpool Streets.—Two new buildings intended to be used as shops, very small, one story high, low skillion roofs—a most objectionable class of building.

Erskine-street, Nos. 34, 36, 38.—Shops, one story, low, skillion, iron roofs.

Sussex-street, west side, between Market and King Streets.—Stores, five or six in number, only one story high, ugly, with low, flat, iron roofs.

Sussex-street, Nos. 235 to 245.—Ditto, ditto, ditto.

Kent-street, Nos. 196, 198, 200.—Shop and two dwelling-houses, new, two stories high, low skillion iron roofs.

Sussex-street, No. 278, next "Temora Hotel," corner of Bathurst-street.—Store, new, built of brick, one story, low skillion iron roof—very unsightly.

Goulburn and Sussex Streets.—Late additions to "Friendship Inn."

George-street, corner of Goulburn-street.—Late additions to "Burwood Hotel," plain rough brick-work, iron roof—meagre, ugly appearance.

Castlereagh-street, No. 261.—New brick building, occupied by Ennever & Appleton, iron roof—undesirable class of building.

Elizabeth-street, corner of Goulburn-street.—New additions to hotel—a disfigurement to street.

Phillip-street, next to 128, east side, near Hunter-street.—A new, ugly, plain erection, used as a butcher's shop, low skillion iron roof—greatly out of accord with neighbouring buildings.

Sussex-street, next corner of Liverpool-street.—Newly built, small, low, single-brick building, iron roof—very objectionable.

The class of buildings referred to being but recently erected cannot be interfered with, under the present law, until they become, in course of time, sufficiently old and decayed to be positively dangerous; for although they are in reality offences against architectural taste, and owners of adjacent premises have good grounds for complaint as to the injustice they are subjected to in having their properties thus depreciated in value through the building of the undesirable tenements in question in such close proximity to them, they cannot be dealt with as public nuisances for many years to come.

The members of the Board consider that if it were compulsory for designs of buildings to be submitted to some body of fully competent men capable of carrying out the duty indicated, and that a provision existed to regulate the class of buildings that should be permitted in certain localities, as well as to secure some uniformity of design, a most marked improvement in the general appearance of the city would thus ere long be brought about, in lieu of the present unsatisfactory state of things being perpetuated.

Another matter calling for action, and one well worthy of attention, is noticeable in the hideous awnings and verandahs that disfigure the principal streets of Sydney, and which are without doubt a standing disgrace to the city and the cause of much surprise to strangers visiting this the capital of the Australian Colonies.

One of the first reforms endeavoured to be carried out by the Board, shortly after its appointment, was an attempt to have some of the worst of these nuisances immediately removed, with a view to the ultimate demolition of the remainder and the introduction of a more desirable standard to be complied with in the future; but the efforts put forth to effect these, as well as other improvements, have been frustrated by the Board not having the power, which it is believed it was intended they should possess, of exercising a control over such things, and by the City Council's Officer, the City Building Surveyor, not being allowed to carry out the orders of the Board on the subject. Notwithstanding the fact that this officer, in evidence before the Board, stated as his opinion, as an architect, that a model which might advantageously be copied occurs in the colonnade in front of Messrs. Farmer & Co.'s shop in Pitt-street, and that a portable canvas sunshade with light iron standards of an ornamental character resting upon the kerbstone, resembling one in front of Messrs. Holdsworth, Gardyne, & Co.'s shop, in George-street, would be a fair sample of a suitable awning such as he would approve of, his permission has since been granted, under the 37th section of the Act, not only for the erection of the unsightly and somewhat substantial disfigurements of wood and corrugated iron, with every conceivable variety of signboard attached, across the public footways, but likewise for the introduction of glass skylights to them, which thus creates a danger through the possibility of the glass falling and cutting or wounding persons passing underneath, and which has actually already occurred, or through other objects accidentally coming through the glass. Within the last few days another such glass skylight has been put in to the awning in front of Messrs. Hobson & Whiting's shop, in Hunter-street. Some such awning as that suggested by the City Building Surveyor the Board would also be prepared to sanction as answering every necessary purpose; still the old style of unsightly structure, with the addition of the unsafe glass lights, is allowed by the Council's officer, who, it is surmised, must be hindered in some way from carrying out his own expressed ideas on the subject, and under present circumstances the Board is unable to step in and compel the very necessary improvement in this branch of street architecture.

In support of the statement made as to the failure of the City Council to work in harmony with the Board, it is especially noticeable that, although the 29th section of the Act gives the Board authority, upon the report of the City Building Surveyor, to order either the repair or demolition of any building found to be in a ruinous state and dangerous to the public or to occupiers of neighbouring buildings, only one such report has been made to the Board during the past two years by the Surveyor in question, who being an officer of the City Council, is entirely beyond the control of the Board, notwithstanding the fact that large numbers of buildings have been condemned by that body, well knowing, at the same time, that such action was insufficient to ensure the removal or repair (as the case might be) of the objectionable tenements, without bringing into requisition the aid of the Board; rather than do this, condemned buildings have been permitted to remain, in many instances, as great an eyesore and nuisance as before their condemnation.

During the past year thirteen Board meetings have been held, and several appeals, involving large interests, have been dealt with. The fees received by members of the Board during the same period amount to fifteen guineas each.

Mr. Benjamin Backhouse was again unanimously re-elected Chairman of the Board for the year, and has continued to hold that position.

One of the members of the Board, Mr. L. E. Throlkeld, was granted leave of absence for six months, on account of ill health, and that gentleman is now absent from the Colony.

It is with regret that the decease of the late Secretary to the Board, the late Mr. C. H. Barlee, has to be recorded. The vacancy thus created has been filled up by the selection of Mr. F. C. Rooke, whose appointment by the Governor in Council was duly notified in the Government Gazette of 23rd June last.

The Board desires to suggest that the survey of the City of Sydney now being conducted by the Survey Department may be expedited as much as possible, the want of reliable plans being greatly felt.

We have the honor to be,

Sir,

Your obedient servants,

BENJ. BACKHOUSE,

CHAIRMAN.

W. BAILEY.

CRAIG DIXSON, M.D., F.R.C.S.E.

FRANK SENIOR.

1883.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAW.)

Presented to Parliament, pursuant to Act 36 Vic. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 22nd November, 1882.

The following By-law, made by the Metropolitan Transit Commissioners, establishing Public Stands with the line of road and Time-tables for Omnibuses plying to and from Stoney Creek and Milson's Point; Gordon, Lane Cove Road, and Milson's Point; and Willoughby at "Great Northern Hotel," and Milson's Point, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the provisions of the "Public Vehicles Regulation Act of 1873."

HENRY PARKES.

THE Board of Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, do by virtue of the power and authority in them vested by the said Act, hereby make and establish the following Public Stands with the lines of road and Time-tables, as required in Schedules G and J for regulating licensed vehicles:—

SCHEDULE G—continued.

Stands.	Line of Roads.	Stands.
Stoney Creek Road, at Pitt Water Road.	Stoney Creek Road, Lane Cove Road, Mount-street, and Milson's Point Road.	Milson's Point Road, east side at Fig-tree.
Gordon, Lane Cove Road, at Bobbin Road.	Lane Cove Road, Mount-street, and Milson's Point Road.	Milson's Point Road, east side at Fig-tree.
Willoughby, Lane Cove Road, at "Great Northern Hotel."	Lane Cove Road, Mount-street, and Milson's Point Road.	Milson's Point Road, east side at Fig-tree.

SCHEDULE J—continued.

Time-table for omnibuses plying from and to Stoney Creek, and Milson's Point.

Omnibuses shall start from Stoney Creek Road, at Pitt Water Road, for Milson's Point at 7 a.m. and 2.30 p.m., and shall start from Milson's Point for Stoney Creek Road, at 10 a.m. and 5 p.m.; and each omnibus shall perform the journey from and to Stoney Creek Road and Milson's Point Road, in two hours.

Time-table for omnibuses plying from and to Gordon, Lane Cove Road, and Milson's Point.

Omnibuses shall start from Lane Cove Road, at Bobbin Road, for Milson's Point, at 7.15 a.m., 10.30 a.m., 2.45 p.m., and 4.30 p.m.; and shall start from Milson's Point for Lane Cove Road, at Bobbin Road, at 10.25 a.m., 2.30 p.m., 4.50 p.m.,

and 6.0 p.m. On Saturdays, omnibuses shall start from Lane Cove Road, at Bobbin Road, for Milson's Point at 7.15 a.m., 10.30 a.m., 2.45 p.m., 4.30 p.m., and 6.0 p.m.; and shall start from Milson's Point for Lane Cove Road, at Bobbin Road, at 10.25 a.m., 1.20 p.m., 4.50 p.m., 6.0 p.m., and 11.40 p.m. On Sundays, omnibuses shall start from Lane Cove Road, at Bobbin Road, for Milson's Point at 7.15 a.m., 10.30 a.m., 2.45 p.m., and 6.0 p.m.; and shall start from Milson's Point for Lane Cove Road, at Bobbin Road, at 10.25 a.m., 2.30 p.m., 4.50 p.m., and 10.10 p.m.; and each omnibus shall perform the journey from and to Lane Cove Road, at Bobbin Road, and Milson's Point in two hours.

Time-table for Omnibuses plying from and to Willoughby, at "Great Northern Hotel," and Milson's Point.

Omnibuses shall start from Willoughby, at "Great Northern Hotel," for Milson's Point at 7.30 a.m., 11.30 a.m., 2.30 p.m., and 5 p.m.; and shall start from Milson's Point for Willoughby, at "Great Northern Hotel," at 9.40 a.m., 12.40 p.m., 3.40 p.m., and 5.40 p.m. On Saturdays, omnibuses shall start from Willoughby, at "Great Northern Hotel," at 7.30 a.m., 11.30 a.m., 2.30 p.m., 5 p.m., and 7 p.m.; and shall start from Milson's Point for Willoughby, at "Great Northern Hotel," at 9.40 a.m., 1.20 p.m., 3.40 p.m., 5.40 p.m., and 11.10 p.m. On Sundays, omnibuses shall start from Willoughby, at "Great Northern Hotel," for Milson's Point, at 10 a.m., 2 p.m., and 5.15 p.m.; and shall start from Milson's Point for Willoughby at 11.10 a.m., 3.10 p.m., and 6.15 p.m.; and each omnibus shall perform the journey from and to Willoughby, at "Great Northern Hotel," and Milson's Point in thirty-five minutes.

Passed by the Board of Metropolitan Transit Commissioners, this thirty-first day of August, in the year of our Lord one thousand eight hundred and eighty-two.

JOHN HARRIS, Chairman.
(L.S.) MICHL. CHAPMAN, Commissioner.
EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND IN MACQUARIE-STREET, PARRAMATTA.

(PAPERS RESPECTING CLAIM OF JOSHUA HUGHES AND APPLICATION OF BOROUGH COUNCIL.)

Ordered by the Legislative Assembly to be printed, 25 January, 1883.

RETURN to an *Order* of the Honorable the Legislative Assembly, dated 19th September, 1882, That there be laid upon the Table of this House,—

“Copies of all papers and minutes having reference to the claim made by Joshua Hughes to, and to the application of the Borough Council for, a piece of land situated in Macquarie-street, Parramatta, including the evidence taken before the Commissioners for the Court of Claims and their reports upon the case.”

(Mr. Byrnes.)

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LAND IN MACQUARIE-STREET, PARRAMATTA.

No. 1.

Lease of Allotment to Thomas King.

New South Wales.

County of Cumberland, }
parish of St. John, } Allotment No. 15 in section 12.
town of Parramatta. }

By His Excellency Sir Thomas Brisbane, Knight Commander of the Most Honorable Order of the Bath, Captain-General, Governor and Commander-in-Chief in and over His Majesty's territory of New South Wales and its Dependencies, &c., &c., &c.

By virtue of the power and authority in me vested, I do by these presents demise, lease, set, and to farm let unto Thomas King all that piece or parcel of land lying and situate on the south side of Macquarie-street, in the town of Parramatta, containing by admeasurement seventy-seven rods; bounded on the west by a line 2 chains 74 links; on the south by a line 1 chain 73 links; on the east by a line to Macquarie-street 2 chains 80 links; and on the north by that street 1 chain 67 links.

To have and to hold the said piece or parcel of land unto the said Thomas King, his executors, administrators, and assigns, for and during and unto the full end and term of twenty-one years next ensuing to be fully complete and ended from the thirtieth day of June last, yielding and paying therefor yearly, and every year during the said term, unto His Majesty, His Heirs and Successors, the annual quit rent of sixpence per rod of lawful sterling money of Great Britain, on the thirtieth day of June in each and every year during the said term. Provided always, and it is hereby expressly to be understood, and these presents are on the following conditions:—That if the said annual quit rent be in arrear for the space of twenty days after the time appointed for payment thereof, the same may be recovered by distress or otherwise, as His said Majesty, His Heirs and Successors, may deem proper or be advised; and in case no sufficient distress be found, and the said quit rent be in arrear after that time, the whole of the said land to revert to the Crown; and provided also that the said Thomas King shall in no way either divide the said land or separate or partition off any part or parcel thereof, or directly or indirectly lease, let, sell, alienate, or transfer the same or any part thereof, or any buildings erected thereon, or any part thereof, without the license and consent of the Governor of the territory for the time being for that purpose first had and obtained; in any or either of which cases above-mentioned this present lease to be and become absolutely null and void; and it is hereby further understood, that in case the said lessee, his executors, administrators, or assigns, should be desirous hereafter of purchasing the fee-simple and inheritance of the said land hereby leased subject to an annual quit rent, as hereinafter mentioned, he or they shall be at liberty so to do, on paying to the Crown for the purchase thereof a fine equal to twenty-one years of the quit rent hereby reserved; or in the event of the said lessee, his executors, administrators, or assigns, erecting on the said lands such buildings as may be approved of by the Governor for the time being, according to a plan and specification thereof to be previously submitted to him for his approval; provided that the same shall not be of less actual value and cost than one thousand pounds sterling, then, and in either of the said last-mentioned cases, a grant of the said land will be made to the said lessee, or other legal proprietor of the said land, subject to the payment of such reasonable annual quit rent as may be deemed proper by the Governor for the time being, not exceeding double the annual quit rent hereby reserved, to hold to him, his heirs and assigns for ever; and it is to be hereby understood, that in case the said land should be required by Government at the expiration of the time hereby created, the said Thomas King, his executors, administrators, or assigns, shall be repaid or remunerated for any buildings that may be then standing thereon, according to a valuation thereof to be made by two indifferent persons, one to be chosen on either side in the usual and customary manner; or in case any part of the said land at any time hereafter during the same lease should be required by the Governor for the time being for the making and improving the streets, it may be resumed by the Crown, on giving the said Thomas King, his executors, administrators, or assigns, six months notice thereof, and paying for such buildings as may have been erected thereon, and for the fee on such term of years then unexpired as the proprietor of such land may then possess, according to a valuation thereof to be made by two indifferent persons, chosen in the customary and usual manner; but in the event of a refusal in either of the two last-mentioned cases, on the part of the proprietor of the said land to nominate and appoint a person, on his part, for the purposes aforesaid, both the said persons to be nominated by His said Majesty, His Heirs and Successors, or the Governor of His said Majesty's territory for the time being.

In testimony whereof I have hereunto set my hand and official seal, at Sydney, in New South Wales, this thirtieth day of June, in the year of our Lord one thousand eight hundred and twenty-three.

F. GOULBURN,
Secretary and Registrar.

THO. BRISBANE.
[L.S.]

No. 2.

Gazette Notice.

Sydney Gazette and New South Wales Advertiser, Tuesday, 8 September, 1829.

In the Supreme Court, Sheriff's Office, 31 August, 1829.
Campbell the Younger v. Jackson.

On Thursday the 10th day of September, at one o'clock, in the Market-place, Sydney, the Sheriff will cause to be sold all those mill and premises on the Nepean River, opposite Emu Plains, a part of the farm belonging to Mr. Pierce. The mill is in full repair; there are also a temporary dwelling-house, a large oven, bake-house, &c. On

On the same day will be sold

All that piece and parcel of land lying and situate in the town of Parramatta, known by the name of "Dominick M'Kay's allotment," measuring 300 feet square; bounded on the one side by Macquarie-street; bounded on the one side by Kirk's and Farringham's allotment; on the other side by King's allotment, and fronting Macquarie-street, together with the messuage or tenement thereon erected and built, unless this execution be previously satisfied.

Minutes on No. 2.

From these papers it appears Mr. H. Halloran applies to have certain land (allotment 15, section 12), at Parramatta, submitted to auction sale, as being, he alleges, "vacant Crown Lands."* This land is claimed by John Taylor (*in trust*, see 79-2,804 Alienation), who states he has had possession for upwards of twenty-four years, and his *father before him* many more years, making in all upwards of forty years' possession. Copy of original lease of the land from Crown herewith. Mr. Halloran was aware of the lease, but in letter 24th April last (79-2,972 Alienation) sets out that it gave no power to dispose of the land. A survey of this land was made by Surveyor Deering, on 8th February last (*vide* 79-1,088 Alienation), who also reported particulars of the land. He further states he interviewed the Mayor of Parramatta on the subject, from whose representations he (Mr. Deering) was inclined to recommend the reservation of this land for municipal purposes *if it were Crown Lands*. An application was made on 18th March last by the Municipality of Parramatta for this land for a reserve for "storage purposes" (see 79-3,326 Miscellaneous, herewith). It is now submitted whether Mr. Taylor's claim entitles him to the land, whether the land is to be reserved for use of the Municipality—or whether the land go on for auction sale.—J.G.B., 9/5/79. Under-Secretary for Lands.

Mr. Elwin.—Would you oblige me by saying whether the land described in copy of Gazette Notice of 31st August, 1829, herewith marked ×, and that referred to in Mr. Deering's report 79-1,088 Alienation herewith is identical. It would appear not. The plans are I believe with you.—C.O., 25/6/79. The land described in the accompanying notice of sale appears to be the adjoining allotment (alienated to Trustees of Female School of Industry, Miscellaneous 74-2,806.)—T.E., 25th June, 1879. Mr. Oliver.

* It appears that the right of purchase given by the lease granted to John King, in 1823 (see copy herewith) was never exercised.

No. 3.

Government Gazette, 1st March, 1853, No. 25.

Colonial Secretary's Office, Sydney, 28 February, 1853.

Parramatta Leases.

ADVERTING to the notice of the 3rd June last, a copy of which is appended hereto, respecting the intention of the Government to issue leases for a year, in terms of Her Majesty's Order in Council of 19th June, 1850, for certain allotments of land in the town of Parramatta, formerly held under leases issued by Sir Thomas Brisbane, in the year 1823, His Excellency the Governor-General, with the advice of the Executive Council, now directs that it be publicly notified to all persons interested, that their claims to participate in the advantages held out by the notice above alluded to must be lodged in this office on or before the 31st December next, otherwise they will be excluded from the benefits offered by that notice, and the allotments will be liable to be forfeited to the Crown, without any compensation or allowance for improvements effected thereon.

By His Excellency's Command,
E. DEAS THOMSON.

[Enclosure to No. 3.]

Government Gazette, 8th June, 1852. No. 58. Copy referred to.

Colonial Secretary's Office, Sydney, 3 June, 1852.

Parramatta Leases.

His Excellency the Governor-General directs it to be notified for the information of all parties concerned that, in pursuance of instructions from the Right Honorable the Secretary of State for the Colonies, it is the intention of the Government, in consequence of the expiration some time since of the original leases issued by Sir Thomas Brisbane, for various allotments of land in the town of Parramatta, to issue new leases of those allotments for one year, in terms of Her Majesty's Order in Council of 19th June, 1850, to all persons legally claiming under the former lessees, during the currency of which the lessees will have the privilege of buying the land at ten years' purchase of the quit rent, calculated at the reduced rate of 4d. per perch.

2. The leases so to be granted will not under any circumstances be renewed; and in every case where the parties interested do not avail themselves of the above privilege of pre-emption during the currency of the lease, the land will be resumed by the Crown.

3. Persons who hold allotments of land in Parramatta, coming within the terms of this notice are requested to submit their claims without delay to this office.

By His Excellency's Command,
E. DEAS THOMSON.

No. 4.

The Colonial Secretary to The Acting Deputy Surveyor-General.

[Immediate.]

Sir,

Colonial Secretary's Office, Sydney, 1 December, 1853.

Adverting to the notice of the 18th* February last, I have the honor to request that you will be so good as to state, for the information of His Excellency the Governor-General, how many and what allotments in the town of Parramatta, of those formerly held under Sir Thomas Brisbane's leases, are still unclaimed by the parties in occupation, as you will perceive by the notice alluded to that the time for preferring such claims expires on the 31st instant.

I have, &c.,
W. ELYARD,
(*Pro* the Colonial Secretary).

No. 5.

* Qy. 28th.

5

No. 5.

The Colonial Secretary to The Acting Deputy Surveyor-General.

[Immediate.]

Sir,

Colonial Secretary's Office, Sydney, 8 December, 1853.

I have the honor to draw your attention to my letter of the 1st instant, respecting the allotments in the town of Parramatta, formerly held under lease from Sir Thomas Brisbane, which are still unclaimed by the parties in occupation, and to request the favour of your early report, as this matter is urgent.

I have, &c.,

W. ELYARD,

(Pro the Colonial Secretary).

No. 6.

Mr. J. Thompson to The Colonial Secretary.

Sir,

Surveyor-General's Office, Sydney, 17 December, 1853.

In attention to your letter of the 1st instant, No. 53,827, wherein you advert to the notice of the 11th [qy. 28th] February last, and request that I will state, for His Excellency the Governor-General's information, how many and what allotments in the town of Parramatta, of those formerly held under Sir Thomas Brisbane's leases, are *still unclaimed* by the parties in occupation, as the time for preferring such claims expires on the 31st instant,—I have the honor to forward to you herewith a *list of the leases for which, according to the documents in this office, applications do not appear to have been made under the notice alluded to. It will be seen, however, by the sixth column in this return, that descriptions of many of these allotments have already been forwarded to you prior to the date of the notice; but the time for the preparation of the required return being so limited, I am unable to say whether in some few cases deeds may not have issued on descriptions referred to, as having been already forwarded to you for insertion in the grants.

I have, &c.,

JOHN THOMPSON.

Minute on No. 6.

In the return mentioned in this letter Jackson's name appears for allotment 14 of section 12 as being in occupation of that land. This case was, however, disposed of in 1859 by Court of Claims, case 1,424. Neither King's, M'Curry's, Hunt's or Hughes', or Duran's name appears in this return, nor is allotment 15 spoken of *inferentially*, because no one was in occupation.—R.H.D., 17th May, 1881.

No. 7.

Mr. W. Elyard to The Acting Deputy Surveyor-General.

Sir,

Colonial Secretary's Office, Sydney, 27 December, 1853.

In reference to your letter of the 17th instant, No. 631, in which you forwarded a list of the unclaimed allotments in Parramatta, formerly held under leases from Sir Thomas Brisbane, I have the honor to request that you will furnish me with a plan or tracing of the allotments therein named, in order that the same may be forwarded to the Police Magistrate at Parramatta, who has been charged with the duty of serving copies of the notices which have issued with regard to this land on the parties in occupation.

I have, &c.,

W. ELYARD.

No. 8.

The Colonial Secretary to The Acting Surveyor-General.

Sir,

Colonial Secretary's Office, Sydney, 23 January, 1854.

With reference to my letter of the 8th ultimo, on the subject of the allotments of land at Parramatta, originally leased by Sir Thomas Brisbane, I have the honor to request that you will report, for the information of His Excellency the Governor-General, how many of these allotments still remain unclaimed under the notice of the 3rd June, 1852.

I have, &c.,

W. ELYARD,

(Pro the Colonial Secretary).

Minutes on No. 8.

Mr. Lewis.—The Minister for Lands wishes allotments Nos. 14 and 15 of section 12 in Macquarie-street South offered for sale. By the map "Parramatta South," the allotments appear as sold to Thomas King and Daniel Jackson, but Mr. Farnell is under the impression that the land was only under lease to King and Jackson. Will you please have the matter investigated.—W.C.E., 23/5/73.

Mr. Hall.—There is nothing in this office to show that the grants have ever issued. The land will therefore (by direction of the Minister for Lands) be brought to sale.—W.C.E., 26/5/73.

Mr. Surveyor Deering, for report.—J.S.A., for Surveyor-General, B.C., 20 June, /73. No. 12.

Reported on, report No. 73/18, of 25 June, 1873.—JOHN W. DEERING.

No. 9.

Mr. J. Thompson to The Acting Colonial Secretary.

Sir,

Surveyor-General's Office, Sydney, 24 February, 1854.

In attention to your letter of the 23rd ultimo, No. 54/52, wherein you refer to your letter of the 8th December last past, No. 53/843, on the subject of the allotments of land at Parramatta, originally leased by Sir Thomas Brisbane, and request that I will state, for the information of His Excellency the Governor-General,

Forwarding a list of unclaimed allotments in the town of Parramatta.

Governor-General, how many of these allotments still remain unclaimed, under the notice of the 3rd June, 1852, I have the honor to state that all the allotments for which applications have been made known to me since the date of my furnishing the former list having been erased therefrom; the result as produced is shown in a *return which I beg to submit for His Excellency's information.

* Not with papers.

I have, &c.,

JOHN THOMPSON.

Minute on No. 9.

The return mentioned dealt with the allotments then occupied. No mention is made of either King or Jackson, or any of the parties now mentioned in connection with the present claim to allotment No. 15 of section 12, nor is that land included.—R.H.D., 17th May, 1881.

No. 10.

Mr. W. Elyard to The Acting Surveyor-General.

Sir,

Colonial Secretary's Office, Sydney, 21 March, 1854.

In reference to your letter No. 54/132, of the 24th ultimo, on the subject of the allotments in the town of Parramatta, formerly held under lease from Governor Sir Thomas Brisbane, which are still unclaimed by the parties interested under the notice of 3rd June, 1852, I do myself the honor, by the direction of His Excellency the Governor-General, to inform you that as ample time has been afforded to claimants, and their attention to the Regulations on the subject invited by repeated notices in the Government Gazette, the necessary steps should now be taken for resuming possession of the unclaimed allotments on the part of the Crown.

2. The Civil Crown Solicitor has therefore been requested to afford you his advice and assistance in carrying this decision into effect.

I have, &c.,

W. ELYARD.

No. 11.

Mr. Surveyor Deering to The Surveyor-General.

Sir,

Sydney, 25 June, 1873.

In compliance with your B.C. instructions, No. 73/12, of 20th June, 1873, I have the honor to report on the occupancy, &c., of allotments 14 and 15, section 12, town of Parramatta.

2. Allotment 14, 61½ perches, originally leased to Daniel Jackson (Samuel Jackson on plan, Parramatta South), on 30th June, 1823. The grant does not appear to have been issued. Upon the land stands a stone and brick house, containing eight rooms, and two stories high, occupied by Mr. James Cumming as a certified Denominational Presbyterian School, and leased to him for that purpose until March, 1874; leased from Mr. J. F. Staff, of Parramatta, as agent for the Trustees of the School of Industry, Sydney, at an annual rent of £38. The house was formerly used, a long time ago, as a School of Industry.

3. Allotment 15, section 12, 77 perches, now vacant land, originally leased to Thomas King, 30th June, 1823. A Government cottage of mud or *pisé* and thatch once stood upon the land, and was occupied by Thomas King, who died without completing the purchase. The cottage and land were occupied by the widow and family of Thomas King in continuation, and nearly forty years ago they left also, or rather the house tumbled down and they were forced to leave. For many years the allotment remained unenclosed (the former fence being carried away). Latterly the frontage to Macquarie-street has been re-fenced, and the allotment is used as a small paddock. No person lays claim to it by occupancy, &c., or is in a position to do so.

4. I have been minute in recording these details, as the issue is a negative proof.

Prior to local inquiry the Grant Registers have been searched by officers of the Lands Department and by me with regard to allotment 14, and there is no record that any such grants have ever issued.

With respect to allotment 15 (Thomas King), there can be no doubt whatever that such is the case. With respect to allotment 14 (Daniel Jackson), it is almost impossible to say with certainty. There may have been a promise of grant to the old School of Industry at Parramatta. There might possibly have been even a grant issued, for it is impossible to say under what designation or names such a grant would issue and be indexed.

Reference to Mr. J. F. Staff, or perhaps the Hon. Deas-Thomson, is probably the shortest cut to arrive at the fact. I have not, however, pursued the matter further. There must be some title, or colour of title, it would be supposed, by which the School of Industry receives £38 per annum rental.

5. As affecting these allotments, I desire to direct your attention to a Gazette notice of 3 June, 1852, Vol. I, fol. 889, intimating that "in consequence of the expiration some time since of the original leases issued by Sir Thomas Brisbane for various allotments of land in the town of Parramatta," the Government determined "to issue new leases of those allotments for one year, in terms of Her Majesty's Order in Council of 19 June, 1850, to all persons legally claiming under the former lessees, during the currency of which the lessees will have the privilege of buying the land at ten years' purchase of the quit rent, calculated at the reduced rate of 4d. per perch."

(2.) "The leases so to be granted will not, under any circumstances, be renewed; and in every case where the parties interested do not avail themselves of the above privilege of pre-emption during the currency of the lease, the land will be resumed by the Crown."

(3.) (Requests claims to be submitted without delay.)

In the cases now under consideration, I believe that all claim to purchase became forfeited by non-fulfilment of the foregoing conditions in the year 1852.

I have, &c.,

JOHN W. DEERING.

Minutes

A.P. 1 Dec., 1853
(Col. Sec.) 827
" 23 Jan., 1854
(Col. Sec.) 52
" 16 Feb., 1854
(Col. Sec.) 132
Parramatta Town
Leases, Vol. I,
folios 60, 61.

Minutes on No. 11.

The surveyor's report in reference to occupation, &c., of allotments 14 and 15, section 12, town of Parramatta South, is submitted for the consideration of the Honorable the Minister for Lands, and it is recommended that allotment 15 should be brought to auction sale; but before taking similar action as regards allotment 14, the Secretary of the Female School of Industry should be communicated with, and requested to state on what authority the allotment in question is held.—J.S.A. (for Surveyor-General), B.C., 8th July, 1873. The Under-Secretary for Lands.

Approved.—J.S.F., 30 July, 1873. Lady E. Deas-Thomson informed 22nd August, 1873, but a copy of the letter could not be obtained.

No. 12.

Mr. H. Halloran to The Surveyor-General.

Land, International Patent and Trade Mark Agency,

Sir,

I have the honor to request that allotment No. 15 of section No. 12, Macquarie-street, in the town of Parramatta, formerly leased to one Thomas King, but now vacant Crown land, may be offered for sale by public auction at your earliest convenience, as I am desirous of bidding for the same.

I have, &c.,

HENRY HALLORAN,

Agent.

5/10/78.

Minutes on No. 12.

Mr. Gall,—Submit that a survey be made, as the old plan is missing, and every inquiry can be made respecting the lease, &c., hereafter. The surveyor will also be able to obtain information.

J. H. L., 18/10/78.

Submitted that a new survey be made, but at the same time that the surveyor should report as to the advisability of reserving the land for public requirements.—A. G., 7/11/78. The Deputy Surveyor-General. Mr. Surveyor Deering is requested to survey and report as suggested.—ROBT. D. FITZGERALD, for Surveyor-General.

No. 13.

Mr. H. Halloran to The Surveyor-General.

Land, International Patent and Trade Mark Reg. Agency,

Sir,

I have the honor to request that you will cause the allotment No. 15 of section No. 12 in Macquarie-street, Parramatta, which I made application to purchase on the 1st ultimo, may be proclaimed for sale as early as practicable.

I have, &c.,

HENRY HALLORAN.

Minutes on No. 13.

Ascertain if this allotment is likely to be required for public purposes.—P.F.A., 12/11/78.

Applicant might be informed that his former application has been sent to the surveyor for report. After action this paper should be returned to Auc. Beh. (Survey).—A.G., 13/11/78. Mr. Edwards. Mr. Gall, 27/11/78. Forwarded to Mr. Surveyor Deering in connection with 78/7,576 forwarded 7/11/78.—J. BLAIS, for S.-Gl., 4 Dec, '78. Reported on with plan report 79/1, 8 Feb, 1879.—JOHN W. DEERING.

No. 14.

The Under Secretary for Lands to H. Halloran, Esq., C.M.G.

Sir,

Department of Lands, Sydney, 27 November, 1878.

In reference to your letter of the 12th instant, relative to the submitting to auction of allotment 15 of section 12 in Macquarie-street, Parramatta, I am directed to inform you that your application of the 1st ultimo has been sent to the surveyor for report, and when received will be duly dealt with.

I have, &c.,

PHILIP H. RICHARDSON,

(For the Under Secretary.)

No. 15.

Mr. Surveyor Deering to The Surveyor-General.

Sir,

Sydney, 8 February, 1879.

In compliance with your B.C. instructions to me, No. 78/17 and 78/18 of 7th November and 4th December, 1878, I have the honor to report upon the application of Mr. Henry Halloran, and also to transmit plan of allotment 15 of section 12 of the town of Parramatta.

2. This allotment was originally leased to Thomas King by the Crown, and is now claimed by Mr. John Taylor, auctioneer, &c., of Parramatta. No grant appears ever to have been issued, and Mr. Taylor admits this, so far as he is aware. He further states that his late father had possession of the land over forty years ago, but I have not been able to gather upon what basis the alleged possession rests,—whether a possessory title only, or whether there was a promise of grant to the late Mr. Taylor.

Mr. John Taylor holds the land in trust for other parties, and at present leases it to Mr. Entwistle, of Parramatta.

3. I beg to suggest that Mr. Taylor be invited to transmit the details of his claim.

4. Apart from this feature of the case, I have had an interview with the Mayor of Parramatta (Mr. C. J. Byrnes) respecting the land; and from his representations to me, I should have been disposed to recommend that the allotment, had it been the property of the Crown, be reserved for municipal purposes.

I have, &c.,

JOHN W. DEERING.

Minutes

Minutes on No. 15.

Submitted that Mr. Taylor be informed of the intention to send this land on for auction sale, so that he may have an opportunity of putting forward any claim he may have to the land in question.—**ROBERT D. FITZGERALD**, for Surveyor-General, 25/3/79.

Mr. Taylor may be written to accordingly, and in terms of this report, and Mr. Halloran informed. C.O., 26/3/79. For approval.—W.W.S., 29/3/79. Approved.—J.H., 1/4/79. In a month.

No. 16.

Mr. H. Halloran to The Surveyor-General.

Sir, Land and International Patent Agency, 1, Bridge-street Chambers, 6 March, 1879.

I have the honor to refer to my application of the 1st of October last, to purchase allotment No. 15 of section No. 12, in Macquarie-street, Parramatta, leased to one Thomas King, in the year 1823, but now the property of the Crown; and to request that the land may be offered for sale by auction, or that I may be favoured with a reply to my application, informing me of the decision arrived at thereon.

I have, &c.,

HENRY HALLORAN.

Minutes on No. 16.

Records. There is another letter from Mr. Halloran referring to same subject I think.—R.H.D., 12/3/79. Mr. Gall, 12/3/79.

Mr. Surveyor Deering was instructed on former application, 78-8,723, to measure the land; he has now sent in a plan which is in the hands of the charter, Mr. Elwin, being dealt with, and he has been instructed to deal with the case as quickly as possible.—A.G., 14/3/79.

Mr. Edwards,—Inform, 17/3/79. Mr. Gall. Mr. Elwin,—This might be placed with papers 79-1,088 (Licensed Surveyor Deering).—A.G., 7/4/79.

No. 17.

The Council Clerk, Parramatta, to The Secretary for Lands.

Sir, Council Chambers, Parramatta, 18 March, 1879.

Under the direction of His Worship the Mayor, I have the honor to make application for the dedication to the Borough Council of Parramatta "for storage purposes" that piece of land situated in Macquarie-street, within this Borough, and bounded as under:—

On the north by Macquarie-street, on the south by properties owned by Messrs. Crouch and Davies, on the east by W. Pratt's property, and on the west by property known as the School of Industry.

I may further inform you that the Borough Council has great need of such a piece of land for the purpose mentioned, and would therefore most urgently pray that this application may be complied with.

I have, &c.,

SYDNEY WICKHAM,

Council Clerk.

No. 18.

The Under-Secretary for Lands to H. Halloran, Esq., C.M.G.

Sir, Department of Lands, Sydney, 31 March, 1879.

With reference to your letter of the 6th instant, on the subject of submitting to auction the land noted in the margin, I am directed to inform you that Mr. Surveyor Deering has sent in a plan of the land referred to, which is now being dealt with.

I have, &c.,

CHARLES OLIVER,

(For the Under-Secretary).

Allotment No. 15 of section No. 12, in Macquarie street, Parramatta.

No. 19.

The Under-Secretary for Lands to Mr. J. Taylor.

Sir, Department of Lands, Sydney, 10 April, 1879.

In reference to your personal representation to Mr. Surveyor Deering, that allotment 15 of section 12, in the town of Parramatta, is your property, I am directed to inform you that the Government contemplate sending to auction the land referred to, and to request that you will be good enough to transmit to this office without delay the details of your claim.

I have, &c.,

W. W. STEPHEN,

Under-Secretary.

No. 20.

The Under-Secretary for Lands to H. Halloran, Esq., C.M.G.

Sir, Department of Lands, Sydney, 10 April, 1879.

In reference to your letters of the 1st October and 12th November last, relative to the sending to auction sale of allotment 15 of section 12, in town of Parramatta, I am directed to inform you that, as Mr. John Taylor, of Parramatta, states he is the owner of the land referred to, it cannot be offered for sale until his claim is considered.

I have, &c.,

W. W. STEPHEN,

Under-Secretary.

No. 21.

No. 21.

The Council Clerk, Parramatta, to The Secretary for Lands.

Sir,

Council Chambers, Parramatta, 16 April, 1879.

Under the direction of His Worship the Mayor I have the honor to bring under your notice my communication of the 18th of March last, with reference to dedicating to the Borough Council of Parramatta a piece of land situated in Macquarie-street, within this borough, for storage purposes. The same being of vast importance to the Borough Council for the purpose as above mentioned, I would most urgently request that you have the goodness to give the application your immediate attention and grant the Council's request.

I have, &c.,

SYDNEY WICKHAM,
Council Clerk.

No. 22.

H. Halloran, Esq., C.M.G., to The Under-Secretary for Lands.

Sir,

Land and International Patent Agency,

1, Bridge-street Chambers, 24 April, 1879.

I have the honor to acknowledge the receipt of your letter of the 10th instant, wherein you inform me that Mr. John Taylor states that he is the owner of the allotment in the town of Parramatta (15 of section 12, Macquarie-street), which I applied on the 1st of October last to be allowed to purchase.

In reply, I beg to assure you that any officer of ordinary intelligence in the Surveyor-General's Office may in ten minutes prove the allotment to be vacant Crown land.

The allotments in the town of Parramatta leased by Sir Thomas Brisbane on the 30th June, 1823, for fourteen years—it may have been for twenty-one years (I have not referred to the Register for many years)—contained no power to the lessees to dispose, though they did contain a provision for their conversion on certain conditions into grants on the expiry of the leases. Many of these allotments were within my knowledge so converted; but this allotment, originally leased to Thomas King, has never been so granted to King or to any other person, as the records of the Surveyor-General's Office will easily show; and I therefore beg to renew my request that the allotment may be offered for sale by public auction.

Should Mr. John Taylor have any sustainable claim, the Court of Claims, which is still in existence under the law, offers the proper means of his substantiating such claim against the Crown and against all others. Although it may be a more difficult way of reaching his object than an unregarded occupation until sold, the right of the Crown itself to resume it now may be readily disputed.

I have, &c.,

HENRY HALLORAN.

No. 23.

Minute by Inspector of Land Offices.

Mr. Taylor's claim to a piece of land at Parramatta.

Mr. Taylor has made a lengthy statement as to his right to hold allotment 15 of section 12, in the town of Parramatta, which is anything but conclusive, in fact it goes to show that he has no right whatever to hold the allotment. In the second paragraph of his letter he recites a Sheriff's sale of the land in the year 1829, and upon which he builds up the title to the land, not as owner, but that he holds it in trust for the daughter of one Henry Hughes (deceased). I have obtained a copy of the Gazette notice of the 8th September, 1829, and find that the land therein referred to is not allotment 15, but the adjoining lot 14, which was in 1874 granted to a School of Industry.

I see nothing to prevent the Government dealing with the allotment now in question as is thought proper. Both it and the allotment granted to the School of Industry were originally leased by Thomas Brisbane, in June, 1823, the latter to Daniel Jackson, and the former—that now in question—to Thomas King. Each lease contained a clause conferring a right of purchase within a certain number of years, which has long since expired without any application to purchase having been made, and consequently the land reverted to the Crown.

The Municipal Council of Parramatta has applied to have the allotment reserved for storage purposes, and Mr. Halloran to have it submitted to sale by auction.

I perceive upon Mr. Doering's report, 73-9,843 Ms., herewith, Mr. Farnell decided to send the allotment to auction, but the decision was overlooked while action was being taken in connection with the land granted to the School of Industry.

Mr. Taylor should be informed of the facts of the case, and it then remains to be determined whether the land be offered at auction, or reserved and placed under the control of the Municipal Council.—C.O.—27/6/79.

Minutes on No. 23.

For the consideration and decision of the Minister.—W.W.S., 28/6/79.

I think it would be advisable under the circumstances, and having regard to the statements made in Mr. Taylor's letter, as well as for better precaution, that these papers should be referred to the Crown Solicitor with the view of ascertaining that gentleman's opinion as to whether Mr. Taylor has any valid title or claim to this portion of land.—J.H., 2/7/79. Crown Solicitor.—3/7/79.

No. 24.

Mr. J. Taylor to The Under-Secretary for Lands.

Sir,

Parramatta, 17 September, 1879.

Case No. 1,519,
Exhibit B.
Produced on be-
half of Crown,
9th June, 1881.
W. G. PENNING-
TON, Secretary.

In reply to your letter of the 10th instant, bearing the above number, and requesting the details of my claim to allotment 15 of section 12, in the town of Parramatta, I have the honor to state as follows:—

It appears from papers in my possession that the first holder from the Crown was a person named Dominick M'Currey, and that in 1829 this land was known as "Dominick M'Currey's allotment" (as will be seen by reference to the Sydney Gazette of date September 8th, 1829, where an advertisement appears of a Sheriff's sale of this land, the name being therein erroneously called M'Kay). From this holder the land passed to Daniel Jackson, and thence to a person named John Hunt, who built a house and lived on the allotment up to the time of his death. By the will of the said John Hunt, dated 15th October, 1816, attested by Thomas Gorman, Dominick M'Currey, and William Stapleton, this land was devised to one Henry Duran, *alias* Hughes, a blacksmith in Berrima; and my father, Hugh Taylor, of Parramatta, now deceased, had all the papers and documents relating to the matter at that time, and had also possession of the allotment from that time to the time of his death.

Some time after my father's decease, since which time I had the possession and all the papers in the matter from his estate, Henry Hughes came to Sydney with an infant daughter, and died, I believe, in the hospital. Before his death he made a will (prepared by the late Parry Long, Esq., solicitor) leaving this piece of property to his said daughter, and at the same time he (Hughes) requested me to look after it for her. This I have done for upwards of twenty-four years; and my claim is solely made in the interest of the said daughter of Henry Duran or Hughes as devisee under her father's will.

After my said father's decease in 1854, I obtained all the papers in this matter, and also possession of the land in question; and at the time that Henry Hughes was about making his said will I, to further his (Hughes') interests, handed the greater portion of the papers to the late Parry Long, Esq., solicitor, of Sydney, who was acquainted with the whole matter during my said father's lifetime, and inquiries have been and are being made to the representatives of the late Parry Long, and also inquiry has been instituted to discover the said daughter of Henry Hughes deceased, the said devisee.

My brother, Hugh Taylor, Esq., M.P., is conversant with a number of the facts above stated, and if deemed expedient, he is willing to prove the same by affidavit or declaration. It therefore appears clearly that this allotment has been in the possession of my late father and myself for a period of upwards of forty years.

Under these circumstances I trust the Government will cause inquiries to be made before sending to auction the allotment of land referred to.

I have, &c.,

JOHN TAYLOR.

Minutes on No. 24.

Deeds Branch, for report as to Dominick M'Currey's allotment.—C.O., 24/4/79.

Mr. Oliver,—I cannot find any trace of a grant to Dominick M'Currey of allotment 15, section 12, town of Parramatta, in the Registers in this Branch, but there is a record of a lease to one Thomas King of the allotment in question.—C.N., Deeds Branch, 6/5/79.

No. 25.

The Crown Solicitor to The Under-Secretary for Lands.

Sir,

Crown Solicitor's Office, Sydney, 18 September, 1879.

I have the honor to return the papers relating to the claim of Hugh Taylor, Esquire, to hold allotment No. 15, section 12, in the town of Parramatta, and to suggest for the consideration of the Minister that perhaps the best way of dealing with this case will be to inform Mr. Taylor that if he be advised that he has a claim to this land, he should make application through the Court of Claims for a grant; and that if he fails to do so within a time to be named, the Government will proceed to take possession of the land, with a view to its being dealt with as Crown land.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

Minutes on No. 25.

Submitted specially.—J.G.B., 18/9/79. The suggestion of the Crown Solicitor should, I submit, be carried out without delay.—W.W.S., 22/9/79. Approved, but the application should be made within six weeks from this date.—J.H., 22/9/79. Mr. De Low,—Applicants may be informed. End of October, with reply from Mr. Taylor, if received.—R.H.D., 25/9/79.

1. Mr. Taylor called this morning, and verbally stated he had not preferred his claim to the Court of Claims, the time for doing which expires to-day, in accordance with the Minister's minute of 22nd September last. 2. Mr. Taylor alleges that a new claimant has come forward in the person of the brother of the woman for whom he lays the claim, and requests an extension of time for one month.—R.H.D., 3rd November, 1879.

It is submitted that under these circumstances time may be extended for one month.—J.G.B., 3/11/79. Under-Secretary, for approval.—W.W.S., 3/11/79. Approved.—J.H., 19/11/79.

Mr. De Low,—Inform Mr. Taylor the time has been extended for one month, *i.e.*, to 19th December, 1879.—J.G.B., 20/11/79. End of December, with reply if received.—R.H.D., 24/11/79.

No. 26.

The Under-Secretary for Lands to Mr. J. Taylor.

Sir,

Department of Lands, Sydney, 25 September, 1879.

With reference to your letter of the 17th September instant, relative to your claim to hold allotment No. 15, of section No. 12, in the town of Parramatta, I am directed to inform you that the case has

has been submitted to the Crown Solicitor, who is of opinion that if you are advised that you have a claim to the land in question, you should make application to the Court of Claims for a deed of grant.

2. I am to add, that if such application is not made on or before the 3rd November next, the Government will proceed to take possession of the land, with a view to its being dealt with as Crown land.

I have, &c.,

W. W. STEPHEN.

No. 27.

The Under-Secretary for Lands to Mr. J. Taylor.

Sir,

Department of Lands, Sydney, 21 November, 1879.

With reference to my letter of the 25th September last, relative to the claim preferred by you on behalf of the daughter of one Henry Hughes (deceased), to allotment 15 of section 12, in the town of Parramatta, and informing you that you should make application to the Court of Claims for a deed of grant, such application to be made on or before the 3rd of this present month, I am now directed to state that, in compliance with your verbal request, the time within which the said application may be made has been extended until the 19th proximo.

I have, &c.,

JOHN G. BLAXLAND,
(For Under-Secretary).

No. 28.

Mr. C. S. Jones to The Under-Secretary for Lands.

No. 79-7,061, Alienation.

Sir,

128½, Elizabeth-street, Sydney, 21 November, 1879.

Mr. John Taylor, of Parramatta, auctioneer, has shown me your letter of the 25th September last, relative to the ownership of an allotment of land, No. 15 of section 12, at Parramatta. I am instructed by Mr. Joseph Hughes, of Narrandera, blacksmith, that he is the owner in fee-simple of the land in question, having been so entitled as the eldest and only son of the late Mr. Henry Hughes, to whom, it is believed, it was devised by the will of his godfather, Mr. John Hunt. As my client is taking the necessary proceedings to establish his title to the property, I trust that no steps whatever may be taken by the Government without notice to me; meanwhile Mr. Taylor will retain possession of the property in the interest of Mr. Hughes.

Yours, &c.,

CHARLES SMITH JONES.

Minutes on No. 28.

Records.—Papers please.—J.G.B., 10/12/79. It is submitted that Joshua Hughes should (as suggested by the Crown Solicitor in the claim of Mr. Taylor) make application through the Court of Claims for a grant; and if he fails to do so within a certain time, say six weeks, the Government will proceed to take possession of the land with a view to its being dealt with as Crown land. The writer of this letter should be asked to state, without delay, whether it is the intention to apply through the Court of Claims.—W.W.S., 5 January, 1880. Inform, and ask for an immediate reply.—R.H.D., 8 January, 1880. End of month, with reply.—R.H.D., 14 January, 1880.

No. 29.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir,

Department of Lands, Sydney, 13 January, 1880.

With reference to your letter of the 21st November last, in which you state that you are instructed by Mr. Joshua Hughes, blacksmith, of Narrandera, that he is the owner in fee-simple of the land noted in the margin, I am directed to inform you that, unless your client shall within reasonable time make application to the Court of Claims for a deed of grant of the land referred to, the Government will proceed to take possession of the land with a view to its being dealt with as Crown land.

2. I am further directed to request the favour of an immediate reply, stating if it is your client's intention to make application as above suggested.

I have, &c.,

W. W. STEPHEN.

No. 30.

Mr. C. S. Jones to The Under-Secretary for Lands.

79-9,032, Alienation, herewith.—N.W.

Sir,

128, Elizabeth-street, Sydney, 14 January, 1880.

I have the honor to acknowledge the receipt of your letter of the 13th instant, in reference to the claim of Joshua Hughes to allotment No. 15, section 12, town of Parramatta.

In reply thereto, I beg to state that Mr. Hughes does intend applying to the Court of Claims for a deed of grant thereof; that the necessary evidence to establish his right thereto is now being obtained; and that no time will be lost in making the application.

I have, &c.,

CHARLES SMITH JONES.

No. 31.

Mr. C. S. Jones to The Under-Secretary for Lands.

Re application of Joshua Hughes for a Crown grant of allotment 15, section 12, Parramatta.

Sir,

128, Elizabeth-street, Sydney, 3 February, 1880.

Referring to the correspondence that has taken place herein, more particularly to your letter of the 13th ultimo, I have now the honor to inform you that my client, Mr. Joshua Hughes, of Narrandera, blacksmith, claims to be entitled to a Crown grant in fee-simple of the land in Parramatta known as No. 15, section 12, of that town (before referred to), and that he will be prepared to substantiate such claim before the Court of Claims when required to do so.

The

The grounds upon which he claims are as under:—

1. That the land in question was, on or about the 30th June, 1823, demised by the Crown to one Thomas King for a term of twenty-one years, with right of purchase.
2. That John Hunt, late of Parramatta (?), subsequently became the owner of the said land.
3. That the said John Hunt died, having by his will devised the said land to his godson, one Henry Hughes.
4. That the said Henry Hughes died about 1860.
5. That the said Joshua Hughes is the eldest son and heir-at-law of the said Henry Hughes.
6. That the said land has been in the absolute and undisturbed possession of the said Joshua Hughes and his predecessors since the date of the said lease to the present time.

I have, &c.,

CHARLES SMITH JONES.

Minutes on No. 31.

For copy of lease see document marked "A" herewith.—R.H.D., 6th February, 1880.

Paragraph of letter.

This statement is very questionable; the agent for the Committee of the School of Industry having for years prior to 1876 used the land, having looked upon it as belonging to that institution, which stands on the adjoining allotment on the west—allotment 14.—R.H.D., 9th February, 1880.

This case having stood over since the 22nd September last, it is now submitted that, as the onus of proof of possession rests entirely with the claimant (Joshua Hughes), Mr. Jones be informed that unless the Court of Claims is seised of his client's (Hughes') claim within one month, the Government will proceed to deal with the land as Crown land.—R.H.D., 9th February, 1880.

For approval.—J.G.B., 9/2/80. Under-Secretary. Mr. Jones may be informed as above and papers sent on to Court of Claims.—W.W.S., 18th February, 1880. Mr. Jones as above. Approved.—J.H., 19/2/80. The Secretary to the Court of Claims with papers, 1st March, 1880.

No. 32.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir,

Department of Lands, Sydney, 1 March, 1880.

With reference to your letter of the 3rd ultimo, relative to the claim of your client (Mr. Joshua Hughes) to allotment 15 of section 12, in the town of Parramatta, in which you state that Mr. Hughes is prepared to substantiate his claim before the Court of Claims, I am directed to inform you that unless that Court is seised of your client's claim within one month from this date the Government will proceed to deal with the land in question as Crown land.

I have, &c.,

JOHN G. BLAXLAND,
(For Under-Secretary).

No. 33.

The Under-Secretary for Lands to The Secretary of the Court of Claims.

Sir,

Department of Lands, Sydney, 1 March, 1880.

I have the honor to transmit to you herewith papers 80-823 Alienation, relative to the claim put forward by one Joshua Hughes to the land comprised in allotment 15 of section 12 of the town of Parramatta; and with reference thereto I am directed to state that Hughes has, through his solicitor (Mr. C. S. Jones) been informed that unless he makes application to the Court of Claims with a view to establishing his claim within one month from this date, the Government will proceed to deal with the land in question as Crown land.

2. I am further directed to request you to return these papers to this Department, should the application referred to not be made within the time specified, accompanied by a report to that effect.

I have, &c.,

JOHN G. BLAXLAND,
(For Under-Secretary).

R.H.D.

No. 34.

Mr. C. S. Jones to The Under-Secretary for Lands.

Sir,

128, Elizabeth-street, Sydney, 2 March, 1880.

In reply to your letter of the 1st instant, I have to request that my letter to you of the 3rd ultimo may be forwarded to the Court of Claims, in order that my client's claim may be dealt with by that Court in accordance with the terms of the Act.

I have, &c.,

CHARLES SMITH JONES,
(Per D.S.)

Minutes on No. 34.

Inform case has gone.—J.G.B., 9/3/80. All papers were forwarded on the 1st March, 1880.—R.H.D., 10th March, 1880. Put away.—R.H.D., 15th March, 1880.

No. 35.

Notice of hearing at Court of Claims.

NOTICE is hereby given that the following claim for a deed of grant will be ready for examination by the Commissioners appointed for that purpose under the Act of Council 5th William IV, No. 21, at the expiration of two months from this date, before which day any caveat or counter-claim must be entered

at

at the office of the Commissioners, 77, Elizabeth-street, Sydney. Due notice will be given of the days appointed for hearing :—

No. 1,517, Joshua Hughes.

All that piece or parcel of land containing by admeasurement 77 rods, situated at Parramatta, parish of Saint John, county of Cumberland, Colony of New South Wales; bounded on the west by a line 2 chains 74 links; on the south by a line 1 chain 73 links; on the east by a line to Macquarie-street 2 chains 80 links; and on the north by that street 1 chain 67 links, and being allotment No. 15, section 12, as delineated in the Government map of the town of Parramatta.

This land was, on or about the 20th June, 1823, demised by the Crown to one Thomas King for a term of twenty-one years with right of purchase. It is alleged that John Hunt, late of Parramatta, subsequently became the owner of the said land, and by his will devised the same to his godson Henry Hughes, who died about 1860, leaving the present applicant, his eldest son, heir-at-law, and who now seeks to obtain a grant.

By order of the Commissioners,
W. G. PENNINGTON,
Secretary.

Court of Claims, 3rd March, 1880.

No. 36.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir,

Department of Lands, Sydney, 12 March, 1880.

With reference to your letter of the 2nd instant, relative to the claim of your client, Joshua Hughes, to the land noted in the margin, in which you request that your letter of the 3rd ultimo to this Department may be forwarded to the Court of Claims, I am directed to inform you that all the papers connected with the case, inclusive of the letter referred to, were forwarded to the Secretary to the Court of Claims on the 1st instant.

I have, &c.,

JOHN G. BLAXLAND,
(For Under-Secretary).

No. 37.

Mr. C. S. Jones to The Secretary of Court of Claims.

Case No. 1,517—Joshua Hughes.

Sir,

128, Elizabeth-street, Sydney, 5 May, 1880.

I have the honor to acknowledge the receipt of your favour of this day's date. The witnesses for the applicant reside in different parts of the Colony, the applicant himself at Narrandera, one witness at Goulburn, and two at Parramatta. I am therefore not ready at present to proceed with the case, but if you will name your day, say between the 17th and 22nd of May current, I shall be ready to meet the Court. An early reply will oblige.

Yours obediently,

CHARLES SMITH JONES.

No. 38.

Notice of hearing at Court of Claims.

COURT OF CLAIMS.

THE Commissioners will hold a Court for the hearing of the undermentioned claim, on Tuesday, the 25th day of May next, at half past 3 o'clock, at the Master in Equity's Office, Supreme Court-house, King-street, Sydney :—

Claimant.	Claimant's Solicitor.	Opponent.	Opponent's Solicitor.
1517. Joshua Hughes	C. S. Jones .....	.....	.....

Sydney, 20 May, 1880.

By direction of the Commissioners,

W. G. PENNINGTON,
Secretary.

No. 39.

The Secretary of Court of Claims to The Council Clerk, Parramatta.

Sir,

Office of Court of Claims, 69, Elizabeth-street, Sydney, 20 May, 1880.

The Commissioners of the Court of Claims have directed me to inform you that the case noted in the margin has been referred to them by the Secretary for Lands for investigation and report, and I have to request that you will appear, if necessary, before the Court, to be held at the office of the Master in Equity, Supreme Court-house, King-street, on Tuesday, the 25th day of May instant, at half-past 3 o'clock, when and where you may make any objections to the said application that you may think fit.

I have, &c.,

W. G. PENNINGTON,
Secretary.

Minutes on No. 39.

Served a true copy of the within notice on Friday, the 21st day of May instant, at 5 p.m.—JOHN J. CANNON. Copy letter to the Council Clerk of the Municipality of Parramatta. This is the paper writing, marked "A," referred to in the annexed declaration of John Jerrold Cannon. Taken before me, this 26th day of May, A.D. 1880.—M. JOSEPHSON, J.P.

No. 40.

No. 40.

Declaration by John J. Cannon.

Case 1,517; Joshua Hughes, applicant.

I, JOHN JERROLD CANNON, of Elizabeth-street, Sydney, in the Colony of New South Wales, attorney's clerk, do solemnly and sincerely declare that I am clerk to Mr. William George Pennington, one of the attorneys of this Honorable Court. I was instructed by Mr. Pennington, who informed me that he was so directed by the Commissioners, to serve a notice upon the Council Clerk of Parramatta, which Council appeared, from the papers transmitted to this Court, to a claim to the land in question; duly served a notice, of which a copy is herewith annexed, marked "A," at the office of the Municipal Council of Parramatta, on Friday, the 21st day of May, 1880, at 5 o'clock in the afternoon. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "An Act for the effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits."

JOHN J. CANNON.

Made and signed before me, at Sydney, this 26th day of May, 1880,—

M. F. JOSEPHSON, J.P.

No. 41.

Report of Commissioners of Court of Claims.

New South Wales.

REPORT of the Commissioners appointed under the Act of Council of 5th William IV, No. 21, for hearing and examining claims to grants of land:—

Case:—No. 1,517.

Proposed grantee's name and address:—Joshua Hughes, of Narrandera, blacksmith.

Claimant's name and address:—Same.

Opponent's ditto:—None.

Name of lessee:—Thomas King.

Date of lease:—30th June, 1823.

By whom leased:—Governor Sir Thomas Brisbane.

Description of the land:—All that piece or parcel of land, containing by admeasurement 77 rods, situated at Parramatta, parish of St. John, county of Cumberland, Colony of New South Wales; bounded on the west by a line 2 chains 74 links, on the south by a line 1 chain 73 links, on the east by a line to Macquarie-street 2 chains 80 links, and on the north by that street 1 chain 67 links, and being allotment No. 15 of section 12, as delineated in the Government map of the town of Parramatta.

Date of determination:—25th May, 1880.

Date of report:—8th July, 1880.

Report.

The Commissioners have the honor to report, for the information of His Excellency the Governor, as follows:—

This claim is for a grant of lot 15, section 12, of the town of Parramatta, being the land devised by Governor Brisbane to one Thomas King, by lease, dated 30 June, 1823, for a term of twenty-one years, with a right of purchase of the fee-simple as usual, under the regulations then extant.

The claimant, however, proves no title under Thomas King, but he relies on a title by possession of fifty years and upwards, derived through John Hunt.

It appears that there was a will of John Hunt's, devising the land to Henry Hughes, and that the father of Mr. Hugh Taylor in his lifetime, and his sons, Mr. Hugh Taylor and Mr. John Taylor, since the death of their father, held possession of the land for the representatives of Henry Hughes, and it has been proved that the claimant is the heir-at-law of Henry Hughes.

The Commissioners have deemed it necessary to take further evidence as to the identity of the claimant, he having signed by a wrong name.

As it appeared from the papers forwarded by the Secretary for Lands that a counter-claim had been made by the Municipal Council of Parramatta to the land in question, the Commissioners have caused special notice of the application to be served upon the Council Clerk of the Corporation, of which the Corporation have taken no notice. A declaration of the fact of such service is herewith transmitted.

The Commissioners recommend that a grant of the land issue to Joshua Hughes, of Narrandera, blacksmith, his heirs and assigns.

Dated this 8th day of June, A.D. 1880.

ARTHUR T. HOLROYD, President.
WM. OWEN.*Minutes on No. 41.*

This report of the Commissioners of the Court of Claims is submitted for approval of the issue of a deed of grant, in accordance therewith.—J.G.B., 14/7/80. Under-Secretary. For the Minister's approval.—W.W.S., 19/7/80. Approved.—J.H., 28/7/80. Inform Borough Council of Parramatta, and send copy of pars. 2, 3, 4, 6, and 7; also inform Mr. Halloran.—R.H.D. (*pro* J.G.B.), 30/7/80.

This case was held over, as the Mayor of Parramatta called about the 10th August and stated it was his intention to write and have this case reopened. Up to the present he has not done so. The papers are therefore sent on for the preparation of deed in the usual course.—R.H.D., *pro* G.B., 27/9/80. Mr. Wiseman. Mr. McKern, take action.—J.W., 30/9/80.

Re Joshua Hughes.—Will the Survey Branch please furnish a tracing from the town map of Parramatta of allotments 14 and 15, section 12, and adjoining lands.—C.O., Lands Department, 13th January, 1881. Mr. Willis.—J.W. Ellis, 14/1/81. Mr. Richardson.—The required tracings should be made as soon as possible.—D.T.C., 14/1/81. Under-Secretary for Lands.—Tracing herewith.—J.J.R., 19/1/81. JAMES W. ELLIS, *pro* Surv.-General, 19/1/81.

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No. 42.

The Under-Secretary for Lands to The Council Clerk, Parramatta.

Sir,

Department of Lands, Sydney, 6 August, 1880.
 With further reference to your letter of the 16th April, 1879, requesting that allotment 15 of section 12, in the town of Parramatta, might be dedicated to the Borough Council, I am now directed to transmit herewith extracts from the report of the Commissioners of the Court of Claims on the claim preferred by Joshua Hughes, and to inform you that the Minister for Lands approves of the recommendation contained therein.

I have, &c.,

JOHN G. BLAXLAND,
 (For Under-Secretary).

[Enclosure to No. 42.]

Extract from Commissioners' report.

"This claim is for a grant of lot 15, section 12, town of Parramatta, being the land devised by Governor Brisbane to one Thomas King, by lease dated 20th June, 1823, for a term of twenty-one years, with a right of purchase of the fee simple as usual under the regulations then extant.

"The claimant, however, proves no title under Thomas King, but he relies on a title by possession of fifty years and upwards, derived through John Hunt.

"It appears that there was a will of John Hunt's devising the land to Henry Hughes, and that the father of Mr. Hugh Taylor in his lifetime, and his sons (Mr. Hugh Taylor and Mr. John Taylor), since the death of their father, held possession of the land for the representatives of Henry Hughes, and it has been proved that the claimant is the heir-at-law of Henry Hughes.

"As it appeared from the papers forwarded by the Secretary for Lands that a counter-claim had been made by the Municipal Council of Parramatta to the land in question, the Commissioners have caused special notice of the application to be served upon the Council Clerk of the Corporation, of which the Corporation have taken no notice.

* * * * *
 "The Commissioners recommend that a grant of the land issue to Joshua Hughes, of Narrandera, blacksmith, his heirs and assigns.

"Dated this 8th day of June, A. D. 1880.

"ARTHUR T. HOLROYD, President.
 WM. OWEN."

No. 43.

The Under-Secretary for Lands to H. Halloran, Esq., C.M.G.

Sir,

Department of Lands, Sydney, 6 August, 1880.
 With further reference to your application of the 1st October, 1878, to have allotment 15 of section 12, in the town of Parramatta, sent to auction, I am now directed to inform you that the Minister for Lands has approved of the recommendation of the Commissioners of the Court of Claims, that a deed of grant of the land in question issue in favour of Joshua Hughes.

I have, &c.,

JOHN G. BLAXLAND,
 (For Under-Secretary).

No. 44.

Mr. C. S. Jones to The Under-Secretary for Lands.

Re Joshua Hughes.

Sir,

128, Elizabeth-street, Sydney, 12 August, 1880.
 I understand from the Secretary of the Court of Claims that the Court has recommended the issue of a grant to the above-named applicant. If so, may I ask that the matter be proceeded with without any unnecessary delay. No. 1,695,
Alienation,
herewith.—N.W.

Yours, &c.,

CHARLES SMITH JONES.

Records.—How does case stand—papers 80/823, Alienation?—J.G.B., 20/8/80. Inform that papers have been sent on for the preparation of deed.—R.H.D., 27/9/80. Put away.—R.H.D., 5/10/80.

No. 45.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir,

Department of Lands, Sydney, 4 October, 1880.
 With reference to your letter of the 12th August last, relative to the claim preferred by Mr. Joshua Hughes to the land noted in the margin, I am directed to inform you that the report of the Commissioners of the Court of Claims has been received and is being dealt with as speedily as possible. No note in
margin.

I have, &c.,

CHARLES OLIVER,
 (Per U.S.)

No. 46.

The Council Clerk, Parramatta, to The Secretary for Lands.

Sir,

Council Chambers, Parramatta, 3 November, 1880.
 Under the direction of His Worship the Mayor, I have the honor to inform you that at a general meeting of the Council of the Borough of Parramatta, held on the 1st instant, the following resolution was passed—

"That His Worship the Mayor be hereby empowered to make application to the Honorable the Minister for Lands to re-open the question of dedicating the land in Macquarie-street to this Council, for which

which a former application was made by resolution bearing date the 10th March, 1879"; and to inform you that, through the non-receipt of any notice from the Court of Claims for this Council to attend the said Court to give evidence upon the subject, the Council failed to take action in the matter, and would therefore kindly solicit that the question of dedicating the land in Macquarie-street to the Council, for which application was made, be re-opened. And would further kindly solicit that a surveyor may be sent up to survey the said land in order to test its position.

I have, &c.,
 SYDNEY WICKHAM,
 Council Clerk.

Minutes on No. 46.

This letter is submitted for the consideration of the Minister. The case has been decided by the Court of Claims, and the deed is about to issue, as advised thereby, to Joshua Hughes. The last paragraph of this letter is confuted by paragraph six (6) of the Commissioners of the Court of Claims' Report, of which paragraph we enclosed a copy in our letter of 6th August, 1880.—J.G.B., 23/11/80.

There does not appear to be any reason why the case should be re-opened. The Municipal Council of Parramatta had notice from the Court of Claims, and apparently have failed to take advantage of it.—C.O., 24/11/80.

Possibly, however, it would be safer to allow the Court of Claims to decide whether the case can be re-opened.—C.O.

The Council should be informed that this Department has been furnished with a statutory declaration from the Clerk to the Commissioners of the Court of Claims, to the effect that due notice was served upon the Municipal Council of Parramatta of the intention and time when the Commissioners would investigate this claim, therefore any application for a re-investigation must be made to the Court of Claims.—J.H., 2/12/80. Re-submit at end of January, 1881.—R.H.D., 17/12/80.

No. 47.

Mr. C. S. Jones to The Under-Secretary for Lands.

No. 80-6,623, Alienation.

Sir, 128, Elizabeth-street, Sydney, 17 November, 1880.

With reference to yours herein of the 4th ultimo, I beg to request that you will let me know how this matter is progressing, as my client is writing to me on the subject, and I can give him no satisfactory reply.

Yours, &c.,
 CHARLES SMITH JONES,
 (p. G.J.N.)

Minutes on No. 47.

Case has gone on for deed, as advised, by Court of Claims. Paper, 80-5,493, Alienation, Deeds, 29/9/80.—J.G.B., 17/11/80. Under-Secretary. For registration and papers, 80-6,623, Alienation.—J.G.B., 17/11/80. Herewith.—N.W. The deed has not yet been prepared—in fact the case is now under submission as to whether a claim by the Municipality of Parramatta shall in any way be recognized (they not having responded to an invitation of Court of Claims to show grounds for their claim).—J.G.B., 24/11/80. Under-Secretary. Inform Mr. Jones that a letter which has been received from the Municipal Council at Parramatta is under consideration, and that when a decision is arrived at thereon he will be further communicated with.—C.O., 26/11/80. Re-submit at end of January 1881.—R.H.D., 2/12/80.

No. 48.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir, Department of Lands, Sydney, 30 November, 1880.

Referring to your letter of the 17th instant, respecting the case of John Hughes, which had been referred to the Court of Claims, and requesting to be informed how the matter is progressing, I am directed to inform you that a letter has been received from the Municipal Council of Parramatta, which is under consideration, and when a decision is arrived at you will be further communicated with.

I have, &c.,
 CHARLES OLIVER,
 (pro U.S.)

No. 49.

The Under-Secretary for Lands to The Council Clerk, Parramatta.

Sir, Department of Lands, Sydney, 16 December, 1880.

With reference to your letter of the 3rd November ultimo, transmitting, by direction of His Worship the Mayor, a resolution passed on the 1st of that month by the Borough Council of Parramatta, requesting that the question of dedicating allotment 15 of section 12, in Macquarie-street, be re-opened, as it is alleged that no notice from the Court of Claims for the Council to attend and give evidence was received, I am directed to inform you that as a statutory declaration was forwarded to this Department from Mr. J. J. Cannon, Clerk to Mr. W. G. Pennington, the Secretary to the Commissioners, to the effect that due notice was served, application for a re-investigation of the case must be made to the Commissioners of the Court of Claims; and I am to request that, should it be deemed desirable to prosecute the subject further, application as indicated be made within one month from this date.

I have, &c.,
 CHARLES OLIVER.

Copy herewith.
 See previous
 papers.

No. 50.

The Council Clerk, Parramatta, to The Secretary for Lands.

Sir,

Council Chamber, Parramatta, 20 December, 1880.

I am directed by His Worship the Mayor to acknowledge the receipt of your letter of the 16th instant, acknowledging the receipt of the resolution passed by the Council of the Borough of Parramatta, requesting that the question of dedicating a certain portion of land situated in Macquarie-street, within this borough, may be re-opened.

I admit that the so-called notice marked A, dated 20th May, 1880, was received by me; but as that document stated that we should have to appear before the Court of Claims if necessary, such expression led me to suppose that a further notification would have been forwarded if evidence had been required to be given by the Council upon the subject at issue.

I may further state that, the Council being only applicants to the Government for the land in question, and not claimants thereof, naturally concluded the Government would protect their own interest by seeing that evidence upon the case was forthcoming at the proper date.

I have, &c.,

SYDNEY WICKHAM,

Council Clerk.

Minutes on No. 50.

Not for Ministerial Branch. Mr. Blaxland.—T.B., 22/12/80. I presume on this letter the Municipality do not intend to pursue the case further. However, until the middle of January, the time given them to make their application, we can do nothing. After that, if nothing more is forthcoming from the Council, the deeds must issue to Hughes, as before advised.—J.G.B., 28/12/80.

Under-Secretary.—Copy of letter to the Municipality from this department herewith.—J.G.B., 4/1/81. From this letter it appears that the Council do not desire to proceed further in the matter, and therefore the deed may issue to Joshua Hughes, as recommended by the Court of Claims.—C.O., 5/1/81. Approved.—J.H., 7/1/81. Write to parties to-day.—C.O., 8/1/81. C. S. Jones, solicitor, and S. Wickham, Council Clerk, informed, 8/1/81. Records.—Connect all papers, then to Mr. Wiseman for preparation of deed of grant.—R.H.D., *pro* J.G.B., 10/1/81.

No. 51.

Mr. C. S. Jones to The Under-Secretary for Lands.

Re Joshua Hughes.

Sir,

Elizabeth-street, Sydney, December, 1880.

I have the honor to direct your attention to the time that has elapsed since the above-named person's claim to a grant of a piece of land at Parramatta, known as No. 15, section 12, of that town, came before the Court of Claims, and was disposed of in the claimant's favour, and to the correspondence that has subsequently taken place between us upon the subject, and to request that the grant may be issued without further delay.

I have, &c.,

CHARLES SMITH JONES.

Minutes on No. 51.

Issue of deed has been stayed on a letter from Municipality of Parramatta claiming the land. However, the Municipality has been informed that they must apply to the Court of Claims if they wish the case re-opened, and they have been given to about the end of January to lodge their claim.—J.G.B., 23/12/80. Under-Secretary.—Has the above been ascertained from the Secretary to the Court of Claims?—C.O., 24/12/80.

No. 52.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir,

Department of Lands, Sydney, 8 January, 1881.

With reference to the correspondence which has taken place relative to the issue of a deed of grant in favour of your client Joshua Hughes, of the land noted in the margin, I am directed to inform you that, as it appears from the tenor of a letter of the 20th of last month, from the Corporation of the Borough of Parramatta, that that body is not disposed to proceed further in opposing your client's claim, the Minister for Lands has approved of the deed of grant issuing in due course.

I have, &c.,

CHARLES OLIVER.

No. 53.

The Under-Secretary for Lands to The Council Clerk, Parramatta.

Sir,

Department of Lands, Sydney, 8 January, 1881.

With reference to your letter of the 20th of last month, relative to the question of dedicating to the Borough Council of Parramatta the land noted in the margin, I am directed to inform you that, as it appears from the tenor of your communication that the Council does not desire to proceed in the matter of the claim thereto, by preferring an application to the Commissioners of the Court of Claims for the case to be re-opened, the deed of grant is to be prepared and issued in due course to Joshua Hughes, in accordance with the report of the Commissioners.

I have, &c.,

CHARLES OLIVER.

No. 54.

The Council Clerk, Parramatta, to The Secretary for Lands.

Sir,

Council Chambers, Parramatta, 25 January, 1881.

With reference to the application made by the Council of the Borough of Parramatta for a grant of land situated in Macquarie-street, within the said Borough, there appears to be some misunderstanding, the Court of Claims having represented this Council as claimants instead of applicants. The Council of the Borough of Parramatta without doubt are in a position to give information in support of their application, as to whose names the property has been assessed, and by whom held for a number of years, and are willing to do so if permitted. I therefore have the honor, under direction of His Worship the Mayor, to make application that you kindly cause the application for the said grant of land made by the Council of the Borough of Parramatta to be reconsidered, to admit of the Council giving such evidence as may be required.

I have, &c.,

SYDNEY WICKHAM,
Council Clerk.

Minutes on No. 54.

Mr. Blaxland, 29/1/81. May be referred to the Secretary to the Court of Claims.—C.O.,
1/2/81. Approved.—J.H., 1/2/81. The Secretary to the Court of Claims—C.O., B.C., Department
of Lands, 2/2/81. Inform Council Clerk and Mr. Jones.—C.O.

No. 55.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir,

Department of Lands, Sydney, 8 February, 1881.

With reference to the correspondence which has taken place relative to the issuing of a deed of grant in favour of Joshua Hughes, of the land noted in the margin, I am now directed to inform you that the Borough Council of Parramatta having objected to that course, and having asked for a reconsideration of the case, the papers have this day been forwarded to the Commissioners of the Court of Claims.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 56.

The Under-Secretary for Lands to The Council Clerk, Parramatta.

Sir,

Department of Lands, Sydney, 8 February, 1881.

With reference to your letter of the 25th ultimo, in which you request, by direction of His Worship the Mayor of Parramatta, that the subject of issuing a deed of grant of the land noted in the margin may be reconsidered, in order to afford the Borough Council an opportunity of producing evidence in support of their application to have the land dedicated for municipal purposes,—I am directed to inform you that the papers have been forwarded to the Commissioners of the Court of Claims, and to request that those gentlemen may be addressed by you on the subject if deemed desirable.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

No. 57.

Mr. C. S. Jones to The Secretary for Lands.

Re Joshua Hughes.

Sir,

128, Elizabeth-street, Sydney, 16 February, 1881.

I have the honor to acknowledge the receipt of your letter herein of the 8th instant, informing me that the Council of the Borough of Parramatta having objected to the issue of a grant of the land therein, and herein noted in the margin, and having asked for a reconsideration of the case, the papers had been forwarded to the Court of Claims for reconsideration. I need scarcely state that, in view of your letter of acknowledgment informing me that you had authorized the grant to issue, I am much surprised at the course now taken, which I submit is without precedent and contrary to practice, if even it be not *ultra vires*, as I venture to suggest that the Court of Claims having made their report, which has been approved of and ratified by the Crown in accordance with the statute, is *junctus officio*, so far as this particular case is concerned. Permit me to direct your attention to the following facts:—

The notice of hearing of this case was duly published in the Government Gazette, as also notice of the days of trial, and in addition thereto special notices were upon the Council of the Borough of Parramatta.

The case came on for hearing before the Commissioners of the Court of Claims on the 25th day of May, 1880, and several witnesses were examined on behalf of the claimant; and no appearance was made at the hearing or any steps whatever taken by the Borough Council (although as I have shown they had notice of the proceedings) until after the Crown had determined to adopt the report of the Commissioners and issue the grant to Hughes. I respectfully but earnestly submit that it is contrary to justice and all fairness that under the foregoing circumstances the case should be reopened, and especially upon *public* grounds, as I fail to see what *public* reasons, apart from any legal or equitable claim to the ownership of the land, can or should in any way prejudice the right of a person who has satisfied the Court of Claims and the Crown that he has such a *right to the land* as to justify the issuing of a grant.

My client has incurred considerable expense in this matter, and, if the course now being pursued be persisted in, will be saddled with further costs, and this through the deliberate action of the Council of Parramatta in failing to put in an appearance at the hearing when their claim (if any) might have been inquired into, and which action would preclude them from a rehearing in any British Court of Justice. It may not be out of place to mention that one of the Commissioners (Mr. Owen) who presided at the hearing

Macquarie-street
Parramatta,
allotment 15,
section 12.

Macquarie-street
Parramatta,
allotment 15,
section 12.

Macquarie-st.
Parramatta,
allotment 15 of
section 12.

hearing of this case is now absent in England, and as Mr. District Court Judge Wilkinson is fully occupied with his duties as such Judge and as Chairman of Quarter Sessions and would be required to sit with the third Commissioner, Mr. Holroyd (Master in Equity), the time when a rehearing would take place is very problematical and its uncertainty extremely annoying. I now, on my client's behalf, protest with every respect against the harassing and inequitable course now proposed, and respectfully request that the determination of the Government to issue the grant be acted on without delay. I may further mention that the claimant is now on a bed of sickness, has a large family to support, and being in indigent circumstances has no means at his disposal of further pressing his claim, and may thus be prevented obtaining that assistance and evidence which would be necessary should a rehearing in this case be persisted in. Asking for your early consideration of these circumstances,—

I have, &c.,

CHARLES SMITH JONES.

Minutes on No. 57.

Records,—What are the subjects of the papers quoted?—J.D.D., 2/2/81. What do papers 81-1,556 Miscellaneous refer to? Find out from what Branch the letter of the 8th February last was written.—J.D.D., 1/3/81. The letter referred to was sent from the Auction Branch, *vide* 81-1,556, Miscellaneous, which together with other papers *re* Joshua Hughes have been sent to the Court of Claims.—H.L.T., 3/3/81. Mr. Blaxland, 3/3/81. Records,—Better index Alienation and put end month.—J.G.B., 8/3/81. Indexed Alienation accordingly.—N.W., 10/3/81. Aln. Records.

No. 58.

The Secretary of the Court of Claims to The Council Clerk, Parramatta.

Sir, Office of Court of Claims, 69, Elizabeth-street, Sydney, 4 May, 1881.

I have the honor to inform you, by direction of the Commissioners of the Court of Claims, that a Court was held to-day, at which it was determined as follows:—That the object of the rehearing, as appears from the correspondence between the Government and Borough Council of Parramatta, wishing to have an opportunity of offering on behalf of the Crown some evidence to show that the claimant Joshua Hughes is not entitled to the grant, and that therefore the former report of 8th July, 1880, ought not to be carried into effect. The Court is now adjourned till 10 o'clock on Monday, the 30th instant, at the office of the Master in Equity, Supreme Court-house, King-street, in order to afford an opportunity to the Borough to offer such evidence as they may be advised to show that the grant ought not to issue to the claimant.

I have, &c.,

W. G. PENNINGTON,

Secretary.

Minute on No. 58.

Served the original of this notice upon Mr. Wickham, Council Clerk, Parramatta, this fifth day of May, 1881, at 2 o'clock in the afternoon.—JOHN J. CANNON.

No. 59.

The Under-Secretary for Lands to The Crown Solicitor.

Sir, Department of Lands, Sydney, 17 May, 1881.

In transmitting the enclosed papers, having reference to a claim set up by Joshua Hughes to allotment 15 of section 12, in the town of Parramatta, I am directed to request you to be good enough to peruse the *précis* (of this day's date) of the case, and to advise me if, in view of the statement therein contained, the land is not, and whether it has not been Crown Land for many years past; and whether in the public interest the Crown should not be represented at the hearing of the case before the Commissioners of the Court of Claims.

Urgent.
Enclosures to be
returned.

2. As the hearing is set down for the 30th instant, and as the papers have been borrowed from the Commissioners, I have to request that the subject may receive your early consideration and that I may be advised accordingly.

I have, &c.,

CHARLES OLIVER.

Recd., 18 May, '81.—J. W.

[Enclosure to No. 59.]

Précis.

Allotment 15 of section 12, Macquarie-street, Parramatta.

1. This land was originally leased by Sir Thomas Brisbane to John King, for a period of twenty-one years from the 30th June, 1823, subject to a quit rent, and with a right under certain conditions to purchase the fee simple. Copy of lease herewith, marked "A."

2. By Gazette notice of 3rd June, 1852 (copy herewith, marked "B"), the Government notified—1st. That in order to give the party or parties interested in this lease (which had expired 30th June, 1844) an opportunity of purchasing the fee of the land, the lease would be renewed for one year, during which the fee could be purchased. 2nd. That the lease would not be further renewed under any circumstances; and 3rd. That should the privilege to purchase be not taken advantage of the land would be resumed by the Crown.

3. By notice of the 28th February, 1853, it was proclaimed that unless the parties interested lodged their claim to purchase the fee under the proclamation of 3rd June, 1852, they would be excluded from the benefits of that notice. (Copy herewith, marked "C.")

4. In June, 1873, when investigating this case, Mr. L.-S. Deering reported (see Aln. 73-9,843):—

1st. That the land was then unoccupied.

2nd. That King (the original lessee) died without completing the purchase.

3rd. That the widow and family were, about forty years previous, forced to leave, owing to the house, &c., tumbling down.

4th. That for many years the allotment remained unenclosed.

5th. That no person lays claim to it by occupancy or otherwise, or is in a position to do so.

5. In July, 1873, Mr. Secretary Farnell directed that the land should be sent to auction; but owing to an oversight the papers were inadvertently put away after dealing with the adjoining allotment, and the land was not sent for sale. (See Aln. 73-9,843.)

6. In October, 1878, Henry Halloran, Esq., applied to have the allotment sent to auction; and in February, 1879, Mr. Surveyor Deering briefly reported, stating that Mr. John Taylor, on behalf of a person named Hughes, claimed the land through King and on the score of undisturbed possession. (79-1,088 Aln.) Mr. Taylor was then asked to state the particulars of the claim, and by letter of the 17th September, 1879, furnished details as follows:—

- 1st. That he (Mr. Taylor) had then papers in his possession.
- 2nd. That the papers showed that the first holder from the Crown was Dominick M'Curry.
- 3rd. That in 1829 the land was known as Dominick M'Curry's allotment, as proved by reference to Government Gazette of 8th September, 1829, in which the land is announced to be sold by the Sheriff as M'Kay's land and not M'Curry's.
- 4th. That the land passed from M'Curry to Daniel Jackson.
- 5th. That it passed from Jackson to John Hunt.
- 6th. That John Hunt devised it by will, dated 15th October, 1816, to Henry Duran *alias* Hughes.
- 7th. That Duran or Hughes left it by will to his daughter.
7. The next step is when C. S. Jones, solicitor, by his letter of the 3rd February, 1880 (Aln. 80-823), takes up the case for Hughes, the son of Hughes or Duran, who willed the land to his daughter. Mr. Jones starts with the averment that John Hunt (evidently the same person referred to by Mr. Taylor) became the owner of the land; and thence onward the channel through which Hughes now claims is the same as that given by Mr. Taylor.
8. On the 18th March, 1879, the Parramatta Borough Council applied that the land should be handed over for municipal purposes, and is traversing the claim by possession set up by Hughes. Apart from this there seem to be good reasons why the Crown should be heard when the case is before the Commissioners of the Court of Claims.

Notes on paragraph 1.—The right to purchase the fee existed so long as the quit rents were paid; when they failed, the right lapsed. The onus of proof of payment would rest on the claimant. It is pretty clear from Mr. Deering's report that the quit rents were not paid after 1853—about the date when the widow and family left. The claimant or his agent does not attempt to say the rents were paid up even during the currency of the original lease, *i.e.*, up to 1844.

Notes on paragraph 2.—Careful search has been made, but no trace can be found of an application for the renewal of King's lease for allotment 15 under the proclamation of the 3rd June, 1852. This would bear out Deering's report as to the (practically) abandonment of the land about 1833, and consequently the lapsing of any right on the part of any person to purchase the fee.

Notes on paragraph 3.—No trace whatever can be found of any of the parties mentioned by Mr. Taylor and Mr. Jones having preferred a claim to allotment 15, the land leased to King; but under this proclamation (of the 28th February, 1853), a claim to allotment 14, through Daniel Jackson's lease, was preferred, but disposed of in 1859 by Court of Claims (case 1,424), in favour of the Trustees of the Female School of Industry.

Notes on paragraph 4.—King died prior to 1833, during the currency of the lease, which expired in 1844, at which time his family had been off the land over ten years, and it is well known in the town that no person has lived on it since.

Notes on paragraph 5.—No claim to the land was attempted to be set up until it was decided to send the allotment 16 to auction.

Notes on paragraph 6.—Although Mr. Taylor stated he had papers in his possession in 1879, they do not appear to have been produced at the hearing before the Commissioners in July, 1880. Dominick M'Curry or M'Kay never had a lease from the Crown of the allotment 15. The Gazette of 8th September, 1829 (copy herewith), proved that the land therein mentioned was allotment 14, leased to Jackson, through whom M'Curry or M'Kay derived his interest. Jackson may have repurchased his interest at the Sheriff's sale; but if so, the lease, which is probably with Mr. Taylor, will show, or ought to, the various endorsements of transfer. Even then, that is for allotment 14 and not 15, the land now in question. How Hunt could devise by will dated 15 October, 1816, an interest derived from another, but which interest was not created till 1829, six years after, is a mystery. If Hunt's will was administered to, a copy of it could no doubt be produced from the Court records.

Notes on paragraph 7.—How or through what channel Hunt derived an interest from King Mr. Jones does not attempt to show. Mr. Taylor never mentions King's name in his letter of the 17th September, 1879; nor yet does his name appear until it is found that the claim set up through Jackson, M'Curry, and Hunt bears upon allotment 14, long since settled. From Mr. John Taylor's letter and from Joshua King's affidavit, the papers lost at the death of the late Parry Long, solicitor, are those in connection with Hunt's will; those in Mr. Taylor's possession would no doubt show that the land therein mentioned is allotment 14.

Notes generally.—On the 17th December, 1853, the Surveyor-General furnished the then Colonial Secretary with a return showing the allotments unclaimed under the proclamations of 1852 and 1853 by the parties then in occupation. Jackson's name appears for allotment 14; but neither his, M'Curry's, or any other person's, appears for 15, nor is that allotment mentioned,—clear proof that it was not then occupied. This return was revised up to 24th February, 1854, with the same result as regards 15. These support Deering's statement that the land had long before 1854 been abandoned, thereby reverting to the Crown through the lease failing. The Commissioners, in their report of July, 1879 (case 1,517), state that the claimant proves no title through King, but by possession of fifty years derived through Hunt. But Hunt must, if he derived any interest, have derived it through King, as no lease was ever issued to Hunt or any other person except King. Again, it is clear that King's interest in the lease lapsed prior to 1833, and was never revived, so that by the operation of the proclamation of the 28th February, 1853, the allotment 15 became Crown land after the 31st December, 1853, if, indeed, it had not become so *de facto* years prior to that date.

It is urged therefore that, at the rehearing of the case on the 30th instant before the Commissioners, the Crown should be represented, and that the plea should be raised that the land is Crown land, and has been since 1853, if not since about 1833, the date of abandonment, as it is believed that against the Crown in this Colony length of possession gives no title.

It is further suggested that the Borough Council of Parramatta should be made acquainted with the view this Department takes of the case, and of the line of action contemplated, and that it be asked to co-operate.

17th May, 1881.

R.H.D.

No. 60.

Report of Commissioners of Court of Claims.

New South Wales.

Report of the Commissioners appointed under the Act of Council of 5th William IV, No. 21, for hearing and examining claims to grants of land.

Case—No. 1,517 (rehearing).

Proposed grantee's name and address—Joshua Hughes, of Narrandera, blacksmith.

Claimant's name and address—Same.

Opponent's ditto—The Crown.

Name of promisee, lessee, or purchaser—Thomas King.

Date of promise, lease, or purchase—30th June, 1823.

By whom promised, leased, or of whom purchased—Governor Sir Thomas Brisbane.

Description of the land—All that piece or parcel of land containing by admeasurement 77 rods, situated at Parramatta, parish of St. John, county of Cumberland, Colony of New South Wales. Bounded on the west by a line 2 chains 74 links; on the south by a line 1 chain 73 links; on the east by a line to Macquarie-street 2 chains 80 links; and on the north by that street 1 chain 67 links; and being allotment No. 15, section 12, as delineated in the Government map of the town of Parramatta.

Date of determination—14th September, 1881.

Report.

Report.

The Commissioners have the honor to report, for the information of His Excellency the Governor, as follows:—

This case was heard before the Commissioners on the 25th day of May, 1880, when they made their report in favour of the applicant, to which they respectfully beg to refer.

That report states that the claimant has not proved any title from King, the original lessee of this land, but relied on a possession of forty or fifty years, through John Hunt, or those claiming through him.

The case has been re-opened at the instance of the Secretary for Lands, and was re-heard on the 30th May, and 9th, 20th, and 24th June, when additional evidence was given, the claimant appearing by his counsel and solicitor, and the Crown Solicitor watching the case on behalf of the Crown.

It appears clear that lot No. 15, section 12, which is the land now in question, was leased to one King for twenty-one years by Governor Brisbane, on 30th June, 1823. There is also evidence that it was afterwards in the possession of Hunt, who devised it to the father of the applicant, and that Mr. Taylor, of Parramatta (deceased), and after his death his sons Hugh and John Taylor, have on behalf of the applicant retained possession of this land. More evidence has been taken on the present hearing, Messrs. John and Hugh Taylor having given further evidence in support of this possession, and Mr. Rutter having deposed that for an interval of two or three years this possession was broken off; and Mrs. Walker, who lived on an adjacent allotment from 1840 to 1870, stated on a declaration made by her that this land was during that time "vacant and unoccupied." On this point, however, we see no sufficient reason for coming to a different conclusion to that stated in our former report.

Some confusion has arisen between this allotment No. 15 leased to King and No. 14, which was originally leased to Jackson, and seems afterwards to have been known as M'Kay's or M'Curry's allotment (see Government Gazette of 8th September, 1829), and which having been dealt with by this Court in 1859 as No. 1,424, was in accordance with the report then made granted to the School of Industry.

The Commissioners have no evidence before them that the parties in possession of King's grant availed themselves of the offers made by the Proclamations of 3rd June, 1852, and 28th February, 1853, but the Commissioners do not refer to this question, because they understand that it has not been usual to resume lands thus leased for non-compliance with such offers.

With regard to the letter of John Taylor, dated 17th September, 1879, it appears that this letter, although signed by John Taylor, is in the handwriting of Mr. Richardson (Mr. Taylor's solicitor), and was prepared by him from documents left with him by Mr. Taylor. The early history of this land contained in this letter is altogether inaccurate; but as it may be an incorrect interpretation of those documents, the Commissioners have taken evidence to explain the facts, and how Mr. Taylor came to sign a document containing these mistakes.

Having given the matter the best consideration in their power, the Commissioners still adhere to their report upon the first hearing of the case, and recommend that a grant issue in favour of Joshua Hughes, of Narrandera, blacksmith, his heirs and assigns.

Dated this nineteenth day of September, A.D. 1881.

ARTHUR T. HOLROYD,
President.
W. H. WILKINSON.

Minutes on No. 60.

These papers may be forwarded to the Crown Law Officers, with a view to an opinion whether His Excellency the Governor should be asked to approve of this recommendation (Proviso cl. 4, Act 5 Will. IV No. 21).—R.H.D., 29/9/81. The Secretary to the Attorney-General.—C.O., B.C., 30/9/81.

No. 61.

The Under-Secretary for Lands to The Crown Solicitor.

Sir,

Department of Lands, Sydney, 5 October, 1881.

I have the honor to transmit herewith the papers in connection with Joshua Hughes' claim to allotment 15 of section 12 in Macquarie-street, Parramatta, and to request the opinion of the Attorney-General whether His Excellency the Governor should be asked to approve of the report of the 19th ultimo of the Commissioners of the Court of Claims recommending the issue of a grant to the claimant. Enclosures.

2. In the event of the opinion being in the affirmative, I have to request that I may be informed whether the quit rents are to be demanded; and if so, for what period and at what rate.

I have, &c.,

CHARLES OLIVER,
Under-Secretary.

Recd., 6 Oct., /81.—J.W. J.G.B.

No. 62.

Mr. J. B. Durhen to The Secretary for Lands.

Honorable Sir,

York Cottage, Hordern-street, Newtown, 9 November, 1881.

I hereby protest, on behalf of Mary Elizabeth Walker, relict of the late John Walker, of Parramatta, and on my own behalf, as husband of a daughter of the aforesaid John and Mary Elizabeth Walker, against claims which I hear have been set up to a certain piece of land situated in Macquarie-street, Parramatta, and known as Walker's paddock; and I protest against the Crown granting it to either of the claimants, that is to say, to the Municipality of Parramatta or Mr. John Taylor, the said claimants, the same aforesaid land being a portion of the estate of the late John Walker aforesaid, by whom and by the aforesaid Mary Elizabeth Walker, the said land has been held in undisputed possession for at least forty-nine years, as we are ready to prove, and consequently claim it.

I have, &c.,

JOSEPH BANKS DURHEN.

Minutes

Minutes on No. 62.

Urgent.—C.O., 10/11/81. This refers to allotment 15 of section 12, in the town of Parramatta, Court of Claims case, Aln. 81-9,915. This may perhaps be sent to the Attorney-General, to whom the papers were sent on the 5th ultimo.—R.H.D., 14 November, 1881. C.O., 14/11/81. Approved.—J.H., 15/11/81. The Secretary to the Attorney-General.—C.O., B.C., 16/11/81. These papers must be with the Crown Solicitor.—W.W.S., 17th November, 1881. The papers are with the Attorney-General, to advise as to the Commissioner's report.—JOHN WILLIAMS, 19th November, 1881. The Under-Secretary, Attorney-General's Department.

No. 63.

The Crown Solicitor to The Under-Secretary for Lands.

Sir,

Crown Solicitor's Office, Sydney, 21 November, 1881.

I have the honor to return the papers relating to the report of the Commissioners of the Court of Claims upon the claim of Joshua Hughes, to allotment No. 15 of section 12, in Macquarie-street, Parramatta, and to state that I have submitted same to Mr. Attorney-General—a copy of whose advising will be found on the other side.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

Minutes on No. 63.

Submitted.—J.G.B., 24/11/81.

There still remains the question of quit rent, which appears to be chargeable.

[Enclosure to No. 63.]

Opinion.

ALTHOUGH I cannot say that I agree with the report of the Commissioners with respect to this case, still, as they have twice reported in favour of this claimant, I think His Excellency the Governor may be asked to approve of the report of the 19th September last.

As to the quit rents, that is a matter for the consideration of the Minister for Lands; it does not involve any legal question.

ROBERT WISDOM,

A.G., 19/11/81.

No. 64.

Mr. C. S. Jones to The Secretary for Lands.

128, Elizabeth-street, Sydney, 7 December, 1881.

Sir,

Re Joshua Hughes' application for Crown grant.

I have the honor to request that you will be good enough to let me know what is the cause of delay in the issue of this grant.

I beg to remind you that my client's claim has been under investigation for the past eighteen months, during which period it has been twice before the Court of Claims, and upon both occasions the Court has reported in favour of the issue of a grant to the applicant. The delay appears to me unaccountable.

I have, &c.,

CHARLES SMITH JONES,

p. G.J.M.

Minutes on No. 64.

Mr. Blaxland, 22/11/81. With Under-Secretary.—J.G.B., 9/12/81. Submitted for the directions of the Secretary for Lands. The opinion of the Attorney-General is within.—C.O., 16/12/81. As a majority of the Members of the Legislative Assembly determined to refer this matter to a Select Committee for investigation, no further action must be taken at present towards issuing the deed of grant for this portion of land.—J.H., 16/12/81. Inform.—J.G.B., 19/12/81.

No. 65.

The Under-Secretary for Lands to Mr. C. S. Jones.

Sir,

Department of Lands, Sydney, 22 December, 1881.

In acknowledging the receipt of your letter of the 7th instant, *re* the case of Joshua Hughes, I am directed to inform you that as the Legislative Assembly, on the 15th instant, determined to refer this matter to a Select Committee for investigation, no further action can be taken at present.

I have, &c.,

CHARLES OLIVER,

Under-Secretary.

No. 66.

Messrs. Jones & Jones to The Secretary for Lands.

Re Joshua Hughes.

Sir,

Wentworth Court, Elizabeth-street, Sydney, 15 September, 1882.

We have the honor to forward you a copy of a letter dated the 16th day of February, 1881, sent by our Mr. C. S. Jones to your predecessor, relative to the claims of our client to a grant of the land noted in the margin.

The letter referred to will, on perusal thereof, place you in possession of the facts of the case, and will apprise you of the claimant's position at the date of that letter. Since then, notwithstanding the protests therein contained, a rehearing which was sanctioned by the Crown took place on the 9th day of June, 1881.

The

The Commissioners of the Court of Claims who tried it upon the second hearing were Mr. Judge Wilkinson and Mr. Holroyd; the Council of the Borough of Parramatta was not represented, but the Crown was; evidence was taken for and against the claimant, several witnesses were examined, and the Commissioners after a patient hearing again reported in favour of the claimant Hughes.

The Government, so we understand (in fact Mr. Hoskins stated so in the House) approved of and determined to adopt the report, and were about to issue the grant accordingly; but owing to the action taken by Mr. Byrnes, one of the Members for Parramatta, who moved for and obtained a Select Committee to inquire into the claims of the Borough of Parramatta to the land in question, the issue of the same was and has been delayed.

The House was subsequently prorogued, and the Committee so appointed lapsed. So soon as the House met again, the same gentleman (Mr. Byrnes) tabled a notice of his intention to move for the appointment of another Committee for a similar purpose, and such notice now stands over until the 5th of October next.

Under the circumstances narrated, we cannot conceive that the Government will in any way sanction or countenance the course being pursued by Mr. Byrnes, but on the contrary, that it will at once give effect to the twice repeated adjudication of the Court of Claims (the properly constituted tribunal for the disposal of claims such as that under consideration).

We have therefore respectfully to request that you will give such directions as may be necessary to ensure the immediate issue of the grant to our client the claimant.

We have, &c.,
JONES & JONES.

Minute on No. 66.

Motion of the Assembly for copies of these papers having passed, the writers may be informed, and papers forwarded to be copied.—J.G.B., 12/10/82.

No. 67.

The Under-Secretary for Lands to Messrs. Jones & Jones.

Gentlemen,

Department of Lands, Sydney, 18 October, 1882.

In acknowledging the receipt of your letter of the 15th ultimo, further respecting the claim of Joshua Hughes to certain land in Macquarie-street, Parramatta, I have the honor to inform you that the papers are now being copied, in accordance with a resolution of the Legislative Assembly.

I have, &c.,
CHARLES OLIVER,
Under-Secretary.

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Lease of allotment in town of Parramatta to Thomas King.
New South Wales.

County of Cumberland, parish of St. John, town of Parramatta, allotment No. 15 in section 12.

Exhibit K, case No. 1,517, Joshua Hughes, claimant. Produced on behalf of applicant, 20 June, 1881.—W.G.P., Secretary.

By His Excellency Sir Thomas Brisbane, Knight Commander of the Most Honorable Order of the Bath, Captain-General, Governor and Commander-in-Chief in and over His Majesty's Territory of New South Wales and its Dependencies, &c.

By virtue of the power and authority in me vested I do by these presents demise lease set and to farm let unto Thomas King all that piece or parcel of land lying and situate on the south side of Macquarie-street in the town of Parramatta containing by admeasurement 77 rods bounded on the west by a line 2 chains 74 links on the south by a line 1 chain 73 links on the east by a line to Macquarie-street 2 chains 80 links and on the north by that street 1 chain 67 links To have and to hold the said piece or parcel of land unto the said Thomas King his executors administrators and assigns for and during and unto the full end and term of twenty-one years next ensuing to be fully complete and ended from the thirtieth day of June last yielding and paying therefor yearly and every year during the said term unto His Majesty His Heirs and Successors the annual quit rent of sixpence per rod of lawful sterling money of Great Britain on the thirtieth day of June in each and every year during the said term Provided always and it is hereby expressly to be understood and these presents are on the following conditions that if the said annual quit-rent be in arrear for the space of twenty days after the time appointed for payment thereof the same may be recovered by distress or otherwise as His said Majesty His Heirs and Successors may deem proper or be advised and in case no sufficient distress be found and the said quit-rent be in arrear after that time the whole of the said land to revert to the Crown And provided also that the said Thomas King shall in no way either divide the said land or separate or partition off any part or parcel thereof or directly or indirectly lease let sell alienate or transfer the same or any part thereof or any buildings erected thereon or any part thereof without the license and consent of the Governor of the Territory for the time being for that purpose first had and obtained in any or either of which cases above-mentioned this present lease to be and become absolutely null and void And it is hereby further understood that in case the said lessee his executors administrators or assigns should be desirous hereafter of purchasing the fee-simple and inheritance of the said land hereby leased subject to an annual quit-rent as hereinafter mentioned he or they shall be at liberty so to do on paying to the Crown for the purchase thereof a fine equal to twenty-one years of the quit-rent hereby reserved or in the event of the said lessee his executors administrators or assigns erecting on the said lands such buildings as may be approved of by the Governor for the time being according to a plan and specification thereof to be previously submitted to him for his approval provided that the same shall not be of less actual value and cost than one thousand pounds sterling then and in either of the said last-mentioned cases a grant of the said land will be made to the said lessee or other legal proprietor of the said land subject to the payment of such reasonable annual quit-rent as may be deemed proper by the Governor for the time being not exceeding double the annual quit-rent hereby reserved to hold to him his heirs and assigns for ever And it is to be hereby understood that in case the said land should be required by Government at the expiration of the time hereby created the said Thomas King his executors administrators or assigns shall be repaid or remunerated for any buildings that may be then standing thereon according to a valuation thereof to be made by two indifferent persons one to be chosen on either side in the usual and customary manner or in case any part of the said land at any time hereafter during the said lease should be required by the Governor for the time being for the making and improving the streets it may be resumed by the Crown on giving the said Thomas King his executors administrators or assigns six months notice thereof and paying for such buildings as may have been erected thereon and for the fee on such term of years then unexpired as the proprietor of such land may then possess according to a valuation thereof to be made by two indifferent persons chosen in the customary and usual manner But in the event of refusal in either of the two last-mentioned cases on the part of the proprietor of the said land to nominate and appoint a person on his part for the purposes aforesaid both the said persons to be nominated by His said Majesty His Heirs and Successors or the Governor of His said Majesty's Territory for the time being.

In testimony whereof I have hereunto set my hand and official seal, at Sydney, in New South Wales, this thirtieth day of June, in the year of our Lord one thousand eight hundred and twenty-three.

THO. BRISBANE (L.S.)

F. GOULBURN,
Secretary and Registrar.

I certify that the writing contained above (in this and the three preceding sheets of paper) is a true copy of the original lease as recorded in Register No. 1, Parramatta Town Leases.
Deeds Branch, Department of Lands, 28 May, 1881.

F. M'KERN.

Lease of Allotment in town of Parramatta to Daniel Jackson.
New South Wales.

County of Cumberland, parish of St. John, town of Parramatta, allotment No. 14 in section No. 12.

Exhibit L, case No. 1,517, Joshua Hughes, claimant. Produced on behalf of the Crown.—W. G. PENNINGTON, Secretary.

By His Excellency Sir Thomas Brisbane, Knight Commander of the Most Honorable Order of the Bath, Captain-General, Governor and Commander-in-Chief in and over His Majesty's Territory of New South Wales and its Dependencies, &c.

By virtue of the power and authority in me vested I do by these presents demise lease set and to farm let unto Daniel Jackson all that piece or parcel of land lying and situate on the south side of Macquarie-street in the town of Parramatta containing by admeasurement 61½ rods bounded on the west by a line 2 chains 90 links on the south by a line 1 chain 11 links on the east by a line to Macquarie-street 2 chains 92 links and on the north by that street 1 chain 36 links To have and to hold the said piece or parcel of land unto the said Daniel Jackson his executors administrators and assigns for and during and unto the full end and term of twenty-one years next ensuing to be fully complete and ended from the thirtieth day of June last yielding and paying therefor yearly and every year during the said term unto His Majesty His Heirs and Successors the annual quit rent of sixpence per rod of lawful sterling money of Great Britain on the thirtieth day of June in each and every year during the said term Provided always and it is hereby expressly to be understood and these presents are on the following conditions that if the said annual quit rent be in arrear for the space of twenty days after the time appointed for payment thereof the same may be recovered by distress or otherwise as His said Majesty His Heirs and Successors may deem proper or be advised and in case no sufficient distress be found and the said quit rent be in arrear after that time the whole of the said land to revert to the Crown And provided also that the said Daniel Jackson shall in no way either divide the said land or separate or partition off any part or parcel thereof or directly or indirectly lease let sell alienate or transfer the same or any part thereof or any buildings erected thereon or any part thereof without the license and consent of the Governor of the territory for the time being for that purpose first had and obtained in any or either of which cases above mentioned this present lease to be and become absolutely null and void And it is hereby further understood that in case the said lessee his executors administrators or assigns should be desirous hereafter of purchasing the fee-simple and inheritance of the said land hereby leased subject to an annual quit rent as hereinafter mentioned he or they shall be at liberty so to do on paying to the Crown for the purchase thereof a fine equal to twenty-one years of the quit rent hereby reserved or in the event of the said lessee his executors administrators or assigns erecting on the said lands such buildings as may be approved of by the Governor for the time being according to a plan and specification thereof to be previously submitted to him for his approval provided that the same shall not be of less actual value and cost than one thousand pounds sterling then and in either of the said last-mentioned cases a grant of the said land will be made to the said lessee or other legal proprietor of the said land subject to the payment of such reasonable annual quit rent as may be deemed proper by the Governor for the time being not exceeding double the annual quit rent hereby reserved to hold to him his heirs and assigns for ever And it is to be hereby understood that in case the said land should be required by Government at the expiration of the time hereby created the said Daniel Jackson his executors administrators or assigns shall be repaid or remunerated for any buildings that may be then standing thereon according to a valuation thereof to be made by two indifferent persons one to be chosen on either side in the usual and customary manner or in case any part of the said land at any time hereafter during the said lease should be required by the Governor for the time being for the making and improving the streets it may be resumed by the Crown on giving the said Daniel Jackson his executors administrators or assigns six months notice thereof and

and paying for such buildings as may have been erected thereon and for the fee on such term of years then unexpired as the proprietor of such land may then possess according to a valuation thereof to be made by two indifferent persons chosen in the customary and usual manner. But in the event of refusal in either of the two last-mentioned cases on the part of the proprietor of the said land to nominate and appoint a person on his part for the purposes aforesaid both the said persons to be nominated by His said Majesty His Heirs and Successors or the Governor of His said Majesty's Territory for the time being.

In testimony whereof I have hereunto set my hand and official seal, at Sydney, in New South Wales, this thirtieth day of June, in the year of our Lord one thousand eight hundred and twenty-three.

THOMAS BRISBANE. [L.S.]

F. GOULBURN,
Secretary and Registrar.

I certify that the writing contained above in this and the three preceding sheets of paper is a true copy of the original lease as recorded in Register No. 1, Parramatta Town Leases.
Deeds Branch, Department of Lands, 28th May, 1881.

F. M'KERN.

No. 3.

Notice of Sale of Dominick M'Kay's Allotment in town of Parramatta.

In the Supreme Court.

Sheriff's Office, August 31st, 1829.

Campbell the Younger v. Jackson.

On Thursday the 10th day of September next, at 11 o'clock, in the Market-place, Sydney, the Sheriff will cause to be sold all that piece and parcel of land lying and situate in the town of Parramatta, known by the name of "Dominick M'Kay's allotment," measuring 300 feet square; bounded on the one side by Macquarie-street; bounded on the one side by Kirk's and Farringham's allotment; on the other side by King's allotment, and fronting Macquarie-street; together with the messuage or tenement thereon erected and built; unless this execution be previously satisfied.

Exhibit J,
Joshua Hughes,
applicant. Pro-
duced on behalf
of Crown,
20th June, 1881.

No. 4.

Gazette Notice.

Government Gazette, 1 March, 1853, No. 25.

Colonial Secretary's Office, Sydney, 28 February, 1853.

PARRAMATTA LEASES.

ADVERTING to the notice of the 3rd June last, a copy of which is appended hereto, respecting the intention of the Government to issue leases for a year in terms of Her Majesty's Order in Council of 19th June, 1850, for certain allotments of land in the town of Parramatta, formerly held under leases issued by Sir Thomas Brisbane in the year 1823, His Excellency the Governor-General, with the advice of the Executive Council, now directs that it be publicly notified to all persons interested that their claims to participate in the advantages held out by the notice above alluded to must be lodged in this office on or before the 31st December next, otherwise they will be excluded from the benefits offered by that notice, and the allotments will be liable to be forfeited to the Crown without any compensation or allowance for improvements effected thereon.

Exhibit I, case
No. 1,517, Joshua
Hughes. Put in
by Crown Solicitor,
20 June,
1881.—
W.G.P., Sec-
retary.

By His Excellency's command,
E. DEAS THOMSON.

[Enclosure to No. 4.]

Government Gazette, 8 June, 1852, No. 58.

Colonial Secretary's Office, Sydney, 3 June, 1852.

See letter No. 4.

PARRAMATTA LEASES.

His Excellency the Governor-General directs it to be notified, for the information of all parties concerned, that in pursuance of instructions from the Right Honorable the Secretary of State for the Colonies, it is the intention of the Government, in consequence of the expiration some time since of the original leases issued by Sir Thomas Brisbane for various allotments of land in the town of Parramatta, to issue new leases of those allotments for one year, in terms of Her Majesty's Order in Council of 19th June, 1850, to all persons legally claiming under the former lessees, during the currency of which the lessees will have the privilege of buying the land at ten years purchase of the quit rent, calculated at the reduced rate of fourpence per perch.

Exhibit II, case
No. 1,517, Joshua
Hughes applic-
ant. Put in by
Crown Solicitor,
20 June, 1881.—
W. G. PERRING-
TON, Secretary.

2. The leases so to be granted will not under any circumstances be renewed; and in every case where the parties interested do not avail themselves of the above privilege of pre-emption during the currency of the lease, the land will be resumed by the Crown.

3. Persons who hold allotments of land in Parramatta coming within the terms of this notice are requested to submit their claim without delay to this office.

By His Excellency's command,
E. DEAS THOMSON.

No. 5.

Declaration by Dominick M'Currey.

DOMINICK McCURREY, of Parramatta, came before me, one of Her Majesty's Justices of Peace, and maketh oath and saith that the will now produced, marked A, dated the 15th October, 1816, and witnessed by the undersigned, viz. —

Case No. 1,510.
Exhibit A.
Produced on be-
half of claimant,
9th June, 1881.—
ARTHUR T. HOR-
ROLD, President.
—W. A. WIL-
KINSON.

his
THOMAS + GORMAN,
mark

his
and deponent DOMINICK + McCURREY,
mark

and William Stapleton, his own signature, this being the will of John Hunt, now deceased.

The deponent further saith that he witnessed the said John Hunt making his mark to the said will, and saw the said witnesses make their respective marks thereunto, and saw William Stable sign his own name to the said will.

And deponent further swears that the said John Hunt built a house on the said land in Macquarie-street, Parramatta, and resided thereon for a number of years, and died thereon.

Sworn before me, this
day of , 1853. }

his
DOMINICK + McCURREY.
mark

No. 6.

Mr. A. P. Long to Mr. C. S. Jones.

Dear Jones,

The only papers left in my late father's estate are now with my uncle, Mr. C. H. Long, at Balmain, with whom I live.

Yours, &c.,
A. PARRY LONG,
26 June, 1879.

Exhibit C 1,
case No. 1,510.
Produced on be-
half of the
applicant, 9th
June, 1881.—
G. P., Secretary.

No. 7.

Mr. A. P. Long to Mr. C. S. Jones.

Pitt-street, 4 July, 1879.

Dear Sir,

Re Hughes.

I have searched amongst my late father's papers, but can find no trace of the will of the late Henry Hughes.
My charge is £1 ls.

Yours, &c.,
A. PARRY LONG.

Exhibit C 4,
case No. 1,517.
Produced on
behalf of appli-
cant, 9 June,
1881.—W.G.P.,
Secretary.

No. 8.

Mr. A. P. Long to Mr. C. S. Jones.

Dear Jones,

To make sure I have had another look, but can find nothing relating to Hunt; when searching for Hughes' will I did not notice anything, and am sorry I am unable to give you any clue.
Cheque received with thanks.

Yours, &c.,
A. PARRY LONG.

I did not find any papers relating to Hughes at all.—A.P.L.

24 July, 1879.

Exhibit C 3,
case No. 1,517.
Produced on
behalf of appli-
cant, 9 June,
1881.—W.G.P.,
Secretary.

No. 9.

Declaration by Joshua King.

New South Wales to wit.

I, JOSHUA KING, of Goulburn, in the Colony of New South Wales, blacksmith, do hereby solemnly and sincerely declare as follows:—

1. That I know and was well acquainted with Henry Hughes, of Parramatta, Camden, Sutton Forest, in the said Colony, blacksmith.

2. That the said Henry Hughes was my step-brother, and was married in the year 1832, at Cobbity Church, near Camden, in the said Colony, by the Reverend Thomas Hassall, to one Elizabeth Welch.

3. That the said Henry Hughes died at an hotel in Pitt-street, Sydney, in the year 1850, leaving his said wife, Elizabeth Hughes, and two children, the only issue of the said marriage, him surviving, named respectively Elizabeth Hughes and Joshua Hughes.

4. That the said Elizabeth Hughes, the wife of the said Henry Hughes, subsequently intermarried with and became the wife of a person named Thomas Hollands, and is still living, as I verily believe, at Shoalhaven, in the said Colony.

5. That I know for a fact the said Henry Hughes died, leaving only the said two children, named Elizabeth and Joshua Hughes, him surviving.

6. That the said Elizabeth Hughes, the daughter, was the eldest child of the said Henry Hughes, and was married to a man named Spencer Fellowes; and that the said Joshua Hughes was born at Sutton Forest, in or about the year 1834, and was subsequently baptized by the Reverend John Vincent, I standing and being his godfather.

7. That the said Joshua Hughes was apprenticed to me, with the view of learning my trade of a blacksmith, and as such apprentice served a term of seven years with me at Goulburn aforesaid.

8. That he the said Joshua Hughes was married at the age of twenty-three years, and carried on business as a blacksmith at Wagga Wagga for some time, and on leaving there he settled down at a place called Narrandera, in the said Colony, where he is still living.

9. That I know the piece of land in Macquarie-street, Parramatta, in the said Colony; it is situated almost opposite White's "Old Oak-tree," on the eastern side of the Industrial School building, which building encroaches 2 feet thereupon. That the land I refer to was occupied by my parents, who often told me (and I believe them) that I was born there. My parents leaving for Camden, the said land was let to one Andrew Jackson. That I know the said land belonged to the said Henry Hughes, who I verily believe was seised for an estate of inheritance in fee simple in possession of the said land at and prior to his decease. The same land was devised to him by the will of his godfather, — Hunt, which will was placed in the possession of one Richard Tarrington (another godfather of the said Henry Hughes), who subsequently died, and whose papers with the said will came into the possession of John Taylor, of Parramatta, auctioneer.

10. That I have been informed and verily believe the late Henry Hughes, just before his decease, in company with Mr. John Jenkins, of Gundagai, demanded the said will from the said John Taylor, who admitted having it, and that the land belonged to him, the said Henry Hughes, but declined to give up the possession thereof, and of the other papers connected with the title thereto, until the said Henry Hughes paid him the sum of twenty or twenty-five pounds, and brought to him for identification a man named Dominick M'Currie. I verily believe the money was paid, but the said Henry Hughes died before he had time to make any inquiries about the said Dominick M'Currie; and the said will was not handed over, but the same was retained by and is now in the possession of the said John Taylor.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of Her present Majesty, intituled "An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits."

Declared at Goulburn, this 6th day of August, }
A.D. 1879, before me,—

JOSHUA KING.

C. S. ALEXANDER,
A Commissioner for Affidavits.

No. 10.

Mr. A. P. Long to Mr. C. S. Jones.

Dear Jones,

Re Hughes.

I have looked again and can find nothing.

Yours, &c.,
A. PARRY LONG.

29th November, 1879.

Exhibit C 2,
case No. 1,517.
Produced on
behalf of appli-
cant, 9th June,
1881.—W.G.P.,
Secretary.

No. 11.

Evidence given by Joshua Hughes.

Case 1,517. Joshua Hughes. 25th May, 1880.

Before the President and Mr. Owen.

Joshua Hughes, being sworn and examined by Mr. Cohen, states:—My name is Joshua Hughes; I reside at Narrandera; my trade is that of a blacksmith; Henry Hughes was my father; when I was a boy he lived at Berrima, and then he went to the Murrumbidgee; I don't remember his residing at Parramatta, I being too young when I left there; my father is dead—he is dead about nineteen or twenty years; he came down here to see about some land and died; I had one sister; I don't know whether she is living or dead; I know Mr. Joshua King—I lived seven or eight years with him; I was apprenticed to him for a part of the time, and then worked with him as a tradesman; I was living then in Goulburn; I afterwards started in business alongside of Mr. King; I then moved from Goulburn to Wagga Wagga, and from Wagga Wagga afterwards to Narrandera, where I am still living; I saw the land last week.

Mr. Owen:

Mr. Owen : That was the first time I saw it.

Mr. Cohen : I was first told about the land by Mr. Jenkins soon after my father died.

Mr. Owen : He told me that my father had some land at Parramatta, and that he thought my father had left it to me.

Mr. Cohen : Mr. Jenkins is often in Parramatta.

Mr. Owen : I never interfered with the land after, when they could not find the papers ; Mr. Taylor put an advertisement in the paper for my father, and my cousin at Goulburn cut the advertisement out and sent it to me.

Mr. Holroyd : That is twelve months ago.

Mr. Cohen : When I got the advertisement I wrote to Mr. Taylor, telling him that if he wanted any information about my father I could give it to him, and that he (my father) had some land at Parramatta ; I know nothing about the land itself ; I had no brothers.

Mr. Holroyd : I am about forty-five years old.

Witnessed by—T. HOLROYD, President.

WILLIAM OWEN.

JOSHUA KING.

26th May, 1880.

Joshua Hughes, being re-sworn and examined by Mr. Cohen, further states :—I am generally known as Joshua King ; I usually sign as Joshua King—ever since I took over the business of blacksmith from my uncle, Joshua King—in fact since I was a child ; I was brought up from childhood by my grand-parents, whose name was King, and I remained with them until I entered on my apprenticeship with my uncle, Joshua King ; my father apprenticed me to my uncle, and my grandfather Thomas King witnessed the indentures ; I was apprenticed about 1862 ; I saw the indenture of apprenticeship at the time, and in them I am called Joshua Hughes ; I am a married man ; I was married under the name of Joshua Hughes King, about twenty-two years ago ; I consulted Mr. Gannon, solicitor, Goulburn, as to the name under which I could get married.

JOSHUA HUGHES.

Witnessed by—ARTHUR T. HOLROYD.

WILLIAM OWEN.

No. 12.

Evidence given by John Taylor.

Case 1,517. Joshua Hughes. 25th May, 1880.

Before the President and Mr. Owen.

John Taylor, being sworn and examined by Mr. Cohen, states :—My name is John Taylor ; I know the land in question ; I have had actual possession of the land myself for the last twenty-five years ; on my return from America, the Trustees under my father's will left me this property to manage, and handed me over the papers ; I held the land and deeds for the Hughes family ; one of the papers was a will by Mr. Hunt, the attesting witnesses being Dominick McCurry and Gorman ; I have read the will ; Hunt willed this property to Henry Hughes, the father of the applicant.

Mr. Owen : Among the papers I saw an original lease from the Crown to King ; I think the date was about 1822 or 1823.

Mr. Cohen : About twenty years ago a Mr. Jenkins called upon me at Parramatta in reference to the property, and then by an arrangement with him I saw the late Henry Hughes, who was then on his death-bed ; he spoke to me about this property, and I consented to hold it for the benefit of his family, and I handed, at the request of Mr. Hughes, all the papers I have spoken of to Mr. Parry Long ; I was aware that Mr. Parry Long was retained by my father previous to this to obtain a grant through the Court of Claims ; my father's death interfered with this being done ; about twelve months since I advertised for the heirs or relatives of the late Henry Hughes ; I received a letter from Mr. J. J. Roberts informing me that he knew the late Henry Hughes, and that he could identify the claimant as the son of Henry Hughes to my satisfaction, and then Joshua Hughes wrote to me ; from conversation that I have had with the applicant, I have no doubt that he is the son of the late Henry Hughes ; the land to which I refer is lot 15 of section 12, town of Parramatta ; the land has been enclosed by me for the last twenty-four or twenty-five years ; I have let the land to various tenants, in consideration of their paying the municipal rates.

JOHN TAYLOR.

Witnessed by—ARTHUR T. HOLROYD, President.

WILLIAM OWEN.

No. 13.

Evidence given by Hugh Taylor.

Case 1,517. Joshua Hughes. 25th May, 1880.

Hugh Taylor, being sworn and examined by Mr. Cohen, states :—My name is Hugh Taylor ; I am a member of the Legislative Assembly and reside at Parramatta—I have been living there all my life ; I did not know the late Mr. Thomas King ; I know the piece of land in question ; I did not know the late John Hunt ; I knew the late Henry Hughes ; the land has been in the possession of my father, my brother, and myself, for the last fifty years, for the late Henry Hughes ; no person has ever interfered with my possession of the land ; neither my father, my brother, or myself made any claim to it as our own property ; no person has occupied it under me ; I have used it frequently for horses ; I have used it for years ; my father advertised for Mr. Henry Hughes about thirty years ago ; I have seen Henry Hughes ; I know of a transaction between my father and Mr. Hughes in reference to this land ; this is about thirty years ago ; Mr. Henry Hughes came down from the country about the advertisement and went on the ground with my father ; at that time land was very cheap ; Hughes told my father it would not pay him to come down the country to see after it, to obtain an attorney to make an application through the Court of Claims.

Mr. Owen : It was an agreement that in the event of my father getting a grant he was to sell the land and pay himself the expenses.

Mr. Cohen : I have seen the whole of the papers relating to this piece of land ; the documents comprised a will, in which were the names of Hunt, Dominick McCurry, and Gorman.

Mr. Owen : I do not know whose will it was, but I know that the property was left to Henry Hughes, the godson of the testator, whoever he was ; my father was a trustee under that will and took possession of the land as trustee, and on my father's death I took possession of the land as trustee under my father's will, and my brother and I have held the land ever since in trust for the family of Henry Hughes ; I have never seen or heard of a will by the late Henry Hughes.

Mr. Cohen : All the papers relating to the land were left with Mr. Parry Long, solicitor.

Mr. Owen : The land was fenced in by my brother.

HUGH TAYLOR.

Witnessed by—ARTHUR T. HOLROYD, President.

WILLIAM OWEN.

No. 14.

Evidence given by Joshua King.

Case 1,517. Joshua Hughes.

Before the President and Mr. Owen, 25th May, 1880.

Joshua King, being sworn and examined by Mr. Cohen, states :—My name is Joshua King ; I live at Goulburn ; I have known the applicant from the time he was born ; I am his step-uncle and his godfather, and he is the only son of the late Henry Hughes ; the declaration produced is a declaration made by me before C. S. Alexander ; the declaration is true to the best of my knowledge and belief in every particular, excepting that the said Henry Hughes died in 1860 instead of 1850.

JOSHUA KING.

Witnessed by—ARTHUR T. HOLROYD, President.

WILLIAM OWEN.

No. 15.

Evidence given by John Taylor.

Case No. 1,517. Joshua Hughes, claimant.

Thursday the 9th June, 1881.

Before the President and Mr. Wilkinson.

John Taylor, of Parramatta, auctioneer, being duly sworn, maketh oath and saith as follows:—The evidence given by me on the 25th May, 1880, and as read by Mr. Knox, is correct; I fenced the land in question about four or five years ago, since I made the promise to Hughes to hold it for his family; before this the fence was in a very bad state; the tenants I let the property to are John Rutter, the late John Williams, and James Vallack; the conditions I let the property on were that the tenants should pay the rates; I found the papers to which I have referred among my father's papers, which were handed over to me by Mr. Plunkett, one of the executors; the property was described in Hunt's will as purchased by him from King, and among the papers was the original lease from the Government to King, an attested copy of which is in evidence; amongst the papers I found the exhibit produced marked "A"; I recollect the names of Gorman and Dominick M'Curry, being attached to the will of Hunt.

Mr. Williams: My first recollection of my father's possession of this land was forty-four or forty-five years ago; he had actual possession of it by putting his ponies there; during my father's possession he allowed my uncle Walker to use it. my uncle Walker lived next door adjoining; my uncle Walker has been dead for thirty years; his widow is alive and lives in Parramatta, and is very infirm; I promised Henry Hughes on his death-bed that I would hold it for his children; I don't think Mrs. Walker could come to give evidence; she is between seventy and eighty years of age and is infirm, and could not conveniently come; when I came back from San Francisco in 1835 my brother was in possession of the land, putting horses and cattle upon it; the land was then well fenced; Hugh Taylor lived near it; on my return the land was given up to me by my brother; my brother withdrew from the management of the estate, and I took possession of it and all the properties of my father; I went on the land and fixed up the fences; I then retained possession and let it to John Rutter; this was three or four or some years after I returned from San Francisco; I told Rutter that he might have possession of the land if he paid the rates; there was no writing between us—it was a verbal agreement between Rutter and myself; I have a distinct recollection of that letting; I don't recollect there being any one present; he held it for three or four years; I then let it to John Williams upon the same terms; he held possession of it for some few years; I then let it to Mr. Vallack upon the same terms; I retook the land from Vallack when the Municipality applied for the land; I then advertised for the representatives of Hughes; I have heard it called M'Curry's; I never knew from papers in my possession that Dominick M'Curry was the first holder from the Crown, but I knew from such papers that King was the first holder; I never knew that the land was known as Dominick M'Curry's allotment, or that it passed to a man named Daniel Jackson, but I remember meeting with his name among my father's papers; I cannot tell the date of Hunt's will—I know it was very ancient; the exhibit marked "A" is I think the copy of same document; I believe the will referred to in the exhibit as the will of John Hunt is the will of which I am speaking; I handed the exhibit to Mr. Jones, and it was by this will that I believe the land was devised to Henry Duran, *alias* Hughes, who is the father of the person now claiming; I believe the handwriting to the exhibit marked "B" is the handwriting of Mr. Richardson; I gave him the particulars, and I signed the letter; there can be no mistake about this allotment; the allotment on one side was used by the officers' mess, and the one on the other side by my uncle, Mr. Walker; I never knew it as M'Curry's land; I have known it for the last forty years, and always understood it to be Hughes'; the materials from which Mr. Richardson compiled his letter were partially documents given by me to him, and I do not consider myself responsible for the contents; I have no recollection of reading the letter before signing it; all the information there Mr. Richardson obtained must have come from me or the papers I gave him; Mr. Richardson had no personal knowledge of this property before I instructed him.

Mr. Knox: Whether the statements contained in the exhibit produced marked "B" are correct or not, the evidence I have now given is correct; I have a distinct recollection that among the papers I handed to Parry Long was the original lease and Hunt's will; Mr. Jones, the applicant's solicitor, received the exhibits marked C 1, 2, 3, and 4, from Mr. Parry Long's son; at the time the letter was written by Mr. Richardson I was not aware that Henry Hughes had a son living or had ever had a son; I did know that he had a daughter, but I did not know whether she was living or not at the time the letter was written; I saw her at his bedside when he was dying; I understood Mr. Parry Long, who was then present, was preparing a will in favour of his daughter; this was twenty-three or twenty-four years ago.

Mr. Williams: My knowledge of the circumstances of this case was as perfect when the letter was written by Mr. Richardson as it is now.

JOHN TAYLOR.

Witnessed by—ARTHUR T. HOLROYD, President.
W. A. WILKINSON.

Evidence given by John Champley Rutter.

Case No. 1,517. Joshua Hughes, claimant.

Thursday, 9th June, 1881.

Before the President and Mr. Wilkinson.

John Champley Rutter, of Redfern, Justice of the Peace, being sworn and examined, states as follows:—I have lived at Parramatta for forty-five years; I lived continuously there for forty-five years, from 1830 to 1850, and 1851 to 1876; I am acquainted with allotment 15 section 12; when I first knew it, it was in the occupation of Mr. Hugh Taylor, senior; Mr. Taylor used to run his horses on it; this state of things continued up to the time of his death; it was fenced in, and bounded by the School of Industry on the one side, Blake's at the back, Walker's on the other side, and on the fourth side by Macquarie-street; the property was in my possession from 1862 to 1869; I found it vacant and took possession; I let the house in which I resided in 1867, which was separated by the School of Industry from this paddock, with this paddock, to Davis, of the A. S. N. Company, for twelve months; when his time expired let to the next tenant, Mrs. Hawkins, who was in the Mutual Provident Society; Mr. Hawkins was away at the time ill, and Dr. Brown was as surety for the rent; I did not lease the paddock or stable with this; I let the paddock and stable to Mr. Rogers, the draper, for 6d. per week for the paddock and 5s. for the stable; he held it from September, 1868, to May, 1869, when he built stables at his own place; I was living about a mile away from it; I should have mentioned that in 1862 I put up a two-rail paling fence on the street frontage; I had an entrance through a paddock I leased from Blake at the back of this allotment; I could not get out of the paddock into the street without coming through my yard; I paid the rates; I paid them in two names, in my brother's name and George Dempsey's, at two different periods; I paid the rates in my brother's name for the purpose of giving him a vote; I did not take possession of that property by virtue of any authority from the Taylors or any other person; I simply found it vacant and took possession of it; I did not take possession under any agreement with any one to pay the rates for it; the fact of my possession was well known; the Taylors know it perfectly well; John Taylor was the next person in possession; I afterwards saw his horse tied up in it; the fence was then out of repair; I have also seen Williams' horses there; the fence was at that time in repair.

Mr. Knox: I am not aware of any other John Rutter living in Parramatta; when I first knew this property it was in Hugh Taylor, senior's possession; I never heard the Taylors claim this for Hughes; Mr. John Taylor said in his evidence "I told Rutter he might have possession of the land if he paid the rates"; that is untrue; I think Mr. John Taylor once asked me would I give it to him, and he would pay me for all the trouble I had been put at; he never made a claim against me, but he asked me to give up the land to him, and he would pay me for the improvements; this was after I had left the neighbourhood; I never did hear any of the Taylors say that this was their property or that they were entitled to it; I am not on friendly terms with the Taylors; I have not been on friendly terms with the Taylors for fifteen or twenty years; I never had any dispute with them, but never spoke to any of the family in any way from then; I know how John Taylor came into possession after my occupation; the place was left with no one to take care of it, and the boys destroyed the fence; Taylor's blackfellow drove a stake down and tethered his pony there; I rode by and saw the horse tethered there; I saw my wife,

Mrs.

Mrs. Rutter, and she advised me not to take any notice of it, as the land did not belong to me; I had previously intended to impound it; I never heard that a person named Hughes ever claimed this land; I was in Parramatta in 1853; I did not at that or at any other time hear of the land being claimed by Hughes; I did not see Hughes in Parramatta at that time; the dispute between the Taylors and myself in no way arose out of anything in connection with this land—it was entirely from a family matter.

J. C. RUTTER.

Witnessed by—ARTHUR T. HOLROYD, President.
W. A. WILKINSON.

No. 17.

Evidence given by Hugh Taylor.

Case No. 1,517. Joshua Hughes, claimant.

Thursday, 9th June, 1881.

Before the President and Mr. Wilkinson.

Hugh Taylor, of Parramatta, Justice of the Peace, being sworn and examined, states as follows:—The evidence given by me at the former inquiry is correct. (Mr. Knox read the evidence given on the 25th May, 1880.) My father was a trustee under Farrington's will; Farrington was executor of Hunt, and my father was executor for Farrington; my father advertised as executor of Farrington for Henry Hughes about thirty-five years ago; about thirty-two years ago Hughes came down from the country and stopped at my place; as far as I know, this land was never claimed by any one except my father, my brother, and myself on behalf of Hughes.

Mr. Williams: I recollect this land over fifty years; my father was in possession of it at that time; he ordered me to take the horses down and put them in the paddock, meaning the land now claimed; it was then fenced in with a paling fence; it was first fenced in one block by itself as long as I can remember; I continually put the horses in without a break for twenty-five years of this time; about that time my father died; upon my father's death I kept possession of it, using it continually in the way described until my brother, who had been in San Francisco, returned, about a year after; I handed the papers to him and he took possession of it; the reason I did not keep possession and handed over the papers was because I was insolvent; my connection with the land then ceased; since that time Mr. John Rutter, the late Mr. John Williams, and Mr. James Vallack, of Parramatta, brewer, have been in possession; no interest in this land was sold or ever attempted to be sold by the Sheriff, as far as I know; three-parts of the fence was down for two or three years before my brother returned from San Francisco; there was a new fence I believe put up by Mr. Rutter; I have seen Mr. Rutter's horses there for three or four years; during that time no one was in possession except Mr. Rutter; I never interfered after Mr. Rutter's possession; the land was held successively by Mr. Williams, Mr. James Vallack, and Mr. John Taylor, who is in possession now; the possession has always been in my father, my brother, and myself, about thirty-two years ago Mr. Hughes, in answer to an advertisement, went on the ground with my father and myself, and said, "I can earn more with my trade as a blacksmith in one month than what the land is worth; I cannot afford the time to stay down and put it through the Court of Claims"; he told my father to sell the land and pay himself; the payment I refer to was the expense of putting the matter through the Court of Claims; I don't know the reason why the land was not put through the Court of Claims; the papers were placed in the hands of Mr. Parry Long, and I frequently saw him; the papers I refer to as having handed to my brother related to my father's estate; I have heard it said that Dominick M'Curry was in possession, and also King and also Gorman; I don't think that I ever referred to it as Dominick M'Curry's allotment, and that it would be seen in Gazette, 8th September, 1859; I am not aware that an adjacent lot belonged to Dominick M'Curry, or that this or the adjacent land was known as Daniel Jackson's; I do not remember any house being on the land; I do not know that John Hunt built a hut, but I heard that Hunt did build one and that Gorman lived on the land, but I never saw a hut or dwelling on the land for the fifty years I have known it; I have seen the remains of a chimney on the land; I may have said that I was in possession for forty years, in a communication to the Government, as I thought that was sufficient.

Mr. Knox: I am not instructing Mr. Jones in the matter—he is solicitor for the applicant; I attended before the Court of Claims in obedience to a subpoena; I have no interest whatever in the claim.

HUGH TAYLOR.

Witnessed by—ARTHUR T. HOLROYD, President.
W. A. WILKINSON.

No. 18.

Evidence given by Sydney Wickham.

Case No. 1,517. Joshua Hughes, claimant.

Thursday, 9th June, 1881.

Before the President and Mr. Wilkinson.

Sydney Wickham, of Parramatta, Council Clerk, being duly sworn, maketh oath and saith as follows:—I am Council Clerk of Parramatta; I produce an extract from the rate books, which I have made myself; I have the custody of the original rate books kept there; the extract produced is a correct copy from the rate books for the years 1862 to 1882; it correctly states the parties rated, but not who paid the rates.

Mr. Knox: When the proper person is not known it is rated in the name of "owner," and "owner" is advertised for; the notice of rate is always served upon the occupier and not the owner.

SYDNEY WICKHAM.

Witnessed by—ARTHUR T. HOLROYD.
W. A. WILKINSON.

No. 19.

Extract from Rate-books of the Borough Council, Parramatta.

Persons rated for land in Macquarie-street.

Years.	Owner.	Occupier.
1862 to 3		George Dempsey.
1863 ,, 4	Book not in the possession of the Council.	
1864 ,, 5	John C. Rutter.	
1865 ,, 6	Do.	George Dempsey.
1866 ,, 7	Do.	James Dempsey.
1867 ,, 8	Robert C. Rutter.	
1868 ,, 9	King	John Rutter.
1869 ,, 70	Do.	
1870 ,, 1	Do.	
1871 ,, 2	Hughes	John Taylor.
1872 ,, 3	Owner.	Do.
1873 ,, 4	Do.	
1874 ,, 5	Do.	
1875 ,, 6	Do.	James E. Vallack.
1876 ,, 7	James E. Vallack	Do.
1877 ,, 8	Owner	Do.
1878 ,, 9	Do.	Do.
1879 ,, 80	John Taylor.	
1880 ,, 1	Owner.	
1881 ,, 2	Do.	

Exhibit D.
Joshua Hughes,
applicant. Pro-
duced on behalf
of the Crown,
9th June, 1881.—
W.G.P.,
Secretary.

No. 20.

Declaration by Mary Elizabeth Walker.

Exhibit E,
case No. 1,517,
Joshua Hughes,
Put in by Crown
Solicitor,
20 June, 1881.
W. G. PENNING-
ton, Secretary.

I, Mary Elizabeth Walker, of Parramatta, in the Colony of New South Wales, widow, do solemnly and sincerely declare as follows:—I am the widow of John Walker, late of Parramatta, who died on or about the first day of July, in the year of our Lord one thousand eight hundred and forty-eight. I am well acquainted with the land in Macquarie-street, Parramatta, situated between the lands now belonging to the School of Industry and that formerly owned by my late husband, and now in the possession of the widow of Richard Worthing. My husband and myself lived upon the last-mentioned land for a period of about thirty years, from about the year 1840 to 1870.

During the time my husband and myself resided upon the said land, we from time to time used the allotment of land situated between the land we occupied and the School of Industry land, by depasturing cows and horses thereon and otherwise using the same; it was vacant land, and we used it being adjacent to the land we lived upon; and this, so far as I am aware and verily believe, without my said husband having obtained permission so to do from any person or persons whomsoever. I never asked for or obtained permission to use the said land from any person, and was allowed to do so without interference; neither the late Hugh Taylor, or his sons Hugh Taylor and John Taylor, ever, so far as I am aware, interfered with the use of the said land by my late husband and myself.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled, "An Act to repeal an Act of the present Session of Parliament, intituled, 'An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the State and to substitute Declarations in lieu thereof and for the more entire suppression of voluntary and extra-judicial Oaths and Affidavits, and to make other provisions for the abolition of unnecessary Oaths';" and by virtue of the provisions of an Act of the Governor and Legislative Council of New South Wales, made and passed in the ninth year of the reign of Her Majesty Queen Victoria, intituled, "An Act for the more effectual abolition of Oaths and Affidavits taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits."

Declared and subscribed before me, at Parramatta and }
Colony aforesaid, on the seventeenth day of June, }
one thousand eight hundred and eighty-one. }
W. GOODIN, J.P.

her
MARY ELIZABETH + WALKER.
mark

No. 21.

Statement of Rates levied upon property situated in Macquarie-street, between the properties known as the School of Industry and that in possession of the widow of Richard Worthing, within the Borough of Parramatta, and by whom paid.

Years.	Amount.	By whom paid.
1868 to 69	3 7	Paid by John C. Rutter.
1869 „ 70	3 7	Not paid.
1870 „ 71	4 0	Paid by John Taylor.
1871 „ 72	4 0	Do. do.
1872 „ 73	4 0	Do. do.
1873 „ 74	4 0	Do. James Vallack.
1874 „ 75	4 0	Do. do.
1875 „ 76	4 0	Do. do.
1876 „ 77	4 0	Do. do.
1877 „ 78	5 0	Do. do.
1878 „ 79	5 0	Do. do.
1879 „ 80	5 0	Do. John Taylor.
1880 „ 81	6 0	Not paid.
1881 „ 82	7 0	Not paid.

Council Chambers, Parramatta,
18th June, 1881.

SYDNEY WICKHAM,
Council Clerk.

No. 22.

Evidence given by Robert Henry De Low.

Case No. 1,517. Joshua Hughes, claimant.
Monday, 20th June, 1881.

Before the President and Mr. Wilkinson.

Robert Henry De Low, of Sydney, Clerk in the Lands Department, being sworn and examined, states as follows:—I am a clerk in the Lands Department; I produce a copy Gazette containing certain proclamations referring to Parramatta leases, dated 3 June, 1852; I produce also a second copy Gazette, containing proclamation dated 23rd February, 1853; there is no other proclamation as I know of affecting this land; I procured the lease books containing leases of Sir Thomas Brisbane dated in 1823; I have searched these books carefully, and have not found any lease to Dominick M'Curry or Dominick M'Kay; I have searched also the records in the Lands Department, and cannot find any application for the renewal of such lease or for pre-emption; in searching I have found a lease of lot No. 15, section 12, fronting Macquarie-street, to King; Daniel Jackson's allotment, No. 14—I have not found any application by King or any one claiming under him for a renewal of lease for one year of his allotment, which was allotment 15 of this land, nor have I found any application by any such persons to purchase such land; I produce extract from copy Gazette of September 8th, 1829; M'Kay's allotment, according to the office maps I have seen, corresponds with the allotment on which the School of Industry now stands, and is not King's allotment; there is no lease to one M'Kay in the batch of leases issued by Sir Thomas Brisbane on 30th June, 1823; I can trace no lease to a man named M'Kay or M'Curry at any time; the only way that the name M'Kay is known is by the boundaries given in the advertisement of sale, there was a lease of the land referred to in advertisement of sale dated 8th September, 1829, to a man named Daniel Jackson, which is No. 14; I produce an official copy of the record of the lease.

Mr. Wilkinson: There was a renewal of allotment No. 14; as far as I have been able to gather it was in 1861; from 1844 to 1861 I can find no trace of any lease for allotment 14; in 1861 the Crown issued a lease to the School of Industry for one year of allotment No. 14, and since have issued a grant to the Trustees.

Witnesses—

ARTHUR T. HOLROYD, President, Court of Claims.
W. A. WILKINSON.

R. H. DE LOW.

No. 23.

Evidence given by Sydney Wickham.

Case No. 1,517. Joshua Hughes, claimant.
Monday, 20th June, 1881.

Before the President and Mr. Wilkinson.

Sydney Wickham, of Parramatta, Council Clerk, being sworn and examined, states as follows:—I am Council Clerk at Parramatta; I have searched the rate books from 1869 to date; I cannot find any records prior to 1818. The accompanying extract is correctly taken from the books in my possession; I took charge of the books nine years ago; in search I have found that Rutter appears to have paid the rates for one year; I know Mrs. Mary Elizabeth Walker; she resides in Campbell-street,

street, Parramatta; she is infirm bodily, but quite clear mentally; the declaration produced of Mrs. Walker was made before Mr. Goodin, J.P., and the mark thereto was her mark, and was read over to her.

Mr. Knox: As Council Clerk, I enter the minutes and resolutions of the Council; the Council approved of this matter in consequence of a resolution passed in March, 1879, and a second resolution on 1st November, 1880; I have no recollection of any letter written on the 20th December, 1880, or about that date, by the Council to the Lands Department, withdrawing their opposition to this application, nor do I think any such letter was written, although it is referred to in a letter of the Under-Secretary for Lands to applicant's solicitor, dated 8th January, 1881; I have a copy of my letter asking for a re-opening of this claim.

Mr. Holroyd: I know this piece of land well; Mr. John Booth was the mover of the second resolution.

Mr. Knox: I know of no public grounds on which the Council could oppose this application; the sole reason why the Council applied to the Government for this land was because they wanted it for their own purpose, and they believed it to be Government land.

Mr. Williams: The Council have never claimed any right to the land, but have only requested a grant from the Government on the supposition that it was Crown land; that was the reason, as far as I know, why the Council was not represented on the former application.

Witnesses—

ARTHUR T. HOLROYD, President, Court of Claims.
W. A. WILKINSON.

SYDNEY WICKHAM,
Council Clerk.

No. 24.

Evidence given by John Taylor.

Case No. 1,517. Joshua Hughes, claimant.

Monday, 20th June, 1881.

Before the President and Mr. Wilkinson.

John Taylor, of Parramatta, recalled, being sworn and examined, states as follows:—The copy extract "I," from Government Gazette, I handed over to Mr. Richardson, and also exhibit "A," together with other papers and memoranda relating to Hughes's estate.

Witnesses—

ARTHUR T. HOLROYD, President, Court of Claims.
W. A. WILKINSON.

JOHN TAYLOR.

No. 25.

The Crown Solicitor to The Under-Secretary for Lands.

Sir,

Crown Solicitor's Office, Sydney, 24 June, 1881.

I have the honor to return herewith the papers received from your Department respecting the claim to land in Parramatta made by Joshua Hughes, and to state that I have appeared on behalf of the Crown before the Commissioners of the Court of Claims in this matter, that the hearing of the case is concluded, and that I now return the papers, as the Commissioner will require to refer to the evidence taken at the former inquiry before deciding upon the case.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

Minute on No. 25.

The papers may now be transmitted to the Secretary to the Commissioners of the Court of Claims.—R.H.D., 30/6/81.

No. 26.

The Under-Secretary for Lands to The Secretary to the Court of Claims.

Sir,

Department of Lands, Sydney, 2 July, 1881.

I have the honor to transmit herewith the papers in connection with the claim of Joshua Hughes to a grant of allotment 15 of section 12, in Macquarie-street, Parramatta, and to request that I may be favoured with the report of the Commissioners of the Court of Claims on the rehearing of the case.

I have, &c.,

CHARLES OLIVER.

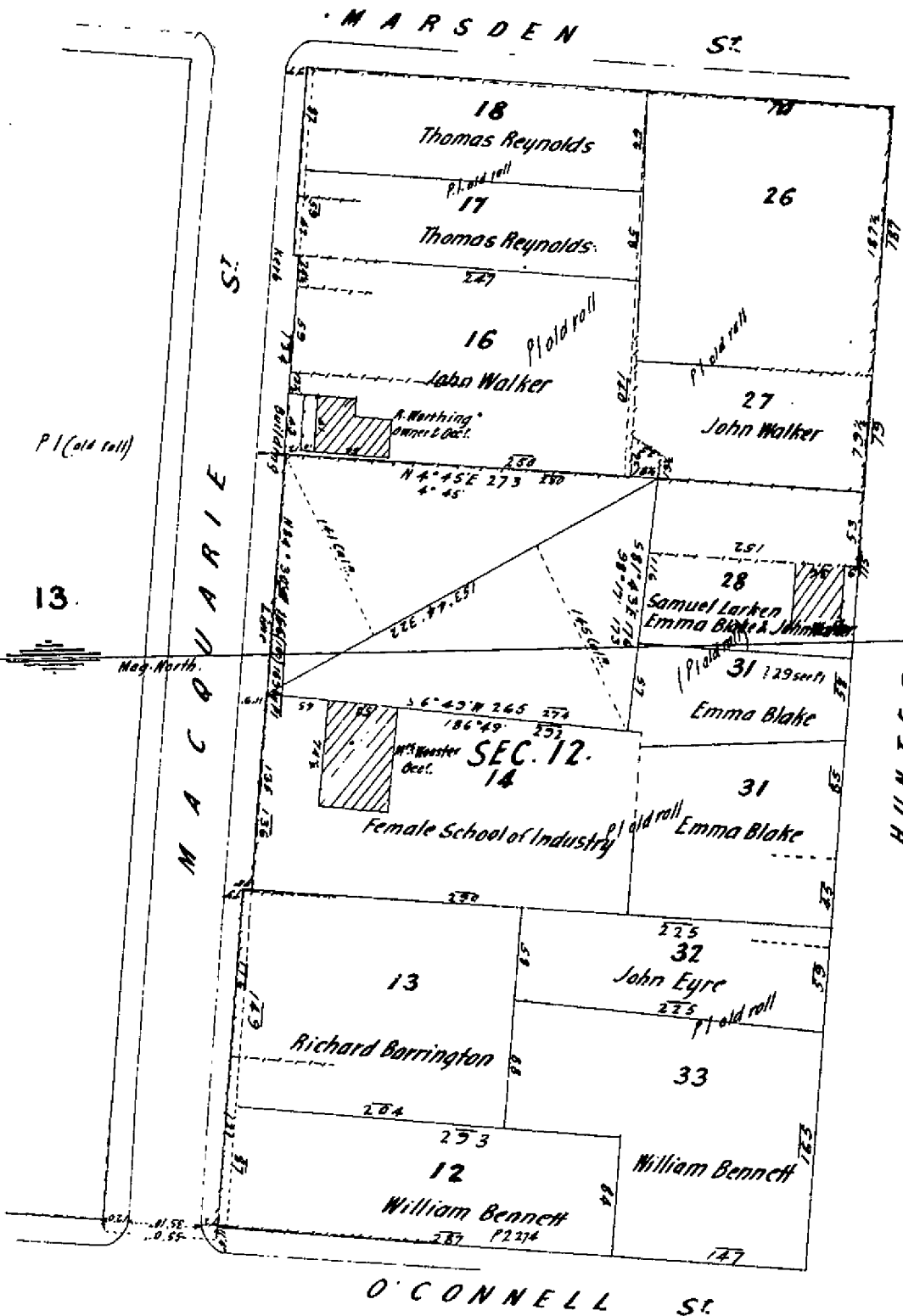
[Two sketches.]

COPY FROM PLAN OF
Survey of Allotment 15 Section 12, in the Town of Parramatta South;
C^o CUMBERLAND
Ph of St. John

Parramatta

Containing 1 rood 33 perches
 Surveyed for Auction Sale.
 scale 1 chain to an inch

Cancels allotment 15 Section 12 on P1 (old roll)
 The numbers of allotments & names are taken from the map of Parramatta South



P1 (old roll)

13.

Mag. North.

SEC. 12.
14

9.

Scaling Area & C ext.
 Catalogued
 (sig^d) C.J.D.
 17 Nov 79

Note. The figures in Red on Original
 are upon this plan shown thus 143

NOTE. The Black figures show present measurements;
 ditto Red, the dimensions on Tam Plan

Drawn by C. Young
 Examined by

Plan accepted
 signed T.E.
 14th March 79

Transmitted to the Surveyor General with my Report 79/1
 of 8th February 1879

(sig^d) John W. Deering.

P169.758

(66-)

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

FRIENDLY SOCIETIES ACT INQUIRY
COMMISSION.

REPORT

OF THE

ROYAL COMMISSION,

APPOINTED ON THE 19TH OCTOBER, 1881,

TO INQUIRE INTO AND REPORT UPON THE WORKING OF THE
FRIENDLY SOCIETIES ACT, 37 VIC. No. 4, AND TO REPORT
GENERALLY ON THE CHARACTER AND OPERATIONS OF THE
FRIENDLY SOCIETIES OF NEW SOUTH WALES;

TOGETHER WITH THE

ACTUARIAL REPORT,

MINUTES OF EVIDENCE,

AND

APPENDICES.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
17 *January*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

Commission.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen,
Defender of the Faith, and so forth,—

To Our trusty and well-beloved—

JAMES SQUIRE FARNELL, Esquire, a Member of Our Legislative Assembly of Our Colony of New South Wales; ANGUS CAMERON, Esquire, a Member of Our said Legislative Assembly; JOHN GELDING, Esquire; EDWARD GREVILLE, Esquire, one of Our Justices of the Peace of Our said Colony; ARCHIBALD HAMILTON JACOB, Esquire, a Member of Our said Legislative Assembly; PHILIP JAMES NEWLAND, Esquire; JOHN SLADE, Esquire; JAMES FRANCIS SMITH, Esquire; and JOHN SUTHERLAND, Esquire, a Member of Our said Legislative Assembly:

Greeting:

Know ye that We, reposing great trust and confidence in your ability, zeal, industry, discretion, and integrity, do by these presents authorize and appoint you, or any three or more of you, as hereinafter mentioned, to make a diligent and full investigation into the working of the Act passed by the Legislature of Our said Colony of New South Wales, in the thirty-seventh year of Our reign, and numbered four, intituled "An Act to consolidate and amend the Law relating to Friendly and other Mutual Benefit Societies," and into the organization, management, condition, and prospects of the Societies registered under its provisions, and to report generally on the character and operations of the Friendly Societies of Our said Colony, and of the principles necessary to be maintained in their financial management for the due security of the members of such Societies: And We do by these presents give and grant to you, or any three or more of you, at any meeting or meetings to which all of you shall have been duly summoned, full power and authority to call before you all such persons as you may judge necessary by whom you may be better informed of the truth in the premises, and to require the production of all such books, papers, writings, and all other documents as you may deem expedient, and to visit and inspect the same at the offices or places where the same or any of them may be deposited, and to inquire of the premises by all lawful ways and means: And Our further will and pleasure is that you, or any three or more of you, after due examination of the premises, do and shall, within the space of three months after the date of this Our Commission, or sooner if the same can reasonably be, certify to Us, in the Office of Our Colonial Secretary, under your or any three or more of your hands and seals, what you shall find touching the premises: And We hereby command all Government Officers and other persons whomsoever within Our said Colony, that they be assistant to you and each of you in the execution of these presents: And We appoint you, the said JAMES SQUIRE FARNELL, Esquire, to be President of this Our Commission.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Our said Colony to be hereunto affixed.

Witness Our right, trusty, and well-beloved Councillor, SIR AUGUSTUS WILLIAM
[L.S.] FREDERICK SPENCER LOFTUS (commonly called LORD AUGUSTUS LOFTUS), Knight
Grand Cross of Our Most Honorable Order of the Bath, Our Governor and
Commander-in-Chief of Our Colony of New South Wales and its Dependencies, at
Government House, Sydney, in New South Wales aforesaid, this nineteenth day of
October, in the year of Our Lord one thousand eight hundred and eighty-one, and
in the forty-fifth year of Our Reign.

AUGUSTUS LOFTUS.

By His Excellency's Command,—

HENRY PARKES.

Entered on record by me, in REGISTER OF PATENTS, No. 11, pages 374-75, this nineteenth day of October, one thousand eight hundred and eighty-one.

(For the Colonial Secretary and Registrar of Records),

CRITCHETT WALKER,

Principal Under-Secretary.

Commission.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, and so forth,—

To Our trusty and well-beloved—

JOHN DAVIES, Esquire, Companion of our Most Distinguished Order of Saint Michael and Saint George, a Member of our Legislative Assembly of Our Colony of New South Wales; FRANCIS ABIGAIL, Esquire, a Member of Our said Legislative Assembly; PHILIP RISBY HOLDSWORTH, Esquire; and EDWARD JOSEPH RUBIE, Esquire;

Greeting:

WHEREAS by an Instrument under the Great Seal of Our Colony of New South Wales, bearing date the nineteenth day of October last, We did appoint certain gentlemen therein named to be a Royal Commission to make a diligent and full investigation into the working of the Act passed by the Legislature of Our said Colony of New South Wales, in the thirty-seventh year of Our Reign, and numbered four, intituled "An Act to consolidate and amend the Law relating to Friendly and other Mutual Benefit Societies," and into the organization, management, condition, and prospects of the Societies registered under its provisions, and to report generally on the character and operations of the Friendly Societies of Our said Colony, and of the principles necessary to be maintained in their financial management for the due security of the members of such Societies: And whereas it hath appeared to Us to be expedient to appoint additional Members of such Royal Commission: Now therefore know ye, that We, of Our especial grace, have thought fit to appoint, and do hereby appoint you to be such additional Members accordingly.

In testimony whereof, We have caused these our Letters to be made Patent, and the Great Seal of Our said Colony of New South Wales to be hereunto affixed.

Witness Our right, trusty, and well-beloved Councillor, SIR AUGUSTUS WILLIAM FREDERICK SPENCER LOFTUS (commonly called LORD AUGUSTUS LOFTUS), Knight
[L.S.] Grand Cross of Our Most Honorable Order of the Bath, Our Governour and Commander-in-Chief of Our said Colony of New South Wales and its Dependencies, at Government House, Sydney, in New South Wales aforesaid, this first day of November, in the year of Our Lord one thousand eight hundred and eighty-one, and in the forty-fifth year of Our Reign.

AUGUSTUS LOFTUS.

By His Excellency's Command,—

HENRY PARKES.

Entered on record by me, in REGISTER OF PATENTS, No. 11, pages 378-9, this fourth day of November, one thousand eight hundred and eighty-one.

(For the Colonial Secretary and Registrar of Records),

CRITCHETT WALKER,

Principal Under-Secretary.

Commission.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen,
Defender of the Faith, and so forth,—

To Our trusty and well-beloved—

WILLIAM EDWARD LANGLEY, Esquire ;

Greeting :

WHEREAS by Instruments under the Great Seal of Our Colony of New South Wales, bearing date respectively the nineteenth day of October and the first day of November last, We did appoint certain gentlemen therein named to be a Royal Commission to make a diligent and full investigation into the working of the Act passed by the Legislature of Our said Colony of New South Wales, in the thirty-seventh year of Our Reign, and numbered four, intituled, "An Act to consolidate and amend the Law relating to Friendly and other Mutual Benefit Societies," and into the organization, management, condition, and prospects of the Societies registered under its provisions, and to report generally on the operations and character of the Friendly Societies of Our said Colony, and of the principles necessary to be maintained in their financial management for the due security of the members of such Societies. : And whereas ANGUS CAMERON, Esquire, one of the said Commissioners so appointed has resigned : And whereas it hath appeared to Us to be expedient to appoint you to be a Commissioner in the stead of the said Angus Cameron, Esquire : Now therefore know you, that We of Our especial grace, have thought fit to appoint, and do hereby appoint you to be such Commissioner accordingly.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Our said Colony of New South Wales to be hereunto affixed.

[L.S.] Witness Our right trusty and well-beloved Councillor, SIR AUGUSTUS WILLIAM FREDERICK SPENCER LOFTUS (commonly called LORD AUGUSTUS LOFTUS), Knight Grand Cross of Our Most Honorable Order of the Bath, Our Governor and Commander-in-Chief of Our said Colony of New South Wales and its Dependencies, at Government House, Sydney, in New South Wales aforesaid, this third day of January, in the year of Our Lord one thousand eight hundred and eighty-two, and in the forty-fifth year of Our Reign.

AUGUSTUS LOFTUS.

By His Excellency's Command,—

JOHN ROBERTSON.

Entered on record by me in REGISTER OF PATENTS, No. 11, page 399, this fifth day of January, one thousand eight hundred and eighty-two.

(For the Colonial Secretary and Registrar of Records),

CRITCHETT WALKER,

Principal Under-Secretary.

Commission.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender
of the Faith, and so forth,—

To Our trusty and well-beloved,—

JOHN DAVIES, Esq., a Companion of Our Most Distinguished Order of Saint Michael and Saint
George, and a Member of Our Legislative Assembly of Our Colony of New South Wales,—

Greeting :

WHEREAS by an instrument under the Great Seal of Our Colony of New South Wales, bearing date the nineteenth day of October last, We did amongst other things appoint a President of a Royal Commission to make a diligent and full investigation into the working of the Act passed by the Legislature of Our said Colony of New South Wales, in the thirty-seventh year of Our Reign, and numbered four, intituled "An Act to consolidate and amend the Law relating to Friendly and other Mutual Benefit Societies," and into the organization, management, condition, and prospects of the Societies registered under its provision, and to report generally on the character and operations of the Friendly Societies of Our said Colony, and of the principles necessary to be maintained in their financial management for the due security of the members of such Societies : And whereas such President has resigned his appointment : And whereas it hath appeared to Us to be expedient to appoint you to be President of Our said Commission : Now therefore know you, that We, of Our especial grace, have thought fit to appoint, and do hereby appoint you to be such President accordingly.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Our said Colony of New South Wales to be hereunto affixed.

Witness Our right trusty and well-beloved Councillor, SIR AUGUSTUS WILLIAM
FREDERICK SPENCER LOFTUS (commonly called LORD AUGUSTUS LOFTUS), Knight
[L.S.] Grand Cross of Our Most Honorable Order of the Bath, Our Governor and Com-
mander-in-Chief of Our said Colony of New South Wales and its Dependencies, at
Government House, Sydney, in New South Wales aforesaid, this twenty-eighth day
of February, in the year of Our Lord one thousand eight hundred and eighty-two,
and in the forty-fifth year of Our Reign.

AUGUSTUS LOFTUS.

By His Excellency's Command,—

JOHN ROBERTSON.

Entered on record by me, in REGISTER OF PATENTS, No. 11, page 420, this second day of March,
one thousand eight hundred and eighty-two.

(For the Colonial Secretary and Registrar of Records),

CRITCHETT WALKER,

Principal Under-Secretary.

EXTRACTS FROM MINUTES OF PROCEEDINGS.

MONDAY, 21 NOVEMBER, 1881.

MEMBERS PRESENT:—

James Squire Farnell, Esq., M.P., President.

John Gelding, Esq.,
Ed. Greville, Esq., J.P.,
A. H. Jacob, Esq., M.P.,
P. J. Newland, Esq.,
John Slade, Esq.,

J. F. Smith, Esq.,
John Davies, Esq., M.P., C.M.G.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.

The Commission and Supplementary Commission, dated respectively October 19th and November 1st, 1881, were read.

The President said he thought under the Commission they were bound to inquire into the working of the whole Act.

The Secretary was instructed to procure a sufficient number of copies of the Commission to supply each member with a copy, and also a similar number of copies of the Friendly Societies Act.

It was resolved, on the motion of Mr. Davies, seconded by Mr. Smith, "That the Commission meet each Monday and Friday afternoon at 2 o'clock, unless otherwise ordered."

On motion of Mr. Slade, seconded by Mr. Newland, it was resolved, "That the Secretary be instructed to write to the Principal Under-Secretary, requesting that the Colonial Secretary will procure copies of the report of the Friendly Societies Commission of Victoria, for the use of the Members of the Commission."

On motion of Mr. Davies, seconded by Mr. Abigail, it was resolved, "That any gentleman entitled to be paid fees for attendance who shall not be present in his place half an hour after the time fixed for the meeting of the Commission, shall be entitled to no fees for that day."

It was decided that all witnesses be examined on oath.

The Secretary was instructed to procure three (3) copies of the Act for the Regulation of the taking of Evidence before the Commission.

It was resolved, on the motion of Mr. Davies, seconded by Mr. Holdsworth, "That an application be made that the sum of five hundred pounds (£500) be placed to the credit of the Commission, in some one or other of the Banks of the city, for the purpose of defraying necessary expenses."

FRIDAY, 25 NOVEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

John Gelding, Esq.,
E. Greville, Esq., J.P.,
A. H. Jacob, Esq., M.P.,
P. J. Newland, Esq.,
John Slade, Esq.,

J. F. Smith, Esq.,
John Davies, Esq., M.P., C.M.G.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.

The President reported that he had had an interview with the Honorable the Colonial Secretary with reference to the scope of the inquiry, and that Sir Henry Parkes had informed him that the intention of the Government was that the Commission should only inquire into the working of such portions of the Act as related to the Friendly Societies in the Colony.

It was resolved, in accordance with the intentions of the Government, the inquiries of the Commission should be confined to the operation of the Act as it relates to Friendly Societies.

Secretary reported that he had, in accordance with the resolutions arrived at, made the necessary applications for documents as required for the use of the Commission.

Resolved, that twenty (20) copies of the Friendly Societies Act be obtained interleaved with plain ruled paper.

Mr. Alexander Oliver, Registrar of Friendly Societies, was sworn and examined.

MONDAY, 28 NOVEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,
E. Greville, Esq., J.P.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
F. Abigail, Esq.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.

Resolved, that Secretary apply for the sum of one hundred pounds (£100) to be placed to the credit of the Commission to defray necessary incidental expenses.

Mr. A. Oliver's examination was continued, and certain documents which he put in were ordered to be printed.

FRIDAY,

FRIDAY, 2 DECEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. Slade, Esq.,
E. Greville, Esq., J.P.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.	

The minutes of the previous meeting were read and confirmed.

Resolved, "That the Secretary be instructed to write requesting that copies of the Act of the other Australian Colonies relating to the management of Friendly Societies be supplied to the Commission." Mr. A. Oliver's examination was continued.

MONDAY, 5 DECEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	J. Sutherland, Esq., M.P.,
A. H. Jacob, Esq., M.P.,	J. Davies, Esq., M.P., C.M.G.,
P. J. Newland, Esq.,	F. Abigail, Esq., M.P.,
J. Slade, Esq.,	P. R. Holdsworth, Esq.

The minutes of the previous meeting were read and confirmed.

Mr. E. Lewis Scott, at his own request, made affirmation and was examined and requested to have the Parliamentary Returns prepared according to the Act at as early a date as possible.

FRIDAY, 9 DECEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. F. Smith, Esq.,	E. J. Rubie, Esq.,
J. Gelding, Esq.,	J. Davies, Esq., M.P., C.M.G.,
J. Slade, Esq.,	P. J. Newland, Esq.,
P. R. Holdsworth, Esq.,	E. Greville, Esq., J.P.

The minutes of the previous meeting were read and confirmed.

The Secretary read a communication from Critchett Walker, Esq., Principal Under-Secretary, intimating that the Colonial Treasurer had been invited to have the goodness to cause to be placed to the credit of the President of the Friendly Societies Act Inquiry Commission, in the Bank of New South Wales, the sum of £100 for the payment of petty expenses.

Mr. E. Schofield, Corresponding Secretary of the Manchester Unity, I.O.O.F., was sworn and examined.

MONDAY, 12 DECEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	J. Davies, Esq., M.P., C.M.G.,
P. J. Newland, Esq.,	F. Abigail, Esq., M.P.,
J. Slade, Esq.,	P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.	

The minutes of the previous meeting were read and confirmed.

The President being obliged to leave, Mr. Greville was voted to the Chair in his absence.

Mr. Slade submitted certain forms to be issued to the various Societies, and on motion of Mr. Davies, they were submitted to a Committee consisting of Messrs. Gelding, Slade, Holdsworth, and Smith, for amendment, proofs to be at the next meeting of the Commission.

Mr. J. Gelding, Secretary to the Sydney District, I.O.O.F., Manchester Unity, was sworn and examined.

FRIDAY, 16 DECEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. Slade, Esq.,
E. Greville, Esq., J.P.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.	

The minutes of the previous meeting were read and confirmed.

Mr. Gelding, on behalf of the Committee, submitted proofs of the return forms referred to them at the last meeting, which were, with slight amendment, adopted.

The Secretary was instructed to write to the Colonial Secretary, applying for three (3) months' extension of time to bring up the report.

Mr. J. Gelding's examination was continued.

MONDAY,

MONDAY, 19 DECEMBER, 1881.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,
E. Greville, Esq., J.P.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
J. Davies, Esq., M.P., C.M.G.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,

E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.

It was resolved, that the Commission at its rising adjourn until Monday, 9th January, 1882.

Mr. A. L. Smith, Grand Secretary of the G.U.O.O.F., was sworn and examined.

MONDAY, 9 JANUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,
E. Greville, Esq., J.P.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

The President reported receipt of communications from the Colonial Secretary, appointing Mr. W. E. Langley as a member of the Commission, vice Mr. A. Cameron, M.P., and granting the Commission an extension of time.

The examination of Mr. A. L. Smith was continued and concluded.

FRIDAY, 13 JANUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,
E. Greville, Esq., J.P.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.,
W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Mr. Richard Cannon, Grand Secretary of the Independent Order of Oddfellows, was sworn and examined.

MONDAY, 16 JANUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,
E. Greville, Esq., J.P.,
P. J. Newland, Esq.,
J. Slade, Esq.,
J. F. Smith, Esq.,

J. Davies, Esq., M.P., C.M.G.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.,
W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

The Secretary, on the motion of Mr. Davies, was instructed to send copies of the evidence as far as printed to the various members of the Commission.

Mr. W. E. Langley, Grand Master I.O.O.F., was sworn and examined.

FRIDAY, 20 JANUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,
E. Greville, Esq., J.P.
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.,
W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Mr. W. E. Langley's examination was resumed and concluded.

Mr. P. J. Newland was sworn and examined.

MONDAY,

MONDAY, 23 JANUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Mr. Geo. Bretuall was sworn and examined.

FRIDAY, 27 JANUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. Davies, Esq., M.P., C.M.G.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
• J. F. Smith, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Mr. P. R. Holdsworth, Most Worthy Scribe, National Division Sons of Temperance, was sworn and examined.

MONDAY, 3 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. Davies, Esq., M.P., C.M.G.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
J. F. Smith, Esq.,	W. E. Langley, Esq.

The minutes of the last meeting were read and confirmed.
Mr. C. T. Peirce, Grand Secretary No. 1 Grand Division Sons of Temperance, was sworn and examined.

MONDAY, 6 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. S. Farnell, Esq., M.P., President.

J. Gelding, Esq.,	J. Davies, Esq., M.P., C.M.G.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
J. F. Smith, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
The examination of Mr. C. T. Peirce was resumed and concluded.
Mr. N. Pidgeon, Grand Scribe No. 9 Grand Division Sons of Temperance, was sworn and examined.

FRIDAY, 10 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
The time for sending in the returns was extended till 15th March, and it was notified that the various Grand Secretaries be notified to that effect, and be advertised in the daily Press.
On the motion of Mr. Smith, seconded by Mr. Holdsworth, it was resolved "That the Commission respectfully recommend to the Acting Colonial Secretary the appointment of John Davies, Esq., M.P., C.M.G., as President of the Commission, in the room of James Squire Farnell, M.P., resigned."
Mr. W. O. Fox, Grand Secretary A. O. Foresters, was sworn and examined.

TUESDAY,

TUESDAY, 14 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.
Mr. John Hampton, District Secretary Order of Royal Foresters, was sworn and examined.

FRIDAY, 17 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.
Mr. John Mitchell, District Secretary of the U. A. O. Druids, was sworn and examined.

MONDAY, 20 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.
Mr. P. J. Murray was sworn and examined.

FRIDAY, 24 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.
The examination of Mr. T. J. Murray was continued and concluded.

MONDAY, 27 FEBRUARY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.
Messrs. J. Crowley, W. Brady, and E. J. Rubie were sworn and examined.

FRIDAY, 3 MARCH, 1882.

MEMBERS PRESENT:—

John Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.
The letters patent appointing John Davies, Esq., M.P., C.M.G., President of the Commission, *vice* James Squire Farnell, Esq., M.P., resigned, were read.
M. J. A. Kean was sworn and examined.
Mr. Makinson was sworn, and produced Auditors' report into the condition of the accounts of the A. I. C. Guild, and was examined respecting same.

MONDAY, 6 MARCH, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

The Secretary was instructed to write to the Government of Victoria and New Zealand for copies of the report of the Victorian Commission, and the quinquennial report on New Zealand Friendly Societies. Mr. John Hugh Davies, D.G. Treasurer, U.A.O. Druids, was sworn and examined.

FRIDAY, 10 MARCH, 1882.

MEMBERS PRESENT :—

Edward Greville, Esq., J.P., in the Chair.

J. Gelding, Esq.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Messrs. A. Walker, G. Gibson, and M. P. Ronan were sworn and examined.

MONDAY, 13 MARCH, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.,

The minutes of the last meeting were read and confirmed.

Messrs. J. F. M'Donald and J. F. M'Crory were sworn and examined

FRIDAY, 17 MARCH, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.,

The minutes of the last meeting were read and confirmed.

A number of returns received from various Friendly Societies were opened and examined. The witnesses summoned for examination did not attend.

MONDAY, 20 MARCH, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.,

The minutes of the previous meeting were read and confirmed.

The examination of Mr. J. F. M'Crory was resumed and concluded.

Mr. J. R. M'Keown was sworn and examined.

FRIDAY, 24 MARCH, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

The Secretary was instructed to write to the Colonial Secretary requesting three (3) months' extension of time.

Mr. Thos. Cowlshaw, President of the Australian Union Benefit Society, was sworn and examined.

MONDAY,

MONDAY, 27 MARCH, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. F. Smith, Esq.,	|	E. J. Rubie, Esq.,
F. Abigail, Esq., M.P.,	|	J. Slade, Esq.,
P. J. Newland, Esq.,	|	J. Gelding, Esq.,
P. R. Holdsworth, Esq.,	|	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

A number of returns were received, and it was resolved that Messrs. Smith, Langley, Holdsworth, Gelding, and Slade be appointed a Committee to investigate the returns and report to the Commission.

Mr. F. A. Morgan, Secretary of the Captain Cook Tent, Independent Order of Rechabites, was sworn and examined.

FRIDAY, 31 MARCH, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

P. R. Holdsworth, Esq.,	|	W. E. Langley, Esq.,
E. J. Rubie, Esq.,	|	P. J. Newland, Esq.,
J. Slade, Esq.,	|	J. Gelding, Esq.,
J. F. Smith, Esq.,	|	E. Greville, Esq., J.P.

The minutes of the previous meeting were read and confirmed.

Mr. Slade reported that the Committee appointed to investigate the returns hoped to have a definite tabulated statement to lay before the Commission on Monday next.

Mr. A. B. Fordham, Secretary of the Crystal Spring Tent, I.O. Rechabites, Balmain, and Mr. W. Benton, Secretary of a Lodge of the Free Gardeners' Benefit Society, were sworn and examined.

MONDAY, 3 APRIL, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. F. Smith, Esq.,	|	F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,	|	W. E. Langley, Esq.,
P. J. Newland, Esq.,	|	J. Slade, Esq.,
	|	J. Gelding, Esq.

The minutes of the previous meeting were read and confirmed.

Mr. G. E. Lucas, of the Free Gardeners' Benefit Society, and Mr. P. Forbes, of the Loyal Orange Benefit Society, were sworn and examined.

FRIDAY, 14 APRIL, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. F. Smith, Esq.,	|	F. Abigail, Esq., M.P.,
Ed. Greville, Esq., J.P.,	|	P. R. Holdsworth, Esq.,
J. Gelding, Esq.,	|	J. Slade, Esq.,
P. J. Newland, Esq.,	|	W. E. Langley, Esq.,
	|	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.

It was resolved, on the motion of Mr. Slade, that the Government Printer be requested to print 500 copies of an additional form of return to be forwarded to Friendly Societies.

Mr. Abigail laid before the Commission a number of papers in reference to the case of Mr. Stephen Murphy, as mentioned by the latter in his letter read before the Commission on March 31.

Mr. R. D. Sippe, of the Protestant or Wesleyan Union Benefit Society, and Mr. Green, of the Sydney Marine Benefit Society, were sworn and examined.

MONDAY, 17 APRIL, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

F. Abigail, Esq., M.P.,	|	P. R. Holdsworth, Esq.,
J. F. Smith, Esq.,	|	W. E. Langley, Esq.,
E. Greville, Esq., J.P.,	|	P. J. Newland, Esq.,
J. Slade, Esq.,	|	J. Gelding, Esq.

The minutes of the previous meeting were read and confirmed.

Mr. J. King, of the St. Peter's Burial Society, and Mr. W. Dike, of the United Labourers' Benefit Society, were sworn and examined.

FRIDAY,

FRIDAY, 21 APRIL, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. A. Fitzpatrick, Royal Oak Court A.O.F., Thos. Forsyth, Court Pride of Australia, and J. Root, Court Morning Star A.O.F., were sworn and confirmed.

MONDAY, 24 APRIL, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
The examination of Mr. J. King was resumed and concluded.
Mr. Stephen Mallarky and Mr. Thos. Percival were sworn and examined.

FRIDAY, 28 APRIL, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
J. F. Smith, Esq.,	W. E. Langley, Esq.,

The minutes of the last meeting were read and confirmed.

The President made the following report:—"In deference to the wish of the Commission, I waited on the Registrar of the Friendly Societies, Mr. Oliver, the day following the last meeting of the Commission, and reported to him the evidence which was given before the Commission by two officers of the St. Peter's Burial Society, disclosing the fact of a distribution of the sum of £300 amongst a portion of the members of that Society in 1879, in contravention of their own by-laws and of the Friendly Societies Act. I learned from Mr. Oliver that they had not filed returns for the last five years, as required by the Act; and that if they had supplied the information it would have shown that this distribution had taken place, but having failed to supply the usual annual returns, the Registrar had no knowledge of the misappropriation of £300. The Registrar informed me he was powerless in a matter of this kind, he had no staff, and no power to proceed against the defaulters. I pointed out the 13th section of the Act, which I believed gave full powers to the Registrar to proceed against such persons as misappropriated the funds of the Society, as had been done in this case. He advised me to communicate with the Crown Law Officers, and I told him that I should instruct the Secretary to send a copy of the evidence taken to the Attorney-General, and call his attention to the 13th section of the Act, which in the opinion of the Commission was sufficient to clothe the Registrar with sufficient power to proceed in the name of the officers of Societies who misapplied the funds, and asking him to cause the necessary steps to be taken to prosecute the offenders, as the evidence disclosed a most outrageous misappropriation of the funds."

The examination of Mr. Thos. Forsyth was resumed and concluded.

Mr. G. Lillie was sworn and examined.

MONDAY, 1 MAY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Mrs. Ellen Mary Lawrie and Mrs. Mary Ann Baker were sworn and examined.

FRIDAY,

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FRIDAY, 5 MAY, 1882.

MEMBERS PRESENT :—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
John Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. P. Salmon and Etherington were sworn and examined.

MONDAY, 8 MAY, 1882.

MEMBERS PRESENT :—

J. Davies, Esq. M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.

The minutes of the last meeting were read and confirmed.
Messrs. P. Comber, W. Lodderholm, J. Fitz Henry, and F. Forsyth were sworn and examined.

FRIDAY, 12 MAY, 1882.

MEMBERS PRESENT :—

J. Davies, M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
J. Slade, Esq.,	F. Abigail, Esq.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
	E. J. Rubie, Esq.

The minutes of the last meeting were read and confirmed.
Messrs. S. Withers, H. Collyer, and W. J. Way were sworn and examined.

MONDAY, 15 MAY, 1882.

MEMBERS PRESENT :—

F. Abigail, Esq., M.P., in the Chair,

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
	J. Slade, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. L. E. Marcus, W. F. Davison, and J. J. Donohoe were sworn and examined.

FRIDAY, 19 MAY, 1882.

MEMBERS PRESENT :—

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.
The papers laid before the Commission by Mr. Abigail, on 14th April, in reference to the case of Mr. Stephen Murphy, were read by the Secretary.
Messrs. G. E. Frazer, F. W. Rogers, and L. Maidment were sworn and examined.

MONDAY,

MONDAY, 22 MAY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.

It was resolved that the Commission be represented at Newcastle by five members, to be chosen by ballot, resulting as follows:—The President, Messrs. Abigail, Gelding, Smith, and Slade.

The Society was instructed to write to the Police Magistrate at Newcastle requesting the use of a room in the Court-house in which to hold the sittings of the Commission.

The examination of Mr. W. F. Davison and Mr. J. J. Donohoe was resumed and concluded.

Mr. W. Henson, M.P., was sworn and examined.

FRIDAY, 26 MAY, 1882.

MEMBERS PRESENT:—

F. Abigail, Esq., M.P., in the Chair.	
J. Gelding, Esq.,	J. Slade, Esq.,
E. Greville, Esq., J.P.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.	

The minutes of the previous meeting were read and confirmed.

The Secretary reported that, in accordance with instructions, he had served a summons to appear and give evidence on Mr. Stephen Murphy, by leaving it at his house, 20, George-street, Waterloo, and that he had been informed by Mrs. Murphy that it was not her husband's intention to appear. She acknowledged having received the previous summons sent by post.

The Secretary was instructed to take immediate proceedings against Mr. S. Murphy, under section 2 of the Act 44 Vic. No. 1.

Messrs. J. Sheehan and R. C. Meacle were sworn and examined.

MONDAY, 29 MAY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
E. Greville, Esq., J.P.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	F. Abigail, Esq., M.P.,
J. Slade, Esq.,	P. R. Holdsworth, Esq.,
J. Gelding, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.

The President made the following report:—"On Thursday last I had an interview with the Attorney-General with reference to the communication forwarded him by the Commission, having reference to the misappropriation of money made by the St. Peter's Burial Society. The Attorney-General informed me that, after consultation with the Crown Law Officers, he had instructed the Registrar to prosecute the Trustees, and to employ counsel to assist in the prosecution, so that we may hear very soon of a prosecution being initiated by the proper officers."

Drs. Houson and Belgrave were sworn and examined.

FRIDAY, 2 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.

Drs. Pickburn, M. C. Warren, A. J. Brady, and A. Shewen were sworn and examined.

MONDAY, 5 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
E. Greville, Esq., J.P.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	F. Abigail, Esq.,
J. Slade, Esq.,	P. R. Holdsworth, Esq.,
J. Gelding, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.

Messrs. A. Cameron, M.P., and W. Walker were sworn and examined.

FRIDAY,

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FRIDAY, 9 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	F. Abigail, Esq.,
E. Greville, Esq.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Correspondence was read from the Colonial Secretary, requesting that a Progress Report should be sent in to the Government.

Messrs. A. Pinel and J. Stuart were sworn and examined.

MONDAY, 12 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

F. Abigail, Esq., M.P.,	E. Greville, Esq., J.P.,
P. R. Holdsworth, Esq.,	J. Gelding, Esq.,
W. E. Langley, Esq.,	P. J. Newland, Esq.,
E. J. Rubie, Esq.,	J. Slade, Esq.,
J. F. Smith, Esq.	

The minutes of the previous meeting were read and confirmed.

Messrs. W. Harrison, J. Townshend, J. Watson, and A. Robins were sworn and examined.

FRIDAY, 16 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. Slade, Esq.,
E. Greville, Esq., J.P.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	F. Abigail, Esq., M.P.,
E. J. Rubie, Esq.,	P. R. Holdsworth, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.

Correspondence was read from the Crown Solicitor, enclosing information to be laid against Mr. Stephen Murphy; and from Colonial Treasurer, relative to transfer of balance to credit of Commission, to the name of Mr. John Davies, M.P., C.M.G., President.

Progress report was adopted, with one or two amendments and additions.

Arrangements were ordered to be made for projected visit of Commission to Newcastle.

MONDAY, 19 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.

Messrs. J. Hampton and R. Teece were sworn and examined.

FRIDAY, 23 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,
W. E. Langley, Esq.	

The minutes of the previous meeting were read and confirmed.

Mr. C. Rolleston, C.M.G., was sworn and examined.

MONDAY

MONDAY, 26 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. J. Prior, P. Curran, and P. Coonan were sworn and examined.

FRIDAY, 30 JUNE, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
J. Slade, Esq.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.
The President reported that on the case against Mr. Stephen Murphy being called in the Water Police Court, on Tuesday, the 27th instant, the defendant had promised to attend the Commission when called upon, and the case had been consequently withdrawn.

A letter was received from the Crown Solicitor requesting certain information to be supplied in reference to the St. Peter's Burial Society.

Messrs. R. Webber, G. Brown, H. Austen, and J. Audet were sworn and examined.

MONDAY, 3 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.
Dr. W. W. J. O'Reilly and Mr. R. Stapleton were sworn and examined.

FRIDAY, 7 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.
Mr. James Pettit attended, but on being called was absent.
Mr. Stephen Murphy was sworn and examined.

MONDAY, 10 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. A. W. Chapman, J. Robinson, and J. Perry were sworn and examined.

FRIDAY, 14 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	F. Abigail, Esq., M.P.,
E. Greville, Esq., J.P.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. F. Smith, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Mr. J. Munro was sworn and examined.

MONDAY,

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MONDAY, 17 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,
E. Greville, Esq., J.P.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

It was resolved, on motion of Mr. Abigail, seconded by Mr. Smith, that Messrs. Holdsworth, Newland, and Langley be added to the list of members of the Commission to sit at Newcastle.

Mr. P. M. M'Encroe was sworn and examined.

Mr. J. C. Pettit who appeared with Mr. Proctor, solicitor, to advise him, was sworn and examined.

TUESDAY, 18 JULY, 1882.

(Held at Newcastle.)

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
P. R. Holdsworth, Esq.,
W. E. Langley, Esq.,

The minutes of the previous meeting were read and confirmed.

Messrs. J. Reid, J. Somerville, R. Bailey, and D. Beveridge were sworn and examined.

TUESDAY, 18 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
P. R. Holdsworth, Esq.,
W. E. Langley, Esq.,

The minutes of the previous meeting were read and confirmed.

Examination of Mr. D. Beveidrge was resumed and concluded.

Messrs. P. New, H. Rushton, and A. Asher were sworn and examined.

WEDNESDAY, 19 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,
J. Slade, Esq.,
P. J. Newland, Esq.,

J. F. Smith, Esq.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Messrs. E. Claridge, H. Sncosby, G. Buckley, A. Wilson, and J. M'Fadyon were sworn and examined.

WEDNESDAY, 19 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,
P. J. Newland, Esq.,
J. Slade, Esq.,

J. F. Smith, Esq.,
F. Abigail, Esq., M.P.,
P. R. Holdsworth, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Messrs. J. Maher, M. Murray, W. Low, and J. Thorn were sworn and examined.

MONDAY 24 JULY, 1882.

MEMBERS PRESENT:—

F. Abigail, Esq., M.P., in the Chair.

J. Gelding, Esq.,
E. Greville, Esq., J.P.,
P. J. Newland, Esq.,
John Slade, Esq.,

J. F. Smith, Esq.,
P. R. Holdsworth, Esq.,
E. J. Rubie, Esq.,
W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Messrs. H. C. Collyer, P. Stewart, P. Sanders, and J. Dummer were sworn and examined.

FRIDAY, 28 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. A. Kethel, R. Ball, and H. Asher were sworn and examined.

MONDAY, 31 JULY, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. G. P. Hewitt, H. Hund, and A. Garcia were sworn and examined.

FRIDAY, 4 AUGUST, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Mr. M. A. Black was sworn and examined.

MONDAY, 7 AUGUST, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.

J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. Slade, Esq.,	E. J. Rubie, Esq.,

W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

It was resolved, on motion of Mr. Greville, that the following be the instructions to the

Actuaries:—

- I.—To examine the returns furnished to the Commission by the various Friendly Societies, and report as to the financial position disclosed thereby, and the probability or otherwise of such Societies carrying out their engagements to their members.
- II.—To prepare a set of tables showing the contributions necessary to secure the following benefits, viz.:—£25 on the death of a member, and £15 on the death of his wife; also, a separate table showing the contributions necessary to secure the payment of sick pay at the rate of 20s. per week for six months, 15s. per week for the second six months, 10s. per week for the third six months, and 5s. per week during the further duration of sickness—expense of management not to be taken into consideration.
- III.—To suggest principles of forms which should be incorporated in any amending legislation relative to Friendly Societies.

It was resolved that the Secretary should prepare an analysis of the Evidence.

It was resolved to adjourn, at rising, for a fortnight, and that application for a further extension of time for six weeks should be made.

Messrs. A. Kethel, W. E. Langley, and John Slade were sworn and examined.

MONDAY,

MONDAY, 21 AUGUST, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	P. R. Holdsworth, Esq.,
J. F. Smith, Esq.,	E. J. Rubie, Esq.

The minutes of the previous meeting were read and confirmed.

The British Medical Association having forwarded a form of Medical Inquiry which they thought desirable, it was ordered that it should be printed as an Appendix to the Evidence.

MONDAY, 23 AUGUST, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

It was resolved that the Commission at its rising adjourn until called together to give time for completion of the analysis of the Evidence.

The Commission, at 3.13 p.m., adjourned, *sine die*.

MONDAY, 2 OCTOBER, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	P. R. Holdsworth, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Secretary reported complete preparation of the Analysis of Evidence.

Mr. E. L. Scott's account for £3 3s. was passed for payment.

Proposed by Mr. Greville, that the President and Secretary be requested as a Committee to draw up and submit a Draft Report, which was agreed to.

The Commission then proceeded to discuss the main principles of the Report, as an instruction to the Committee.

The Commission adjourned at 4.18 p.m. until called together.

FRIDAY, 10 NOVEMBER, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., M.P., C.M.G., President.	
F. Greville, Esq., J.P.,	J. F. Smith, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.

Correspondence was read from Messrs. E. L. Scott and S. Gelding, forwarding accounts for work done for £20 and £10 respectively; and from Dr. Belgrave, for £5 5s. for attendance as a witness.

In reference to Mr. Scott's account, the Secretary was instructed to write to Mr. Farnell, the late President, for information as to the arrangement made, and the other letters dealt with in the usual course.

Mr. Langley reported that it had come to his knowledge that a flagrant breach of the law had occurred in connection with the Independent Order of Oddfellows, by the illegal withdrawal from the Savings Bank of the whole of the Funeral Fund by the ex-Trustees; and requested that Mr. H. H. Green, of the *Evening News* office, might be examined in reference to the matter.

Mr. Slade also asked that certain witnesses should be examined in reference to an illegal investment of funds in a Joint Stock Company at Parramatta.

Resolved, that the witnesses referred to should be examined on Friday, 17th instant.

The Commission then proceeded to consider the Draft Report as presented by the Committee appointed at the last meeting.

The Commission adjourned at 4.45 p.m., until 2 p.m. on Monday, the 13th instant.

MONDAY,

MONDAY, 13 NOVEMBER, 1882.

MEMBERS PRESENT:—

John Davies, Esq., C.M.G., M.P., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq.,	F. Abigail, Esq.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
The Draft Report as submitted by the Committee was further considered.
The Commission adjourned at 4.27 p.m., till 2 p.m. on Friday, the 17th instant.

FRIDAY, 17 NOVEMBER, 1882.

MEMBERS PRESENT:—

John Davies, Esq., C.M.G., M.P., President.	
J. Gelding, Esq.	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
Messrs. T. M. Shephard, L. Menser, G. Coates, M. Gazzard, and H. H. Green were sworn and examined.

A letter was read from Mr. Farnell, stating that he had informed Mr. E. L. Scott that he would be paid for the preparation of the Return of the Income, Expenditure, and Statistics of all the registered Friendly Societies in the Colony for 1880.

The Draft Report as submitted by the Committee was further considered.
The Commission adjourned at 4.57 p.m., till 2 p.m. on Friday, the 20th inst.

MONDAY, 20 NOVEMBER, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., C.M.G., M.P., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. Newland, Esq.,	E. J. Rubie, Esq.,
J. Slade, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
The consideration of the Draft Report as submitted by the Committee was resumed.
It was resolved that the Appendix (forms for a set of books) should be referred to the President and Actuaries for report.

The Commission adjourned at ten minutes past 4 o'clock, until 2 p.m. on Friday next.

MONDAY, 4 DECEMBER, 1882.

MEMBERS PRESENT:—

J. Davies, Esq., C.M.G., President.	
J. Gelding, Esq.,	J. F. Smith, Esq.,
E. Greville, Esq., J.P.,	E. J. Rubie, Esq.,
J. Slade, Esq.	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
The Report of the Committee was further considered.
The Secretary was instructed to prepare clauses submitting the Actuaries' Report and summarizing the recommendations made.

Mr. Langley submitted a report from the Sovereign Grand Lodge as an appendix to his evidence, which was ordered to be printed.

The Commission adjourned at 3.11 p.m., until called together to sign the Report and pass the accounts.

WEDNESDAY, 13 DECEMBER, 1882.

MEMBERS PRESENT:—

John Davies, Esq., C.M.G., President.	
John Gelding, Esq.,	James F. Smith, Esq.,
E. Greville, Esq., J.P.,	F. Abigail, Esq., M.P.,
P. J. Newland, Esq.,	W. E. Langley, Esq.

The minutes of the previous meeting were read and confirmed.
The Report of the Commission was finally adopted and signed.
Several accounts were dealt with, and the Commission adjourned *sine die*.

REPORT.

To His Excellency the Right Honorable Lord AUGUSTUS WILLIAM FREDERICK SPENCER LOFTUS, Knight Grand Cross of the Most Honorable Order of the Bath, a Member of Her Majesty's Most Honorable Privy Council, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, &c., &c., &c.

1. The Letters Patent under which we were appointed were dated 19th October and 1st November, 1881; but, owing to various causes, we were unable to begin our operations until Monday, 21st November, when the first meeting of the Commission was held. The taking of evidence was commenced immediately, and it continued, with two brief adjournments, over the Christmas and Easter Holidays, until 7th August, 1882. In the course of the proceedings it was found necessary to visit Newcastle, for the purpose of taking evidence in regard to the working of various Societies in that district; the peculiar circumstances of a large proportion of the population there, engaged as they are in what is regarded as a particularly hazardous occupation, viz., coal-mining, rendering the operations of the Societies more risky than in other portions of the Colony. We have held seventy-nine meetings for the examination of witnesses and consultation; have examined 132 witnesses, many of whom have had experience in connection with the working of the existing Act, and of the Friendly Societies registered under it, and have devoted special attention to the financial position and mode of management of these Societies. In accordance with the desire of the Executive, we submitted in June last a Progress Report, in which we endeavoured to show the leading points upon which we were seeking information. In the course of our investigation we have ascertained that there is great dissatisfaction felt with the existing law, as well as its administration. Early in the present year Mr. James Squire Farnell, M.P., who had been appointed as President of the Commission, resigned his position, and Mr. John Davies, C.M.G., M.P., was subsequently appointed in his stead. During the time we have been sitting, Messrs. Angus Cameron, M.P., and Archibald Hamilton Jacob, M.P., also resigned. Mr. W. E. Langley was appointed to fill the vacancy caused by Mr. Cameron's resignation, but the other vacancy was not filled up. The Commission consequently now consists of the following gentlemen:—John Davies, Esq., C.M.G., M.P., President; John Gelding, Esq.; Edward Greville, Esq., J.P.; Philip J. Newland, Esq.; John Slade, Esq.; James F. Smith, Esq.; Hon. John Sutherland, M.L.C.; Francis Abigail, Esq., M.P.; Philip Risby Holdsworth, Esq.; Edward J. Rubie, Esq.; and William E. Langley, Esq.

2. While it is totally unnecessary for us in this Report to attempt a history of the Friendly Societies as existing at the present day, there can be no doubt that in all countries the origin of the Friendly Society was the Burial Club. Clubs of this description have been found to exist amongst the Ancients as well as the Moderns. The Greeks, Romans, and Teutons all had their fraternities established for the purpose of surrounding the disposal of a dead body with the ceremonies required by the social or religious laws of the day, and which might otherwise have been too costly for the family to provide. In Great Britain the first Act of Parliament dealing with such Societies was that of Sir George Rose, passed in 1793. The Societies formed under it were nearly all small Clubs, in which the feature of good-fellowship was in the ascendant, and that of provident assurance for sickness and death merely accessory. This Act did not, however, deal with the commercial aspect of the Societies, and by 1819 their instability was spoken of as universal; in that year the general conviction that this was so resulted in the passage of an Act which dealt exclusively with the scientific aspect of the Societies, and had nothing to do with the element of goodfellowship. As these Societies increased in number and influence, further legislative action was found necessary, and Acts were passed in 1829, 1834, 1846, 1850, and 1855. A Royal Commission, presided over by Sir Stafford Northcote, sat from 1870 to 1874, and prosecuted an exhaustive inquiry into the organization and condition of the various classes of Friendly Societies,

Objects of
British
Societies.

Societies, the outcome of which was the present Act, passed in 1875. Under it "Societies are established to provide by voluntary subscriptions of the members thereof, with or without the aid of donation, for the relief or maintenance of the members, their wives, children, fathers, mothers, brothers or sisters, nephews or nieces, or wards being orphans, during sickness or other infirmity, whether bodily or mental, in old age or in widowhood, or for the relief or maintenance of the orphan children of members during minority, for insuring money to be paid on the birth of a member's child or on the death of a member, or for the funeral expenses of the husband, wife, or child of the member, or the widow of a deceased member, or, as respects persons of the Jewish persuasion, for the payment of a sum of money during the period of confined mourning; for the relief or maintenance of the members when on travel in search of employment, or when in distressed circumstances, or in case of shipwreck, or loss of or damage of or to boats or nets; for the endowment of members or nominees of members at any age; for the insurance against fire, to any amount not exceeding £15, of the tools or implements of the trade or calling of the members." The business of registry is under the control of a Chief Registrar, who has an Assistant-Registrar in each of the three (3) countries, with an Actuary. It is his duty, among other things, to require from every Society a return, in proper form, each year, of its receipts and expenditure, funds, and effects; a return once every five (5) years of the sickness and mortality it has experienced; and also, once every five (5) years, a valuation of its assets and liabilities. Upon the application of a certain proportion of the members, varying according to the magnitude of the Society, the Chief Registrar may appoint an Inspector to examine into its affairs, or may call a general meeting of the members to consider and determine any matter affecting its interests. These are powers which have been used with excellent effect. Cases have occurred in which fraud has been detected and punished by this means that could not probably have been otherwise brought to light; in others, a system of mismanagement has been exposed and effectually checked. The power of calling special meetings has enabled Societies to remedy defects in their rules, to remove officers guilty of misconduct, &c., where the procedure prescribed by the rules was for some reason or other inapplicable. Upon an application of a like proportion of members a Chief Registrar may, if he finds that the funds of a Society are insufficient to meet the existing claims thereon, or that the rates of contribution are insufficient to cover the benefits assured (upon which he consults his Actuary) order the Society to be dissolved and direct how its funds are to be applied. This Act has, we understand, given very general satisfaction, a great improvement having been manifested in the financial condition of the Societies since it was passed into law.

Mode of
government in
Great Britain.

Principle on
which Societies
should be
based.

3. Friendly Societies are merely a form of insurance, and like all insurances have to depend upon the principle of substituting the certainty which attends the fortunes of large numbers of individuals for the uncertainty which belongs to the fortunes of each. Their main objects are the securing, in virtue of small periodical payments during health and vigour, of a weekly sum during sickness, a sum to cover the funeral expenses at death, sometimes to provide a pension in old age or in cases of infirmity, and to provide for medical attendance and medicines to the member himself, his wife and family. It is necessary, therefore, in presenting our Report, to consider the principles upon which these Societies ought to be established so as to give the most perfect security to the members that the benefits contracted for can be supplied. A well-constituted Friendly Society should be a permanent institution, like a Life Assurance Office; and in this Colony this characteristic attaches to all of them, although in England Societies limited in their operation to a year are not uncommon. The members should be led to look upon their connection with the Society as an enduring one, because its grand aim is expressly to make provision at one period of life for contingencies which may arise at another,—for youth, in short, to endow old age; and the sum paid by each member should be exactly proportioned to the liability entailed upon the Society by his joining it. It is also essential to the character of a proper Benefit Society that members should not be admitted indiscriminately, but that due regard should be had to the health and bodily constitution before admission. To take a member in bad health or with a broken-down constitution is to commit an act of injustice to those who are healthy, because he is more likely to become a burden upon the funds of the Society. In order to see that no advantage be taken of this provision, it is also customary to

Permanency
of Friendly
Societies.

Subscriptions
should be in
proportion to
liabilities in-
currod.

to provide that no member shall be entitled to benefits until he has been a specified time good on the books of the Societies. We may get an idea of a Benefit Society in its simplest form if we imagine 100 men of thirty-five years of age to associate and make such a payment at the start as will be sure to afford each man who may fall sick during the ensuing year twenty shillings a week during the term of his sickness. Taking, for the sake of illustration, Mr. Neison's tables as a basis, we find that among such a body of men there will be nearly 100 weeks of illness in the course of a year, and thus there would be of course £100 required, or at the rate of twenty shillings each member, which would accordingly be each man's contribution. A Society of individuals of different ages, each paying the sum which would in like manner be found proper to his age, would be quite as sound in principle as one upon this simple scheme, and it is only a step further in the same direction to equalize each man's payments over the whole period during which he undertakes to be a paying member. It is also necessary to take into consideration the manner in which the funds of a Society may be improved by a judicious investment of the annual savings. What is necessary is that the amounts paid by the members shall be sufficient in all cases to provide that the whole of the benefits that are promised shall be paid in time of need. In this Colony many of the Societies are connected with larger organizations affiliated to similar Societies in other portions of the globe. The meetings are usually held fortnightly, and each member pays a sum fixed by the laws of the Society, the due payment of which secures to him the benefits, which are also set out in the rules, and which usually consist of sick pay and a funeral donation, the amounts of which vary in the different Societies, together with medical attendance and medicines for the member himself, his wife and family. There can be no doubt they have been and are of great importance to the State, relieve the Government of a considerable expenditure, and are doing much to prevent the increase of pauperism in our midst; and this fact alone would in our opinion justify the State in doing all in its power to support and aid them.

The Societies
in New South
Wales.

4. In the year 1873 the laws relating to the Friendly Societies of New South Wales were consolidated, and now exist in Act 37 Vic. No. 4, which deals not only with these Societies, but also benefit building, loan and investment, and co-operative trading and industrial Societies. The regulation of the various Societies within the operation of the Act is distributed over three Parts; Part III relating to Friendly Societies properly so-called, and Parts IV and V to other classes of Societies which are dealt with by the Act. But as the scope of our inquiry was confined to the operation of the law in respect to Friendly Societies only, these two Parts have been dismissed from consideration, and the recommendations that may be made for alterations in the Act will be understood as referring solely to it as concerned with Friendly Societies. In Part II of the Act there are a number of provisions which are made applicable to every kind of Society dealt with therein, so that it has been necessary for us to carefully consider the effect and operation of these general clauses. Part VI contains the legal provisions applicable to all the Societies under the Act. The general provisions which refer to all Societies are, as already stated, found in Part II of the Act. The most important of these are contained in sections 7 and 8, which direct the procedure to be taken in certifying the rules of new Societies, and in altering or amending rules. Section 13 provides a summary mode of dealing with the misappropriation of the funds of Societies by officers or members thereof, and sections 14 and 15 were intended to provide a method for the settlement of disputes without recourse to law; but whether owing to the vagueness of the language of the sections or to errors of interpretation on the part of Magistrates and District Court Judges, these clauses have been found in practice to be almost inoperative. Part III, referring to Friendly Societies, defines the objects for which these Societies may be established, as follows:—

Local legisla-
tion.

Certain
provisions in
Act applicable
to every kind
of Society.

Legal provi-
sions applica-
ble to all
Societies
under the Act.

Objects for
which Socie-
ties may be
established.

- "(1.) For insuring a sum of money to be paid on the death of a member or for the funeral expenses of the husband wife or child of a member.
- "(2.) For the relief maintenance or endowment of a member or the husband wife child or kindred of a member in infancy old age sickness widowhood or any natural state of which the probability may be calculated by way of average.
- "(3.) For insuring a sum to be paid on the death of a member to the person nominated in a writing to be deposited with the Secretary of the Society by such member being the husband wife father mother child brother sister nephew or niece of such member or in default of such nomination or in case of the death of such nominee to be paid to the executor or administrator or next of kin of such member.

"(4.)

- "(4.) For insuring or making good any loss or damage of live or dead stock goods implements of trade and tools sustained by any member by fire flood shipwreck or other contingency of which the probability may be calculated by way of average.
- "(5.) For the frugal investment of the savings of members for the better enabling them to purchase food firing clothes or other necessaries or to purchase or hire any implement material or article of use or necessity in their trade calling or business or to provide for the education of their children. Provided that the shares in any such Investment Society shall not be transferable and that the investments of each member shall accumulate or be employed for the sole benefit of such member investing or of the husband wife children or kindred of such member and of no other person and that the whole amount of the balance due to such member according to the rules of such Society be paid to him on withdrawal therefrom.
- "(6.) For the purpose of enabling any member or the husband wife or children or nominee of such member to immigrate to New South Wales and of enabling such immigrants to purchase the tools implements materials or other necessaries of their trade calling or business and of advancing loans to them for any such purpose and taking security for the repayment thereof.
- "(7.) For any other purpose of mutual benefit and advantage to the members only and not being within the purposes mentioned in Part IV or V of this Act which the Governor with the advice of the Executive Council shall authorize as a purpose to which the powers and facilities provided by this Act in relation to Friendly Societies ought to be extended."

Dissolution of Societies.

Provision is also made for the dissolution of Societies, and for the disposal of the assets according to the Registrar's award, as also for the amalgamation of Societies, appointment of Trustees, in whom the property of the Society is to be vested, and by or against whom actions on behalf of the Societies may be brought or defended.

Treasurer required to give bond.

Section 37 provides that the Treasurer of each Society shall be required to give a bond for the faithful performance of his duties, while the two succeeding clauses require him to account for the moneys received and paid by him, and direct how the property of the Society may be recovered in case of the death or insolvency of the officer having charge of the same. Section 40 deals with the framing of rules prior to the establishment of Societies, and points out precisely what is compulsorily to be set forth in these rules. Under the 41st, 42nd, and 43rd clauses, the Trustees are empowered to deal in certain specified modes with the funds of the Societies.

Framing of rules of Societies.

Persons not to receive more than £200 at death.

Section 44 provides that no person shall receive more than £200 at death, or £52 per annum as an annuity, no matter how many Societies he may be a member of. The next two sections of the Act deal with the returns from the Societies to be made to the Registrar, the 45th providing when and how they are to be made, and the 46th fixing the penalty to be imposed in case of default. In the remaining clauses in this Part of the Act provision is made for an increased payment to be made by Volunteers while serving out of the Colony, and for the protection of the interests of members in the benefits provided for in the Act from seizure or levy.

Insufficiency of present Act.

5. In the course of our inquiry we have been compelled to come to the conclusion that the present Act is neither sufficient for the purposes for which it appears to us the Legislature has a right to interpose, nor has the mode of its administration been such as to mitigate these deficiencies. It would no doubt be possible to make the existing laws upon the subject of Friendly Societies serve their purposes in a very much greater degree than has been the case, but we consider it necessary, if it is intended to place the Societies upon a thoroughly sound basis, for which the present time is eminently suitable, that there should be altogether new legislation upon the subject; and one of the foremost of our recommendations would be that for Friendly Societies only there should be a separate Act passed, in which the whole of the laws dealing with their constitution and management should be incorporated.

Mal-administration of the Act.

6. The mal-administration of the Act was brought under our notice by the Registrar of Friendly Societies himself, and his explanation was that it was owing to the failure of Parliament to provide the necessary clerical assistance to enable him to even make the annual report to Parliament that is provided for by the Act. In future portions of this Report we shall make such recommendations as we consider are necessary to improve the present legislation as well as the mode of its administration.

Future jurisdiction over Friendly Societies.

7. One most important question has come before us in reference to the question of the future jurisdiction over Friendly Societies. It is very evident that making the Registrar's duties a mere appendage to those of some other public officer is no longer sufficient to meet the requirements of the case. It has been strongly urged upon us that there should be a special Department of the Government Service established for dealing with all matters relating to the Friendly Societies of the Colony;

Colony; but it appears to us that it would be amply sufficient to make them a branch of some existing Department. The question then arises to which Department in the Service should they be attached. We believe that the wisest plan would be to make them an integral part of the Department of the Registrar-General, as a large portion of the work performed is of a statistical character, and by putting the Friendly Societies under his charge the whole of the statistical work of the Colony would be in one Department.

8. The duties and obligations of Friendly Societies require to be much more explicitly defined than they are at present. They should include in the amended Act the following particulars:—

- (1.) Having a registered office to which all communications and notices may be addressed.
- (2.) The appointment of Trustees, as hereinafter specified.
- (3.) Submitting its accounts to audit at least twice in every year.
- (4.) Sending annual returns of its receipts and expenditure, funds and effects, as audited, to the Registrar.
- (5.) Furnishing to the Registrar quinquennial returns of the sickness and mortality experienced during the period.
- (6.) Having a quinquennial valuation of its assets and liabilities made by the official Actuary.
- (7.) Allowing inspection of its accounts by any member interested in the funds, or by an Officer authorized by the Registrar.
- (8.) Supplying gratuitously copies of its annual reports to members and persons interested.
- (9.) Keeping a copy of the last annual balance-sheet at the registered office.

Returns from the Societies ought in all cases to be made according to forms prescribed by the Registrar; and abstracts of the quinquennial returns of sickness and mortality drawn up by him ought to be laid before Parliament.

9. In this Colony it is estimated that there are fully 35,000 members immediately connected with these Friendly Societies. We have examined witnesses who give the number of persons in connection with them as 37,704, but as some of these organizations are really Trade Protection Societies, and not Friendly Societies in the true sense of the term, and in many instances one man belongs to two or more Societies, we have struck off 2,704, and estimate the total number of individuals interested as members at 35,000. But in addition to these members there are the wives and families to be added to the number of those directly interested, and at the usual computation of five individuals to each family this would give a total of 175,000 persons whose welfare is bound up with the satisfactory condition of the Friendly Societies. The financial state of the various organizations is consequently of deep interest to an enormous section of the community. From the evidence submitted to us, it appears that the 37,704 members referred to have to their credit assets amounting to £178,861 8s. 3½d., being an average of £4 14s. 1½d. per head.

10. It will be seen that the objects for which these Societies may be established are every comprehensive, but it may be said that in practice they are confined almost entirely to providing an allowance during sickness and upon death, and to supplying medicines and medical attendance to the member himself, his wife and family. The average allowances are upon the following scale:—20s. a week during the first six months; 15s. a week during the next six months; 10s. a week during the third six months, and 5s. a week during the further continuance of the illness; a funeral donation of from £20 to £40 on the death of the member, and half the amount on the death of his wife. With the exception of the funeral donation the benefits are given by the individual Branches, they undertaking the sole responsibility of the risks; but the larger Societies seem to have a kind of re-insurance fund, to which the Branches pay a certain sum quarterly for the purpose of insuring the funeral money. The difficulty of dealing with these Societies, from a legislative point of view, is enhanced to some extent by the fact that they are not only commercial institutions, securing certain benefits for a certain definite payment, but are also social organizations of greater or less age, and with peculiar traditions attaching to some of them, requiring an expenditure upon regalia and ceremonial work that, from a utilitarian point of view, seems altogether unnecessary in purely commercial Societies.

Societies. We do not feel it to be within our province to interfere with this aspect of the Societies, although it appears to us that this element is losing any influence it may formerly have possessed, and that the direct advantage to be obtained is now the principal object of the members. This appears to us to be shown by the fact that a large number of the principal Societies discourage the meeting of their subordinate Branches in public-houses, which was at one time almost universal. From this one fact we draw the conclusion that the elements of social enjoyment and conviviality, which at the outset of the history of these Societies had no doubt much to do with the establishment of many of them, have now given place to a feeling that, to be successful, they must be carried out upon rigorously business principles.

Insufficiency
of contri-
butions.

11. Our attention has of course been primarily directed to the question of the sufficiency or otherwise of the weekly contributions paid by the members of the various Societies in order to secure the benefits promised by their general rules. A great difference of opinion upon the subject has been found to exist amongst the various witnesses examined, the divergence of their views arising no doubt from the different opinions held as to the purport of the question. Many of the witnesses seemed to have the idea that, so long as the receipts for each year—whether from contributions or interest upon the investments—were sufficient to balance the expenditure, there was no necessity for an alteration in the weekly payments. The evidence, however, of witnesses whose experience in connection with Friendly Societies is of long standing, as well of those who have given an intimate study to actuarial science, has shown us that the existing scale is utterly inadequate to afford the necessary security that in the time of need the benefits promised would be forthcoming. We accordingly recommend that the Government should have the necessary tables constructed to place the Societies in a position to give the benefits promised, on the following basis: (a) To give a funeral donation of £20 on the death of a member, and half that amount on the death of a member's wife. (b) To give a sick allowance of 20s. per week for six months; 15s. a week for a further six months; 10s. a week for a further six months, and 5s. a week during the further duration of the illness; due provision being made in the general rules for the payment of the medical officer and chemist, and a suitable allowance being made for payment of the expenses of management.

Graduated
payments.

12. While there can be no question that the principle of having a uniform contribution payable by every member of a Society, without respect to his age at entry, has simplicity of operation, there can also be no doubt that, considering the increased liability to both sickness and death incurred by persons at an advanced age, it is, at the best, a rough and ready mode of procedure, unjust not only to the younger members but to the Societies themselves. This appears to have been recognized by the members of the Societies who have adopted a graduated scale of entrance or initiation fees, varying as a rule from 2s. 6d. for members under twenty years of age to about £4 for those at forty. But a very slight consideration of the question will show that this is a most unscientific method of meeting the difficulty, inasmuch as the sole value to the Society of these apparently large increases amounts to the difference of the annual interest derivable from the different amounts, which is of course almost infinitesimal. Some of the witnesses examined before us have expressed their objection to a graduated scale of contributions, on the ground that the complexity of the system would be such as to render it exceedingly difficult in many of the country Branches to secure Secretaries competent to keep the books; although admitting at the same time that such a system would be the most fair. This difficulty appears to us to have been much overrated, and we believe that were the system once brought into operation it would be as easily worked as the present system. Another objection has been made to any proposed alteration, on the ground that a system of graduated contributions that did not take into account the amounts of sick pay received by the individual members would be unjust; but it appears to us that the doctrine of averages must compensate for any apparent individual injustice that may arise. Altogether the evidence in favour of the adoption of this principle in connection with the various Friendly Societies seems to be so overwhelming that, notwithstanding the temporary absence of absolutely trustworthy data for the preparation of tables which may be relied upon in every exigency, we have no hesitation in recommending its adoption. The actuarial evidence before us is amply sufficient to assure us that the tables of Mr. Ratcliffe may be relied upon without

Objection to
graduated
scale of con-
tributions.

without very much danger of any injustice being committed, although they would of course require some modification to adapt them to the circumstances of this Colony. We further recommend that one quarter's contribution fees, according to the graduated scale as fixed in the Societies' rules, be paid by the candidate on the night of admission into the Society, to take the place of an initiation fee, the amount of the said contribution to be credited to the members, but his ordinary contributions to be paid weekly or fortnightly as the case may be, so that each member will be paying his contributions for three (3) months in advance. We consider that this provision will prevent a large number of the suspensions for non-payment of dues, and the consequent expulsions from the Societies, that now occur.

13. We direct attention to a Report of a Committee appointed by the New South Wales Branch of the British Medical Association to investigate and report on the medical working of Friendly Societies, to be found on page 265 of the Minutes of Evidence. Section I recommends the adoption of a form of examination paper similar to those used for purposes of Life Assurance, in order to ensure a thorough report on each case; and that a reasonable fee be paid for each examination. In reference to the first of these recommendations, we applied to the Secretary of the local Branch of the Association for a form of examination, which was supplied, and will be found on page 21 of the Appendix. This form seems to us to answer the purpose, although some slight amendments might possibly be made. Section II of the Report, recommending that the medical benefits of the Societies should be confined to certain classes of the population, we cannot endorse, believing that the contracts made with the medical men should not depend upon the position in life of the recipients of the benefits contracted for; in addition to which we find that there are a large number of members who have joined these Societies in early life, and whose position from a financial point of view has improved as they have grown older, and who consequently refrain from availing themselves of any of the other benefits promised by their Societies. In Section III, the Committee propose that a uniform payment of not less than one pound (£1) per annum, should be paid to the Medical Officer of every Lodge; in other words, that the amount paid should be fixed by enactment at that sum. In reference to this proposal, we have simply to point out that this matter is entirely in the hands of the medical men themselves—the remuneration for their services must be regulated by the law of supply and demand. If such a provision were made in the Act, nothing would be more easy than to override it, as medical men who are willing to take a less amount would have no difficulty in placing their proposal before any Lodge in such a form as to totally ignore the spirit of this provision. While yet sticking close to the letter, it would be competent, for instance, for a doctor to state, as an inducement to the acceptance of his services to the Lodge, that on payment of his fees within one, two, or three months of their due date he would allow a discount of 40, 30, or 20 per cent. We have already dealt with the subjects contained in sections IV and V of the Committee's Report, and hence it is unnecessary to say anything in respect to them here. In section VI the Committee express their opinion that the Medical Officer and Chemist's Fund should be kept entirely distinct from the Benefit Funds, and this proposition we cordially endorse, although not for the reason given by the Committee. Under the proposed graduated scale of contribution, the amount set down as payable by individuals, at the different ages in the tables to be prepared, will refer solely to the sick and funeral benefits, and to these amounts it will be necessary to add sufficient to pay for the medical benefits as well as the expenses of management; and in order that it may be ascertained that the contributions are sufficient to meet all the liabilities, it is not only desirable that these funds should be kept separately, but also that they should be administered separately; and it is for this reason that we endorse this recommendation. With reference to the proposal in the second paragraph of the section, for the establishment of a Friendly Societies' Bank, we have simply to say that the arguments used by those supporting it have not convinced us of its necessity; and we must, therefore, decline to urge it upon the Government. The last section of the Committee's report deals with the constitution of the Commission itself, and is a matter with which we have nothing to do.

14. It has been a matter of regret to the Commission to find that the evidence discloses a great laxity in the management of many of the Societies and in the mode of conducting their business, as well as a gross neglect of many of the provisions

provisions of the present law, the consequent result of which has been in many cases not only the misapplication of the funds without any fraudulent intent, but also gross defalcations on the part of officers, in some cases of large amounts. As examples, we would refer to the evidence given in reference to the St. Peter's Burial Society, on pages 202 to 207, where it is shown that a portion of the funds of the Society was illegally divided amongst a portion of the members; to the evidence in reference to the deprivation of the widow of one John Cox of her just claim on Court Friendship, Order of Royal Foresters (page 290 of the Minutes of Evidence); to the frauds in connection with the Australian Holy Catholic Guild, the Auditors' report in connection therewith being found on pages 138 and 139; and to the evidence given in reference to the defalcations in connection with the No. 25 Branch of the Protestant Alliance Friendly Society by a Secretary, which defalcations amounted to at least £150, and to the fact, as disclosed in the evidence of the solicitor, Mr. H. C. Colyer, on pages 375 to 377, that it was found impossible to criminally prosecute the defaulter. The cases brought under our notice have convinced us that the system of audit at present adopted in the majority of the Societies is quite inadequate as a security against fraud; and although we would deprecate any undue interference with the internal working of Societies, we are convinced that a radical alteration in that system is demanded, and should be enforced by legislation. It appears to us that, in order to meet the difficulty, it should be enacted that the Registrar should be empowered to order an official investigation of the accounts of any Society or Branch, upon the request of not less than one-fifth of the members present at a summoned meeting, or at any time when circumstances appear to him to require it. Should the examination of the annual returns by the Registrar disclose any important discrepancies that would call for explanation, he should be empowered to order an investigation in such cases.

Examination
of annual
returns by
Registrar.

Uniform
book-keeping.

15. For the simplification of this matter it is eminently desirable that a uniform system of book-keeping should be enforced in all Societies, and, in order to make this system readily intelligible to any person who may be placed in office, it is requisite that it should be as simple and free from the technicalities used by professional accountants as possible. The books used should be as few in number as is consistent with the possibility of obtaining at a glance all the information required to show the state of the account of each member and the position of the funds of the Society.

Advantages of
adoption of
a uniform
system.

The advantages of the adoption of a uniform system are so obvious that it is almost unnecessary for us to refer to them, and we would simply point out (*a*) that any member who had once filled any position in a Society would at once be enabled to take the same position in any other Branch and understand the exact position of the books, without, as is too often the case now, requiring a number of interviews with his predecessor in office for the explanation of the accounts: (*b*) that the danger of fraudulent misappropriation of the funds would be reduced to a minimum, as no opportunity would be given to persons skilled in accounts for the manipulation of the books: (*c*) that the time occupied in auditing the accounts would be materially lessened, and the Auditors would be enabled to vouch for their accuracy with much more satisfaction than at present: (*d*) that the preparation of the returns to the supreme bodies from which the annual returns for the Registrar are to be compiled would be greatly simplified, and the liability to error therein reduced to the lowest point.

Settlement of
disputes.

16. Under the present law the question of the settlement of disputes is in a very unsatisfactory condition, the clauses in the existing Act dealing with the question being, as already stated, almost inoperative. The sections referring to the question are Nos. 14 and 15, and appear to enact that the rules of Societies may direct the manner in which disputes may be settled, and that the "decision so made shall be binding and conclusive on all parties without appeal," but in certain specified cases, as well as when the rules do not prescribe the mode of settlement, the District Courts shall be empowered to act. But instead of this course having been adopted, it has been found in practice that the disputes have been brought before the District Courts even where the rules of the Society have prescribed a different mode of settlement, and that the District Courts have heard and determined the matters in dispute. Much dissatisfaction has been expressed at this action, on account of the expenses incurred—the costs having been defrayed out of the funds of the Societies. In our judgment, and in view of the evidence brought before us, it is unwise to allow any appeal to the ordinary Law Courts of the Colony—except
in

in criminal matters ; but it is also necessary to provide that, after all the resources for the settlement of these disputes within the Society have been exhausted, there should be some final tribunal appointed, to whom power should be given to pronounce a final decision, and one from which there should be no appeal. In order that this should give satisfaction, it is necessary that this Court of Final Appeal should have the confidence of the members of the Societies, and it seems to us that no better means of securing this confidence can be adopted than by allowing the members themselves to elect the Court. With this end in view, we would recommend that a Court for the final settlement of all disputes should be appointed, to consist of the Registrar as President, and five members to be elected by the various members of the different Societies triennially, and that it should be provided that but one member of any one Society should be eligible for a seat in this Court. The conducting of the election would of course be a matter of detail to be settled by the Department.

Court of Final Appeal.

Appointment of Court for final settlement of all disputes.

17. It has been ascertained that a considerable number of the disputes that have arisen in connection with the Friendly Societies of this Colony have been caused by the non-payment by the members of their subscriptions when due. These have been allowed to fall into arrears, and in many cases many months and even years have been allowed to elapse before the defaulting members have been called upon to pay the amounts. In the majority of the Societies provision is made in the rules that, at the expiration of about thirteen weeks from the time of the payment of the last subscription, the member shall become "unfinancial," and nominally not entitled to the benefits of the Society, although it has been represented to us that the Courts have held the Societies liable for the funeral donation, less the amount of subscription in arrear until the member has actually been struck off the books ; while at the end of about twelve months the defaulting member's name may be erased from the list of subscribers. Action has been taken in the Courts to recover these arrears of contributions, and in one case subscriptions extending over a period of something like three years were sued for and recovered. While we recognize the fact that the liability of the member to the Society should be co-existent with that of the Society to him, we cannot fail to see that, if the principle of recognizing the right of a Society to sue for contributions extending over any great length of time is continued, grave injustice may be committed upon those who may have been misled by the provision in the rules of the Societies authorizing the striking off of their names from the roll of members when twelve months in arrears. At the same time, we have ascertained that the Societies are responsible to the medical men for the fees for the members good on the books at the commencement of each quarter, and to their superior bodies for the levies for these same members, and hence it would be unjust to the Societies to refuse to give them a right to recover the contributions for a period of six months. We accordingly recommend that the right to sue for arrears of contributions be retained, but that the period for which they may be recovered be limited to six months, and that provision be made that action shall be taken before the expiration of twelve months from the date of the last payment.

Disputes arising through non-payment of subscriptions.

Suing for arrears.

18. We have already pointed out that in our opinion the present contributions paid are insufficient for the purpose of providing the promised benefits. That some of the Societies have had a suspicion if not a positive knowledge upon this point seems to be proved by the fact that they have made provision for an increase in the contributions by means of what is known as the levy system. Under this it is competent for a Society after due notice being given to impose and enforce upon all the members a levy of a certain amount per head ; a default in the payment of which subjects the member to the same penalty as a default in the payment of the ordinary contributions. While this system has an advantage in providing a safety-valve for Societies in the event of any considerable run upon their funds, it is at the same time liable to great abuse, and has the further disadvantage that a member upon joining a Society in which it is adopted does not know definitely what amounts he may be called upon to pay ; for, although the nominal subscriptions may be fixed in the rules, there may also be a levy made quarterly, which would have the effect of very considerably increasing the payments. With a proper system of contributions no such difficulty would be likely to occur as to call for the imposition of a levy. It appears to us that the Societies should be permitted some greater latitude in the investment of their funds than is given under the 42nd clause of the existing Act.

Levy system.

Investment of funds.

Practice of
malingering.

19. From the evidence submitted to us, it is clear that there have been a number of instances in which malingering has been carried on by members of Societies for the purpose of securing the benefits payable under the rules. A provision in the existing Act limits the amount of sick-pay that may be received to £52 per annum, without reference to the number of Societies to which a member belongs. It was no doubt the intention of the framers of the Act to limit the amount receivable by the beneficaire to 20s. a week, but this has not been done; and under the law as at present existing it is quite possible for a man earning (say) £2 a week to join three or more Societies, and to receive 20s. a week from each, provided that he takes care not to remain upon the funds longer in any one year than is sufficient to bring the total amount received up to £52. Though the fact cannot be denied that in the present circumstances of the Colony the sum of £1 a week is insufficient to provide those medical comforts which do not come under the heading of medicines, but which are oftentimes quite as essential as the medicines, still we consider that the amount derivable from these Societies should be so limited as not to make it an object with the members to go upon the funds. We do not desire, however, to interfere with the freedom of persons by prohibiting them from joining as many Societies as they see fit, but we would recommend the limitation of the amount receivable as sick pay to the sum of £2 2s. a week, and as funeral donation to £50. This amount of sick-pay would be amply sufficient to provide for the extra expenses incurred through the illness of the head of a household, and yet is not so much as to make it an inducement to members to sham sickness.

Limitation of
amount
receivable as
sick pay.

Branches.

20. One great objection has been made to the present Act in reference to the definition in the interpretation clause of the word "Society." This definition reads as follows,—“Society shall mean and include every Branch of a Society by whatever name the same may be designated.” This has been understood to mean that in the eye of the law every local Lodge, Court, or Division occupies the position of a distinct organization, and it has been held by the Registrar that it is necessary for each of these Branch Societies to be separately registered, and to furnish separate annual returns as required by the Act. With respect to Societies which are merely Branches of one great organized body, such as the Independent Order of Oddfellows Manchester Unity, the Ancient Order of Foresters, or the Sons of Temperance, such a regulation is not only vexatious to the Societies themselves, but entails a large amount of unnecessary labour upon the Registrar in dissecting the various returns so as to obtain the necessary statistical information from them. This information could be obtained in a much more complete and satisfactory form through the various District Lodges or Grand Lodges; and we would recommend that these superior bodies should alone be recognized by the Department, that is of course where such superior bodies exist. In order to give effect to this recommendation, it will be necessary to provide a legal definition of a Branch of a Society. This subject engaged the attention of the members of the Royal Commission appointed in 1875, in the Colony of Victoria, for the purpose of inquiring into the working of the Friendly Societies Statute, and from their report we learn that this definition was “given for the first time in the 4th section of the English Act of 1875, in the following words—‘a Branch means any number of the members of a Society under the control of a central body, having a separate fund administered by themselves, or by a committee or officers appointed by themselves,’” and in the Victorian Act, 41 Vic. No. DXC, passed in consequence of this report, this definition, with the simple substitution of the word “special” for “separate,” is incorporated. This definition appears complete; and as it would meet the case of the various Orders, we recommend its adoption in the proposed new Act. Should this be adopted, we would then recommend that the registration of the supreme body of any organization should be taken to include the registration of each and every Branch of such organization, which shall be duly returned to the Registrar by the Secretary, under the seal of such supreme body. In connection with this recommendation, it will be necessary to provide by enactment that the general laws of such supreme body shall declare the minimum contributions to be paid by the members of each Branch, such minimum contributions not being less than the amounts necessary to provide the promised benefits, and that the Secretary of each supreme body shall within one month of the institution of any new Branch, or such other time as may be deemed necessary, be required under a penalty to make a return to the Registrar

Necessity of
providing a
legal defini-
tion of Branch
of a Society.
Royal
Commission
appointed in
1875.

Registration
of the
supreme body.

Registrar of such new Branch. If this recommendation be adopted, the result will be that the Branches will be considered as merely integral parts of the organization, and it will have the effect of rendering the whole Society, as distinct from its parts or Branches, responsible for the liabilities of each Branch, and the funds, although kept under the control of the Branch, will therefore be simply a portion of the general fund of the organization. It will thus be incompetent for Branches to dissolve with large funds in hand, as has been the case in the past, as, in the event of dissolution, the assets nominally belonging to the Branch would become the property of the general body of members as represented in the parent Society.

21. The question of the desirableness of having periodical valuations of the assets and liabilities of the different Societies has been brought under our notice by several witnesses; those versed in actuarial science deeming it absolutely necessary that they should be made at regular intervals of about five years: and there can be no doubt that it would add very materially to the security of the members if these valuations could be made by competent persons, but the cost appears to be an insuperable objection. We do not hesitate to say that it would be impossible, without Government assistance, for any Society in New South Wales to defray the expense that would be incurred. On this subject the Victorian Commission say they think that, considering the importance of the matter to the members of the Societies, the Government might undertake to provide for periodical valuations at intervals of five years, upon sufficient data being in each case furnished to the Registrar and on payment of a small fee, and on these conditions the furnishing of the requisite data should be made compulsory on the Societies; and this recommendation we would endorse, believing the importance of the subject would fully warrant the slight expenditure necessary.

Periodical valuations of assets and liabilities of Societies.

22. In reference to this latter subject, it would be necessary to have in connection with the Department dealing with Friendly Societies some actuarial assistance, in order that the calculations as to the contingent liabilities of the Societies, which of course increase according to the advancing ages of the benefit members, may be duly estimated; and the question comes before us, whether there should be an actuary appointed in addition to the Registrar, or whether the Registrar himself should be an actuary. We consider that it will be desirable that power should be taken in the Act to have these offices separate, although for the present it would probably be sufficient to have an actuary as Registrar. The duties attached to the office require that the scales of contribution should be carefully investigated, so that not only the sick and funeral benefits promised may be amply provided for, but also that proper allowances are made for the medical benefits and for the expenses of management; and this can only be done by a person who has some knowledge of actuarial science.

Actuarial assistance.

Registrar to be an actuary.

23. Under the existing Act no provision is made for the remuneration of the Registrar for the labour entailed upon him, except that he is entitled to retain the fees charged upon the registration of rules which, according to the evidence of Mr. Oliver himself, have been considerably under £500 for the whole period of eight (8) years during which he has held the office. We consider this system of payment by fees to be most injudicious, and recommend its abolition, believing that if registration fees are charged at all, the money so derived should be paid into the Consolidated Revenue of the Colony, and that provision should be made in the Estimates for the remuneration of all the officials necessary for the administration of the Act.

Fees not to be retained by Registrar.

24. On the part of some of the Societies there is a feeling that the medicines proscribed by the medical officers are not properly dispensed, and in some cases the doctors themselves seem to be of the same opinion. They all object to the system of payment to the chemist adopted by the Societies, considering that it offers a temptation to fraud—a fraud that is not easily to be detected, owing to the ignorance of the patients upon the subject—but do not agree in their proposals for meeting the difficulty. Some recommend the establishment of general dispensaries in centres of population, by the united action of all the Societies in the neighbourhood; while others consider that an alteration in the system of payment would effectually meet the case,—that if, instead of so much per head, the principle of paying ordinary rates with a discount of one-fourth or one-third were adopted, more satisfaction would be the result, while the expense would be as light as at the present time. This of course is a matter that cannot be dealt with by legislation, but it appears to us that

Establishment of dispensaries.

a recommendation from the Commission might lead the Societies themselves to carefully consider the question, so as to put it upon a more satisfactory basis. We have no hesitation in giving it as our opinion that in populous centres where there are a large number of Friendly Societies in the immediate vicinity, the dispensary system is the best, as there could be no object on the part of salaried dispensers to give any but the drugs absolutely prescribed, and we would recommend that this course should be adopted; while in smaller places the system of payment according to the necessities of each case should be adopted, as there is no difficulty in obtaining the discounts referred to, and those Societies that have adopted the plan seem to be satisfied with it.

Dispensary system the best.

Medical examination of wives.

25. The Societies as a rule give a funeral donation, not only upon the death of members themselves, but also upon the death of the wives of members, and hence the insurance is materially affected by the health of the wife. Usually, however, there is no medical examination into the state of health of the wives of candidates for membership, although a statement is required from the husband upon the question. In order, however, that the greatest security to members should be given, we consider it essential that a medical report as to the state of the wife's health should be required in every case before she is registered to the Funeral Fund, although we would not make it a requisite to membership.

Building halls.

26. Great care should undoubtedly be exercised by Societies in the expenditure of their funds for the purpose of building halls and meeting places. In some cases, almost the whole of the assets of Societies have been locked up in this way, and it might be impossible for them to meet any demand upon their funds that exceeded the average, without a considerable delay taking place; in addition to which, some of the investments in this way make no return whatever—or a very small one—upon the capital invested. While we should deem it very inadvisable to entirely prohibit this mode of investment of funds, we think it highly essential that the proportion of capital allowed to be thus tied up should be limited to, say, 50 per cent. of the total funds of the Societies, in order to prevent any embarrassment in the event of a suddenly increased demand upon the funds, such as might be caused by the outbreak of an epidemic, and we recommend that such a limiting provision be inserted in the proposed new Act, while the balance should always be kept in such a manner as to be available for the sick and funeral benefits.

Trustees.

27. The importance to the various Societies of the office of Trustee would be impossible to over-estimate, as in them the whole of the property is vested, and they have to represent the Societies in all actions at law; and it is, therefore, highly essential that precise legal definition should be given of the manner of electing and removing Trustees, the powers and responsibilities attached to their office, the limits to their power to invest the accumulated funds, and their relations to the State through the Societies they represent—

Appointment of Trustees.

(a) *Appointment of Trustees*:—The rules in the existing Act, providing for the appointment of Trustees, are contained in Clause 28; and provide, merely, that at some meeting of the members of the Society, and by a resolution of the majority of the members then present, there shall be nominated and appointed one or more person or persons to be Trustee or Trustees for the said Society, and that due notice of their appointment shall be sent to the Registrar, to be by him deposited with the rules of the said Society in his custody. It is also provided that if no Trustee has been properly appointed, the Treasurer shall be taken to be a Trustee within the meaning of the Act. We are of opinion that the provision of the law upon this point should be much more stringent than at present, and would recommend that a clause should be inserted in the proposed new Act, making it compulsory upon the officers of each Society or Branch to call a specially summoned meeting of the members whenever it becomes necessary to elect Trustees, the business of such meeting to be specially noted in the summons, and an absolute majority of all members then present to be a requisite for election.

Removal of Trustees.

(b) *Removal of Trustees*:—In reference to this subject, we would recommend that the removal of any Trustee from office should take place in the same manner as that provided for his election, *i.e.*, that a specially summoned meeting should be convened, the business to be transacted

transacted to be duly noted on the summons, and an absolute majority of the votes of the members present to be necessary to carry the proposal for removal; that such removal from office shall be deemed to have taken place upon due notice of the passage of such a resolution as referred to above being forwarded to the Registrar; and that in the event of the Trustee so deposed refusing to deliver up the moneys, securities, or other property held by him on behalf of the Society, application may be made by any officer authorized in writing signed by the President and Secretary, and under the seal of such Society, to the nearest Court of Petty Sessions; and on the making of a declaration to that effect, together with a record under seal of the removal of such Trustee, the Court may make an order upon him for the delivery of the moneys, securities, or other properties of the Society held by him to the authorized officers of the Society, as well as for the transfer to them of all property belonging to the Society, deposited or invested in his name.

- (c) *Number of Trustees.*—We recommend that the number of Trustees for each Society shall be three (3), in order that the utmost security for the safety of the funds and other property deposited with them may be afforded to the members of the Society. Number of Trustees.
- (d) *Notice of Appointment of Trustees.*—Due notice of the appointment of Trustees should in every case be forwarded to the Registrar; and in the case of Branches, such notice should be certified by the Secretary or other authorized officer of the parent Society. The Registrar should then furnish a certificate of the registration of these Trustees on a form to be prescribed in the proposed new Act, which certificate should be held and taken as a legal proof of the appointment of such Trustees. Notice of appointment of Trustees.
- (e) *Tenure of Office.*—We recommend that in all cases Trustees should be elected as such during the pleasure of the Society or Branch. Tenure of office.
- (f) *Joint action of Trustees.*—All deeds of release or other instruments affecting the funds or security of any Society should in every case be signed by all three (3) of the Trustees. Joint action of Trustees.
- (g) *Borrowing by Trustees.*—It should be expressly made illegal for a Trustee to borrow money from a Society or Branch with which he is connected. Borrowing by Trustees.

We make these recommendations believing that they would place the relationship between the Societies and the Trustees upon a much more satisfactory footing than that upon which it stands at the present time.

28. It appears that in one case at least a Society has been made to suffer in consequence of the sick-pay being demanded by the Master in Lunacy on behalf of a member in the Asylum. It will be seen from the evidence given by Mr. H. Austen, that during five (5) years £160 had been paid on account of this member, and that the Society only stopped payment after the youngest child became of age to work for her own living; but the Master in Lunacy came upon the Society for the back money, and the payment of this necessitated the sale of the hall belonging to the Society. While we acknowledge the general justice of including lunacy in the term sickness, still we consider that after the lapse of two (2) years it would be only fair if the Society were relieved from further payments, and we would recommend that in such cases no demand for the payment of sick-pay should be maintainable against a Society; although, of course, the Societies have the matter in their own hands, as by the rules they might except lunacy from their liabilities. Lunacy.

29. Provision should be made in the proposed new Act that in case of the insolvency or death of any member of a Society holding any money or property of the Society in his possession, there should be a preferential claim upon the estate of the insolvent or deceased officer for the amount due. Insolvency or death of member.

30. We have already recommended the various Branches should be so brought under the control of the parent Society that no single Branch will be able to dissolve without its consent. If this consent be given, care should in every instance be taken to see that the rights of the members of the Branch so dissolved are not interfered with, but that the benefits are still continued to them through the Society itself or one of the other Branches. With respect to the dissolution of a Society as distinct from a Branch, we would recommend that it should be competent for a certain proportion (say one-fourth of the members) to apply to the Registrar for the dissolution Dissolution of Societies.

of any Society, the Registrar to refer the matter to the Board of Arbitration for investigation and decision. In the event of the Society not being dissolved, the costs of such investigation shall be borne by the applicants; but, should the dissolution take place, the costs of the investigation shall be paid out of the Society's funds.

Willing away funeral donations to others than widow or representative.

31. We would call attention to the provision in the existing Act, permitting Members of a Society to will away the funeral donation intended, in event of death, to defray the expenses of the burial. We are of opinion that such a provision will not advance the interests of the Societies, inasmuch as it appears to us to be unfair to the widow of the deceased member. The intention of providing such a benefit was for the purpose of enabling the family or representatives of the deceased to afford him a burial with all the ceremonies required by the usages of society or the dictates of his religious profession; and we would recommend that in every case the law should provide that this money should at any rate be available for this purpose, by enacting that it should be handed over to the wife (if she at the time of the member's death be in full legal claim upon him) or next of kin of the deceased.

Bonds of officers to be from a Guarantee Society.

32. We would recommend that in all cases the bonds or other securities given by officers for the faithful discharge of their duties should be the security of a Guarantee Society, as we believe that, in cases of defalcations, the system of taking a bond from two or more members of a Society tends to prevent the rigorous enforcement of the law.

Registration to be compulsory.

33. A clause should be inserted in the proposed new Act enforcing the registration of all Societies established for the same purposes as are the existing Friendly Societies, with the penalty for non-registration that the Trustees or other officers of the Society shall render themselves personally liable to the full amount of the benefits promised by its rules.

Actuaries' report.

34. The returns which, at an early stage of our labours, were sent out to the various Societies, were submitted by us to Messrs. M. A. Black and Richard Teece, actuaries of this city, for report. We submit herewith their report, but do not feel that we are called upon to make any further comment upon it.

Summary of recommendations.

35. In conclusion, we sum up our recommendations as follows:—

- (1.) The passage of a separate Act of Parliament dealing solely with Friendly Societies. (Sec. 5.)
- (2.) To attach the Friendly Societies to the Department of the Registrar-General. (Sec. 7.)
- (3.) To explicitly define the duties and obligations of Friendly Societies. (Sec. 8.)
- (4.) The Government to construct tables of rates sufficient to put Societies in a position to give the benefits promised. (Sec. 11.)
- (5.) The adoption of the principle of graduated contributions according to age; one quarter's fees to be paid in advance. (Sec. 12.)
- (6.) The adoption of a form of examination paper for the medical officer. (Sec. 13.)
- (7.) The separation of the different funds in a Society. (Sec. 13.)
- (8.) Authority to be given to the Registrar to order an official investigation of the accounts. (Sec. 14.)
- (9.) The adoption by all Societies of a uniform system of book-keeping. (Sec. 15.)
- (10.) No appeal to law to be allowed except in criminal matters. (Sec. 16.)
- (11.) The appointment of an elective Court of Final Appeal for the settlement of all disputes in Societies. (Sec. 16.)
- (12.) The limitation of the periods for and during which Societies may sue their members for arrears of contributions. (Sec. 17.)
- (13.) The discontinuance, as far as possible, of the levy system. (Sec. 18.)
- (14.) Greater latitude to Societies in the investment of their funds. (Sec. 18.)
- (15.) The limitation of the amounts receivable as sick-pay and funeral donation to £2 2s. per week and £50 respectively. (Sec. 19.)
- (16.) The recognition of supreme bodies of an organization, and their registration to be held to include the registration of their branches. (Sec. 20.)
- (17.) The provision by enactment that the general laws of each Supreme body shall declare the minimum contributions to be paid by the members. (Sec. 20.) (18.)

- (18.) The compulsory furnishing of the requisite data for periodical valuations of the assets and liabilities of the Societies, the Government undertaking to make the valuations on payment of a small fee. (Sec. 21.)
- (19.) The Registrar in the first instance to be an Actuary, but power to be taken in the proposed new Act for the separation of the two offices. (Sec. 22.)
- (20.) The abolition of the system of remunerating the Registrar by fees, such fees to be paid into the Consolidated Revenue. (Sec. 23.)
- (21.) The establishment, by united action in populous centres, of dispensaries for the supply of medicines. (Sec. 24.)
- (22.) A medical report as to the state of health of members' wives to be obtained prior to their registration to the Funeral Fund. (Sec. 25.)
- (23.) A limitation of the amount of capital of Societies which may be invested in halls and meeting-places. (Sec. 26.)
- (24.) More explicit provision to be made for the appointment and removal of Trustees, and their powers, &c., to be more clearly defined. (Sec. 27.)
- (25.) The Trustees to be prohibited from borrowing money from the Societies they represent. (Sec. 27, sub-section *g*.)
- (26.) The limitation of the time for which sick-pay may be demanded in cases of lunacy.
- (27.) The Society to have a preferential claim upon the estate of an insolvent or deceased member holding any of its money or property in his possession. (Sec. 29.)
- (28.) That express provision should be made for the dissolution of Societies after due investigation by the Board of Arbitration. (Sec. 30.)
- (29.) Members of Societies to be prohibited from willing the funeral donations away from the wife or next of kin. (Sec. 31.)
- (30.) The bond for faithful discharge of duties of officers to be in every case the security of a Guarantee Society. (Sec. 32.)
- (31.) That all Friendly Societies and Societies established for the same purposes should be compelled to register themselves under the new Act. (Sec. 33.)

All of which we humbly submit for your Excellency's consideration,—

JOHN DAVIES, PRESIDENT.	(L.S.)
JNO. GELDING.	(L.S.)
EDW. GREVILLE.	(L.S.)
PHILIP JAMES NEWLAND.	(L.S.)
JOHN SLADE.	(L.S.)
JAMES F. SMITH.	(L.S.)
JOHN SUTHERLAND.	(L.S.)
F. ABIGAIL.	(L.S.)
P. R. HOLDSWORTH.	(L.S.)
EDW. J. RUBIE.	(L.S.)
WM. E. LANGLEY.	(L.S.)

ACTUARIAL REPORT.

To the President and Members of the Friendly Societies Commission.

Gentlemen,

We have the pleasure herewith to furnish you with the report asked for in your letter of 10th August, 1882. Your letter contained three specific requests with which we have endeavoured to comply as accurately as the circumstances of the case would permit. These were—

- (1) To examine the returns received by the Commission from the various Friendly Societies and to ascertain therefrom their financial position.
- (2) To prepare a set of tables showing the contributions necessary to provide certain benefits.
- (3) To make such suggestions as we think desirable for incorporation in any new Act affecting Friendly Societies.

THE RETURNS COLLECTED BY THE COMMISSION.

The first portion of these was placed in our hands on the 18th August, and the balance on 24th *idem*. It soon became evident that the completion of our task would be considerably delayed, if we personally undertook the work of analysing and classifying these voluminous returns. We accordingly sought and received your authority (*vide* your letter of 28th August, 1882) to employ clerical assistance in the matter. We at once engaged two clerks who had had experience in the manipulation of statistics, and to them, under our supervision, was entrusted the task of compiling the summaries appended hereto. While this work was in progress, we occupied ourselves with the collection of data for valuation, and the valuation of the liabilities of the various bodies referred to hereafter. Before proceeding to discuss the information disclosed by the summaries just alluded to, we think it necessary to draw attention to the Schedules issued by the Commission to the officers of the various Societies. Specimens of these are shown in the Appendices hereto, marked A, B, and C, the two former being applicable to Lodges* and the latter to Districts. These Schedules are defective, in that they do not contain provision for exhibiting the total income and outgo of the Societies. For example, all the affiliated bodies pay levies to the District to which they belong, in return for the liability for funeral donations undertaken by the District; but while the Schedule A contains a column for entry of amounts of such funeral donations, it nowhere provides for an exhibit of the amount of the levies paid by the Lodges to the District; nor is provision made for these amounts in the Schedule C issued to the Districts. This omission entirely destroys the value of the returns. Again, we think the issue of these Schedules without minute and detailed explanation of the manner in which they were required to be filled up was calculated to cause confusion in the minds of the officers of the Societies, very many, if not a large majority, of whom are altogether unaccustomed to work of this character. That such confusion has been caused will be at once apparent from an examination of the returns. It is obvious that in many instances the columns have been filled up with the wrong figures; in some cases attempts have been made to supply the omissions to which we have referred, with the result that additional confusion has been introduced. We have felt, after many efforts at reconciliation, that the task was a hopeless one, and we have been forced to the conclusion that the returns are practically useless for the purpose which the Commission appear to have had in view in calling for them. We have however arranged the figures in as intelligible a form as practicable, and now submit them with the following explanations:—

In the arrangement of the figures, we have endeavoured as far as possible to present them in a manner which would exhibit the state of the various Lodges at 1st January, 1877, and at 31st December, 1881, and their operations during the five years between these dates. The defects in the form of Schedule to which we have already referred rendered it impossible to obtain a balance of the transactions, while our task was made more unsatisfactory from the incompleteness of the great majority of the returns. An attempt has been made to exhibit the receipts and disbursements relating to each separate fund maintained by the Lodges, to show the amounts at credit of the various funds at 31st December, 1881, and the different classes of securities in which the moneys were invested. In cases where the quantity of sickness experienced was stated, we have deduced (as far as the means at command would admit) the average sickness per member per annum. In order that this may be compared with the expectation according to the table on which we have based our valuations, we insert here the average sickness experienced among members of the Manchester Unity in Great Britain, according to the latest classified return from that body.

Expected sickness per member per annum, according to the M. U. experience, 1866-1870:—

Age.	Weeks.
20 ... ..	.702
25 ... ..	.780
30 ... ..	.867
35	1.012
40	1.175
45	1.489
50	1.989

It must be borne in mind, however, that the information relating to sickness afforded by the Lodges is altogether too meagre to justify any importance being attached to the comparisons. Table 1 shows the information supplied by fifty-three Lodges of the Grand United Order of Oddfellows. We refrain from making any comments on the facts that a number of Lodges have retrograded during the five years, in number of members, or amount of funds, or both, because such facts are not sufficient of themselves to justify any conclusion

* In this Report the term "Lodge" includes "Tent," "Court," &c.

conclusion as to the financial stability of the Lodges so circumstanced. We desire, however, to point out that in thirteen only of the Lodges does the number of members exceed 100, while in the remaining forty the numbers range from three to ninety-eight; similarly, in eighteen Lodges the assets at December, 1881, were under £100. We have no hesitation in expressing our opinion that even where adequate rates of contribution are charged such numbers are altogether too small to enable the Lodges to be conducted with any degree of safety. On the whole, the rate of sickness experienced appears to have been favourable, though it will be observed that the Lodges in the mining Districts exhibit, as was to be expected, a marked increase over their fellows. The figures inserted beneath the summation of each column in this and similar tables indicate the number of Lodges embraced in such summation.

Table 2 exhibits the summary of the returns supplied by sixteen Lodges of the Independent Order of Oddfellows. This body has only been recently established in the Colony; its operations appear to have been somewhat limited, and the information supplied is very meagre. Our remarks as to the danger to be apprehended from paucity of numbers apply with equal force to this body.

Table 3 shows the information supplied by sixty-eight Temperance Lodges, sixty-six of which are comprised under the general body of the Sons of Temperance. Here again we find many of the Lodges containing a number of members altogether too small for successful operation, one exhibiting only nine members as the result of fifteen years' existence; as the funds of this Lodge however amount to £157, it would appear to be in a much better position than some of its more pretentious congeners. In connection with this summary, it should be observed that the sums set opposite the Lodges in the table below are included in the management expenditure of these Lodges in Table 3. In some cases these amounts appear to represent the funeral levies paid to the District; in others they appear to be the amounts received from the Districts as funeral donations, and it is evident that some of them have already been entered under this heading. It is however utterly impossible to accurately apportion these amounts to their proper denomination. It is thought necessary to make this explanation, in order to guard against error on the part of those who may institute comparisons between the receipts and expenditure of these Lodges

	No.	£	s.	d.		No.	£	s.	d.	
British Lion Division	140	100	0	0	Perseverance Division	124	200	0	0	
Day Spring	1	331	5	0	Good Intent	136	90	0	0	
Equity	41	72	10	0	Rising Sun	144	120	0	0	
Star of Freedom	91	74	11	0	Pride of Camperdown Division	58	40	0	0	
Southern Cross	...	85	6	0	Crystal Spring	6	95	0	0	
Crystal Spring	61	39	5	10	Star of Peace	4	45	0	0	
Evening Star	98	30	0	0	Star of the West	2	90	0	0	
Wellesley	103	72	7	10	Olive Branch	83	64	2	8	
Hope of Camperdown Division	120	40	0	0	Crescent	75	20	0	0	
Bud of Hope Division	11	20	0	0	Britannia	...	1	0	0	
Hearts of Oak	127	143	17	4	The Rainbow	79	70	17	1	
Good Samaritan	3	50	0	0	Florence Nightingale Daughters of Tem- perance	...	70	8	5	
Hand of Friendship Division	10	10	0	0	South Coast Grand Division—comprising six Lodges	...	252	8	10	
Prince Alfred Division	29	10	0	0	Light of the Age	118	35	0	1	
Harmony	37	70	0	0						
Nepean	42	20	0	0						
Wonder of the World Division	40	76	0	0						
Captain Cook Division	78	120	0	0						
United Gold Reefers Division	99	23	12	8						
							£	2,582	12	9

Table 4 presents the figures supplied by eighteen Courts of the Ancient Order of Foresters and three independent Courts. Table 5 contains a summary of the returns obtained by the Lodges of the Protestant Alliance Friendly Society. These returns are very incomplete, the total number of members shown being 1,968, while the number returned to us for purposes of valuation (and hereafter dealt with) is 3,414.

Table 6 shows the figures relating to sixty-seven Lodges of the Manchester Unity Order of Oddfellows. These returns are the most voluminous of all, although, as will be seen, they are imperfect in many particulars. The excessive sickness in the miners' Lodge will at once attract attention.

Table 7 contains the information relating to a number of miscellaneous Societies not embraced in any of the preceding tables.

Although, as we have remarked, the incompleteness of these returns detracts very largely from their value, they yet afford an idea of the magnitude of the operations of the Friendly Societies of the Colony, and the important stake which large numbers, principally of the labouring classes, have in their welfare. A general view of their operations will be obtained from the following summary of Statistical Returns:—

Name of Body.	Number of Lodges making Returns.	Number of Members at 31 Dec., 1881, in Lodges making Returns.	Receipts of Five Years, 1877 to 1881.		Disbursements of Five Years, 1877 to 1881.			Receipts from Districts, 1877 to 1881.	Assets, 31 Dec., 1881.	Registered.	Unregistered.	Undeined.
			For Benefits	For Management and Incidental.	For Sick Pay	For Medical Attendance and Drugs.	For Management, &c.					
Grand United Order of Oddfellows	53	4,123	£ 20,235	£ 10,234	£ 9,740	£ 9,494	£ 5,158	£ 998	£ 9,411	41	3	9
Independent ditto	16	922	£ 1,741	£ 2,374	£ 1,197	£ 1,314	£ 1,226	£ 270	£ 993	9	1	6
Temperance Bodies	68	3,650	£ 23,952	£ 17,552	£ 3,106	£ 16,778	£ 10,577	£ 2,275	£ 17,903	60	4	4
Foresters	21	3,252	£ 10,618	£ 10,230	£ 17	£ 5,435	£ 7,260	£ 3,439	£ 8,362	10	1	2
Protestant Alliance	33	1,968	£ 13,647	£ 15,507	£ 4	£ 4,957	£ 7,10,450	£ 5,541	£ 6,897	18	3	10
Manchester Unity	67	6,105	£ 39,821	£ 47,520	£ 4	£ 16,823	£ 1,29,183	£ 14,274	£ 41,619	12	5	10
Miscellaneous Societies	20	4,174	£ 20,333	£ 8,012	£ 10	£ 7,747	£ 5,10,340	£ 18,088	£ 17,893	4	8	6
Various Districts	...	...	...	...	...	...	...	...	£ 17,414	18	7	...
Total	234	24,399	£ 136,250	£ 112,439	£ 17	£ 456,083	£ 3,154	£ 1,33,805	£ 3,14,774	7220	17	47

* See Synopsis Valuation Returns.

From this summary it will be seen that the 234 Lodges which have made returns (more or less complete), number 24,399 members, with funds amounting to just on £120,000, and that they have been disbursing in benefits alone upwards of £30,000 per annum. When it is remembered that in all probability a large number of Lodges have made no return whatever, and that many which have supplied information have

have omitted many important particulars, we think there can be little doubt that these Societies number at least 30,000 members (representing upwards of 100,000 of the population), that they disburse in benefits some £40,000 per annum, and that they control funds amounting to £150,000. That these Societies have assumed such dimensions is, we think, an eloquent tribute to the spirit of thrift and self-reliance which has developed itself among the labouring classes. That their existence must have the effect of relieving the community of a heavy burden in the shape of taxation is, we think, self-evident; and it cannot be denied that such enormous interests as the figures we have quoted represent demand that these Societies should be afforded the protection which a proper Act of Parliament efficiently administered alone can offer, and that they should not be left entirely to the care of men who, however honest in their endeavours, are necessarily incapable of safely directing them.

In instituting any comparisons between the figures in the various columns in this summary or in the tables Nos. 1 to 7 on which it is based, it must be borne in mind—(1) that the figures in each column in the summary do not necessarily refer to the number of Lodges indicated in the second column, and (2) that in the tables, the receipts in the management and incidental column include the contributions for medical attendance and drugs, while the disbursements, under the head of management, refer only to the cost of administration. It has been found impracticable to give the items of receipts referring to management pure and simple. This defect is particularly unfortunate, seeing that it has been loudly asserted that the management of these Societies has been characterized by great extravagance, and it would be highly desirable to have the means of refuting or confirming this assertion. No attempt has been made by the Commission to obtain from the Societies separate statements of the amounts received by them for management purposes alone. It appears, however, that this defect is inherent in the Societies, and that no effort on the part of the Commission would have been successful in obtaining such statements. From the summary of statistical returns, it will be seen that the returns received show receipts for management and incidentals (which includes medical attendance) amounting to £112,439 17s. 4d.; while there has been disbursed for medical attendance and drugs the sum of £85,154 1s. 1d., and for management £53,305 14s. 3d. These two sums exceed the receipts for these purposes by £26,019 18s., and the question arises from what fund has this latter sum been taken? Obviously from the receipts which should have been held sacred for the payment of benefits. Of course the defective character of the returns, to which we have drawn attention, destroys to some extent the literal accuracy of these figures, but we see little reason to doubt that the contributions for management and incidentals have been insufficient to meet the disbursements under these heads, and consequently the benefit funds have been requisitioned to make up the deficiency. We need scarcely point out the grave danger which is threatened by such proceedings.

The Schedule issued to the various Districts, form of which is shown in Appendix C, was responded to by eleven Districts, and a summary of these returns is exhibited in Table 8. As we have before pointed out, these returns are valueless, seeing that they do not disclose the amount of contributions or levies received in consideration for the benefits paid and promised. Neither are we in a position to say, from the information furnished relating to the deaths, whether the mortality has been above or below the expectation. To indicate the imperfect character of these returns we need do no more than point out that, while the returns from Lodges have disclosed a membership amounting to 24,399, those from the Districts only embrace 4,746. It will be observed that in one of the Districts from which returns have been received the cost of management has been £489 7s. 10d., while the total amount paid for benefits has been only £180. Throughout the whole examination of these voluminous returns we have been sorely disappointed to find that the result of so much labour was capable of being turned to so little practical account. No doubt had we examined the returns from each individual Lodge in detail, we should have discovered some which would have afforded the means of arriving at more satisfactory conclusions, but we were of opinion that the circumstances of the case did not justify the expenditure of time and money which such an investigation would have entailed. In our remarks which follow will be found ample proof that the necessity for legislation is a very pressing one.

THE ACTUARIAL VALUATIONS.

With the view of determining the financial position of the various bodies as at 31 December, 1881, we prepared a Schedule for issue containing provision for the information necessary to enable us to make an actuarial valuation of the assets and liabilities of the Societies. These Schedules were issued by the Commission to a number of the Districts, and the following have been returned to us in a more or less complete form:—

Synopsis of Valuation Returns.

Name of Body.	No. of Members.	No. of Wives.	Funds.		
			£	s.	d.
Manchester Unity, Sydney District.....	6,906	4,006	36,265	1	11
Protestant Alliance.....	3,414	1,980	15,575	16	0
G.U.O.O., Sydney District.....	2,219	982	7,927	19	9
Do. Braidwood District.....	1,365	521	6,527	2	9
Ancient Order of Foresters.....	1,355	957	6,239	4	7
A.H.C. Guild.....	937	not known	6,590	7	0
	16,196	8,446	79,125	12	0

We are not aware of the number of these Schedules which were issued by the Commission, but a glance at the preceding summary will show that returns have been received representing but a small proportion of the Societies.

The first of these Schedules reached us on the 25th August and the last on the 23rd October. We have based our valuations on the experience of the Manchester Unity (1866-70) collected by the late Mr. Ratliff (this being the most reliable experience extant), ignoring the element of secessions, and we have assumed 4 per cent. as the rate of interest which the Societies may expect to realize on their investments in the future. Before submitting the results of these valuations, we proceed to notice two objections which we anticipate will be urged against these bases. During our examination before the Commission great importance

Analyzing the General Funds into the component parts of Funeral and Sickness and Superannuation, the relative positions of the two will be seen from the following:—

Valuation Balance-sheet of the Funeral Fund.

To liabilities under funeral benefits (members) £9,414 0 0	By present value of 1s. 3d. per quarter	£5,474 12 0
" " " (wives) ... 3,339 0 0	" Funeral Fund	1,030 8 4
" " " (widows).. 82 10 0	" deficiency	6,330 9 8
£12,835 10 0		£12,835 10 0

Valuation Balance-sheet of the Sickness and Superannuation Funds.

To liabilities under sickness benefits .....£42,888 12 0	By present value of 1s. 1d. per fortnight.....	£31,115 2 0
" " superannuation 2,448 8 0	" Sickness Fund	6,230 4 7
" " funeral levy of 1s. 3d. per quarter, payable to District 5,474 12 0	" Superannuation Fund.....	1,422 3 8
	" deficiency	12,035 1 9
£50,811 12 0		£50,811 12 0

We have not at hand the necessary information to enable us to make a separate statement for the Superannuation Fund.

In order to make this analysis intelligible, it must be explained that the contribution of 1s. 1d. per fortnight is the total amount out of which all benefits, except medical attendance and drugs, have to be provided, and that the funeral levy of 1s. 3d. per quarter is taken from this. Seeing therefore that credit has been taken in the balance-sheet of the Sickness and Superannuation Funds for the full contribution of 1s. 1d. per fortnight, it is necessary to enter as a liability on the other side of the account the present value of the levy of 1s. 3d. per quarter.

The deficiency disclosed by this valuation is sufficiently large to create a feeling somewhat akin to alarm, and it naturally suggested to us the necessity of discovering the causes to which have led to it.

Without going any further, we think we have found a satisfactory explanation in the rates of contributions charged, which we consider altogether inadequate to provide the benefits promised. We have shown that the effective contribution for the benefits, outside of medical attendance and drugs, does not exceed 1s. 1d. per fortnight. We have computed the contributions which we consider necessary for these benefits, and find them to be as under:—

	s. d.	
At age 20	1 4	per fortnight.
" 25	1 6	"
" 30	1 8	"
" 35	2 0	"
" 40	2 5	"
" 45	2 10	"
" 50	3 6	"

It will be seen, therefore, that even for the youngest age at entry the contributions are insufficient to provide the promised benefits. This fact will, we think, go a long way to account for the deficiency which we have shown to exist. We think it highly probable that further explanations will be found in the facts that the funds of the small Lodges have not been profitably invested, and that encroachments have been made on the Benefit Funds to defray the expenses of management; but we have not the information to enable us to speak with certainty on this point. In order to show the effect which the introduction of the element of secessions would have on the rates of contribution, we hereunder place, side by side with the rates quoted above, the corresponding sums when credit is taken for secessions:—

Fortnightly contributions necessary to provide benefits promised.

	Without secessions.		With secessions.	
	s. d.		s. d.	
Age 20	1 4	...	1 1	
" 25	1 6	...	1 3	
" 30	1 8	...	1 6	
" 35	2 0	...	1 10	
" 40	2 5	...	2 2	
" 45	2 10	...	2 8	
" 50	3 6	...	3 4	

A comparison of these rates will show, what we have before observed, that the secessions operate principally at the young ages (and even then not to a very great extent), and that they do not very materially affect the rates for old entrants.

Further, with the view of showing the effect on the valuation of the assumption of a higher rate of interest, we append the result when 5% is assumed as the rate at which the funds will be improved. We do not think it necessary to repeat these comparisons in the case of the other Societies valued by us, as one example will indicate the general effect of the changes.

Valuation Balance-sheet assuming 5% interest.

To liabilities under sickness benefits .....£35,531 8 0	By present value of 1s. 1d. per fortnight.....	£27,455 12 0
" " funeral " (members) 7,727 8 0	By funds	8,691 16 7
" " " (wives) 2,877 14 0	By deficiency	12,331 15 5
" " " (widows) 66 0 0		
" " superannuation 2,276 14 0		
£48,479 4 0		£48,479 4 0

From this balance-sheet it will be seen that the use of 1 per cent. additional in the rate of interest has had the effect of decreasing the deficiency by about one-third. Roughly speaking, therefore, we may say that the Foresters would probably be in a solvent condition if they could depend upon realising 7 per cent. continuously on their funds. It is needless to add that this is impracticable.

In connection with the Foresters there is a Widows' Fund entirely distinct from the funds valued above. Membership in this is optional; the contributions are 2d. per week, and the benefits vary from £10 to £25 payable at the death of a member. We have not been placed in possession of the information necessary for a valuation of this fund.

GRAND UNITED ORDER OF ODDFELLOWS.

We have received returns from the Sydney and Braidwood Districts of this Order; in the case of the latter, however, the information is somewhat defective in that the ages of the members are only given for intervals of five years. The valuation therefore can scarcely be held to be strictly accurate, although in view of the result brought out it is sufficiently near for all practical purposes.

Sydney District.

This District comprises 2,219 members with 982 wives. The benefits are as under:—

Sickness allowance of 20s. a week for first six months.	
" 15s. " second six months.	
" 5s. " second year.	
Funeral donations on death of members and-wives of	
£20 and £10 respectively, if of one year's standing.	
£25 and £15 " five "	
£30 and £20 " ten "	

The contributions are 1s. per fortnight, uniform for all ages, and out of this a quarterly levy of 1s. 9d. per member is paid to the funeral fund. The amounts at credit of the separate funds at 31st December, 1881, were:—

Sick Fund	£6,136 15 0
Funeral Fund	1,791 4 9
	<u>£7,927 19 9</u>

We have not been able to obtain the number of members of one, five, and ten years' standing respectively, and have consequently been compelled to make certain assumptions in valuing the funeral benefits. We have, however, endeavoured to give the Society the benefit of any doubt in the matter. The result of our valuation of this District is shown in the following balance-sheet:—

Valuation Balance-sheet of the Sick Fund.

To liabilities under sickness benefits	£58,990 18 0	By present value of 1s. per fortnight	£50,088 6 0
" " funeral levy of 1s. 9d. per		" Lodge funds	6,136 15 0
quarter	13,373 8 0	" deficiency	16,139 5 0
	<u>£72,364 6 0</u>		<u>£72,364 6 0</u>

Valuation Balance-sheet of the Funeral Fund.

To liabilities under funeral donations	£20,809 12 0	By present value of levy of 1s. 9d. per quarter	£13,373 8 0
		" funeral fund	1,791 4 9
		" deficiency	5,644 19 3
	<u>£20,809 12 0</u>		<u>£20,809 12 0</u>

The total deficiency is therefore

£21,784 4 3

Braidwood District.

This District comprises 1,365 members and 521 wives; the contributions and benefits are the same as in the Sydney District, except that the funeral levy is 1s. 6d. per quarter. The total funds at 31 December were £6,527 2s. 9d., but the District Secretary was unable to subdivide this amount into Sick and Funeral Funds. The condition of the District is shown in the following general balance-sheet:—

Valuation Balance-sheet of the Braidwood District.

To liabilities under sickness benefits	£35,254 6 0	By present value of 1s. per fortnight	£31,361 4 0
" " funeral	12,119 12 0	" sick and funeral funds	6,527 2 9
		" deficiency	9,485 11 3
	<u>£47,373 18 0</u>		<u>£47,373 18 0</u>

The first thing which arrests attention in connection with these two Districts of the same Order is that in the Sydney District the funeral levy is 1s. 9d. per quarter, while in the Braidwood District 1s. 6d. is considered sufficient. It is difficult to understand on what principle these differential rates have been fixed.

Coming to an examination of the causes which have contributed to these startling deficiencies, we at once find the principal one to be the inadequacy of the contributions. We have seen that the contribution charged by the Lodges is 1s. per fortnight. We give below specimens of what in our opinion are the minimum rates which should be charged for the sick allowances and funeral benefits promised. These rates do not contain any provision for medical attendance or expenses of management.

		s.	d.
Age, 20	1	3	per fortnight.
" 25	1	5	"
" 30	1	8	"
" 35	1	11	"
" 40	2	3	"
" 45	2	9	"
" 50	3	4	"

We do not think it necessary to make any comment on the obvious lesson taught by these figures. They clearly prove that nothing but financial disaster can attend the operations of any Society transacting business on the rates charged by the Grand United Order of Oddfellows.

MANCHESTER

MANCHESTER UNITY ORDER OF ODDFELLOWS.—SYDNEY DISTRICT.

From the synopsis of valuation returns given above, it will be seen that this is by far the largest body which has furnished us with the means of ascertaining its financial position. As the representative of a body whose reputation is world-wide, the investigation into its condition possesses special interest. The Sydney District comprises 6,906 members, with 4,006 wives. The benefits (in addition to medical attendance and drugs) are as follows :—

Sick pay—	21s.	per week	during	first	six	months.
"	15s.	"	"	second	"	"
"	10s.	"	"	third	"	"
"	5s. to 7s. 6d.	"	"	during	continued	sickness thereafter.
Funeral donations—	£20	on	death	of	member.	
"	£15	"	"	member's	wife.	

In addition to these there is a Widow and Orphans' Donation ranging from £10 to £30, payable on the death of a member.

The contributions are 2s. 4d. per fortnight, but of this amount 1s. 3d. is absorbed by expenses of management, medical attendance, &c., leaving 1s. 1d. per fortnight available for payment of the benefits enumerated above. Of this 1s. 1d. per fortnight, two levies of 1s. 6d. per quarter and 6d. per quarter are hypothecated to provide the Funeral and Widows and Orphans' Donations respectively.

The total funds of the District at 31st December, 1881, were £36,265 1s. 11d. We have not been informed what proportion of this belongs respectively to Sick, Funeral, and Widows and Orphans' Funds; we are therefore only able to present a general balance-sheet of the body as a whole.

Balance-sheet of the M. U. Order of Oddfellows.

		£	s.	d.			£	s.	d.
To liabilities under sickness benefits	.....	224,848	6	0	By present value of 1s. 1d. per fortnight	.....	162,302	10	0
"	funeral	47,843	14	0	" funds	.....	36,265	1	11
"	" (members)	14,387	10	0	" deficiency	.....	110,714	14	1
"	" (wives)	22,202	16	0					
"	" (widows)								
		£309,282	6	0			£309,282	6	0

The information afforded us did not enable us to make the valuation of the Widows and Orphans' benefits (represented by the liability of £22,202 16s.) as accurately as we could have wished; we feel certain, however, that we have not overestimated this liability, while we have altogether ignored the liability in respect of payments on the death of the wives of members at present unmarried. If therefore we have erred in our estimates, we believe the error is on the side of leniency towards the Society. The deficiency exhibited (upwards of £110,000) is a very formidable one, but a comparison of the rates charged with those which we think necessary to provide the promised benefits will as before afford a satisfactory explanation for a very large portion of this deficit. Instead of the 1s. 1d. per fortnight, we think the undermentioned rates may be taken as the minimum necessary to secure solvency :—

Age	s.	d.
Age 20	1	6 per fortnight.
" 25	1	8 "
" 30	2	0 "
" 35	2	3 "
" 40	2	9 "
" 45	3	3 "
" 50	4	0 "

These figures will show that the rates charged by the Manchester Unity are absurdly low at all ages, and that for ages above thirty they are less than one-half of what they should be. When we add that more than half the members attached to the Sydney District are above the age of thirty, we think the deficiency shown in our valuation is accounted for.

PROTESTANT ALLIANCE FRIENDLY SOCIETY.

This body has been returned to us as consisting of 3,414 members, with 1,980 wives. The benefits consist of—

Sick pay of	21s. 0d.	per week	during	first	six	months.
"	10 6	"	"	second	"	"
"	5 0	"	"	second	year.	"

Funeral donations of £25 on death of member, and £15 on death of wife, together with an additional £5 on death of members of over five years' standing.

The contributions are :—

For sick pay 1s. per week, one half of which is taken for expenses of management; and for funeral donations 2s. per quarter in addition.

The amounts at credit of the various funds, including arrears of contributions due, are :—

	£	s.	d.
Sick Fund	11,118	16	9
Funeral Fund	3,124	2	4
Incidental Fund	240	19	7
Lodge Relief Fund	263	4	11
	£14,747	3	7

In the balance-sheet given below we have not included any liability on account of payments at death of wives of members at present unmarried.

Balance-sheet of the Sickness Fund.

		£	s.	d.			£	s.	d.
To liabilities under sickness benefits	.....	95,348	16	0	By present value of 1s. per fortnight	.....	74,715	18	0
					" sickness fund	.....	11,118	16	9
					" deficiency	.....	9,514	1	3
		£95,348	16	0			£95,348	16	0

Balance-sheet

Balance-sheet of the Funeral Fund.

		£	s.	d.			£	s.	d.
To liabilities under funeral benefits :—					By present value of 2s. per quarter				
Members	31,981	4	0	By Funeral Fund	22,792	6	0		
Wives	6,660	2	0	„ deficiency	3,124	2	4		
	£38,641	6	0		£38,641	6	0		

In this case too it will be seen there is a large deficiency, amounting on the combined funds to £22,238 18s. 11d.

We confess that we were not prepared to find such a bad condition of affairs in this Society, seeing that the rates charged are considerably in excess of those demanded by the other bodies which have come under our notice. We have seen that the effective contribution for the sick benefits is 1s. per fortnight; the true rates should, we think, be as under :—

	s.	d.		s.	d.
At age 20	0	11	At age 40	1	7
„ 25	1	0½	„ 45	1	10
„ 30	1	2	„ 50	2	3
„ 35	1	4			

Although the rates charged are, except at the very youngest ages, inadequate to provide the promised benefits, we think that had any material advantage been derived from secessions, had the funds been kept closely invested at 4 per cent., and not diverted to other than their legitimate channel, and had the sickness experienced not been excessive, so large a deficiency would not have been disclosed. We have not the means of determining whether any of these influences have been in operation, but we are satisfied that the deficit is a real one. Coming to the Funeral Fund, it will be seen that the levy to provide the benefits in this is 2s. per quarter. The sums which we think necessary to secure these benefits are as under :—

At age 20	2s. 8d. per quarter.	At age 40	5s. 1d. per quarter.
„ 25	3 1	„ 45	6 1
„ 30	3 8	„ 50	7 8
„ 35	4 4		

Notwithstanding the utter inadequacy of the funeral levies charged by the Society, it is scarcely credible that so large a deficiency (compared with the funds in hand) could exist unless some portion of the 2s. a quarter has been used for other purposes than the payment of funeral donations.

A. H. C. GUILD.

This body consist of 937 members, but the Secretary has been unable to furnish us with the ages of these and cannot tell how many of them are married. These facts indicate that the Society is conducted in a very haphazard manner, and it is of course impossible to arrive at any estimates of the liabilities. The funds are returned as of the amount of £6,590 7s., almost the whole of which is represented by a single asset, the Guild Hall. The benefits promised by the Society are, in addition to the ordinary medical attendance and drugs.

	s.	d.	
Sick pay of 21 0 a week for first twelve months.			
„ 10 6 „ second			
„ 5 0 „ thereafter during sickness.			
Funeral donations of £30 at death of member of less than five years standing.	35		more than five and less than ten.
„ 40 „	40		over ten years standing.
„ 12 „ of wife of member of less than five years standing.	12		over five years.
„ 15 „	15		of unmarried member's widowed mother.
„ 10 „	10		

The contributions are 2s. 4d. per fortnight uniform for all ages, together with a small entrance fee graduated according to age, and equivalent at age thirty to about 1d. per fortnight, and at age forty to about 6d. per fortnight throughout life.

We may observe that the computation of the value of the last of the above benefits cannot be performed with rigid accuracy owing to the absence of statistics relating to the contingency expressed, and we have not thought it necessary to perform the work, seeing that we cannot obtain the information to enable us to undertake a valuation of the liabilities. If we assume that the entrance fees bring the average contribution up to 2s. 6d. per fortnight, and that 1s. is absorbed by medical expenses and cost of management (and this is a very moderate estimate) the amount available to provide the benefits will be 1s. 6d. per fortnight. We have no hesitation in affirming that this sum is altogether inadequate. We think further, that we should be failing in our duty if we omitted to call attention to the fact that nearly the entire funds are locked up in the Guild Hall, which we believe depends for its income almost exclusively on theatrical performances. We do not think such a security a desirable channel for the investment of trust funds of this character.

It will be seen that our valuations have in every case disclosed the existence of very large deficiencies—so large indeed that any hope on the part of the Societies of fulfilling their obligations under the existing scales of contributions and benefits cannot be regarded as other than chimerical. An abstract of the results deduced by us will be seen from the following.

Summary of Valuations.

Name of Society.	No. of Members returned.	Amount of Deficiency.
Foresters	1,355	£ 18,365 11 5
G. U. O. Oddfellows, Sydney District	2,219	21,784 4 3
„ „ Braidwood District	1,365	9,485 11 3
M. U. Oddfellows, Sydney District	6,906	110,714 14 1
Protestant Alliance	3,414	22,238 18 11
	15,259	182,588 19 11

It will thus be seen that the Societies from which we have received returns (and which embrace probably not more than half the number of members enrolled in the whole of the Societies) disclose deficiencies amounting to £182,589. We have not the information necessary to enable us to ascertain the position of the Societies which have made no return, but we doubt not they are in an equally unsatisfactory condition.

No doubt these results will be highly disappointing to the members of these Societies, and we are prepared to find the correctness of our deductions disputed by those who are unacquainted with the technical aspect of the question. We are quite confident that we have not overstated the liabilities, but on the contrary that under certain circumstances the position of some of the Societies may be worse than we have indicated. For example, we have assumed that the funds will continue to be improved at 4 per cent. while we have abundant evidence that in some cases this rate is not being realized—in such cases we have understated the liabilities. We have shown by comparison how inadequate the rates of contribution are for the benefits promised. Perhaps we can make this more clear to the members if we take an example from the funeral levies. For instance, take the Forester's body, which pays a funeral donation of £20 on the death of a member and £15 on the death of his wife, and for this receives a contribution of 1s. 3d. per quarter. Raising this to the standard of £100, we have an assurance of £100 payable on the death of a member and £75 on the death of his wife, for a contribution of 6s. 3d. per quarter, or 25s. per annum. The annual rates charged by the Australian Mutual Provident Society for a non-participating assurance for £100 are as under:—

	£	s.	d.		£	s.	d.
At age 20	1	8	10	At age 35	2	4	1
„ 25	1	12	8	„ 40	2	12	2
„ 30	1	17	9	„ 45	3	2	11

No life office can sell assurance at a lower price than these rates represent, and yet they are, even for the youngest ages, largely in excess of the rate which the Foresters consider sufficient for a greater benefit, for these premiums do not provide for any payment on the death of the wife. A still more popular method of comparison suggests itself to us. We believe it is a common practice among the members of these Societies to estimate the condition of their Lodges by the amount of funds per member. This of course is a most fallacious method of comparison, but if there be any virtue in it, it will be found to be strongly confirmatory of the results brought out by our valuations. The average funds per member of the bodies valued by us are as under:—

	£	s.	d.
Manchester Unity	5	5	0
Protestant Alliance	4	11	0
G.U.O.O. Sydney District	3	11	0
„ Braidwood District	4	16	0
Foresters	4	12	0

From the last reports issued by the Registrars of Friendly Societies in Victoria and New Zealand we find the average funds per member in all the Societies in those Colonies to be—

	£	s.	d.
In Victoria	9	16	0
„ New Zealand	11	17	0

No valuations have yet been completed of the Victorian Societies, but of those which have been valued in New Zealand almost all have been found to be in an insolvent condition. Under these circumstances, then, is there any room for doubt as to the deplorable condition of the Societies in this Colony? If we are asked to suggest a remedy for the evils which exist, we reply that one of two things must be done—either the contributions must be increased or the benefits must be reduced. Besides this, if justice is to be done to individual members, the present iniquitous system of charging uniform contributions at all ages must be abandoned; otherwise we think the Societies will speedily be abandoned by a large majority of their youngest and most valuable members.

It is only fair to remind the Commission that our valuations of the sickness funds refer to a number of Lodges *in globo*; we have not received the information necessary to enable us to value the Lodges individually, nor do we think there is much probability of obtaining this information under the existing condition of affairs. It is quite possible therefore, though we think it highly improbable, that some of the Lodges may, in spite of the unsafe basis on which they have been transacting business, and the small numbers among which they have been operating, be solvent. If there be any such they will certainly be conspicuous exceptions.

TABLES OF CONTRIBUTIONS.

We append hereto the rates of contributions which we think necessary to secure the benefits enumerated in the letter of instructions to us. These benefits are:—

Funeral donations of £25 on the death of a member.			
Do.	15	„	his wife.
Sick pay of 20s. per week during first six months.			
„	15s.	„	second six months.
„	10s.	„	third six months.
„	5s.	„	continued sickness thereafter.

In the case of the funeral donations we have given the rate per quarter, and in that of the sickness benefits the rate per fortnight, as these appear to be the modes of payment adopted by the majority of the Societies. We have given the rates both at 4 and 5 per cent. interest in order to show the effect on the contributions of a difference of 1 per cent. in the rate of interest.

We think it necessary to remark that we consider the practice of continuing sick-pay indefinitely a vicious one. To say nothing of the inducement to malingering which this practice holds out, we are of opinion that there is a period of life, which we should be inclined to fix at age sixty-five, beyond which there is the greatest difficulty in distinguishing sickness proper from incapacity on account of old age—in determining when sickness gives place to superannuation. We think it would be well to make all sickness allowances cease at about age sixty-five, and if further benefit is needed to allow it to take the form of permanent superannuation. This is a point which can scarcely be settled by legislation, but it is one which deserves the serious consideration of the Societies.

Contributions necessary to provide Benefits enumerated above.

Age.	At 4 %.		At 5 %.		Age.	At 4 %.		At 5 %.	
	Fortnightly payment for Sickness allowances.	Quarterly levy for Funeral benefits.	Fortnightly payment for Sickness allowances.	Quarterly levy for Funeral benefits.		Fortnightly payment for Sickness allowances.	Quarterly levy for Funeral benefits.	Fortnightly payment for Sickness allowances.	Quarterly levy for Funeral benefits.
	s. d.	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	s. d.
18	0 11	2 3	0 10	2 1	35	1 6	3 10	1 5	3 7
19	1 0	2 4	0 10	2 2	36	1 7	3 11	1 5	3 8
20	1 0	2 5	0 11	2 2	37	1 7	4 1	1 6	3 10
21	1 0	2 6	0 11	2 3	38	1 8	4 2	1 7	3 11
22	1 1	2 7	0 11	2 4	39	1 9	4 4	1 7	4 1
23	1 1	2 8	1 0	2 5	40	1 9	4 6	1 8	4 3
24	1 1	2 8	1 0	2 6	41	1 10	4 8	1 9	4 5
25	1 2	2 9	1 0	2 7	42	1 11	4 10	1 10	4 7
26	1 2	2 10	1 1	2 8	43	2 0	5 1	1 11	4 9
27	1 2	2 11	1 1	2 8	44	2 1	5 3	2 0	5 0
28	1 3	3 0	1 1	2 10	45	2 2	5 6	2 1	5 2
29	1 3	3 2	1 2	2 11	46	2 3	5 8	2 2	5 5
30	1 3	3 3	1 2	3 0	47	2 4	5 11	2 3	5 7
31	1 4	3 4	1 3	3 1	48	2 5	6 2	2 4	5 10
32	1 4	3 5	1 3	3 2	49	2 6	6 5	2 5	6 2
33	1 5	3 7	1 4	3 4	50	2 8	6 9	2 6	6 5
34	1 6	3 8	1 4	3 5					

The above rates do not include any provision for medical attendance, supply of drugs, or expenses of management. As it is customary in most bodies to charge an entrance fee in addition to the uniform contribution, we may state that a present payment of £1 is equivalent to a fortnightly contribution varying from $\frac{1}{2}$ d. at age 20 to $\frac{1}{2}$ d. at age 50, assuming 4 % interest.

LEGISLATION.

The last clause of your instructions requests us to suggest principles and forms which should be incorporated in any amending legislation relative to Friendly Societies. This portion of our task is rendered comparatively light owing to the valuable aid afforded by the experience of the Mother Country and of the Colonies of New Zealand and Victoria in this matter. We entirely approve of the general principles enunciated in the following Acts dealing with this question:—

The Friendly Societies Act (1875). 38 and 39 Vict., ch. 60 (England).

The Friendly Societies Act (1876). New Zealand.

The Friendly Societies Act (1877). Victoria.

These Acts all follow generally the same lines, and may with advantage be imitated in this Colony. The object aimed at is to procure and publish the fullest information concerning the transactions of the Societies, and at the same time to avoid hampering them by obnoxious or oppressive restrictions. These Acts all require from the Societies registered under them the fullest information of their proceedings and periodical exhibits of their financial condition; but in none of them is registration made compulsory. This we think a defect; we are of opinion that any new Act should render registration on the part of all Friendly Societies compulsory. The Act should provide for an annual return from all the Societies, exhibiting the receipts and disbursements for the year in respect of the various funds maintained by the Societies, and the transactions of each fund should be kept entirely distinct. It is the practice of the Societies in this Colony, we believe without exception, to combine the receipts for medical attendance and expenses of management under one head. Seeing that the medical attendance and the supply of drugs is one of the most valuable of the benefits provided by the Societies, we think it imperative that the receipts and disbursements for this purpose, as well as in sick-pay and funeral donations should be kept under a distinct head. It will be necessary also (at least for a period of about ten years after the passing of a new Act) to secure quinquennial returns of the sickness and mortality experienced among the members of the Societies. These will enable tables to be constructed from which the rates of contribution can be ascertained. Until such tables are available it will be necessary to use those constructed from the experience of English Societies. We think a period of ten years will be sufficient to afford reliable data on which to construct tables showing the rates of sickness and mortality to be expected in the Colony. At the end of this period the quinquennial returns referred to may be discontinued. We do not think the detailed forms for these returns should be made a part of a new Act. If the Act be administered by a competent officer, it will be desirable to allow him a large discretion in the preparation of the forms, because the Societies differ so much in their constitution and in the character of the benefits provided that no one form will be found suitable for all. The annual audits and the periodical valuations of the Societies are matters of vital importance. Under the Acts above referred to authority is given for the appointment of duly qualified persons as auditors and valuers, but their employment is not compulsory on the Societies. The scale of fees to be paid to these persons is fixed by regulation, and is sufficiently low to enable every Society to avail itself of their services. We think a similar provision should be incorporated in the proposed Act. We should point out, however, that this will necessitate the preparation by the Government of a series of preliminary tables for the use of valuers, since no actuary will be found willing to value the Societies for the stipulated fee (which must be small in order to bring a valuation within the reach of all) if he have to prepare the preliminary tables necessary for the purpose. Had it not been for the possession of some private tables and the use of a series issued by the Government Statist in Melbourne, the valuations given in this report would not have been completed for several months. It will be desirable to enforce an annual audit and an actuarial valuation at least once in every five years. As to the course which should be adopted in regard to the rates of contributions charged by the Societies, we have some difficulty in coming to a conclusion. Under the Victorian Act no Society is allowed to register unless its rates of contribution have received the certificate of an actuary; under the English and New Zealand Acts this certificate is only necessary in regard to contributions for annuities, such for example as the superannuation allowances referred to in a previous portion of this report. While we think it highly desirable that Societies should be encouraged to seek the advice

advice of actuaries in these matters we hesitate to recommend the adoption of the dictatorial principle incorporated in the Victorian Act. When the Societies are compelled to expose their true position, when deficiencies are shown to exist and the causes of them demonstrated, we think the force of public opinion, the common sense of the members, and the advice of the officer charged by the Government with the administration of the Act will be sufficient to induce the Societies to adopt proper measures for repairing the errors of the past and for avoiding their recurrence in the future.

We think it worthy of consideration whether the Government should not follow the example of the English Government and afford special facilities through the Savings' Banks for the investment at remunerative rates of the accumulations of the smaller Societies.

With reference to the administration of a new Act, we may point out that in the English and Victorian Acts the Registrar (whose duty consists in determining whether the rules of Societies applying for registration are in accordance with law) must be a Barrister, but the practical administrator is, in England the Actuary to the Registry, and in Victoria the Government Statist (who has on his staff a competent actuarial expert). In New Zealand the latter functionary is termed the Registrar (and also has the services of an actuary), while the legal officer is termed the revising barrister. Of course competent legal knowledge will be required in carrying out the provisions of an Act, and we think that the officer charged with the legal duty might, in addition to giving certificates of conformity, act as an arbitrator in settling disputes between the Lodges and their members, and thus obviate the useless waste of the funds which an appeal to the ordinary Law Courts invariably involves. Whether this officer be termed Registrar or Revising Barrister matters very little; the real work of administering the Act can only be successfully performed by a person acquainted with actuarial science and skilled in the manipulation of statistics. If a Department be created to administer the Act, some such person must be placed in charge. We venture to suggest however that, concurrently with the introduction of a new Act, there might be adopted some more satisfactory method of collecting and tabulating the general statistics of the Colony than that at present in operation. We think it somewhat of a reflection on the Colony that on all matters of statistical inquiry we are so far behind our neighbours, and we think that the machinery for collecting and publishing our statistics might with advantage be remodelled and placed in charge of a competent and experienced head. In such case the administration of a new Friendly Societies Act would naturally become a part of his duty. We have not had the advantage of perusing the evidence taken by the Commission, which doubtless contains many suggestions and recommendations from witnesses who have had long practical experience in the management of these Societies; we are therefore unable to traverse these recommendations or to express any opinion on them. Our contact, however, with various leading officers of the principal bodies, has shown us that these gentlemen all recognize the necessity for a change, and deplore the presence of evils which, under existing circumstances, they are powerless to remedy. While we have been disappointed at the incompleteness of the returns which have been furnished to us, we have much pleasure in testifying to the anxiety which the officers of the Societies have shown to afford us all the information in their power; and we know that throughout the course of this inquiry these gentlemen have willingly given up much of what is to them valuable time, without the hope of any pecuniary return for their services. It is scarcely necessary to add that no Act of Parliament, however perfect, can be any protection to these Societies unless it is efficiently administered, nor unless it secures a wide-spread publicity for the returns received under it. No abuses can long exist in the face of the fearless criticism of an intelligent Press and of an adverse public opinion. We think we have now responded to the invitation of the Commission as fully as the circumstances of the case demand and the means at our command admit. We have only to add, that we shall have pleasure in supplementing this report if it should appear to the Commission that anything material has been omitted, and in placing our services at the disposal of the Government in drafting or revising any new Act.

We have the honor to be,

Gentlemen,

Your obedient servants,

M. A. BLACK.
RICHARD TEECE.

Sydney, 14 November, 1882.

TABLE 3, exhibiting the information

Name of Lodge.	Date of Establishment	Registered or not (R., N.)	Number of Members 1st January, 1877.	Entrants since that date.	Decrease by secession.	Number of Members 31 December, 1881.	Defaulter under 12 months in arrear.	Number of weeks sickness during five years.	Average sickness per Member per annum in weeks.	Assets, 1st January, 1877.	Receipts of Five Years.			
											Sick and Funeral Fund.	Management and Incidental.	Other Receipts.	
British Lion Division, No. 140	21 Sep., 1871	R.	19	..	46	63	6	..	..	£ s. d. 60 17 5	£ s. d. 85 5 0	£ s. d. 17 5 0	£ s. d. 1,096 1 8
Phoenix Division, No. 11.	21 June, 1878	..	..	..	20	40	10	..	..	..	..	717 19 2	..
Morning Star Division, No. 9.	6 July, 1866	..	54	..	9	47	7	..	..	40 14 2	622 10 0	131 4 0	450 7 0
Star of the East Division, No. 17.	..	..	50	..	14	48	8	..	..	344 2 7	207 1 6	27 5 0	..
Happy Home Division, No. 16	10 May, 1867	..	25	..	30	35	8	..	..	103 11 0	8 19 7	233 16 4	..
Rising Star Division, No. 12	3 Jan., 1867	..	37	..	17	33	..	..	..	460 0 0	..	..	..
Day Spring Division, No. 1.	31 May, 1864	..	233	..	78	273	22	..	..	1,389 8 7	2,753 8 1	283 16 4	..
Concord Division, No. 146	8 Feb., 1872	..	81	..	105	60	17	..	..	349 11 5	..	1,040 0 4	..
Australian Division, No. 76	12 Aug., 1863	..	89	..	25	64	5	..	..	299 12 0	..	903 0 6	..
Pride of Petersham Division, No. 56	7 Dec., 1870	..	30	..	16	33	8	..	..	91 11 1	133 7 11	619 1 11	12 12 3
Equity Division, No. 41	31 Oct., 1863	..	108	..	123	118	23	..	..	136 11 6	8 19 7	..	..
Advance Rose Division, No. 27	8 Dec., 1863	..	33	..	6	53	44	..	..	73 3 8	407 1 0	..	..
Hope of Richmond Division, No. 66	May, 1869	..	40	..	14	35	..	..	..	80 0 0	509 19 8	60 10 0	..
Dawn of Light Division, No. 135	13 Jan., 1881	..	..	..	15	..	..	..	..	..	27 17 10	..	..
Advance Australia Division, No. 66	Dec., 1868	R.	97	..	35	102	3	..	..	110 17 10	..	1,504 19 7	..
Star of Freedom Division, No. 91	9 Apl., 1870	..	85	..	40	71	3	..	..	106 11 0	614 17 6	..	..
Southern Cross Division	4 Feb., 1863	..	78	..	59	106	23	..	..	285 1 11	874 17 0	..	..
Crystal Spring Division, No. 61	24 Mar., 1860	..	33	..	6	28	4	..	..	210 2 10	412 6 0	..	..
Evening Star Division, No. 98	3 Apl., 1870	..	30	..	16	17	12	..	..	227 12 10	361 16 3	..	..
Star of Hope Division, No. 14	7 Mar., 1867	R.	48	..	36	69	4	..	..	191 15 4	1,303 14 0	..	..
Wellesley Division, No. 103	13 May, 1870	..	81	..	21	60	43	..	..	239 1 9	831 2 7	..	..
Hope of Camperdown Division, No. 120	15 Nov., 1870	..	28	..	18	20	6	..	..	93 15 3	383 3 0	..	..
Bud of Hope Division, No. 11	Dec., 1866	..	31	..	9	46	4	..	..	140 0 0	372 2 3	..	..
Hearts of Oak Division, No. 127	12 Jan., 1871	..	83	..	86	64	27	..	..	222 8 5	1,500 15 11	..	..
Good Samaritan Division, No. 3	3 Sep., 1864	..	66	..	31	63	..	..	..	60 0 0	..	750 11 3	..
Happy Day Division, No. 6	19 Jan., 1866	..	63	..	18	63	4	..	..	1,107 14 3	1,135 11 9	..	..
Berean Division, No. 64	31 Aug., 1871	..	30	..	38	77	26	..	..	76 10 0	..	015 1 0	..
Hope of Petersham Division, No. 37	24 Nov., 1869	..	111	..	26	122	9	..	..	303 12 0	1,413 9 2	..	..
Hand of Friendship Division, No. 10	13 Oct., 1866	..	30	..	15	24	6	..	..	565 10 0	265 7 3	..	..
Prince Alfred Division, No. 29	27 Feb., 1868	..	61	..	56	75	4	..	..	268 0 7	791 2 5	..	..
Harmony Division, No. 37	10 July, 1863	..	80	..	23	62	7	..	..	167 19 6	942 18 11	..	..
Nepean Division, No. 42	3 Aug., 1868	..	123	..	84	77	4	..	..	675 0 0	..	1,050 8 0	..
Wonder of the World Division, No. 40	20 Aug., 1868	..	35	..	7	39	..	..	..	207 14 9	..	473 19 3	..
Captain Cook Division, No. 73	23 Aug., 1869	..	92	..	30	84	3	..	..	344 11 7	1,209 8 9	..	..
United Gold Reefers' Division, No. 99	26 Apl., 1870	..	20	..	22	24	2	..	..	113 3 5	324 18 11	..	..
Hope of Mudgee Division, No. 105	10 July, 1870	..	82	..	64	18	5	..	..	454 7 10	..	624 6 0	..
Perserverance Division, No. 124	5 Dec., 1870	..	91	..	26	53	3	..	..	122 17 0	12 10 0	054 1 7	..
Good Intent Division, No. 136	21 Aug., 1871	..	84	..	40	32	14	..	..	444 0 10	97 0 0	3 3 6	1,072 1 3
Rising Sun Division, No. 144	15 Nov., 1871	..	48	..	26	43	4	..	..	135 5 9	..	636 5 0	..
Pride of Camperdown Division, No. 53	20 Jan., 1871	..	33	..	14	26	9	..	..	89 10 0	..	..	..
Crystal Spring Division, No. 6	1867	..	95	..	23	145	25	..	..	71 19 9	..	1,053 1 0	..
Star of Peace Division, No. 4	24 Oct., 1867	..	111	..	50	53	4	..	..	203 1 6	..	636 17 7	..
Evening Star Division, No. 74	1 Oct., 1873	..	8	..	2	19	..	..	..	8 1 3	..	69 11 6	..
Laurel Division	22 Oct., 1870	N.	22	..	33	16	13	..	..	60 9 8	..	253 12 6	..
Conqueror Sons and Daughters of Temperance Division, No. 3	27 July, 1878	R.	..	..	30	34	3	..	..	..	270 9 3	..	..
Golden Reef Division Sons of Temperance, No. 40	..	..	..	..	..	..	..	..	..	360 12 9	..	..	..
Star of the West Division do., No. 2	20 Oct., 1867	R.	78	..	26	79	9	..	..	108 5 3	660 6 9	..	..
Albert Division do., No. 157	19 Oct., 1874	..	16	..	19	35	3	..	..	45 1 5	..	419 19 6	..
Spring in the Desert Division, No. 123	20 Dec., 1870	..	84	..	54	..	..	..	..	233 13 5	896 11 10	..	..
Olive Branch Division, No. 83	23 Oct., 1869	..	60	..	26	49	4	..	..	225 7 4	..	767 10 8	..
Morpeth Division, No. 15	19 Apl., 1867	..	10	..	12	9	..	..	..	88 6 8	..	..	..
Crescent Division (Sons and Daughters), No. 75	26 Oct., 1870	..	30	..	12	18	2	..	..	74 15 9	105 16 8	..	..
Britannia Division Sons of Temperance	Sep., 1870	..	40	..	29	23	2	..	..	167 7 4	..	..	..
The Rainbow Division, No. 79	12 Oct., 1869	..	103	..	113	90	18	..	..	241 1 6	871 19 4	105 14 0	..
Adelong Division	1870	N.	30	..	22	20	10	..	..	765 11 4	69 9 2	..	..
Southern Light Division	8 Apl., 1870	R.	77	..	40	74	14	..	..	500 0 0	..	..	..
The Glorious Hope of Binda Division	17 Apl., 1871	..	36	..	14	34	..	..	..	301 0 3	..	..	..
Florence Nightingale Daughters of Temperance	1871	..	90	..	30	153	23	..	..	20 0 0	..	1,144 17 10	..
South Coast Grand Division (comprising six Lodges)	..	..	245	..	208	333	30	..	..	765 3 3	2,059 7 6	..	..
Light of the Age Division, No. 118	Oct., 1870	..	31	..	16	17	..	..	..	125 4 2	387 18 10½	..	121 13 0
Star of the South Division, No. 1 (Queanbeyan)	Mar., 1871	N.	16	..	18	19	..	..	..	94 4 2	..	..	..
The Australian Sisters of Temperance	4 Nov., 1863	..	70	23	..	57	..	254	800	..	..	..	..
St. Francis Australian Brothers	5 Nov., 1863	..	70	..	28	43	4	264	881	63 11 3	264 3 4	62 12 6	..	
		R. 60 N. 4 U. 4	68	3,847	23	2,109	3,850	541	518	..	15,123 7 6	23,962 10 5½	12,654 7 6	4,898 8 9
			68	64	1	64	67	55	2	..	64	42	24	8

supplied by sixty-eight Temperance Lodges.

Disbursements of Five Years.			Assets, 31st December, 1881.	Receipts from District. Funeral Gifts	Individual Funds, 31st December, 1881.				Investments.			
Sick Pay.	Medical Attendance and Drugs.	Manage- ment, &c.			Sick Fund.	Funeral Fund.	Manage- ment Fund.	Other Funds.	Freehold and Leasehold Property.	Bank Deposits.	Furniture, Regalia, &c.	In hand.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
320 6 0	427 6 7	230 18 5	166 6 10	100 0 0	127 4 10					127 4 10	10 0 0	9 2 0
84 13 5	18 10 0	18 10 0										
124 4 3	315 1 8	85 1 10	473 39 4	10 0 0						400 0 0	15 0 0	20 9 1
271 18 4	284 0 3	174 18 10	35 11 5			444 10 3				300 0 0	30 5 0	
40 11 2	133 8 2	94 7 4	370 3 6							175 0 0	195 3 6	
107 7 6		6 0 0	300 0 0			300 0 0						
830 19 2	1,107 4 1	258 13 1	1,232 17 3	331 5 0						1,232 17 3		
223 8 6	421 5 4	314 3 5	484 11 4							171 0 0	164 14 2	129 0 0
294 9 0	378 15 7	181 0 6	853 2 5	20 0 0		853 2 5						29 17 2
10 10 0	98 15 6	53 19 0	107 14 6			107 14 6					107 14 6	
186 19 1	205 2 8	274 4 7	58 12 8	20 0 0							49 11 6	
114 5 0	186 10 9	67 11 4	76 0 0	45 0 0		56 0 0	20 0 0					9 1 2
09 18 9	255 6 9	52 5 10										20 0 0
	1 0 0	6 1 0										2 17 6
046 4 9	595 5 5	281 10 11	109 5 4	100 0 0							72 2 0	23 13 0
104 8 4	120 4 0	239 13 0	166 3 2	40 0 0	166 8 2							
107 8 6	354 18 0	130 12 9	770 9 0									
89 0 0	217 10 8	110 0 3	205 8 2	10 0 0				770 9 0	960 0 0		57 3 0	
31 2 0	170 14 0	153 1 11	256 17 0					205 8 2				
207 8 7	570 14 9	104 3 11	634 17 3	60 0 0	184 17 3					177 8 0		78 9 0
178 5 0	472 2 5	186 4 0		20 0 0						450 0 0		
114 7 0	107 8 9	87 1 2	74 2 1		74 2 1						44 9 6	
118 10 10	80 4 6	64 13 9	242 11 9		242 11 9						90 0 0	
446 17 2	551 7 3	327 7 8	274 0 3	109 4 0	254 0 3							20 0 0
222 15 0	204 8 8	201 18 8	41 8 11	50 0 0								
232 13 9	330 1 0	444 19 5	1,603 2 0		1,029 13 3							
115 7 2	272 1 9	63 13 2	160 9 4	50 0 0								
244 0 0	756 4 2	147 3 0	500 0 0	70 0 0	500 0 0							
46 15 4	34 16 0	363 7 5	625 9 0	10 0 0						425 0 0	450 0 0	590 0 0
180 5 9	319 0 0	398 16 8	370 2 2	10 0 0						378 2 2	329 10 0	155 0 0
197 12 4	451 9 4	186 0 4	278 16 1							278 16 1		329 10 0
257 6 0	320 9 1	381 0 2		20 0 0								67 0 0
223 0 0		151 3 4	257 12 10							1,900 0 0		47 12 2
248 8 8	475 14 4	395 1 9	537 11 0									8 12 10
56 5 0	120 16 1	102 4 1	181 15 4		181 15 4						472 19 11	23 13 6
217 9 4	219 6 0	204 6 7	57 12 10	20 0 0	57 12 10							25 0 0
421 10 0	343 8 2	469 18 7	37 16 8	210 0 0								
336 0 8	432 17 8	438 3 3	657 17 11	90 0 0								
81 18 0	221 16 10	183 3 0	392 7 4	120 0 0								
38 3 4	70 0 0	104 16 8	122 19 2	40 0 0								
96 13 8	182 11 0	239 12 7	107 14 2	95 0 0								
144 1 8	275 16 0	150 6 11	214 14 6	45 0 0								
	32 9 3	0 7 5	18 10 7									
18 15 8	90 13 5	10 19 4	54 14 0									
32 10 0	92 15 4	44 18 3										
408 6 7	15 2 0	161 9 5	88 7 0	90 0 0	88 7 0							150 4 9
48 5 0	155 19 10	107 16 4	152 19 0									
95 16 0	412 7 6	100 12 1						152 19 0	55 0 0		90 7 6	7 11 6
279 8 4	277 19 0	241 15 8	217 8 4	130 0 0	217 8 4				1,000 0 0			
			157 14 9		157 14 9							
43 18 0		29 12 6	100 0 0		100 0 0							
72 8 1	202 3 2	144 13 2	19 4 0	20 0 0								
226 11 0	402 2 5	376 15 2	838 9 2	50 0 0	838 9 2					100 0 0		
	117 16 9	71 5 3	833 3 6		833 3 6					935 0 0		
	385 14 6	212 19 6	860 10 10		860 10 10					600 0 0		
	182 14 10	11 0 0								620 0 0		
135 9 1	386 3 2	248 4 4	162 10 1	60 0 0	162 10 1					325 0 0		
421 4 11	985 3 0	536 2 4	1,650 3 10	90 0 0				1,650 3 10				
116 0 0	138 8 9	239 1 24	114 13 2	30 0 0						80 0 0		0 14 4
	85 18 5	85 3 0	100 0 0							80 0 0		
120 17 8												
264 3 4	340 9 0	168 9 2		68 0 0								
10,670 18 1	16,778 9 8	10,577 4 9	17,903 11 6	2,275 9 0	6,432 4 5	480 16 11	435 19 2	6,889 10 10	8,922 8 0	5,929 18 6	618 18 7	523 11 3
01	02	06	07	38	20	3	2	25	21	22	19	10

TABLE 4, exhibiting the information

Name of Lodge.	Date of Establishment.	Registered or not (R., N.)	Number of Members 1st January, 1877.	Entrants since that date.	Decrease by		Number of Members 31st December, 1881.	Defaulters under 12 months in arrear.	No. of weeks' sickness during 5 years.	Average sickness per Member per annum in weeks.	Assets 1st January, 1877.	Receipts of Five Years.		
					Secession.	Death.						Sick and Funeral Fund.	Management and Incidental.	Other receipts.
<i>Ancient Order of Foresters.</i>														
Court Star of the North	Aug., 1868	R.	35	30	19	1	40	3	62	335	£ s. d. 43 15 8	£ s. d. 88 11 10	£ s. d. 459 0 4	£ s. d. 528 19 0
Court Sydney, No. 2,001	2 Oct., 1845	"	64	46	13	7	77	4	333	1,089	651 7 4	451 7 6	528 19 0	30 15 6½
Court New England, No. 6,515	13 Oct., 1870	"	..	42	15	0	16	10	..	..	..	..	153 1 6	..
Court City Armidale, No. 6,518	21 April, 1856	"	..	163	21	3	60	21	17	..	..	..	400 5 8	..
Court Western Pride, No. 6,005	23 Aug., 1875	"	35	21	30	0	33	4	67	394	..	..	225 15 6	372 0 6
Court Little John, No. 6,090	27 Dec., 1876	"	10	63	37	0	47	3	13	1,079	6 17 0	502 1 0½	..	..
Court Foresters' Home, No. 6,517	15 June, 1880	"	..	9	..	..	52	12	..	..	..	..	71 18 9	146 9 0
Court Morning Star, No. 2,002	About 1845	"	188	..	35	..	249	16	..	..	741 15 0	1,678 3 0	1,650 2 6	..
Court Hunter	10 June, 1867	"	60	..	..	..	100	13	..	..	145 12 2	..	1,252 18 0	..
Court Star of Liverpool, No. 5,053	31 May, 1873	"	..	..	..	..	73	4	..	..	..	..	183 11 11	..
Court Ancient City, No. 2,000	Oct., 1845	"	129	..	42	8	180	1	..	..	674 1 1	2,000 19 11	370 19 7	..
Court James Shoobert, No. 5,673	6 Jan., 1874	"	35	..	33	..	56	1	..	..	62 9 0	750 1 8	331 12 4	..
Court W. E. Gindstone	3 Mar., 1881	N.	..	..	..	..	18	1	..	..	..	..	17 18 8½	10 9 0½
Court Prince of Wales, No. 3,128	9 Nov., 1865	R.	24	..	9	..	39	..	..	..	24 15 1	327 0 0	47 13 2	..
Court Pride of Australia, No. 2,488	25 July, 1856	"	110	..	27	..	169	9	..	..	570 16 2	1,034 5 2	896 19 4	..
Court Old England, No. 1,634	9 Nov., 1843	"	138	..	41	..	221	7	..	..	1,049 10 9	1,498 14 8½	1,303 4 6½	..
Star of the South, No. 6,518	27 July, 1860	"	..	..	3	..	23	..	..	..	..	..	..	..
Court Robin Hood, No. 2,223	About 1844	"	..	67	..	..	156	..	357	458	..	..	..	..
			836	432	334	19	1,625	106	899	..	3,971 11 4	9,180 15 10½	7,553 18 6	30 15 6½
			11	7	14	7	18	15	6	..	10	14	13	1
<i>Other Foresters.</i>														
Order of Royal Foresters, Sydney	About 1852	"	1,147	775	..	..	1,302	..	..	..	..	..	..	..
Court Royal Oak, No. 2,222	6 May, 1847	R.	171	..	..	..	187	139	..	..	2,128 18 0½	1,437 12 1	1,753 10 8	Funeral .. Super'n .. 113 10 0
I.O.R.F. Court Royal Albert, No. 1	Oct., 1872	"	42	..	13	..	48	..	..	..	320 17 9	..	788 3 1	Funeral ..
Registered	18	..	..	..	..	..	..	..	..	..	..	..	..	..
Unregistered	1	..	1,360	775	13	..	1,027	130	..	..	2,455 10 9½	1,437 12 1	2,541 13 9	113 10 0
Undefined	2	..	3	1	1	..	3	1	..	..	2	1	2	1
			2,196	1,207	347	19	3,252	247	899	..	6,427 2 1½	10,618 7 11½	10,095 12 3	144 5 6½
			14	8	15	7	21	16	6	..	12	15	15	2

TABLE 5.—Exhibiting the information supplied by the

Name of Lodge.	Date of Establishment.	Registered or not (R., N.)	No. of Members 1st January, 1877.	Entrants since.	Decrease by		No. of Members 31st December, 1881.	Defaulters under 12 months in arrear.	No. of weeks' sickness during 5 years.	Average sickness per Member per annum in weeks.	Assets, 1st January, 1877.	Receipts of Five Years.		
					Secession.	Death.						Sick and Funeral Fund.	Management and Incidental.	Other Receipts.
Pioneer, No. 1 Lodge	1871	..	..	141	..	7	..	..	431½	..	£ s. d. ..	£ s. d. ..	£ s. d. ..	£ s. d. 2,448 5 8
Royal William Lodge, No. 2	29 April, 1872	R.	60	73	31	18	98	5	206½	509	212 4 10	330 9 8	747 6 11	..
Royal Alfred Lodge, No. 4	15 May, 1872	"	155	71	15	6	155	Nil.	363½	503	268 3 7	1,025 1 4	1,381 15 7	..
Schomberg Lodge, No. 5	1872	"	108	..	10	..	..	15	..	..	304 2 2	1,191 10 11½	1,064 12 0	..
Loyal Endeavour Lodge, No. 6	11 July, 1872	"	..	..	..	..	64	10	..	..	523 9 0	714 8 3	..	..
Boyne Lodge, No. 8	11 July, 1872	R.	90	130	8	6	144	10	412	704	722 10 6	1,120 2 1	..	..
Prince of Wales Lodge, No. 9	23 July, 1872	"	85	..	49	..	85	16	..	..	147 5 9	850 14 2	723 16 3½	..
Behmore Lodge, No. 10	12 Aug., 1872	"	..	53	..	..	..	..	324½	..	..	..	..	..
Martin Luther Lodge, No. 11	1871	"	..	63	..	5	..	..	444½	..	..	..	..	..
Cromwell Lodge, No. 12	Oct., 1872	R.	125	107	51	4	200	9	529	651	359 13 2½	1,180 10 7	1,074 10 5	97 0 7
Garibaldi Lodge, No. 16	24 Jan., 1873	"	64	..	12	..	104	5	..	..	120 15 6	455 6 9	806 0 7½	..
Gladesville Lodge, No. 18	6 Mar., 1873	"	17	9	3	2	17	..	40	470	14 11 6	96 14 3	93 0 3	..
John Knox Lodge, No. 22	6 May, 1873	"	47	..	16	..	70	6	..	..	123 15 5	297 14 3	647 0 7	..
Olive Lodge, No. 23	7 June, 1873	"	12	Nil.	4	Nil.	8	Nil.	30	600	18 10 6	61 15 6	72 13 0	..
Young Australia Lodge, No. 25	10 Aug., 1873	"	158	102	51	7	181	30	702	329	469 0 4½	1,814 4 2½	1,740 12 9½	..
Napier Lodge, No. 26	1873	"	..	25	..	..	..	..	39½	..	..	..	..	..
Guiding Star Lodge, No. 27	1873	"	..	25	..	..	..	..	86	..	..	..	..	..
Star of Mittagong Lodge, No. 29	18 Mar., 1874	R.	15	15	4	Nil.	27	..	45½	431	71 13 6	192 16 1½	95 14 8	..
St. John's Lodge, No. 38	7 Dec., 1874	"	73	121	30	6	130	25	261	514	118 18 8½	1,712 2 4	..	..
Bismarck Lodge, No. 39	May, 1875	"	41	68	12	1	115	9	188	470	73 10 7	510 3 3	503 3 0	..
Nil Desperandum Lodge, No. 42	18 Jan., 1876	"	30	131	21	2	96	13	180½	413	17 3 0	510 10 4½	615 5 0½	..
Kiama Lodge, No. 45	4 July, 1877	"	Nil.	102	20	1	65	16	..	..	Nil.	429 0 11	617 1 4	..
Paddington Lodge, No. 49	21 July, 1879	"	Nil.	119	11	1	73	15	28	..	Nil.	298 6 10½	293 0 10½	..
Mount Joy Lodge, No. 52	20 Nov., 1879	"	Nil.	73	3	Nil.	61	2	38	..	Nil.	187 3 9	169 8 10	..
Star of Cootamundra Lodge, No. 54	11 May, 1880	N.	Nil.	..	3	..	61	Nil.	..	..	Nil.	240 0 9	..	..
St. David's Lodge, No. 55	22 June, 1880	R.	Nil.	47	Nil.	Nil.	47	12	9	..	Nil.	167 5 4	..	..
Excelsior Lodge, No. 58	3 Aug., 1880	"	Nil.	47	Nil.	Nil.	36	..	9	..	..	..	..	..
Grantham Lodge, No. 60	11 Oct., 1880	U.	Nil.	..	1	..	19	..	..	..	Nil.	38 16 8	42 9 10	..
Captain Cook Lodge, No. 62	1881	"	..	..	..	..	33	..	..	..	..	..	..	..
Prince Victor Lodge, No. 63	1881	"	..	36	..	..	..	..	..	..	..	..	..	..
Lord Nelson Lodge, No. 64	3 Nov., 1881	"	..	41	..	..	..	..	..	..	..	..	..	..
Pride of Cumberland Lodge	19 Aug., 1873	R.	17	..	2	..	19	..	..	..	26 8 2½	191 7 6	..	..
Brunswick Lodge	7 Mar., 1873	"	75	..	44	..	42	..	..	..	40 12 8½	352 5 4½	424 9 4½	..
Totals		R., 22 N., 1 U., 10	1,164	1,612	405	60	1,968	108	4,310	..	2,405 18 2½	13,547 8 11½	13,021 18 3½	2,545 6 3
33			17	23	23	22	25	19	20	..	22	24	20	2

*The bracket indicates that the

supplied by various Foresters' Courts.

Disbursements of Five Years.			Assets 31st Dec., 1881.	Receipts from District.		Individual Funds, 31st December, 1881.				Investments.				
Sick pay.	Medical Attendance and Drugs.	Management, &c.		Funeral Gifts.	Other receipts.	Sick Fund.	Funeral Fund.	Management Fund.	Other Funds.	Freehold and leasehold property.	Mort- gages.	Bank Deposits.	Furniture, Regalia, &c.	In hand.
£ s. d. 65 2 0 337 13 8	£ s. d. 230 18 8 377 17 6	£ s. d. 48 3 6 118 13 11	£ s. d. 94 9 3 407 3 4	£ s. d. 145 0 0 300 18 0 70 0 0	£ s. d. 224 13 3 18 1 4	£ s. d. 212 10 1	£ s. d. 250 0 4	£ s. d. 13 12 0 5 10 6 46 2 9	£ s. d. 483 12 3	£ s. d. 80 1 3	£ s. d. 20 0 10 12 0 0	£ s. d. 41 12 0 5 10 0	£ s. d. 14 8 0	
34 0 0	47 11 6 89 18 9	18 1 0 38 2 9 79 16 0	18 1 4 117 7 4 55 19 1	15 0 0 40 0 0 15 0 0	54 15 0	1 3 4	18 12 0 5 10 6 46 2 9	483 12 3	80 1 3	20 0 10 12 0 0	41 12 0 5 10 0	14 8 0		
70 8 0 13 3 6	252 8 4 175 5 6 80 6 9	124 12 8 149 8 10 20 2 0	97 12 10 60 10 6	340 0 0	107 2 0	186 19 10	31 7 0	13 12 0 5 10 6 46 2 9	483 12 3	80 1 3	20 0 10 12 0 0	41 12 0 5 10 0	14 8 0	
1,014 19 9 301 11 1	1,399 13 3 405 14 6	408 19 8 78 18 10 31 4 6	971 15 2 230 2 4 183 11 11	340 0 0	107 2 0	186 19 10	31 7 0	13 12 0 5 10 6 46 2 9	483 12 3	80 1 3	20 0 10 12 0 0	41 12 0 5 10 0	14 8 0	
601 11 3	825 10 0	313 5 3 *344 4 9	1,022 17 7	190 0 0	333 12 0	68 8 0	887 12 7	63 17 0	885 11 10	20 0 0	68 8 9			
248 13 0	50 1 0	108 18 11	130 6 1	115 0 0	34 4 0	4 9 9	125 16 4	0 19 0						
74 0 4	200 3 0	51 8 6	11 15 11	75 0 0	40 0 0	9 16 2	2 1 2	11 3 6						
485 2 5	682 4 7	172 5 7	1,076 12 9	40 0 0	960 7 1	9 14 0	105 2 2	125 4 0						
4 0 0	803 2 10	*483 3 0 5 0 0	1,413 8 4	315 0 0	404 1 6	1,288 4 3	4 0 0							
3,370 13 7 12	5,532 8 8 16	2,899 9 4 17	5,950 17 0 17	1,250 0 0 9	1,409 17 6 6	2,713 12 9 7	401 4 0 6	1,852 17 8 7	256 15 10 0	483 12 3 1	965 13 8	187 2 10 9	127 19 0 3	
676 0 0 204 0 0 1,023 7 7 111 6 0 45 0 0	1,175 10 3 808 4 10	478 17 10 66 2 7	1,865 10 1 540 3 6			1,644 10 6		122 3 7 98 10 0				26 0 0		
2,004 13 7 2	1,488 15 1 2	640 0 5 2	2,405 18 7 2			1,644 16 6 1		123 8 7 1	98 10 0 1			25 0 0 1		
5,485 7 2 14	7,300 3 9 18	3,439 9 9 19	8,362 10 7 19	1,250 0 0 9	1,409 17 6 6	4,358 9 3 8	401 4 0 6	1,605 1 3 8	355 5 10 7	483 12 3 1	965 13 8	121 2 10 10	127 19 0 3	

*Levies to District.

Lodges of the Protestant Alliance Friendly Society.

Disbursements of Five Years.			Assets, 31 December, 1881.	Receipts from District.		Individual Funds, 31 December, 1881.				Investments.				
Sick Pay and Funeral Donations.	Medical Attendance and Drugs.	Management, &c.		Funeral Gifts.	Other receipts.	Sick Fund.	Funeral Fund.	Management Fund.	Other Funds.	Freehold and Leasehold Property and Shares in Hall.	Mort- gages.	Bank Deposits.	Furni- ture, Regalia, &c.	In hand.
£ s. d. 433 4 0	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
226 15 0	594 9 1	164 8 0	338 8 6	240 0 0	338 8 6	Nil.	Nil.	20 0 0	312 13 4	.....	5 15 2		
358 10 0	1,238 13 8	602 0 8	536 6 11	215 0 0	436 6 11	.....	Nil.	100 0 0	100 0 0	.....	.....	.....
270 10 0	766 10 7	219 15 10	1,013 12 4	240 0 0	963 3 7	.....	Nil.	110 8 9	.....	.....	30 8 0	.....	
355 2 7	529 6 8	133 18 1	277 5 4	160 0 0	269 10 2	.....	7 15 2	Nil.	.....	.....	.....	.....
326 9 8	772 13 2	172 14 1	882 2 0	130 0 0	91 3 2	.....	.....	240 18 10	.....	.....	.....	.....
.....	863 19 0	435 1 9	230 16 10	.....	134 16 10	60 0 0	.....	36 0 0	30 0 0	.....	6 0 0	.....	
474 18 5	914 13 3	751 14 11	640 8 1	200 0 0	540 8 1	.....	.....	.....	.....	.....	.....	.....
275 8 10	902 9 2	327 3 8	177 6 2	200 0 0	125 16 11	.....	26 9 2	25 0 0	25 0 0	.....	.....	.....
62 13 7	71 18 9	21 6 6	45 7 2	00 0 0	45 7 2	.....	.....	.....	.....	.....	.....	.....
164 11 0	499 10 5	99 10 0	219 4 8	30 0 0	297 7 2	.....	11 17 6	.....	.....	.....	.....	.....
50 9 9	56 10 3	23 13 0	10 4 6	30 0 0	16 4 6	.....	.....	.....	.....	.....	.....	.....
852 17 3	1,357 2 6	816 0 9	1,002 16 10	265 0 0	940 14 1	.....	53 2 8	150 0 0	.....	.....	.....	.....
47 15 6	33 11 0	24 19 4	101 1 4	.....	169 9 10	.....	21 11 6	.....	.....	.....	.....	.....
275 7 6	619 5 4	472 17 1	470 4 0	165 0 0	426 10 4	.....	44 13 8	20 0 0	.....	.....	.....	.....
181 8 0	272 9 8	104 10 11	354 19 10	25 0 0	273 13 3	.....	81 1 7	.....	.....	.....	.....	.....
112 16 10	419 17 9	194 14 2	292 6 6	.....	.....	.....	.....	.....	242 9 3	.....	49 17 3	.....	
166 7 0	308 1 10	331 13 6	219 19 11	25 0 0	188 3 10	.....	31 16 1	.....	.....	.....	.....	.....
29 7 2	264 9 6	201 0 9	91 16 4	15 0 0	91 16 4	.....	.....	.....	.....	.....	25 0 0	.....	
20 5 0	117 0 1	147 17 5	181 9 9	.....	115 10 8	.....	65 10 1	.....	.....	.....	13 10 0	.....	
Nil.	108 0 0	17 4 0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2 2 0	49 14 10	27 9 0	87 17 6	.....	58 3 8	27 4 8	2 9 2	.....	.....	.....	6 6 0	.....	
Nil.	23 11 6	Nil.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
14 14 6	74 11 6	42 14 9	40 15 6	.....	40 15 6	.....	.....	.....	.....	.....	40 15 6	.....	
245 0 3	221 18 9	148 15 9	34 8 1	55 0 0	1 5 3	33 2 10	.....	.....	16 14 11	.....	.....	17 13 2
4,967 0 7	10,070 12 9	5,541 19 1	6,037 18 3	2,035 0 0	4,909 3 4	637 14 2	346 0 8	512 7 7	845 0 0	16 14 11	595 18 1	81 3 0	73 5 7	
24	24	24	22	16	10	5	13	7	6	1	3	5	3	

funds have not been separately stated.

TABLE 6, exhibiting the information supplied by

Name of Lodge.	Date of Establishment	Registered or not	No. of Members at 1st January, 1877.	Entered since.	Decrease by		No. of Members at 31st Dec., 1881.	Defaulters under 12 months in arrears.	No. of weeks' sickness during years.	Average sickness per member per annum, in weeks.	Assets at 1st January, 1877.	Receipts of Five Years.		
					Secession.	Death.						Sick and Funeral Fund.	Management and Incidental.	Other Receipts.
Loyal Union Lodge	May, 1842	R.	77	...	28	...	127	8	...	...	£ 501 7 5	£ 1,050 3 2	£ 365 16 6	£ 372 10 10
Loyal United Brothers Lodge	1844	"	400	...	63	...	480	21	...	...	2,185 14 1	3,400 13 3	3,836 15 9	...
Loyal St. John's Lodge	15 Oct., 1844	"	325	...	64	...	553	21	...	...	3,379 11 9½	3,117 19 3	3,131 15 7	1,378 1 10
Loyal Wandering Minstrel Lodge	25 Oct., 1844	"	240	157	31	14	309	9	1,410	1 023	883 11 7½	2,454 11 5½	2,416 17 4½	...
Rose of Australia Lodge	18 Jan., 1845	"	275	...	56	...	333	21	...	...	1,263 0 9½	2,519 8 5½	2,650 9 0	...
Loyal Kincora Lodge	26 Jan., 1847	"	194	...	116	...	205	3	...	...	2,025 1 3	1,904 6 3	1,506 7 0	625 17 9
Loyal Balmuin Lodge	1847	"	203	195	66	19	408	4	1,104½	620	2,651 14 0½	2,523 2 9	2,874 8 0	530 15 4
Loyal Junction Lodge	23 Aug., 1854	"	144	...	42	...	141	4	...	...	422 1 6	1,171 11 11	532 15 11	...
True Friendship Lodge	9 Aug., 1859	"	132	...	76	...	133	11	...	...	1,400 6 4	855 14 4	1,002 6 3	...
Loyal Prince of Wales Friend Lodge	9 Apl., 1860	"	60	...	20	...	98	3	...	...	272 4 6	587 0 6	625 12 8	...
Loyal Albury Lodge	18 Aug., 1860	"	119	...	67	...	132	4	...	...	1,413 4 0	813 8 10½	1,798 0 3½	...
Loyal Burrangong Lodge	6 Nov., 1861	"	112	...	50	...	170	43	...	...	576 9 10	1,114 16 6	1,348 15 4	...
Loyal Golden Age Lodge	4 Nov., 1862	"	142	38	25	5	140	2	641	908	797 0 5	1,771 5 7	1,440 3 5	...
Loyal St. Vincent Lodge	28 Apl., 1863	"	103	...	35	...	99	3	...	...	239 14 8	720 16 0	697 14 11	...
Rose of Denmark Lodge	1863	"	112	...	23	...	121	3	...	...	853 18 6	740 12 10	1,150 15 10	...
Loyal Star of the East Lodge	6 Jan., 1864	"	77	111	45	8	137	4	315	580	935 6 9	781 13 3	1,226 2 1	...
Rose of Australia Lodge	5 Feb., 1864	"	63	29	17	1	75	...	195	565	251 1 2	434 14 3	161 5 0	...
Loyal Ryde United Friends Lodge	18 Oct., 1864	"	50	36	14	...	66	...	101½	400	307 17 5	803 13 10	416 3 11	95 16 1
Loyal New England Union Lodge	14 July, 1865	"	103	...	...	...	210	8	...	...	1,111 8 0	1,107 4 11	2,035 5 3	...
Heart and Hand Lodge	1867	"	61	...	35	...	63	7	...	...	383 0 9½	524 3 6½	686 13 10	...
Loyal Prince Alfred Lodge	23 Aug., 1868	"	89	...	36	...	123	2	...	...	166 10 3	546 13 6	605 13 10	...
Loyal Lodge of Unity	1 Sept., 1869	"	44	...	32	...	28	4	...	...	183 15 3½	308 4 2	497 12 2	52 4 7
Star of the West Lodge No. 1	21 June, 1870	"	152	136	116	7	179	17	465	562	671 3 7	1,322 1 2	2,635 19 1½	39 19 10
Loyal Miners Refuge Lodge	13 July, 1870	"	50	...	24	...	45	4	...	...	148 3 2	301 5 11	334 15 10	...
Loyal United Miners Lodge	24 Sept., 1870	"	115	...	49	...	105	3	842½	1 531	534 9 0	934 12 10	900 3 7	...
Pioneer Lodge No. 1	1870	"	46	...	11	...	49	...	...	...	162 4 10	622 7 4	...	...
Loyal Tumut Lodge	17 Apl., 1871	"	102	58	73	3	95	5	178½	357	470 10 0	620 12 0	993 13 3	...
Loyal Happy Valley Lodge	24 Apl., 1872	"	123	...	83	...	70	17	...	...	449 5 4	646 11 1	909 15 4	...
Loyal Good Intent Lodge	3 July, 1872	"	38	...	23	...	83	1	...	...	33 13 10	333 4 3	670 16 2	...
United Brothers Lodge	14 Aug., 1872	"	35	31	46	...	74	14	215½	790	61 15 3	324 6 5	607 1 8	...
Loyal Eureka Lodge	15 Oct., 1872	"	59	...	44	...	137	5	...	...	114 19 7	577 16 2	873 15 5	...
Loyal Murrumburrah Lodge	30 Apl., 1873	"	38	...	30	...	40	4	...	...	130 15 1	291 14 3½	348 5 6	...
Loyal Star of the North Lodge	23 May, 1873	"	26	...	...	...	48	...	...	...	60 0 0	266 10 2	433 0 6	...
Loyal Pioneer Lodge No. 2	15 Sept., 1873	"	9	...	8	...	6	2	...	...	2 9 8	...	8 3 6	...
Loyal Star of Turon Lodge	2 Oct., 1873	"	40	...	27	...	52	4	...	...	109 6 2	282 7 0	357 1 2	116 13 0
Loyal Rose of Richmond Lodge	11 July, 1874	"	71	...	46	...	85	9	...	...	171 0 0	485 13 6	660 12 10	...
Loyal Star of Peelwood Lodge	20 July, 1874	N.	15	...	9	...	14	1	...	...	17 6 8	...	...	...
Loyal Parkes Lodge	4 Nov., 1874	R.	34	...	25	...	50	1	...	...	30 7 10	259 16 6½	323 11 6½	...
Loyal Star of the West No. 2	19 Nov., 1874	"	52	...	39	...	77	1	...	...	60 10 10	530 10 10	523 7 11	...
Loyal Border Lodge	3 Aug., 1875	"	40	...	37	...	36	3	...	...	63 5 1	223 13 0	556 12 11	...
Loyal Excelsior Lodge	10 Aug., 1876	N.	12	...	35	...	26	13	...	...	27 2 11	241 15 7	232 10 8	...
Loyal Star of the South Lodge	6 Sept., 1876	R.	32	79	61	2	52	3	904	461	72 13 0	1,022 13 6	...	...
Loyal Pride of Minmi Lodge	17 Nov., 1877	"	12	...	70	...	14	10	...	...	(a) 11 7	199 13 1½	93 1 4½	...
Loyal Queen of the Valley Lodge	12 Jan., 1878	"	...	...	24	...	36	3	...	...	...	317 18 6½	690 13 8½	...
Loyal Belmore Lodge	31 Aug., 1878	"	...	...	49	...	39	6	483	...	...	151 1 5	241 8 9	...
Loyal Southern Cross Lodge	11 Oct., 1873	"	...	...	12	...	52	3	...	...	...	345 4 4	229 12 6	...
Loyal Pride of Adamstown Lodge	1 Nov., 1878	N.	...	...	6	...	37	2	...	...	...	82 1 7	64 13 7½	...
Loyal Moss Vale Lodge	3 Dec., 1878	R.	...	...	...	...	44	11	...	...	...	...	273 4 6	...
Loyal Welcome Brothers Lodge	19 Nov., 1879	"	...	...	61	...	41	1	23	...	...	104 1 1	111 13 3	...
Loyal Star of Hope Lodge No. 1	6 Jan., 1880	"	...	...	21	10	12	7	Nil	...	...	27 12 3	45 14 11½	...
Loyal Star of Pymont Lodge	31 Aug., 1880	"	...	...	1	...	40	4	...	...	...	30 14 8	75 19 1	...
Loyal Star of Hope Lodge No. 2	24 Sept., 1880	"	...	...	23	1	20	1	Nil	...	...	...	80 19 11	...
Loyal Temora Lodge	21 Oct., 1880	"	...	...	...	...	42	4	...	...	...	20 5 4	52 13 3	...
Western Pioneer Lodge	8 Dec., 1880	R.	...	...	...	...	...	...	...	...	...	223 4 0	...	...
Loyal Milton Lodge	17 Dec., 1880	"	...	...	...	...	59	5	...	...	...	44 3 3	142 5 9	...
Loyal Deniliquin Lodge	9 June, 1881	N.	...	...	...	...	...	...	...	...	...	14 6 0	60 15 7	...
Loyal Tingha Lodge	4 July, 1881	"	...	...	...	...	51	...	...	...	...	21 9 6	119 1 2	...
Loyal Teranga Lodge	5 July, 1881	R.	...	...	...	...	16	1	...	...	...	7 5 4	22 0 8	...
Loyal Crookwell Lodge	Oct., 1881	"	...	...	...	...	19	...	...	...	...	3 15 0	34 19 9	...
Loyal Victoria Lodge	...	"	...	...	97	...	2	...	162½	...	...	...	...	...
Loyal Pride of Quirindi Lodge	22 Aug., 1881	"	...	...	...	...	...	...	...	...	...	...	...	...
Loyal Orphans Friend Lodge	...	"	...	...	47	...	1	...	1844	...	...	...	...	...
Loyal Happy Home Lodge	...	"	...	...	60	...	3	...	202	...	...	...	...	...
Loyal Castlerough Lodge	...	"	...	...	36	...	...	...	261	...	...	...	...	...
Pride of the East Lodge	...	"	...	...	42	...	...	...	35	...	...	...	...	...
Loyal Captain Cook Lodge	...	"	...	...	47	...	42	...	39	...	...	...	...	...
Loyal Star of Picton Lodge	...	"	...	...	57	...	...	...	35	...	...	...	...	...
		R. 52 N. 5 U. 10	4,343	1,556	1,854	60	6,105	350	6,320½	...	25,076 10 10	39,821 5 6	44,417 4 9	3,112 0 0
		67	43	21	49	11	53	61	22	...	43	55	55	8

a For three years only.

the Lodges of the Manchester Unity Order of Oddfellows.

Disbursements of Five Years.			Assets at 31st Dec., 1881.	Receipts from District.		Individual Funds at 31st December, 1881.				Investments.			
Sick Pay.	Medical Attendance and Drugs.	Management, &c.		Funeral Gifts.	Other Receipts.	Sick Fund.	Funeral Fund.	Management Fund.	Other Funds.	Freehold and Leasehold Property.	Bank Deposits.	Furniture, Regalia, &c.	In hand.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
.....	509 12 4	141 10 11	565 16 0	.....	.....	535 7 1	.....	15 18 4	14 11 1	750 0 0	1,825 14 6	.....	171 18 8
2,115 15 10	2,626 5 5 2,363 0 0	581 18 2 1,380 2 10	2,747 12 9 6,947 1 0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1,721 7 0	1,245 10 0	713 0 3	1,874 8 2½	455 0 0	210 0 0	1,383 11 6	.....	.....	540 16 8½	200 0 0	.....	.....	.....
1,756 5 1	1,359 14 10	1,481 15 8½	1,782 10 3	855 0 0	600 0 0	1,782 10 3	.....	.....	.....	.....	.....	.....	.....
997 1 3	1,038 4 4	990 4 5	3,587 10 2	120 0 0	40 0 0	3,497 10 2	.....	90 0 0	.....	900 0 0	2,484 18 7	90 0 0	112 11 7
1,124 15 6	2,222 0 11½	577 1 1	3,498 18 5	635 0 0	340 0 0	.....	.....	.....	.....	2,320 17 7	814 16 9	.....	363 4 1
1,039 2 5	147 9 8	262 14 5	890 8 9	72 10 0	140 10 0	482 11 5	272 4 0	105 13 4	.....	.....	.....	.....	.....
.....	834 7 11	230 9 1	2,513 10 6	201 9 0	100 0 0	2,513 10 6	.....	.....	.....	.....	.....	.....	.....
.....	440 4 1	59 6 5	471 12 4	45 0 0	97 10 8	469 13 11	.....	.....	1 18 5	.....	471 12 4	.....	.....
241 7 8	333 10 0	1,671 13 2	1,272 6 3	105 0 0	46 0 0	240 1 6	.....	1207 15 8	1,300 0 0	1,300 0 0	.....	.....	.....
412 6 6	1,038 10 9	125 7 4	741 14 1	200 0 0	21 0 0	1,187 18 11	.....	417 0 4	.....	460 8 5	231 5 8	.....	.....
573 1 0	1,178 19 11	202 1 1	1,219 5 2	100 0 0	163 0 0	892 11 4	.....	126 13 10	200 0 0	200 0 0	.....	.....	.....
265 7 0	457 11 6	135 6 9	891 18 10	145 0 0	76 0 0	291 13 3½	.....	100 0 6½	.....	.....	15 0 0	.....	34 18 6
473 9 8	834 5 0	343 10 11	1,665 3 11	.....	.....	.....	.....	.....	.....	1,400 0 0	180 5 5	.....	.....
287 14 0	712 5 8	359 9 2	312 19 2	.....	.....	197 14 2	.....	77 18 11	37 6 1	250 0 0	.....	75 0 0	.....
176 0 0	77 9 6	77 16 2	569 12 10	45 0 0	15 0 0	91 3 7	.....	37 6 1	36 8 0	318 10 0	86 4 6	.....	.....
101 13 4	400 0 7	32 17 6	480 2 7	.....	.....	88 10 10½	.....	83 10 10½	13 0 10	300 0 0	.....	.....	.....
725 5 4	1,039 19 4	150 14 6	1,604 19 3	102 10 0	50 0 0	1,187 18 11	.....	417 0 4	.....	400 0 0	.....	.....	.....
.....	465 16 6	67 5 11	548 1 7½	96 15 0	55 0 0	548 1 7½	.....	.....	.....	.....	.....	.....	.....
162 1 4	506 7 0	161 12 0	496 9 3	.....	.....	.....	.....	.....	.....	100 0 0	395 9 3	.....	.....
197 12 9	379 3 8	293 19 0	208 10 0	22 10 0	15 0 0	208 10 0	.....	.....	.....	.....	.....	.....	.....
465 1 9	1,310 15 1	674 18 11	1,462 2 10	85 0 0	27 10 0	.....	.....	.....	.....	.....	.....	.....	.....
168 11 0	203 7 9	86 3 1	175 0 8	.....	.....	125 2 11	.....	49 17 9	.....	.....	.....	.....	.....
788 2 11	569 9 4	491 11 10	527 6 5	75 0 0	42 10 0	480 18 8	.....	27 7 9	.....	.....	527 6 5	.....	.....
873 6 2	208 3 0	61 3 0	151 0 0	65 0 0	.....	.....	.....	.....	.....	100 0 0	.....	.....	51 0 0
184 1 0	712 0 0	145 8 5	937 10 11	55 0 0	.....	867 15 8	.....	.....	69 15 8	800 0 0	.....	.....	.....
.....	549 11 0	131 2 10	380 12 11	110 0 0	25 0 0	178 1 9	.....	158 11 2	.....	250 0 0	.....	80 0 0	.....
.....	409 0 2	62 0 5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
217 5 2	393 15 0	840 17 3	136 15 8	.....	.....	101 11 0	.....	25 2 3	.....	.....	.....	.....	.....
.....	551 6 9	77 2 8	400 0 6	50 0 0	.....	280 0 6	.....	120 0 0	.....	.....	.....	.....	.....
.....	233 1 10	20 4 0	100 12 6	25 0 0	14 0 0	.....	.....	.....	.....	.....	.....	.....	.....
95 17 2	226 5 0	31 6 1	190 0 0	33 17 0	39 5 1	190 0 0	.....	.....	.....	.....	75 0 0	.....	.....
54 14 6	24 17 6	12 1 3	13 18 7	20 0 0	16 0 0	.....	.....	.....	.....	.....	.....	.....	.....
182 19 0	122 10 0	260 15 11	277 10 8	.....	.....	207 12 0	.....	69 18 8	.....	.....	30 0 0	.....	.....
176 12 9	629 12 5	68 9 5	395 18 7	20 0 0	.....	201 14 8	.....	194 4 4	.....	.....	.....	.....	.....
12 5 6	47 18 9	22 5 0	31 9 6	.....	.....	.....	.....	.....	.....	60 0 0	.....	.....	.....
105 0 2	213 12 11	94 9 9	159 19 10	20 0 0	.....	.....	143 16 7	10 8 3	.....	.....	40 0 0	18 10 0	.....
147 17 4	383 9 17	155 2 8	161 0 0	35 0 0	.....	161 0 9	.....	.....	.....	.....	.....	.....	.....
21 10 6	250 2 0	232 11 11½	191 7 9½	.....	.....	191 7 9½	.....	.....	.....	.....	.....	.....	.....
65 6 10	213 11 9½	26 6 3	98 7 3½	.....	.....	87 7 0	.....	46 0 3½	.....	.....	12 4 0	.....	.....
101 14 0	387 3 8	378 1 3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	29 12 0	292 14 0	.....	31 0 1	199 13 1½	.....	93 1 4½	.....	.....	.....	.....	.....
69 7 6	219 16 10	398 10 11	298 16 3	.....	.....	135 1 10½	.....	103 14 4½	.....	75 0 0	27 10 0	25 0 6½	.....
42 12 0	91 18 3	52 9 2	128 10 6½	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	70 2 0	42 14 11	333 10 0	.....	.....	65 8 5½	.....	57 7 6	210 14 0½	210 0 0	.....	.....	.....
48 2 6	7 1 0	80 8 2½	11 8 0	.....	15 15 10	1 1 7	.....	10 6 5	.....	.....	.....	.....	.....
4 0 0	177 6 3	71 14 0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
23 0 0	91 0 0	16 19 9	31 7 4	.....	.....	13 8 4	5 3 3	.....	18 0 9	.....	.....	.....	.....
Nil.	24 9 9	24 2 6	18 7 6½	.....	8 0 11	18 7 6½	.....	.....	.....	.....	.....	.....	.....
24 1 6	25 19 10	31 7 9	45 4 2	.....	.....	34 8 9½	.....	10 16 4½	.....	.....	.....	.....	.....
Nil.	20 2 0	10 12 6	17 3 11	.....	.....	.....	.....	17 3 11	.....	.....	21 10 0	.....	.....
.....	23 1 10	1 6 0	10 11 1	.....	.....	19 11 1	.....	.....	.....	.....	5 0 0	.....	.....
26 0 0	82 15 10	46 1 11	32 12 5	.....	.....	32 12 5	.....	.....	.....	.....	.....	.....	.....
.....	53 11 7	47 15 10½	108 9 5	.....	.....	59 4 11	.....	19 11 0	24 13 6	.....	.....	.....	.....
.....	9 10 6	11 18 10	20 0 9	.....	8 7 8	13 17 3	.....	15 3 6	.....	.....	.....	.....	.....
.....	.....	.....	21 9 6	.....	.....	21 9 6	.....	.....	.....	.....	.....	.....	.....
.....	.....	7 3 10	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	84 7 8	.....	.....	3 15 0	.....	30 12 8	.....	.....	.....	.....	.....
201 19 6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
184 16 8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
209 0 4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
26 11 4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
35 3 4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
9 2 0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
33 16 0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
10328 11 1	20,188 17 8	14,274 1 8	41,519 12 11	4,159 11 0	2,355 9 10	18006 6 10½	421 3 10	1,747 14 2½	2,565 19 5½	10450 16 9	7,202 13 4	489 14 0	809 12 11½
49	55	57	55	23	26	41	3	27	13	17	11	12	6

* See note to Table 5. † Debit balance.

TABLE 7, exhibiting the information supplied by

Name of Society.	Date of Establishment	Registered or not. (R. N.)	No. of Members at 1st January, 1877.	Entered since.	Decrease by		No. of Members at 31st December, 1881.	Defaulters under 12 months in arrears.	No. of weeks' sickness during 5 years.	Average sickness per Member per annum in weeks.	Assets at 1st January, 1877.	Receipts for Five Years.			
					Secession	Death.						Sick and Funeral Fund	Management and incidental.	Other receipts.	
Australian Union Benefit Society	1833	R.	255		41		203	106			£ s. d. 2,014 11 9	£ s. d. 15,327 5 2	£ s. d. 3,243 5 3	£ s. d.	
Australasian Holy Catholic Guild	8 June, 1845	"	574		80		937				5,723 16 0	2,060 4 4	.....	.....
Wesleyan or Protestant Union Benefit Society	Oct., 1846	"	123		21		136	25			1,703 0 7	836 13 3	1,498 12 10½	.....
Sons of Perseverance Friendly Society	1852	"	106	8	18	4	92	Nil	002	1:216	1,138 3 3	.....	.....	.....
Sydney Deutscher Kranken Verein—German Association	1853	"	140		11		115				1,421 11 6	2,453 13 0	.....	.....
St. Peter's Burial Society	16 Aug., 1860	"	338		33		376	Nil.			478 10 8	392 7 2½	.....	.....
Sydney United Labourers' Benefit Society	13 Dec., 1861	"	120		504		280	03			424 3 7	1,103 18 5	182 9 5	.....
The Day Men's Mutual Benefit Society—A. A. Colliery Co. Establishment	1861	"	230				240	Nil.			02 15 0	1,068 13 1	.....	.....
Shipwrights' Provident Union	1862	N.	840		181		283				1,856 4 11½	.....	2,478 19 6	.....
Wingham Union	16 Mar., 1863	R.	22		35		24	12			27 0 7	.....	329 14 0	24 1 0
Duke of Edinburgh Lodge, Ancient Order of Britons	17 Aug., 1868	"	42	13	2	1	40	1	237	1:156	.....	.....	.....	.....
Murray Valley Tent I. O. Rechabites	27 Sep., 1870	"	50		37		27	4			.....	97 15 11	422 16 10	.....
United Society of Boiler-makers and Iron-ship-builders of N.S.W.	" 1873	N.	130		100		169				704 14 2	.....	98 10 0	.....
Protestant Mutual Benefit Society	Nov., 1876	R.	32		25		30	Nil.			30 0 0	368 10 6	.....	.....
Bodalla Friendly Society	Mar., 1878	"			23		28	3			.....	.....	398 10 7	.....
Captain Cook Tent I. O. Rechabites	18 June, 1878	"			40		74	6			.....	216 10 3	265 10 2	.....
Employes' Mutual Benefit Society of Newcastle Colliery Co.	24 July, 1873	"					366				.....	2,143 2 0	.....	.....
Scandinavian Friendly Society	1879	"					25				.....	.....	.....	.....
Swedish Norwegian Association	7 Apr., 1880	"			50	19	Nil.	31	3		.....	.....	.....	.....
Blue Mountain Lodge, No. 102 U. A. O. Druids	24 May, 1880	"			10		50	1			.....	204 12 7	.....	.....
Iron Duke Lodge, U. A. O. Druids	16 " 1877	"			165		3		3237		.....	.....	.....	.....
Australian Catholic Young Women's Society	13 Apr., 1876	"			102		1		43		.....	.....	.....	.....
Olive Branch Lodge, Grand U. O. Free Gardeners.	Feb., 1881	"			1		3				.....	.....	.....	.....
Mudgee Union Benefit Society	" 1880	"			1		3		1662		.....	.....	.....	.....
Ferndale Mutual Benefit Society	7 Apr., 1879	"			37		2		3174		.....	.....	.....	.....
Sydney Marine Benefit	Feb., 1873	"			170		48		2,2207		.....	.....	.....	.....
		R. 18 N. 2 U. 6	26	2,516	552	1,270	62	4,174	314	3,928	..	16,515 1 0½	26,303 15 2½	3,918 9 1½	24 1 0
				14	8	17	8	23	14	7		12	12	9	1

* For one year (1881) only.

various bodies not included in preceding tables.

Disbursements for Five Years.			Assets at 31st December, 1881.	Individual Funds at 31st December, 1881.				Investments at 31st December, 1881.				
Sick Pay.	Medical Attendance and Drugs.	Management, &c.		Sick Fund.	Funeral Fund.	Management Fund.	Other Funds.	Freshhold and Leasehold Property.	Mortgages.	Bank Deposits.	Furniture, Regalia, &c.	In hand.
£ s. d. 897 13 2	£ s. d. 1,320 2 6	£ s. d. 1,057 4 6	£ s. d. 2,912 16 10	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d. 2,460 0 0	£ s. d. 439 13 0	£ s. d.	£ s. d. 23 3 10
.....	4,541 13 10	5,858 7 7	6,600 6 2	.....	.....	.....	.....	5,597 14 2	.....	.....	883 10 1	179 1 11
330 10 0	772 7 9	652 14 10	2,007 12 4	.....	.....	.....	.....	.....	.....	.....	.....	.....
518 13 3	705 13 6	428 8 5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
519 9 0	1,088 2 10	798 10 9	1,513 10 5	1,353 10 5	.....	160 0 0	.....	.....	.....	.....	.....	.....
.....	.....	539 6 9	426 13 0½	.....	426 13 0½	.....	.....	.....	.....	.....	.....	.....
142 12 9	.....	372 7 0	950 2 1	956 2 1	.....	.....	.....	.....	.....	.....	.....	.....
846 11 6	.....	234 18 11	50 17 3	.....	.....	.....	1,049 0 0	.....	.....	48 17 8	.....	2 0 0
824 9 6	.....	1,787 7 1	1,990 0 4½	1,990 0 4½	.....	.....	.....	.....	.....	.....	131 0 0	.....
110 6 6	105 5 0	10 7 10	.....	.....	.....	.....	.....	.....	.....	.....	3 0 0	.....
177 15 0	.....	.....	238 5 0½	.....	.....	.....	.....	.....	.....	.....	.....	.....
40 15 0	248 15 0	186 13 9	143 3 5	143 3 5	.....	.....	.....	.....	.....	.....	.....	.....
Nil	.....	408 10 5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
19 6 8	155 15 11	88 15 11	147 5 2	147 5 2	.....	.....	.....	.....	.....	.....	.....	.....
29 3 1	30 10 0	237 12 6	95 12 0	95 12 0	.....	.....	.....	.....	.....	.....	.....	.....
26 10 0	144 3 9	86 10 9	255 3 0	222 0 6	.....	38 2 6	.....	.....	.....	.....	.....	.....
590 8 8	1,126 14 6	258 1 4	167 18 0	167 18 0	.....	.....	.....	.....	.....	.....	.....	.....
.....	41 15 7	.....	22 0 0	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	27 15 1	21 19 5	73 5 4	73 5 4	.....	.....	.....	.....	.....	.....	.....	.....
346 0 0	51 8 6	51 4 0	18 0 0	8 11 0	0 9 0	.....	.....	.....	.....	.....	.....	.....
24 2 6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
159 15 0	.....	.....	*214 4 10	.....	.....	.....	.....	.....	.....	.....	.....	.....
306 13 4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2,338 10 6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7,747 11 5	10,340 3 9	13,088 10 9	17,893 4 8½	5,167 17 3½	436 2 0½	193 2 6	1,049 0 0	5,597 14 2	2,450 0 0	488 10 8	1,017 10 1	204 5 9
20	14	18	18	10	2	2	1	1	1	2	8	8

* At Feb., 1882.

† Doctor's Fund—Special.

TABLE 8.—Summary of District Returns.

Name of Order.	District.	Condition at 1 January, 1877.			Deaths in Quinquennium.			Payments during Quinquennium.			At credit of separate Funds, 31 December, 1881.			Condition at 31 December, 1881.		
		No. of Lodges.	Members.	Assets.	Males.	Females.	Children.	Funerals.	Widows and Orphans.	Management, &c.	Funeral.	Widows and Orphans.	Management.	No. of Lodges.	Members.	Assets.
		£ s. d.						£ s. d.			£ s. d.			£ s. d.		
Manchester Unity.....	Tamworth	10	550	1,060 15 8	16	8	....	463 0 0	220 0 0	141 7 2	048 7 5	1,444 8 11	135 17 0	10	319	2,223 13 4
	Bathurst	5	537	1,292 3 2	16	7	....	577 0 0	.....	134 8 0	1,301 13 5	1,363 0 5	39 12 3	10	732	2,829 11 1
	Braidwood	4	165	277 2 11	8	3	....	205 0 0	125 0 0	110 1 0	291 14 0½	233 0 1	29 11 1	5	220	554 5 3
	Goulburn	8	602	2,387 7 10	17	12	....	575 0 0	259 0 0	235 0 0	1,481 3 9	2,207 15 2	125 4 8	12	826	3,314 8 7
	Cumberland	1	101	127 19 11	4	1	....	95 0 0	192 17 4	184 12 7	183 13 9	229 12 8	50 17 7	(?)	236	414 4 0½
	Riverina	4	137	101 7 7	4	4	....	120 0 0	60 0 0	439 7 10	177 6 7	207 9 1	(a) 40 17 4	4	228	433 18 4
	* Newcastle.....	6	423	786 10 4	10	8	....	420 0 0	200 0 0	292 16 5	1,362 14 2	782 19 9	142 0 1	7	600	2,287 14 7
	Total	38	2,470	6,043 7 5	31	43	....	2,555 0 0	1,056 17 4	1,587 13 0	5,306 18 1½	6,553 6 1	482 5 4	48	3,665	12,562 10 2½
G.U.O. Oddfellows	Sydney.....	14	935	388 1 3	61	27	71	2,116 0 0	.....	844 1 0	1,555 4 0	.....	85 0 0	24	2,101	1,640 4 0
	Manning	5	108	120 15 4	....	1	....	20 0 0	.....	100 12 6	265 4 8	.....	6 6 0	5	115	271 10 3
	Hunter River.....	26	1,233	699 6 2	50	15	56	1,495 0 0	.....	1,764 1 2	1,780 11 2	26 13 7	*258 1 2½	33	1,652	2,065 6 11½
	Total	45	2,276	1,208 2 9	111	48	127	3,631 0 0	.....	2,708 15 2	3,001 0 7	26 13 7	349 7 2½	62	3,308	3,077 1 4½
Independent O. O. (established October, 1880)....	Sydney.....	....	Not in existence.		11	16	....	180 0 0	.....	43 10 0	314 3 4	.....	†61 3 8	24	1,510	875 7 0
	Grand Total	83	4,746	7,251 10 2	203	102	127	6,366 0 6	1,056 17 4	4,839 18 2	9,812 2 0½	6,584 19 8	892 16 2½	134	9,052	17,414 18 7

* This return appears to refer to the Newcastle District, but it is very indefinite.

(a) Debit balance.

* Including goods, £122 4s. 8d.

† Including goods, £52 15s.

APPENDIX A.

INFORMATION to be furnished by a Society, Lodge, or Branch subscribing or not subscribing for benefits to a District or Governing Body.

Lodges or Branches in a District.													
Name of Society or Lodge and District it belongs to.	Where the meetings are held.	When first established.	Registered or not.	Number of Financial Members beginning of 1877.	Number of Financial Members at end of 1881.	Left the Society for other reasons than death during five years.	Number of defaulting Members in arrears under twelve months.	State value of property owned by Society, and moneys in hand at the beginning of 1877.	Amount of weekly contribution by Members for all purposes.	Does the Society keep a separate Management Fund?	Does the Society, Lodge, or Branch belong to any District or superior managing body?	What is the amount of the various levies per quarter for each benefit?	What are the benefits given in return for such levies?
									Sick and Funeral Widows and Orphans Superannuation, if separate Management, &c.				

Moneys received by Society or Lodge—If kept separate, divide; if not, enter all in one column.		If the Society is a Lodge or Branch of a District, place the benefit received by Branches from said District as below.					Benefits that have been paid by Societies or Lodges not in a District.					State whether the Society or Branch has any occasional levies. State amount, and whether this amount is fixed or variable, and for what purposes levied.	
Sick and Funeral.	Management.	Funeral Gifts.	Widows and Orphans.	Superannuation or Pension, if separate.	Funeral.	Sick Pay.	Superannuation, if separate from sick pay.	Gifts to Hospitals and sick and distressed persons not entitled to benefits.	Widows and Orphans.				
1877	1877	1877	1877	1877	1877	1877	1877	1877	1877	1877	1877		1877	1877
1878	1878	1878	1878	1878	1878	1878	1878	1878	1878	1878	1878	1878	1878
1879	1879	1879	1879	1879	1879	1879	1879	1879	1879	1879	1879	1879	1879
1880	1880	1880	1880	1880	1880	1880	1880	1880	1880	1880	1880	1880	1880
1881	1881	1881	1881	1881	1881	1881	1881	1881	1881	1881	1881	1881	1881
Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total

Divide Medical Benefits as below—		Paid visitors to sick, and for doctor and chemist's bills of members when without a doctor or chemist.	Salaries of all kinds, except fees to visitors to sick.	Rent, repairs, care-taking, taxes, lighting, furniture, and removals.	Regalia, presents to members (not in distress) of money, regalia, or other testimonial expenses.	Printing, postage, stationery, advertising, and revision of rules.	Refreshments, losses on "pitches," or other speculations.	Amount of Treasurer's Bond.	Amount of Secretary's Salary.	Number of Trustees.	Number of Members absent from town or district where Society or Lodge is held at present time.	Number of Members known to be out of the Colony.
Paid directly to medical man, or to medical fund of the District.	Paid to chemist or to dispensary fund of the District.											
1877	1877	1877	1877	1877	1877	1877	1877	1877	1877	1877	1877	1877
1878	1878	1878	1878	1878	1878	1878	1878	1878	1878	1878	1878	1878
1879	1879	1879	1879	1879	1879	1879	1879	1879	1879	1879	1879	1879
1880	1880	1880	1880	1880	1880	1880	1880	1880	1880	1880	1880	1880
1881	1881	1881	1881	1881	1881	1881	1881	1881	1881	1881	1881	1881
Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total

We, the undersigned, do hereby certify that the returns here furnished are correct, and in accordance with the books and accounts of the Society, —

_____ Presiding Officer.

_____ Secretary.

(Seal) _____ Trustee.

_____ Trustee.

(Date) _____ 188

Describe property and enter "Present" value.

Enter assets of the Society to end of 1881, as follows:—

Funeral Fund

Sick Fund

Superannuation Fund

Widows and Orphans Fund

APPENDIX B.

Name and address of Society—

How long in existence?

Average number of Members in each of the last five years,—taking the number good at end of each quarter, and dividing by four for the year :—

1877.	1878.	1879.	1880.	1881.

Number of weeks Sickness in each year :—

--	--	--	--	--

Amount paid for Sick Pay in each year:—

£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.

Number of Members joined in each year:—

--	--	--	--	--

Accumulated ages of the joining Members, being their ages added up for each year:—

--	--	--	--	--

Number of Members, Wives and Children, who have died in each year, giving their added ages:—

Members. } Wives. } Children. }					

Number of Members at the present time, and their accumulated ages, in years only:—

No.				
Ages				

APPENDIX C.

ROYAL COMMISSION appointed to inquire into all matters relative to Friendly and Benefit Societies—Hon. J. S. Farnell, M.L.A., President.

Information required from and to be furnished by a District or other Governing Body over more than one Branch.

Name.	Office or place of business.	How long established, and if registered.	Are you subject to any superior body, of your order, if so, name it.	What levies do you pay to said body, and what for.	State amount of benefits received in return.	How are you represented in such body.	How many Branches in District, and how many Members in each, of five years.		How ruled; if by Officers only, or by Officers assisted by Delegates.	Are the benefit and management funds kept separate.	Are the levies paid to district fixed, or as per vote of Officers or Delegates.	
							Branches.	Members.				
							1877					
							1878					
							1879					
							1880					
							1881					
							Total					
What are the amounts guaranteed by District at Death?	How many of either sex have died in each of five years?		Amount paid by District for benefits?	Has the District a Pension or Superannuation Fund, separate from all others?	State what levies are made to support such a Pension or Superannuation Fund.	What Benefits are guaranteed from such Pension or Superannuation Fund.	Amount of moneys paid by such Pension or Superannuation Fund in each of five years?	Has the District a Widow and Orphans' Fund, and how long established?	What are the levies to such Widow and Orphans' Fund, and what are the Benefits?	Amount paid by such Widow and Orphans' Fund in each of five years?	Has the District a separate Management Fund?	What are the levies to such Management Fund?
Member.....	1877	Male.	Female	Children.	£ s. d.		£ s. d.			£ s. d.		
Member's Wife	1878				1877		1877			1877		
Child	1879				1878		1878			1878		
	1880				1879		1879			1879		
	1881				1880		1880			1880		
					1881		1881			1881		
Total..					Total		Total			Total		

Divide Expenditure of Management Fund as per following heads:—

Salaries, including special votes for the same.	Refreshments.	Regalia, emblems, and certificates to Members and Officers.	Trophies and Presentations of all sorts.	Rent, lighting, cartage, and taxes or rates.	Expended for buying, leasing, altering, or furnishing premises for the business purposes of the District.	State money and then value of all property belonging to District as commencement of the year 1877:	State money and present value of property belonging to District at end of the year 1881.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1877	1877	1877	1877	1877			
1878	1878	1878	1878	1878			
1879	1879	1879	1879	1879			
1880	1880	1880	1880	1880			
1881	1881	1881	1881	1881			
Total	Total	Total	Total	Total	Total		Funeral Management Widows and Orphans Superannuation District Sick Members' Fund

We, the undersigned, do hereby certify that the returns here furnished are correct, and in accordance with the books and accounts of the Society.

Here state how many Trustees the District has, and what Bond (if any) is required of Treasurer or other officer.

Here fully describe any property or investment, and state freehold or leasehold.

Presiding Officer.

Secretary.

Trustee.

Trustee.

(Seal.)

(Date) 1883

FRIENDLY SOCIETIES ACT INQUIRY COMMISSION.

ANALYSIS OF EVIDENCE.

Evidence of Mr. Alex. Oliver:—Is Registrar of Friendly Societies; the Act under which he registers Friendly Societies is the same as that under which he registers Building Societies; informs the Commission that under the Act Friendly Societies are obliged to submit certain returns, and that many Societies have done so in many instances, and regularly, but a great many others have not done so; the Manchester Unity and Foresters, and other large Orders forward their returns punctually and in a good form, and many Societies, especially country ones, send in utterly unintelligible returns, and regrets that a great many send in none at all; considers that the Act requires each Lodge to send in its own returns; does not know anything of his own knowledge of their internal government as between District and Lodge or Grand Lodge and Districts page 1

Remarks that the law does provide that there should be an annual return laid before Parliament, but it has never been done; has no objection to explain the reason why the law has not been obeyed as regards laying these returns before Parliament; proceeds to explain the reason in detail; thinks that a reasonable way of getting over the difficulty (want of clerical assistance) would be to cast the duty mentioned on the Statistical Branch, *i.e.* the Registrar-General; thinks it will eventually be necessary to have an actuary attached to the Department, therefore the sooner the better; has a very large amount of correspondence with the Societies over their yearly returns; not very much this last year, but says that he must have given a matter of three or four hundred opinions in writing on the construction of the Act; is of opinion there is no general uniformity, except with the large Societies; each Order has a perfect right to frame its own rules; there is a general understanding that the rules so framed shall be approved of by the proper officer of the District; states he can supply the names of all registered Societies to the Commission 2

From the returns sent in to him, he could not compile one that would be of any use; speaks of Sir Stafford Northcote's last Commission; describes what the fees prescribed by the Act in the second Schedule are; is aware that complaints against these fees have been made; returns of chief value are those made by Manchester Unity, the Grand United Sons of Temperance, &c.; thinks each of these Orders ought to be compelled to appoint a sort of Returning Officer; statement of respective expenses of the large Orders 3

Thinks all litigation is vexatious; it has been held in England by District Courts and Justices, that all disputes should be settled out of Court; recommends annual audits by Government officers as beneficial to these Societies; certainly thinks it is as important that the actuarial aspect should be attended to as the legal aspect, when a Society is registered 4

Any rules submitted for registration should come up to some settled point in relation to the contributions and insurance benefits; the *pro rata* contributions are open to one or two objections, but thinks there are advantages; there are not many Societies which exist unregistered; is officially not aware that the Societies here are upon an unhealthy basis; the present Act in reference to the returns is defective in its operations; points out what would be necessary to form a new legislation; would be glad to prepare suggestions; Registrar has power now to deal with Societies failing to comply with the law; gives an idea of the M.U. returns for last year; has no control whatever over unregistered Societies; occupied position of Registrar for eight years; total amount of fees received would be considerably under £500; fees are given by the Act to the Registrar; thinks £2,000 a year would be necessary to conduct the business of these Societies 5

Thinks that any practice by which the Registrar keeps his fees is a wrong one; in England now there are no fees; Registrar has to send returns to Parliament; returns have never been made; cannot say how many Societies he has registered during his registrarship; Mr. Greville has charge of the Department in Victoria; Mr. Hayter is the Statist; considers that the returns of Lodges or Societies should be handed to Government Statist for registration in proper form; that Department performs all other statistical work of the Colony; where a Society has shown that it is badly conducted, and that it is in an insolvent condition, the Registrar-General might investigate the accounts or authorize their investigation by some reliable person; gives his opinion as to Societies in this Colony as compared with those in England 6

Mr. Oliver's further evidence:—Provision is made in the present Act for certain returns to be transmitted annually and quinquennially; the majority of the members of some Societies are lumpers; there are others in which the whole of the members are miners, coal and tin miners; others in which the item "accident" is very much more common than in some of the Societies composed of an average number of persons following different pursuits, none of which are dangerous to life; speaks of Dr. Farr's tables of mortality; there are forty or fifty different kinds of occupations; number of Lodges sent in no returns at all; no doubt about a penalty having therefore been incurred; the most cases are those which send in unintelligible returns; explains the result if these Secretaries were prosecuted; quotes 45th section of the Act, and also 78th section, relative to penalties and fines imposed by this Act; for 1879, out of about 450 Societies, 244 furnished returns; considers that pretty good, but regrets that out of a total number approaching 500 only 204 complied with the Act for 1880; has been a falling off of forty Societies in the year, but compared with the first few years the Act was in operation it shows a large increase ... 7

Proposes

Proposes that the course now pursued by the Manchester Unity, as regards returns, should be adopted by the Sons of Temperance; considers by the adoption of such a course the difficulty in connection with returns would be overcome, provided officer had sufficient control over the Society; all papers in connection with Friendly Societies have been reduced to order; fees received for this work have not averaged £70 per annum; the number of members of registered Friendly Societies would not be much over 30,000; for each head of a family the statistics give at least four individuals; that would be 120,000 souls affected; taxation per head in round numbers is about £3; produces memo. used by Mr. Abigail in Legislative Assembly when asking for Select Committee; is of opinion that an actuary should be associated with the Department, for the purpose of controlling tables and valuations; does not think the tables of voluntary contributions to a Society should be wholly under the control of an actuary; thinks an alternative might be provided; explains why; thinks the mortality tables are sufficient for all purposes... 8

Is aware that the sick and death rate varies very much in the different Societies; sickness being from $\frac{1}{3}$ of a day up to 5 $\frac{1}{2}$ days, and deaths from 1.33 to 19.04; believes it to be a fact that the large Societies have increased their capital—notably in Victoria; it is so in England; as regards America he has no information; believes that considerable amounts have been spent in unprofitable litigation; the 14th clause of the Act, "settlement of disputes," is not clear; does not think the jurisdiction of the Courts should be ousted; explains his reason for submitting that Lodges should have the alternative of making a levy when the sums fall below a certain amount; is in possession of all the reports in reference to actuarial calculations instituted by the English Government; cannot find up to the present time any set of tables prescribed by regulations to govern the English Societies or any of them; is aware that very elaborate calculations have been made to regulate the various trades, and that from them most of the tables have been compiled; is inclined to think they rely more on valuation than upon contribution rates; has seen Tidd Pratt's and Neison's tables 9

Has no recollection at present of any Societies registered that have a graduated scale of payments; in the event of young members withdrawing from a Society, if there were a graduated scale of fees they would be very lightly handicapped; quotes what the younger men now say; thinks the matter of contributions should not cease to be voluntary, and a pity to prescribe any hard and fast scale and say that it must be adhered to; should be left to the Societies themselves; explains why; gives his idea of graduated scale; think Public Auditors make the valuations upon which English Societies are based; they are called in the English Act Public Auditors; presumes they have some system of appointment of these Public Auditors; cannot say whether the returns furnished to the Manchester Unity were the same as those to other Societies; he directed that the same should be sent; promises to show the two forms of returns on his next appearance before the Commission; reads memorandum showing the number of Lodges within each Order, the number which sent in returns for 1879 and 1880, and also those in default; explains insertion of bracket by Mr. Scott on a certain paper... .. 10

Explains meaning of word "miscellaneous" in return; gives names of some miscellaneous Societies 11

Examination of Mr. Oliver resumed.—All regulated Societies do not send in returns on the forms furnished by his office; the Societies generally have wished to submit their returns in a form that suits themselves; relates difficulty in getting regular returns; names some Societies who have sent in returns on forms of their own arranging; explains presumptive cause which made the Manchester Unity to appear on the list with the medical expenses subtracted from the management expenses; the whole gist of the question "would not the subtraction of the cost of doctor and chemist from the management expenses, say 40 to 45 per cent., place the real management expenses of some of the Societies very far below those of the Manchester Unity," depends upon the data; if that principle be applied it would reduce the real management expenses of some of the Societies to 3 per cent.; gives example; Bathurst District of the Manchester Unity did not send in a separate return for 1880 or the first half of 1881 11

Requirements of the law regarding the rules of a new Society; has not heard that nine-tenths of the Societies under him are insolvent; has heard that it has been stated that a good many of them are insolvent; his opinion of such a statement is that there is no solid foundation for it; presents a return showing the number and names of Societies that have dissolved from his office during his term of office; so far as he can remember the cause of dissolution has really been insolvency—that insolvency has been admitted by the Societies seeking to dissolve; knew of a division in which there was a good round sum divided after making good all claims—£170 or £180, as far as he can remember; mentions the fact of a Society which dissolved with a much larger amount, namely four or five hundred pounds; affords his opinion of the late recovery by law of large contributions 12

Does not think—to be consistent with the opinion formerly expressed—that there should be any such thing as enforced payment; thinks special levies fund would be a valuable addition to a Society's security; gives his opinion as to whether new Branches that sometimes offer certain inducements above others that have been otherwise certified to members to join should be punishable; quotes 6th clause of the present Act; points out why it must apply to Benefit Societies receiving contributions; explains how a Society can be registered before it receives money; gives his advice as to whether a new Act should provide that a statish should be employed to collect returns; regarding disputes between members, they should be confined to arbitration; his opinion that that Board of arbitration should take something of the form of the Marine Board; his views as to minority, should be able to appeal and have power to prohibit expenditure that would be thought injurious to the Society 13

His ideas as to a penalty for false returns; remarks as to offer of present appointment by Sir George Innes; believes that all actuaries are attached to Life Offices here; his views as to the opinion of the actuaries of Great Britain, relative to present rate of subscription and benefits generally vouchsafed; has heard that the benefits are grossly in excess of the rates, or that the rates are insufficient to secure the benefits; thinks a considerable amount of variation would be required in the framing of a new Act; in 1880 there were a number of defaulting Lodges, a quantity being Metropolitan Lodges; regarding the infliction of fines on defaulting Lodges; explains meaning of "management expenses per pound of total income" in top of column in return 14

Is empowered to make the penalty for non-submission of return, but then the question comes what fixes the penalty; has some reason to suspect that plenty of Lodges are dissolved without his knowledge of it; his sanction is required if a Society is to be legally dissolved; respecting appeal Boards outside of the Societies; relating to peculiarities in all Friendly Societies; has heard that there are several Friendly Societies

Societies in active competition at cheap rates; would be of advantage to Registrar to know this under a new Act; his opinion as to joining members being admitted into a Branch or Lodge on payment of half fees; his views with regard to special levies; his proposition in the event of the funds of a Lodge falling below a certain proportion; would be a dangerous safety-valve by itself, but not if taken in conjunction with a statutory scale of benefits and contributions; would not then be dangerous; would be very beneficial if all Lodges in New South Wales could be got to try and agree to something like a sliding scale ... 15

Has seen it stated in the English reports that the most successful Friendly Societies in Great Britain adopt this scale; cannot say positively whether the Victorian Act is imperative as regards the ages of all joining members should be given in the returns; would be quite enough work for a permanent Registrar to keep him occupied if he were to carry out the idea of being Standing Counsel to the Societies; explains meaning of "Standing Counsel"; is aware that there are sectarian and non-sectarian Societies; remarks respecting the distinction of the two Societies; his opinion as to forfeiture of insurance benefits when sectarian rules are broken; explanation of the connection between the sectarian principle and the Society itself; regarding the cheap rate of fees, cheap rate of entrance charged by competitive Societies; date when this sort of competition first originated; the returns of Manchester Unity are always very well submitted—never had occasion to find fault with them; difficulty in the submission of returns might have been avoided if the Orders had the power of inflicting a heavy fine on Lodges failing to send in their returns; would be better to have the compulsion come from the Order than from any Government officer; is aware the Manchester Unity has a fine of two guineas; is not a statutory fine; would make it statutory ... 16

Knows of no provision in the Act by which a fine contained in a rule can be enforced; the only compulsion apparent is expulsion; in favour of referring everything to arbitration; is of opinion, considering the importance of Friendly Societies and great saving they must be to the State, that their rules should be registered free of cost; reports of Friendly Societies being permitted to go through the mails post free is a question of policy for the Government; respecting the division of the funds of the bodies; decision of Judges in Victoria regarding the breaking up and division of the funds without the consent of the grand body; question as to advisability of the introduction of something of the sort here; appointment of arbitrators; considers the experience of the best and oldest Societies would be a very safe guide in fixing the proportion of contributions to benefits; information so derived would be from Societies which adhered uniformly to their own rules; Registrar's Office no way responsible for the working of the Society; may be launched on the best possible scales, and yet be wrecked in a couple of years by extravagance; Friendly Societies have auditors of sufficient prudence to audit their books without going outside; exception to this rule when valuing the interest of a member; does not think the annual return sheet is perfect; is capable of improvement even at the present time; is aware that *pro rata* Friendly Societies here give greater benefits than those in Great Britain; in Lodges registered under the Act in Great Britain medical benefits are provided only to those who pay the contributions ... 17

Has found some of the general Lodge rules out of construction; has not the power to make rules, nor the power to alter them; Mr. Ludlow, Registrar of Friendly Societies in Great Britain, empowered to do so under the Act; recommends it here within certain limits; regarding Friendly Societies Act affording power to trustees to lend money on mortgage; Mr. Oliver's opinion thereon; did not draft the present Act; received it as a sort of heirloom or rromant; explains what happened practically; added the Building Society Law, and the Co-operative and Trading Society Clauses to the Bill; made no alterations in the portion relating to Friendly Societies; has worked this Act since it became law up the present time; his opinion as to the adequacy of this Act in regard to Friendly Societies; his knowledge as to stability and financial condition of the Societies Act now totally inadequate; thinks it desirable that a Board of Arbitrators should be established for the purpose of dealing with the internal disagreements of Friendly Societies; the Board with the exception of Registrar being composed of members identified with the various Societies; majority of the Societies have a council, or district or governing body, each District nominating one of its members to constitute such Board; Mr. Oliver's proposal to offer a few suggestions in writing on that subject; has been considerable competition amongst Friendly Societies within the last two or three years; question whether Mr. Oliver if possessed with the power as Registrar would register a Society with a scale of fees, and giving benefits such as exhibited in a certain document; have had a few cases, in fact very few, of subordinate Courts or individuals or Lodges connected with Societies, seceding from their Districts ... 18

Thinks stability of subordinate Courts would be more assured by their identification with their Districts; question if it would be a good piece of legislation to make this compulsory in any new law; confession of Mr. Oliver of not seeing at present the necessity of the restriction ... 19

Evidence of Mr. Edwin Lewis Scott:—Is Clerk to the Parliamentary Draftsman, nominally Secretary to Registrar of Friendly Societies; was never appointed to that office; in receipt of no salary under the Friendly Societies Act; statement in regard to the punctuality or compliance with the law in reference to returns made to the Registrar by the different Friendly Societies; since supplying the various Societies with forms they have been more punctual; has communicated with the Grand Secretaries of the Orders requesting their attendance to the requirements of the Act in that respect; gives reason for thinking that it would be better under any circumstances that returns from the various subordinate Lodges should come through the Grand Lodge; it would certainly facilitate matters very much more if the Registrar had to deal only with the Grand Lodges; explain reason why; advocates having uniformity in reference to mode of distribution of funds; would assist actuarial process of investigation to make provision for the furnishing of the ages and occupations of the members and ages at death; preparation of returns from the most recent documents of Lodges, places of meeting, and Secretaries' names (*See Appendix B*) ... 19

Passing of by-laws through Mr. Scott's hands; examines all by-laws and rules, and sees that the requirements of the Act are fulfilled; relates what the Act prescribes that the rules shall set forth; increase of Friendly Societies; uniformity in the rules in reference to the amount of dues demanded from members; Registrar having no power to refuse registration on certain grounds; his opinion as to allowing the Societies to settle all differences amongst themselves, cases being better dealt with amongst the Societies themselves, considers there should be a final Court of Appeal to deal with this matter; points out that the Societies have no right to spend money in legal expenses ... 20

Suggests that the Registrar would be the best man as Chairman in the Appellate Board made mention

mention of; is clearly of opinion that there should be a distinct Department to deal with these matters; suggests that no Order should have the power to suspend its benefits; points out where the Act is defective; considers the time has arrived when new legislation is necessary; believes the Friendly Societies abolish a great deal of pauperism; question regarding (*Appendix C*): time fixed for sending in of returns; liability of Secretary of a Lodge under 6th section of Act; Societies working without being registered; defectiveness of returns arising more from ignorance than wilfulness on part of Secretaries ... 21

Question as to Societies failing to submit returns; question relative to suspension of sick pay; mentions fact of Accident Societies proposing to afford greater benefits, on less contributions, than other ordinary Societies; Lodges mixing up management expenses with expense for doctor and medicine; Societies registering the general rules of the Order and then their by-laws; is compulsory that every Lodge or Division should register itself; would be a great advantage if all Orders had a code of rules, rendering them uniform through the various Branches; states one of the chief defects of the laws; compulsory registration workable; speaks of certain Loyal Orange Lodges not being registered; large amount of improvement would be borne by the Act; thinks there should be a plain distinct Act for the Friendly Societies ... 22

Manchester Unity makes returns in pamphlet form; describes in what respects the present Act is defective; question how the Act should be amended to afford security to members; Mr. Scott suggests an official investigation of the accounts of the various Societies; would advocate that contributions should not be sued for; present Act interprets that contributions may be sued for; successful maintenance of several such suits; Act would not be defective so far as Sydney is concerned; Act requiring that the return made by Friendly Societies should furnish not only the number of members of every Society, but also the separate returns of every Order ... 23

Number of Lodges in existence, as approximately given in return; number of defaulters; states number of Lodges of certain Orders who have failed to conform to the requirements of sec. 45; question respecting preparation of tabulated return, showing income, expenditure under various items and balance in hand; is in favour of contributions being uniform, provided benefits are uniform; states number of Lodges shown to have sent in returns for 1880; penalty placed on person working or receiving any money without registration, 45th clause in Part II of the Act, making it imperative on Societies to send every five years a return of the rate or amount of sickness or mortality ... 24

Difference of funds; Act does not afford any power to inflict a penalty on Societies which neglect to give him (Mr. Scott) the returns in accordance with prescribed forms; Societies do send in returns exhibiting the death, number of sick, period of sickness and amount of sick pay; Lodges dissolving with consent—provision in the Act for so doing; question of Societies breaking up for want of funds; irregularity in returns sent in by a certain Society; question relating to the publication of a large amount of returns sent in properly by the Societies serving very largely the purposes for which the Commission is instituted; separation of medicines and medical attendance from management expenses, resulting through some of the Societies protesting against the form in which the returns were called for; examination of rules sent in; their return if not in conformity with the Act; it has never been a rule in office to accept rules at once on account of the fact of their issuing from a certain quarter; describes mode of examination; considers the recovery of contributions by law unjust; explains reason why ... 25

Does not recommend, in any new Act, no power to recover for contributions; is aware of several registered Societies maintaining a pension or superannuation fund; is in favour of the election of a number of persons from the Boards of the Societies by the Societies themselves, and their being a final Court; considers a Board of five or six including the Registrar would be sufficient; compilation of Manchester Unity returns; is in favour of the M. Unity system of compiling returns; would assist him if other Orders did the same; question of arbitrators; Manchester Unity rules being perfect; Societies having it within their own power to form a Board to deal with all questions that arise; independent Board being biased; Societies carrying very trifling matters into Court; gives instance; Societies saving so much in pauperism annually; cause of non-submission of quinquennial returns; Registrar considering it should be a principle laid down that tables of fees taken from members afforded be included in the rules; Mr. Scott's approval of same, provided it is formed on an actuarial basis; mode of action in event of Society failing to meet its obligations under such a regulation ... 26

Mr. Edwin Schofield's evidence.—Is Secretary to the Manchester Unity Order of Oddfellows; held that position some five or six months, six months probably; successor to Mr. G. P. Sutton; makes some explanation which would probably throw some light on the position occupied by him on that day; is in possession of all books connected with the Board-room, but not of all those connected with the Society; working of the ramifications of the Society; inability to furnish Commission with return showing ages of persons on joining the respective Lodges as there is no record; declaration as to age and occupation to be made by persons on joining the Order; fixed scale of fees decided upon by the Annual Movable Committee; independent power of that Committee in fixing scale of fees; decision of payment of contributions by Lodges, provided decision is not contrary to general law; question as to what general law is; explanation thereof; principles upon which these contributions are calculated; production of general law (amended); rules adopted at Annual Movable Committee, 1880, and rules of the Independent Order of Oddfellows, Manchester Unity, Friendly Society, revised by Grand Master and Board of Directors and adopted by the Birkenhead Annual Movable Committee and amended by succeeding Annual Movable Committee, 1877; authority he (Secretary or the Grand Lodge) has over District or local Lodges; position of Grand Lodge to that of local or District Lodge in the event of one of the Lodges becoming, as it were, insolvent; responsibility the Grand Lodge has in respect to subordinate Lodges in the event of subordinate Lodges being unable to meet their engagements; the subordinate Lodges are not represented at the annual meeting of the Grand Lodge; explanation thereof; definition of what a District is; number of Lodges in the Sydney District; Grand Lodge never coming in direct dealing with an individual Lodge, correspondence or attempts to approach Grand Lodge being accomplished through the District; individual Lodges not sending representatives to the Grand Lodge; illustration of there being no direct connection between the Grand Lodge and the subordinate Lodges; certificate of age in event of death of a person in connection with the Order; existence of sliding scale of initiation; non-existence of sliding scale of contributions in this Colony ... 28

Loan of money from one fund to another; rules, by-laws, regulations, and original documents relative to Manchester Unity Order of Oddfellows; annual returns, embodying returns of the subordinate Lodges;

Lodges; verification of returns; gross value of Lodge and District funds; question if ramifications of the Society are connected with any other country or Colony, probable liabilities in reference to claims upon the sick funds; meeting engagements in the event of an emergency arising and exceptionally heavy claims being made on the funds; total expenditure for 1881; total income for the same year... 29

Nine Districts in Colony in connection with Manchester Unity Order of Oddfellows; Councils known as Grand Annual Movable Committees; payments for their services to Directors and officers of the Order; payment of costs of the Annual Movable Committees ... 30

Attachment of importance to returns; operation of Friendly Societies Act; highest and lowest contributions paid; regulation of benefits in return for the various contributions; any fund in the hands of the District, or Grand Master, or Board of District, which could be come upon for sick-pay and other benefits in event of any Lodge failing to meet its engagements; regulation of contributions to Widows and Orphans Fund ... 31

Each individual Lodge fixing its own rates of contributions; length of existence of Order in this Colony; Grand Lodge does not call in actuary to see whether accumulated surplus of previous years is sufficient to meet probable contingencies, although done in England; suggests improvement upon the form of return at present sought for by the Registrar; investment of Grand Lodge and District Funds... 32

Guidance of District Trustees; makes valuable suggestion surrounded by matters of considerable importance in connection with Friendly Societies; separation of contributions to the Management Fund from the Sick Fund and Widows and Orphans Fund; division of contributions under stated heads; willingness to afford Commission benefit of his experience as to the manner in which the Friendly Societies Act might be improved ... 33

Adoption of sliding scale as means for overcoming certain difficulties; defectiveness of the Act in several respects; its possessing many beneficial powers if they were only put into force; particulars in which he regards it as defective; general law providing punishment for the violation of the law; practice in the Order in regard to annual return from each individual Society ... 34

Practice in cases when the accounts have been mixed up; each District managing its own Funeral Fund; benefits not uniform; initiation fees not uniform when below a certain scale; registration of Grand Lodge rules being sufficient for all purposes; corresponding Secretaries registering separately and distinctly for all subordinate Lodges; disapproval of a uniform system of rules and by-laws, from his experience in another Society; dealing of matters in dispute; undesirableness that Lodge disputes should appear in the District Courts; illustration of a case of that kind; power under the present Friendly Societies Act to enforce payments of arrears of contributions on the part of members; considered an unwise provision; suggests an amendment; Courts of Appeal considers it would be injudicious to form an independent Court; question of delegates from various Friendly Societies being a reliable, independent, and qualified Court of Appeal; disfavour of such a system ... 35

Payment of 6d. per week to the Funeral Fund, whether sufficient to meet all demands upon that Fund; is of opinion 6d. a week is amply sufficient; liabilities under the Funeral Fund; opening of Strangers Refuge Lodge in Sydney, in connection with Liverpool District of Oddfellows in England; opinion as to qualifications of Secretaries ... 36, 37

Evidence of Mr. John Gelding:—Occupies position of District Officer in connection with the Oddfellows; some of present Friendly Societies Act is very defective indeed; makes statement in respect to defectiveness of 44th clause, &c.; Trustees who had the power of mortgages should also have the power of releasing estates; believes penalties for non-fulfilment in regard to returns quite sufficient if they are acted up to; is of opinion Societies should have exclusive legislation for their management; has known of Lodges in Sydney District raise their contributions because they found themselves going back ... 37

Is of opinion Branch Lodges form part and parcel of the whole body; is in favour of arbitration being confined to bodies themselves; subordinate Lodges do grant relief under the head of "distress gifts"; has never found anything wrong in the Lodge audits; believes members should not be permitted to join more than one sick benefit Lodge; explains why annual return sheet should be greatly altered ... 38

The rates of a good many of the Societies are not sufficient to meet the requirements; does not think it is a wise thing to permit funds of a Society to be expended in building halls; in many places Societies have only public-houses to meet in; thinks if in such places they could get halls it would be a great advantage; has been connected with the Manchester Unity Oddfellows for many years; has had thirteen years experience as District Officer; has studied the Order very materially during that time; movable Lodges may be held in any Districts in the Colony of New South Wales that may be carried by resolution at their annual movable conference; there is just the same governing body in the Districts as that in the head-quarters Lodge ... 39

They are bound by the constitutions of the Order as a whole; respective Lodges under his Order have power to make their own by-laws and fix their own amount of sick-pay and contribution and so on; all subordinate Lodges submit their by-laws or rules to the District Secretary; there is no responsibility attached to governing body in reference to financial position of subordinate Lodges; an Oddfellow from England could join the medical list of one of the Lodges here and thereby receive medical attendance; he pays no more for the privilege than an ordinary member does in New South Wales; receives no contribution whatever from his mother Lodge in the old country, as regards medical benefits; there would be no trouble in furnishing Commission with a return showing ages at which persons entered the respective Lodges and ages of persons who have died as members of the Society for last five years; it would be very valuable indeed to have the ages of members of Lodges when they entered the Order, and at their deaths, in order to have an actuarial calculation; there are a good many defects in present law that require amendment; most of the Societies have violated 41, 43, and 47 clauses; suggests in an amended law, the doing away with altogether of practice of signing document when registering an amended rule, stating that that amended rule is in conformity with the laws relating to the Friendly Societies and swearing it before a Justice of the Peace; there ought to be a separate Department to deal with this matter of Friendly Societies... 40

In all constituted Societies like these large ones, three courses are open for a member to go through, the Lodge, the District, and the high governing body; after member has exhausted these three he has got as much natural justice as any Court of Law would give him; no Courts have attempted to upset the decisions of the governing bodies; the fact shows that substantial justice is done; in dealing with single Societies any members aggrieved at the decisions of the highest governing body might have the power of nominating

nominating from other Societies one or more members to whom the dispute could be referred ; there has never been an actuarial calculation of rates and terms in his Society ; believes the 6d. to the Sick and Funeral Funds has been adequate to meet all payments for sickness ; in country Lodges in healthy places it has been found more than sufficient ; should make it imperative in any fresh legislation that all metropolitan and suburban Lodges should pay not less than 6d. ; in some country Lodges it would be quite sufficient, many of them are saving a large amount of money out of that 6d., while Management Fund in meantime goes behind ; every member in Society is levied so much per quarter to keep up the Funeral Fund 41

Funeral donations for a member, £20 ; a member's wife, £15 ; maximum of sick pay, 21s. a week first six months, 15s. for second six months, and 7s. 6d. for next six months ; after that some mutual arrangement is come to ; books, vouchers, property and cash of a Lodge breaking up should go to the District which is virtually responsible ; great numbers of Lodges in his Society have very valuable real property ; the annual returns should contain the ages of both members and members' wives, and their trade or occupation, &c., &c., *vide* question 1066 42

His impression is that if Societies pay sufficient contributions—something like the Manchester Unity, they would have no occasion to transfer money from one fund to another ; Sick Fund has a greater run upon it than any other fund ; suggests that instead of provision in any fresh legislation for refund by law of moneys taken from one fund to recoup another, Registrar should be given power to see that contributions were made large enough to prevent any necessity for it arising ; it is customary for his Lodge to purchase property for purpose of erecting halls to hold their meetings in ; the funds of Society are not touched for this purpose ; the Newtown Lodge is the most successful in the whole of the Australian Colonies ; knows of no instance where Government have assisted Friendly Societies by giving them grants of land ; the Victorian Commissioner was very much against what the Government has done in that respect in Victoria 43

Evidence of Mr. Alfred Lees Smith.—Is Grand Secretary in the Grand U.O.O. ; has been connected with Society for about ten years ; considers the Act operates well as far as his Society is concerned ; is of opinion it would be a wise provision in any new Bill to be introduced to provide that all local disputes should be settled within the body itself ; has graduated scale of entrance fee according to age ... 44

Society has never any difficulty in meeting its engagements ; amount of money to credit something like £22,000, including all assets ; Lodges framing by-laws to suit their peculiar circumstances submit them to the governing body for their approval ; has never experienced any difficulty or inconvenience of any kind in communicating with Registrar ; the extent of the Friendly Societies would quite justify the establishment of a separate Department to deal with them ; gives purport of communications from "Duke of Edinburgh" Lodge *re* disturbance in that Lodge ; there are four Districts now, one having been formed during the year ; these Districts control eighty-six Lodges ; is favourable to proposition that management of a Society shall be controlled by arbitration within itself ; his returns are regularly furnished every year to Registrar 45

Number of members in Society about 5,000 ; so far as Sydney is concerned the Widow and Orphan Fund is a separate institution in itself ; a shilling is scarcely sufficient to cover the benefits ; has had some thought that a graduated scale of contribution ought to be made ; describes mode of system adopted in starting a Branch in connection with his Order ; rates of contributions in use here vary with rates existing in the Society in England 46

Society insures to every member a certain annuity or certain superannuation in case of sickness or death ; judging by results, his funds as a general rule have proved sufficient ; does not admit members under any condition at all over the age of forty ; thinks that the experience of his Society for over thirty years is sufficient to establish it as a solvent Society ; considers that his Society from its age has reached what may be called a general average in insurance ; receipts to end of December, 1880, were—£19,713 17s. ; expenditure of Sydney Lodges on account of sick pay, £3,061 4s. 3d. ; amount of funds subscribed for the purposes of the financial fund, £2,576 17s. ; medical benefits, £3,867 11s. 7d., including doctor's attendance and medicines ; cost for the last year of management of the ninety Societies, £1,648 12s. 7d. ... 47

The Funeral Fund, rents and goods and all expenses outside medical benefits are included under the head of Management ; Friendly Societies Act fails to give them sufficient power to deal with the internal management of the Order ; Society can compel persons to pay contributions by taking them to Court ; suggests the appointment of a Board which would have power to obtain the contributions ; member owing 13s. is considered unfinancial ; but under by-law 35 he could be admitted by vote of the Lodge ... 48

Is unacquainted with the working of the Juvenile Branch in connection with his Society ; levies are made to meet all deaths ; a registration fee is charged for every child for which it is intended to claim the funeral donation ; district makes its levies to the Sick and Funeral Fund usually quarterly ; has special provision in their laws for members arriving from England ; each Lodge has two Trustees only with a Treasurer ; a member owing thirteen weeks contributions and not paying is suspended from all benefits until he has made himself financial ; if unfinancial for twelve months, Lodge has power to erase his name from the books ; states particulars in reference to suspension, &c., of Lodge "Sons of Perseverance" 49

6d. of the subscription is always placed to the Sick and Funeral Fund ; cost of doctor and medicine last year, £3,867 11s. 7d. ; the district officer at the District meetings fixes the levies for the Funeral Fund ; has no separate Superannuation Fund to meet cases of disability 50

Does not hold with a Lodge charging half-fees for a month, &c., believes in some instances it has been shown to be beneficial ; neutral Lodges in his District have the management of their affairs entirely in their own hands ; Directors attend Grand Committees every three months 51

Evidence of Mr. Phillip James Newland.—Is Trustee for the Sydney District of the Grand United Order of Oddfellows ; fees and contributions have hitherto met demands upon the Society ; Order is governed by an executive authority, which is elected triennially ; there is a Grand Lodge in England ; there are several features in Act which have not been strictly followed out ; it is almost impossible for Lodges to carry them out ; does not think in the matter of Trustees it is possible for Lodges to carry out the law in reference to Trustees paying the whole of the different moneys as required by the Act ; is in favour of a Board of Arbitration outside the Society whose decision should be final ; his Lodge have several rates of contributions 68

Treasurers give a bond ; District Officers have power to order Trustees to draw money out of the Bank ; they (District Officers) are responsible to the delegates of the various Lodges, which form District Committee for proper expenditure of money ; think that the contributions in a manner should be sufficiently large to defray all claims on the Society without having resort to levies ; has a Funeral Fund ; has found the system of making levies to meet probable liabilities of Funeral Fund has worked well for twenty-one years ... 69

Has reserve Funeral Fund in his District ; it is simply nominal ; Act for working of Friendly Societies should be separate entirely from anything else ; the six Lodges opened during the past two years have cost on an average £14 each, including dispensation, set of regalia, &c. ... 70

Evidence of Mr. Richd. Cannon.—Is Grand Secretary of Independent Order of Oddfellows ; number of Lodges in connection with the Order, 24 ; representation of subordinate Lodges at the Grand Lodge ; produces book of constitution ; sufficiency of contributions without resorting to special levies ; interpretation of Incidental Fund ; Grand Secretary is the medium of communication between the Registrar and the Lodges ... 52, 53

Reference to clauses in Friendly Societies Act requiring amendment ; position of Grand Lodge towards Grand Lodge of New South Wales in event of subordinate Lodges collapsing through a run upon their funds ; advantages arising from connection with the Supreme Grand Lodge ; extraction of fee from each member for maintenance of such connection ; difference of rates of contributions ... 54

Auditing of balance-sheets ; average per head per member of total funds, up to December, 1881 ; sufficiency of average per head to meet all liabilities ; forms, &c., connected with Friendly Societies in Victoria ; formation of Grand Lodge in Colony ... 55

Refusal of Government Actuary in Victoria to certify any Friendly Societies scales as being sufficient to meet the liabilities ; probable expense incurred on opening of a new Lodge ; guarantee by the Grand Lodge of Funeral Fund ... 56

Management of balance-sheets ; guarantee for their correctness ; suggests to have such sheets as those of Victorian Registrar ; honorary members contributing to funds of the Lodge ; investment of Funeral Funds ; gives reason for his opinion regarding insufficiency of guarantee as to correctness of his accounts ; inaccuracy in the auditing are brought about from the fact of the returns supplied to Registrar not being ample ... 57

Evidence of Mr. W. E. Langley.—Occupies position of Grand Master of the Independent Order of Oddfellows ; states how Grand Lodge of Australasia is constituted ; there are no geographical limits to Districts ; gives data from which fees, contributions, Sick and Funeral Funds are fixed ; a young man is a more desirable member than an older man ... 58

His approval of differences affecting local interests being dealt with by the bodies themselves ; majority of population are involved in the interests of Friendly and Benefit Societies ; question of contributions and rates of the Sick and Funeral Fund being submitted to actuarial examination and inquiry ; is of opinion that the importance of the Societies would justify the Government in making it a branch of some Department ; thinks Registrar General's Department would be the best to attach to it ... 59

Is opposed to system of making special levies ; reason for opposition ; question of competition 60
As a general question, thinks it would be advisable in the passing of any new legislation that greater care should be taken to protect the funds and the members by law, apart from the governing laws of the Order itself ; has experienced no difficulty in working the Lodges under the Act ; question of fulfilment of clause 8th ... 61

Payment to Officers of the Order ; favourable to arbitration being a final Court ; Friendly Societies Act affording Members of Societies full power to proceed to law ; question relative to inducements to start new Lodges in preference to joining old established Lodges ... 62

Considers a new Act should be much shorter ; explanation thereof ; value of actuarial opinions ; principal on which actuarial calculation should be based ; tables of sickness for Benefit Societies should be formed on the same principle that Life Insurance Societies have formed their experience tables ; admission of members on opening nights at half-initiation fees is legal ; admission of members between eighteen and forty-five at half-fees ; special levies are a sham ; provision is made to meet cases where from excess of sickness or other causes the Lodge cannot meet its engagement ... 63

Explanation in reference to sovereign body in America ... 64
Branch without members can be registered by promoters of it ; advocates uniformity of books for all Lodges ; question of subordinate Court trying evidence ... 65

Mr. Langley's opinion of a Court of Appeal being composed of the heads of the various Friendly Societies ; Finance Committee did say that the accounts of the auditors were untrustworthy ; interpretation of minute "the whole Auditors' report is a muddle" ... 66

His opinion in regard to persons belonging to two Societies and drawing sick pay from both ; is unfavourable to Lodge books being audited by a public officer ; thinks it would be preferable to have annual returns examined by a Government official, paid by the State ; would prefer to see Government establish in connection with the Post Office Provident Societies enabling one to pay in from 1d. to 1s. a week to secure at a certain period or at death payment of a certain sum of money. ... 67

Evidence of Mr. Geo. Bucknall.—Is District Secretary of the Society of the Grand United Order of Oddfellows ... 70

Provision being made for Lodges breaking up ; thinks there are too many different Societies mixed up together in the Act for Friendly Societies to distinguish what relates to them and what to Building and other Societies ; is decidedly in favour of separate Department to deal with Friendly Societies ; matters of dispute should be settled by arbitration ; case of a Lodge suspending sick pay for a short period ; circumstances of case ; result ... 71

Case of misappropriation of funds by an officer ; explanation thereof ... 72
Is in favour of actuarial calculation being based on the various experiences of the Societies ; initiation fees are fixed at a maximum ; knows of case where a Lodge in sound position has admitted members at half-fees ... 73

Is of opinion regalia is unnecessary in the working of a Lodge ; has a Widow and Orphan Fund separate from the District ; is supported by members paying a small nominal entrance fee, and 1d. a week ;

week ; benefits from £5 to £20 ; 6d. of the contribution goes towards the Sick and Funeral Fund ; contributions range from 13d. to 15d. 74

Question of graduated payments ; if they would very materially increase duties of Secretaries, if arbitrarily fixed at entrance and uninterfered with during course of member's attachment of his Lodge ; Mr. Bretmull's views thereon ; incapability of Secretaries to carry out sliding scale in this Colony ; it is not a practice in the Society to examine into the health of the wives 75
Believes initiation fees are not based on correct principles 76

Evidence of Mr. William B. Smith :—Is an accountant resident at Wallerawang, and has held office in connection with the Protestant Alliance Friendly Society 76

Does not think longevity is greater here than in England ; Mr. Ratcliffe's tables taken as a basis by the Victorian Government in the preparation of their tables ; disputes being referred to arbitration, and result of arbitration being complied with ; question of such a course being diametrically opposed to the statute law ; question of Appellant Court being formed out of the respective institutions or governing bodies of the various Societies ; suggests fixing of a minimum rate of contribution, and all tables of rates certified to by a competent person independent of the Society ; question of impossibility to administer the Act, in consequence of insufficient machinery ; thinks provision in Act permitting the investment by Societies of a certain portion of their capital in land or building might be amended 77

Is of opinion that with a few amendments the Act would meet all requirements if properly administered ; does not think a Society charging a uniform rate of a shilling per week can safely afford 20s. sick pay and £25 on a member's death ; decidedly in favour of graduated scale ; difference in rates of contribution on comparison of Australian Mutual Society's tables with Mr. Hayter's tables in Melbourne ; his approval of members joining more than one Society ; question of incorporating a provision in any new Friendly Societies Act to allow a Society to lend to its members for purposes of building ... 78

Considers the present basis on which large Societies are worked is unfair to their members ; is of opinion that a valuation should be regularly made by public valuers ; is of opinion 1s. 3d. would be a fair average contribution to give benefits such as are generally afforded by Friendly Societies ; favourable to regalia being done away with in all Friendly Societies ; considers that the unscientific basis of calculations at present in operation acts prejudicially to the Societies ; describes in what way ; favourable to Societies being formed upon purely commercial principles ; is of opinion Societies would largely increase their operations if commercial principles were adopted 79

Mr. Smith's opinion regarding value of returns sent in by various branches ; thinks it would be better for members if the Societies were formed into a sort of Mutual Provident Association ; believes generally that the Act is sufficient 81

Mr. Smith's belief that if some of the old Societies could afford the Commission forty years' experience of sickness and mortality it would undoubtedly be the best basis obtainable upon which to frame a sliding scale ; matter of a member aggrieved at the decision of a Board of Arbitration, having right to appeal to a Court of Law ; considers it would be injudicious for all bodies to have geographical limits ... 82

Evidence of Mr. P. R. Holdsworth :—Occupies position of Most Worthy Scribe or General Secretary for Australasia, in the National Division of the Sons of Temperance ; similarity with one or two exceptions, of the contributions and benefits to those of other institutions ; have a sliding scale for the initiation of members ; contribution of nearly all the Lodges in connection with the institution to the Funeral Fund ; question of anything in connection with Benefit Societies being similar to Life Insurance ; principle on which the contributions and Sick and Funeral Fund are fixed ; object of having details of initiations, ages of wives, and death rate 83

Reason of sick rate being much lower than that of any other Society ; total abstinence the cause of the greater longevity of its members ; is of opinion the present Act is too complex 84

Remarks relative to present Act ; considers that provision should be made that on the medical certificate the doctor should be compelled to certify to age of the party ; favourable to a separate Act of Parliament dealing with Friendly Societies ; provision by Government of machinery and officers for a Department to deal with Friendly Societies, the Societies being a relief to the Government ; probable existence of greater amount of pauperism without these Societies ; dealing generally of cases of dispute by arbitration ; superior powers being imperative in the large Societies ; interpretation of term "superior powers" ; is of opinion that all disputes in connection with Societies should be settled by themselves, by Final Court of Appeal fixed by themselves ; describes principal reasons causing Lodges to collapse or die out of existence 85

Is assuredly in favour of sliding scale ; question of actuaries in England advocating the establishment of a sliding scale for Friendly Societies ; advisability of having in new Act a few clauses embracing a general basis for Friendly Societies ; considers present Act defective 86

States amount given as funeral gifts ; mixing up in Friendly Societies Act of things that are foreign to each other ; thinks temperance bodies should have their own Benefit Societies ; reason why 87

Questions of members being dealt with for violation of Article II ; in favour of present mode of auditing, with power in cases of dispute to refer to an accountant 88

Evidence of Mr. Chas. Thomas Pierce :—Is Grand Scribe of No. 1 Grand Division Sons of Temperance ; functions of the National Division 88

Question of difficulties or impediments arising in respect to the regulation of Friendly Societies 89

His objection to administration of the Act and not to the law itself ; determination of complaints in Order ; considers all disputes or complaints could be better dealt with amongst the Societies themselves 90

Total amount of cash and accumulated funds ; practice in reference to furnishing annual returns ; mode of dealing with matters of dispute arising between a subordinate Lodge and its members ; approval of a member being summoned to Court of Petty Sessions for arrears of contributions ... 91

Mr. Oliver maintaining that contributions are not property, nor contribution a right or a claim question of the *property* of any Friendly Society being the amount paid, or that should be paid, by members as their contributions for the purpose of carrying out the Society ; considers the Act requires amendment ;

amendment; is of opinion that it would be desirable, in drawing up a new Friendly Societies Act, to confine it to Friendly Societies alone; question of revising barrister to look through the laws, &c.; investments of accumulated Funeral Fund ... 93

Question of minorities; remarks thereon; Mr. Pierce's opinion of graduated payments; one of the chief reasons of sliding scale of contributions being established in Great Britain being due to tremendous increase of population, &c., &c.; states amount of contribution sufficient to meet all demands on Society ... 94

Question of competency of Auditors appointed to examine and certify to the correctness of the accounts; unfavourable to audit being conducted by Government officer; question of relief to members in quest of work, or in case of shipwreck, &c.; in favour of compulsory quinquennial valuation of the Societies, liabilities and assets being made by the Societies themselves; approves of clause in new Act providing for summary conviction of offenders, &c.; approves of enforcement in new Act of regular annual audit under supervision ... 98

Question of Lodges being allowed to lend money to own members on good security ... 97

Evidence of Mr. Nathaniel Pidgeon:—Is Grand Scribe of the Sydney West or No. 9 Grand Division; experienced no inconvenience in connection with the working of the Act; points out discrepancy; question whether present Act militates against the working of Friendly Societies; thinks a great deal less of the Act would do the Friendly Societies; is of opinion it would be better if the Societies were left more to themselves; suggestion in any future legislation relative to members joining Friendly Societies and shirking their obligations, &c., &c.; is in favour of an Arbitration Board ... 98

Perceives no difficulty in the working of the Act, in clauses in regard to Trustees; would be beneficial to have an actuary to make calculations for proper payments to Benefit Societies; question of a Society being registered without adoption of some actuarial calculations; Act for providing that in all alterations of law the members shall be summoned ... 99

Evidence of Mr. W. O. Fox:—Is District Secretary of Ancient Order of Foresters; has held office for twenty-four years; case of a Lodge being in a position unable to meet its financial obligations; initiation fees uniform in all subordinate Lodges; has experienced no difficulty or defect in present Act; states particular in which the Act might be amended ... 100

Question in reference to dealing with matters of dispute; question of resorting to Law Courts to decide disputes; protection to members who have been contributing; question of a Lodge not being able to fulfil its financial obligations, causing hardship to its members; granting of clearances in event of dissolution of Lodge; protection to members up the country; surplus funds only passing through the hands of the Trustees; is of opinion present Act is too lengthy; in favour of all details, with the exception of the broad principles relative to contributions, &c., being left in the hands of the Societies themselves; advisability of having revising barrister, &c. ... 101

Question of Friendly Societies as a whole being in a sound financial position; is of opinion a great many of them are not; reason why; necessity of actuarial calculations as to the ages, &c., of members; graduated scale is bound to work well; graduated scale of contributions in any new Act; obtaining regalia not compulsory ... 102

Receipt of money without supervision, in addition to other advantages of superannuated members; Mr. Fox's remarks in reference to establishment of any superior Arbitration Board as a Court of Final Appeal, to prevent litigation; powers possessed by Societies sufficient to meet all cases; justice of admission of members at half-foes; medical attendance in Great Britain confined to member himself ... 103

Members paid from Superannuated Fund being supplied by Lodge with medical benefits; institution of special Departmental Branch to conduct and take cognizance of all matters relating to Friendly Societies; submission of annual return to Parliament; improvement in form of annual returns; Branch Lodges responsible to their officers, and officers responsible to Registrar for correctness of returns; appointment of Special Registrar to superintend these affairs; Rules of Friendly Societies should be registered free of charge; payment of amounts by Trustees instead of Treasurer; bonds from Treasurers; question of annual audit by a public officer, &c. ... 104

Evidence of Mr. John Hampton:—Has been District Secretary of the Royal Foresters for fifteen years on and off; financial and general statistics ... 105

Act affording sufficient protection to members of Friendly Societies; decreasing funds; rules permitting members to increase them; uniform code of rules; recent objections by Registrar; to rule in reference to summoning members leaving their arrears behind them; mode of dealing with disputes; has no objection to a Government Audit; favourable to a uniform contribution ... 106

Secession of Courts; states a case; case of a Secretary receiving moneys which he never paid in; opinion as to general prosperity of his Courts; proportion of married people in Order; reasons for some of his Lodges being in a poor state; consideration to the question of superannuating old members; opinion as to advisability of submitting returns separately from subordinate Lodges to Registrar; financial statistics ... 107

Considers every dispute should be decided within its own constitution; Court ceasing to exist for want of funds being placed on the District; distinction in funds; Act requiring funds to be kept separate; is of opinion present Act is both satisfactory and useful; members too old for work placed by Doctor on funds; Government certifying to Friendly Societies Rules free of cost; thorough examination of both Supreme Branch and District laws by a qualified person appointed by Government to attend to Friendly Societies ... 108

Rate of percentage of old members; remarks in reference to better progress of Friendly Societies ... 109

Evidence of Mr. John Mitchell:—Has been District Secretary of United Ancient Order of Druids for eight years; financial and general statistics; states certain defect existing in present Act; mode of preparation and submission of returns for Registrar; contributions to subordinate Lodges uniform; mode of settlement of matters of dispute arising between members and Lodges; financial position of Lodges, &c.; sees nothing in present Act requiring amendment or alteration; arrangement of Funeral Fund; illustrates case of imprisonment of a member for non-payment of arrears; particulars of his release

release; imprisonment of this member through indiscreet action of the Secretary; Friendly Societies Act prescribing amount a member shall be liable for prior to expulsion; question relative to that portion of the law enabling a Lodge to take action against a member for more than twelve months' dues, &c. ... 111

In favour of arbitration as a final settlement of any question or dispute; question if any money is spent in convivialities: prohibition of drink in Lodge-rooms; considers the objects of Benefit Societies to be of such a character as to require special legislation; what makes a Society prosperous ... 112

In favour of periodical investigation of the condition of Benefit Societies being carried out; illustrates case of member defrauding the Society; disapproves of having a sliding scale; thinks it would be best to have some extra payment obtained through the initiation fee; Society's connection with the United Ancient Order of Druids in England; question of any difference being made between contributions to a Lodge affording its members no benefits should they leave the Colony, and to a Society members of which take clearances with them, &c., &c. ... 113

Thinks present Act might be abbreviated a lot; considers Commission could form a more applicable Act in many ways; efficiency of Secretaries; appointment of Auditors; in favour of Court of Arbitration being formed out of the various Friendly Societies; question of a uniform code of rules in any new system with minimum rate of payment put down and certified by an actuary, &c.; monster demonstrations in connection with Society at different periods; their success in a pecuniary sense ... 114

Question of Society settling its own grievances; selection of Arbitrators; in favour of appointment of officer to specially attend to the business of Friendly Societies; payment of £5 to any member getting together sufficient members to open a Lodge ... 115

Evidence of Mr. Thos. Joseph Murray:—Is Past Secretary of the Australian Holy Catholic Guild of St. Mary and St. Joseph; financial and general statistics; question of payment of sums of money to unmarried Brothers, and in case of death of a widowed mother; states amount paid; contributions are uniform; initiation fees are according to age; all members initiated and who are financial participating in certain advantages; provision for registration of the second wife of members; mode of settlement of disputes between members and Lodges; reference of decision to Arbitrators... 116

Whole of the funds are vested in Trustees for the benefit of the Society; illustration of a Society not being in a position to meet its financial obligations; is of opinion that 14d. per week is sufficiently large an amount of contribution to meet all engagements; cause of heavy death rate during the last two or three half years; his opinion as to the working of the present Act; considers forms for sending in returns should be simplified; disapproval of suing for arrears for over twelve months; mode of treating members three months in arrears ... 117

Cost of management during past year, &c.; question of Council having power to withhold the widow and orphan donation, &c.; rule prohibiting Lodges from taking soldiers; question of Council withholding widow and orphan donation in event of a member committing suicide; statement of average amount paid for medical levies; working of juvenile Branches; mode of management of Society; formation of Council; passing of all accounts by Council before being paid ... 118

Expression of inability to afford any opinion in reference to graduated payments according to age of a member who joins; past existence of "Totally Destitute Orphan Fund"; up-country branches having sole control of their funds; states cost of opening Branch up country; probable cost of opening a Branch in Sydney, with books, certificates, regalia, &c.; reason of his resignation; thinks it would be preferable to have an Arbitration Board as an ultimate tribunal rather than recourse to the Courts ... 119

Question of lawsuit pending about Hall; cost of suit; explains to Commission the nature of dispute at St. Leonards; question of refusing to afford the Society at North Shore a portion of funds to which they were entitled; such refusal being partly reason why the lawsuit was commenced; question of first rule of Society allowing it to have a common fund; what clause 40 of the Friendly Societies Act says; said clause clashing with Society's 1st rule; reference to accounts for December 31, 1876; explanation of loss of £1,495; allusion to some defalcations in Society; question of Friendly Societies Act providing for criminal proceedings being taken in such cases ... 120

Explanation in reference to certain statistical statements made in error at last meeting, &c. ... 121

Financial and general statistics in connection with dispute with the St. Leonards Branch, &c., &c. ... 122

Favourable to all Societies' accounts being audited by an independent auditor; questions in reference to cost of Hall and ground; question of reference having been made to a mistake in the balance-sheet a few years ago, &c.; Society a religious Benefit Society; question of objects and constitution of the Society ... 123

Question relative to members of Guild reaping greater advantages than other Benefit Societies; is of opinion that the State should exercise careful supervision over Benefit Societies; in favour of annual audits by Government Auditors; periodical valuation of assets and liabilities of all Benefit Societies; correct annual returns being forced on the Societies; question of Guild Hall being source of profit to Society; question of liabilities of a Society increasing as the ages of its members increase ... 124

Members taken as security; question of insisting upon a guarantee bond from a Society; table showing amount of money paid on behalf of District for sick and funeral donations; question of mortuary rate for last three half-years; interpretation of term "exceptionally high" ... 125

Evidence of Mr. J. Crowley:—Has been a member of the A. H. C. Guild; joined in 1869; ceased to be a member twelve months since; reason of resignation; question relative to purchase of land for Hall in Liverpool-street; question of defalcation alleged to have taken place in 1875-1876; states particulars; question of deficiency upon the receipts ... 126

Question of sufficiency of present Act; Mr. Crowley's opinion of present position of Guild; Guilds have uniform contribution; would prefer a fixed scale of contributions and a large entrance fee, according to age; approves of practice of keeping accounts separate; question of separation of funds; considers 14d. per week is sufficient to secure benefits... 127

Question of sufficiency of Act to regulate the working of Friendly Societies, unfair administration of the Act; the cause of position Society now occupies ... 128

Compilation of Return by the various Branches; suggestions in regard to auditing by a Government officer; in favour of an actuarial certificate in the establishment of new Societies; would favour provision

provision in any new Act for a periodical investigation into the affairs of Societies; question of Friendly Societies Act making provision for dealing with persons misappropriating funds of a Society; quotation of third rule of laws of Society ... 129

Question of expense in the Guild in lawsuits for some time; thinks Societies ought to be assisted by Government; approves of the principle of the Mutual Provident Society; question relative to initiation fees; would have levies by means of which a prosperous Branch would help a weaker Branch ... 130

Evidence of Mr. William Brady:—Is a member of the Australian Holy Catholic Guild; has held office of Councillor and Warden; questions and statements anent sale of land in Liverpool-street, loss on transaction, &c.; allusion to some defalcations occurring in connection with the management of Society; question of balance-sheet of 1876 showing a deficiency of £1,495; has experienced no inconvenience from Friendly Societies Act ... 131

Evidence of Mr. Ed. J. Rubie:—Has been a member of A. H. C. Guild of St. Mary and St. Joseph since 1848; has been Chief Officer or Warden for about twenty-one years; opinion of present general management of Society; deplorable condition at present time of the financial position of Society; is opposed to uniform system of contribution; approves of graduated system of initiation fees; Mr. Rubie's opinion with reference to present Friendly Societies' Act; has found no inconvenience from the present Act; thinks Act is not fully administered; explains why; is dissatisfied with present management; reference to loss of some £1,455 disclosed on balance-sheet ... 132

Is not in favour, in new Act, of Government officers being appointed to audit accounts, provided Auditors of sufficient ability can be found by each Society; would favour a periodical valuation of the assets and liabilities; members forfeit whole of benefits when expelled; desirability in such cases of having a certain proportion of the benefits refunded; special Auditors making misstatement; question of duty of Government, considering the importance of the Friendly Societies, to prevent such a thing in future ... 133

Evidence of Mr. J. A. Kean:—Is President of the United Independent Order of Druids ... 133
Is unable to afford Commission any information as to the financial working of the Society; states amount of contribution, and benefits paid; approves of uniform contributions ... 134

Method of deciding cases of dispute between members in his Lodges; object of revising rules; nature of proposed amendments; has never been brought to clash with Friendly Societies Act; does not believe the Act provides all the protection that is required for a Friendly Society; question relative to financial position of a certain Lodge ... 135

Question relative to members and funds of certain Lodges; formation of Management Fund; question of failure of Lodges, &c.; question of annual report of 1881 setting forth same facts as disclosed in report of previous year; work performed by Auditors, generally speaking, is satisfactory and reliable; considers there should be a general inspection of Friendly Societies through the country, to watch and protect their members and funds ... 136

States cost of officers' regalia; is thoroughly opposed to Lodges being empowered to proceed to law for recovery of dues; question of Friendly Societies investing in building halls; relationship with Branches of the Order; question of arrangements in connection with clearances; controlling of actions of members occupying public positions; states that time has arrived when men and families with their little contributions at stake have a perfect right to be protected ... 137

Evidence of Mr. H. M. Makinson:—Is a member of the firm of Ellis and Makinson; were solicitors, 1875, for the Friendly Society, known as the Holy Catholic Guild of St. Mary and St. Joseph; states particulars respecting action brought by the Guild against Mr. Callacher for neglecting his duties as Secretary; copies of special audits "A and B" made by Mr. Carroll, *vide* pages ... 138, 139

Evidence of Mr. John Hugh Davies:—Is at present District Grand Treasurer of the Druids Friendly Society; was District Grand President for three years... ... 139

Financial and general statistics; questions and statements relative to certain Lodges ... 140
Limit of ages to which members are admitted; has rules specifying that matters of dispute between members and Lodges shall be referred to arbitration; question of Lodges going to the law Courts to decide matters of dispute between members and Lodges; question relative to payment to medical officer for members over twelve months in arrears; does not consider the Act is worked at all; describes how he think it fails; regards the Act itself is sufficient to afford protection to the various Friendly Societies, but does not think it is a good one; superiority of Melbourne Act; states provision he refers to; maintains that the submission of returns of each Lodge through the District Grand Secretary is the proper thing to do; thinks uniform scale of charges the best; is not in favour of a uniform rate of funeral allowance; mode of investment of funds of District; question of a Lodge failing to meet its engagements falling back on the District ... 141

Is not in favour of sliding scale of contributions; question of £5 as bonus to members who open new Lodges; his opinion about a Board of Arbitration; has always maintained that all the rules of Friendly Societies should be registered free of cost; his opinion in regard to Government appointing a person competent to deal with Friendly Societies specially for that purpose, to be paid by the Government; considers it duty of Government to appoint an Auditor to audit the accounts once a year; his approval of Government appointing an Actuary to investigate Societies before being allowed to register themselves; is of opinion present Act is deficient in many ways; amount paid by members in accouchement cases; thinks returns should be more elaborate and explicit; question of advisability of assimilation of the returns and provisions of the Act in this Colony to those of Victorian measure ... 142

Would like to see the Guarantee Society introduced in respect to security by officers; question of scale of graduated sick payments; is in favour of Government having a revising barrister; question of provision of Actuary to revise the returns of the various Lodges; thinks all communications should pass through Grand Secretary ... 143

Is in favour of a compulsory quinquennial return being rendered; is opposed to Lodges holding their meetings in public-houses; would not be an advantage if Government started a National Friendly Society ... 144

Evidence of Mr. Arthur Walker:—Is President of Protestant Alliance No. 1 Friendly Society; gives the reason for his Society not amalgamating with the Protestant Alliance Friendly Society of Australasia when that Society was formed; states financial position of Lodge, &c.; is in favour of adoption of graduated scale ... 145

Friendly Societies Act has not by any means been prejudicial to working of his Society; mentions benefits given by his Society; admit none but Protestants; members are not deprived of any of the privileges set forth in rules except for misconduct; has never put the law into operation with respect to persons failing to pay contributions; questions relative to total amount of subscriptions paid by members per week, Widow and Orphan Fund, salary to officers, &c., &c. ... 146

Thinks it would be better for each Society to settle its own affairs; question of affording members power to appeal to the Civil Courts; is sure a superannuation fund would be useful; has found present Act sufficient for his requirements ... 147

States amount of money given when children die; no entrance fee is paid to register children 148

Evidence of Mr. Geo. Gibson:—Holds office as Grand Master of the Protestant Alliance Friendly Society of Australasia; has held various other offices; present number of members about 8,000; states rates of payments for all his benefits; amount of invested funds and how invested; nature of power exercised over Lodges by the Society ... 149

Is in favour of a graduated scale of contributions; has heard expressions relative to many young men being deterred from joining the Societies under the impression that they are made to pay for older members; approves of present Act in the main, but not of its administration; points out faults he finds with it; his opinion respecting an Actuary to examine the tables of the various Societies; his opinion in regard to admission of joining members at half initiation fees; thinks it would be a good idea to have one member from each Society to form a Board of Arbitration; does not think there would be any difficulty in adopting sliding scale in this country; believes Societies should be made perfectly solvent as far as practicable ... 149

Manner in which the Society is conducted; advocates adoption of Superannuation Fund; states cause of dissolution of some of the Branches of the Society; gives particulars of certain cases of embezzlement; recognition of allopaths only; question of it being advantageous, in any future legislation, that the Act should lay down merely the financial basis upon which a Society should be formed, &c., &c. ... 150

Mr. Gibson's observations in reference to English Friendly Societies Act ... 151

Evidence of Mr. Mark P. Ronan:—Was one of the special Auditors who audited the accounts of the Australian Holy Catholic Guild in 1876; questions and explanations with regard to certain sum put in as loss in balance-sheet (produced) ... 152

Evidence of John Francis McDonald:—Is a member of the Holy Catholic Guild of St. Mary and St. Joseph; has held office of Warden for three years; has always taken exception to small amount of entrance money; in favour of graduated scale of contributions according to age; states inconvenience in the working of the Friendly Societies Act; does not consider, if the decision of the Courts in reference to suing for arrears were taken, that the present Act affords sufficient security to members of Friendly Societies; question of members being entitled to receive funeral donations in case of death if fourteen weeks in arrears in Society ... 152

Members over twelve months in arrears should be expelled; present system of certifying to anything the Registrar may have brought before him is not what it should be; minimum contribution of 15d. is the best; favourable to adoption of sliding-scale; is his opinion that a young man of eighteen should pay as much as a man entering between thirty and forty; thinks opening of Lodges at half-fees is injurious; cannot say he has experienced any difficulty in administering his Society under the present Act; objects to provision in present Act allowing organization of Societies on a very low scale ... 153

Provision in any new legislation of an arbitrary scale of initiation fees might be met by the Act requiring an actuary to certify to the tables before they become law; particulars of lawsuit in connection with a Branch at St. Leonards; quotes rule in reference to disputes being referred to and decided by arbitration ... 154

Evidence of Mr. J. F. M'Crory:—Is District Secretary of the Hibernian Society; general and financial statistics; Society is not registered under New South Wales Friendly Societies Act; question of Registrar registering rules that have been registered by the Victorian Registrar; position of member over thirteen months in arrears; action in case of death; legal proceedings are sometimes taken in cases of members over twelve months in arrears failing to pay ... 155

Is opposed to the course of taking legal proceedings; Friendly Societies Act of New South Wales does not afford enough power to officers of Branches; states what powers they ought to possess; question of bond from Treasurer; investment of funds; particulars of a case of defalcation; method of dealing with matters of dispute in his Lodge ... 156

Further evidence of Mr. J. F. M'Crory:—General and financial statistics respecting the St. Thomas, Petersham, Lodge, and other Lodges ... 158

Question with regard to fairness to members of Friendly Societies to be constantly recurring to levies, &c.; question of management; Expense Fund going back in a good many of the Lodges; Mr. M'Crory's explanation of cause of such irregularity ... 159

Evidence of Mr. James Robert M'Keown:—Is Secretary of the St. Patrick's Branch of the Hibernian Australian Catholic Benefit Society; general and financial statistics ... 159

Has suffered no inconvenience in the working of his Society, arising from Friendly Societies Act; manner of settlement of disputes; thinks 1s. a week sufficient to insure the benefits his Society offers; states benefits afforded; how a Lodge works with members who may quit the District and proceed up-country; explains reason why so many members leave his Society; time a member ceases paying contributions before becoming unfinancial; thinks the present annual returns are as perfect as they should be; would be an improvement if returns showed ages of members entering and of those that died; thinks

thinks a Board of Arbitrators would answer very well; reason why; considers that Friendly Societies should certainly not be compelled to pay for registration of their rules; is in favour of a sliding scale of contributions; is in his estimation a hardship that young men should pay as much as old men; his opinion of making members pay levies in addition to weekly contributions; believes that every member joining a Society should start on an equal basis ... 160

Amount of capita tax paid by his Lodge to Executive in Melbourne; benefits derived through transmission of such money; is not in favour of suing for arrears; if any future legislation continued the right to sue for arrears, would limit it to a year's subscription; reason why; Act has not in any case acted prejudicially to the interests of his Society; does not find the matter of returns tedious or beyond the capabilities of his Secretaries to make out; recommends the establishment of a Pension Fund for aged or permanently disabled members; question of reconciliation of clause 11, rule 105, with Mr. M'Keown's statement in reference to there being no signs or passwords being used in his Society, &c.; is of opinion that the contribution and not rate of initiation is the mainstay of a Society; states circumstances which brought about the fact of his members going to law; has summoned members for arrears; is favourable to Societies, before they are started, having their affairs submitted to actuaries, and to abide by the results ... 160

Evidence of Mr. Thos. Cowlshaw:—Occupies the office of President of the Australian Union Benefit Society; has previously held office as Secretary; general and financial statistics; has found no inconvenience arising from Friendly Societies Act; matters of dispute are settled by a Committee; regards Society in a sound financial position; funds have accumulated from contributions and the general revenue proper of the Society ... 162

Production of copies of laws governing his Society ... 163

Question of the Society fixing the smallest contribution from members, and yet having an accumulated fund largely in excess of the average; Mr. Cowlshaw's explanation thereof; question of extreme care that malingering members shall not be placed on the sick list, ever being a hardship; has a scale of benefits according to the amount in hand ... 164

Thinks he would favour a graduated scale of entrance fees; is of opinion graduated benefits cause a deal of confusion and unpleasantness; nature of Society's Superannuation Fund; thinks disputes should be settled by arbitration, and that Societies should not be subject to law proceedings; Society has never had occasion to find fault with the operation of the present Act; forms of return have been considered more than sufficient; make no provision for members departing from Sydney into the country; does not think a sliding scale of contributions, or a fixed amount being put to all benefits received, is a good thing ... 165

Thinks that 3s. a month is sufficient for all purposes to enable Societies to give benefits such as those given by his Societies; adds that the claims of a new Society would not be anything like what they are in theirs, as the majority of members would be young men; thinks graduated scale of admission should be made according to the age of the member ... 166

Evidence of Mr. Frederick Alexander Morgan:—Is Secretary of the Captain Cook Tent, Independent Order of Rechabites; was formerly connected with the Albury Tent; general and financial statistics ... 167

Members have to be sixteen weeks in arrears before they are disqualified from participation in the benefits of membership; suspension for a further period of sixteen weeks after they are sixteen weeks in arrears; they then cease to be members; has not in this Colony proceeded against any non-paying members for recovery of arrears of contributions; method of dealing with matters of dispute between the officers and the Tent; question of appeal; question as to whether the contributions paid by Society's members are sufficient; Mr. Morgan's views of the matter; gives full sick pay for twelve months, at £1 per week—quotes Rule 43; thinks Friendly Societies Act of New South Wales is comparatively useless as far as he can see; Act might be amended and made more useful; was never furnished with form of return required by the Act until this year; should like to see a provision in future legislation that quarterly payments should not be below a certain standard, whatever it may be that may be deemed sufficient; his Society is based upon total abstinence principles; is in favour of a periodical investigation of the assets and liabilities of the Societies; does not consider the supervision at present exercised by the Registrar of the Friendly Societies sufficient; preparation and publication each year by Government authority of tabulated statements of each Society would be very useful; no levy is made on members to sustain Funeral Fund ... 169

States Victorian form of return is far more elaborate and more comprehensive than that issued by Registrar of this Colony; question of desirability in any future legislation to weight an Act of Parliament with a number of details which might be properly dealt with by Societies themselves, or that the Friendly Societies Act should lay down only a certain sound financial basis upon which every Society could be properly and safely carried on; Mr. Morgan's views thereon ... 170

Thinks present Act would be productive of greater benefit if it was more strictly administered; rule relating to forfeiture of one-third of funeral money by wife of deceased member in event of the introduction with her consent of intoxicants into house during the funeral ... 171

Does not approve of a sliding-scale; thinks present system of medical examination of candidates is sufficiently serviceable ... 172

Question of accumulation of funds for the benefit of the Funeral Fund being invested in Halls... 173

Evidence of Mr. Albert B. Fordham:—Represents the Crystal Spring Tent, No. 247, Independent Order of Rechabites; general and financial statistics ... 173

As far as his knowledge goes, the present Act affords all the security which the members of Friendly Societies require; his Society has not at any time sued any of its members to recover arrears in the payment of members; is not aware of any liability towards a defaulting member after he becomes thirteen months in arrears; approves of provision in the Act giving Societies the power of recovering arrears by legal process; would permit members to go into arrears two quarters before the officers proceed against them; has nothing special to suggest except having a systematic entrance fee—a uniform fee; does not think a graduated scale of entrance fee or the half-fee system productive of good; favours the principle of young men of eighteen paying as much as men of forty in the shape of weekly contributions; remarks that the entrance fee should be graduated according to age; accounts for the total amount of expenditure he has

has given; Rechabites have been in existence in New South Wales for three and a-half or four years; hat no record of the Rechabites in 1842; has no records of the Tents which existed eight or nine years ago as Wallsend; is in favour of a fixed rate of contribution... .. 174

Thinks that a single young man of eighteen should pay just as much as a married man of twenty-five or thirty with two or three children; thinks he could afford reasons for holding that opinion if he had an opportunity of fairly considering the matter; observes that if young men be allowed to join upon such exceedingly low rates, it would practically lay upon the shoulders of the older men the burden of keeping up the Tent for the benefits of the young members; that is his experience in connection with the Rechabites; should be some preventive of the practice of allowing members to enter upon reduced entrance fees and half-fees; does not make much difference what initiation fee is charged, so long as the rate of contribution is adequate to carrying out of the Tent or the Lodge; adds that if there was not a sufficiently high initiation fee, and sickness came upon those members who had joined under those exceptionally favourable conditions, they would become a drag upon the Society; his inability to answer question as to what difference the initiation fee makes as compared with an adequate weekly contribution; reduced rate of initiation if taken in conjunction with a small rate of contribution, would seriously prejudice the financial stability of a Society; his Society is a Temperance Benefit Society; a member violating his pledge is deprived of all benefits only until he is re-obligated; has got no superannuation fund; Society makes provision for arbitration in disputes between members and the Society, by the matter being referred to chief ruler, &c.; Society makes provision for protection of minorities by falling back on head office in Melbourne for their benefits 175

Evidence of Mr. William Benton:—Represents the Grand United Order of Free Gardeners; has been a member fourteen months; Society has been in existence upwards of three years; has held office of Secretary; general and financial statistics 176

Evidence of Mr. George Lucas:—Is a member of the Free Gardeners Benefit Society; holds office of Master of the Lodge; contributions 1s. per week; amount of funds in hand at the end of last year, £70 11s. 8d.; amount paid away last year account of sickness, £100 7s. 8d., benefits, £1 per week sick pay, £20 at death of member, £10 death of member's wife; total amount of income, £270 16s.; credit balance £70 11s. 8d.; thinks Friendly Societies' Act might be improved by a little alteration; approves of principle embodied in the Act under which officers of a Lodge having power to sue members who fall into arrears; members of his Society are allowed to go into arrears fourteen weeks before they forfeit their right to benefits; members are after expiration of that time suspended from all participation in the benefits of membership; matters of dispute between members and the officers are referred to District Lodge; if decision of that body does not give satisfaction, the parties have right to appeal to the Grand Lodge in Victoria... .. 176

Society does not send any capitation tax or other moneys to Victoria because it is registered in New South Wales; has a graduated scale of initiation fee; considers the system of medical examination as it is carried out is sufficient for all purposes; thinks questions put by Doctor are sufficiently explicit if the examination is an honest one; does not think the medical examination goes far enough in some cases; Doctor gets no special fee for examination; Dr. Warren is medical officer to Society; approves of a uniform system of contribution, making all, young and old, pay alike; has no suggestion to make which might be of service in future legislation; considers his total payments of 15s. per quarter sufficient to ensure full benefits to every member; is perfectly satisfied with the present state of things; has been a member of a Friendly Society about eight years; consider 15s. per quarter sufficient for any Lodge to guarantee the benefits that a Friendly Society offers; forms such opinion upon data that having £70 in one fund, and getting 2s. a quarter from each member to meet claims on the other fund considers they are in a position to pay their way; has not given the matter of the rate of contingent liabilities accruing in connection with each member any consideration; thinks that an accumulation of 15s. per member after all expenses are paid would be sufficient to make the Society financially sound; Auditors appointed by the Lodge are as a rule the best men; in his Society accounts are supposed to be audited by a city solicitor or public accountant once in five years; has furnished annual returns to the Registrar; Lodges right throughout the Order make levy upon its members in the event of death; pays 2s. per quarter levy to District Management Fund, whether there are any deaths or not; has no Widow and Orphans Fund; no Superannuation Fund; states it is a matter of indifference to him whether the Government appoint an Actuary and a Registrar or not; is perfectly satisfied with the present Act; does not think it advisable to allow Friendly Societies who have exhausted their funds, and are out of compliance with Parent Society, to be able to start under a new name for themselves and on their own account 178

Evidence of Mr. Peter Forbes:—Is Grand Secretary of the Loyal Orange Benefit Society of Australasia; established since 1876; has held present office since 1881; Grand Lodge had a total of £85 1s. 1d. at the end of December last; is made up by three distinct funds—the Grand Lodge Contingent Fund, the Funeral Fund, and the Clearance Fund; amount to credit of Funeral Fund, £68 0s. 2d.; Income from all sources as follows: brought forward from 1880, £16 17s., less £3 overdraft on Treasurer; contributions—Funeral Fund, £86 15s. 10d.; Management Expense Fund, £63 18s. 4d.; Clearance, £5 19s. 6d. Expenses have been—Funeral donations, £30; working expenses, £8 7s. 4d., and expenses of Grand Lodge, £51 19s. 7d., making a total of £91 3s. 11d.; deducting that from income leaves a balance of £85 1s. 1d. Society admits only those who are Protestants; collect no special fund for regalia; forty-five years is the limit of age at which members are admitted; scale of initiation fees, from under twenty to forty-five, from 5s. up to £2 10s. Society has recently been brought under a proper footing with the Friendly Societies Act... .. 179

Thinks 1s. 1d. is a sufficiently high rate of contribution to meet all the liabilities which the Society incurs, provided the Lodges are properly conducted; benefits proposed to be paid to members, £20 on death of a member and £10 on death of member's wife; has Clearance Fund by which members may be relieved from one District to another, and not be going upon Lodges not responsible for them; Grand Lodge is constituted by four members delegated from each Lodge; each delegate pays his own expenses; benefits may be suspended by vote of the Lodge at a specially summoned meeting; if a Lodge got into such a position it could continue to offer the same benefits, they would have to adopt above measure; would be better to have the affairs of a Society put upon a sound basis to avoid such a measure, but if an epidemic

epidemic broke out in a District, and a number of deaths took place in a Lodge very quickly, there would be no alternative but to either suspend the law or raise the contributions; appointed Trustees only have the power to sign all cheques and draw money from the Bank for the Funeral Fund; Committee revising rules considered it would not be wise to register any particular amount of contribution, because amount necessary for the country Lodges varied so much that it could not be uniformly fixed ... 180
 Thinks it would be a very good thing if the Government were to undertake the examination of the accounts of the Friendly Societies ... 181

Evidence of Mr. Robert Dixon Sippe:—Holds office of Secretary of the Wesleyan or Protestant Union Benefit Society; has been member of Society seventeen years; has 136 members at present; amount of accumulated funds £2,118 2s. 6d.; funds are invested in the Savings Bank; this money is invested in the names of two Trustees and the Treasurer; receipts from contribution during 1881, £301, 8s. 0d.; amount received on account of interest, £74 15s. 10d.; total amount of expenditure for sick pay, medical attendance, &c., £315 17s. 8d.; receipts for last year included a balance in hand of £1,947 6s. 2d.; contributions, fines, &c., gave a total of £376 3s. 10d.; total expenditure £315 ...
 Total assets of the Society, £2,050 0s. 4d.; amount paid during past five years on account of sick pay, £330 10s.; amount paid during five years on account of funeral donations, £297 10s.; cost of doctor and chemist during five years, £772 3s. 9d.; cost on management during that period, exclusive of medicine and doctor, £261 14s. 10d.; members pay 3s. 6d. per month, with levy of 1s. on account of death of a member's wife, and 2s. on the death of a member; members receive £1 per week during first six months of sickness, and 10s. during the second six months; members continuing sick beyond that period receive a superannuation allowance of 5s. a week for life or as long as he remains sick; funeral allowance in accordance with following scale:—If member die in any year from after the first year's membership to ten years, £20; with ten and fifteen years, £25, always provided deceased has been a member for twelve months; after expiration of twelve months from date of his entrance a member of Society is allowed funeral allowance on death of his wife in accordance with following scale:—If she die in any year after first year's membership within ten years, £10; from within ten years and fifteen, £12 10s.; from within fifteen years and twenty, £15; if over twenty years membership, £17 10s.; is provided that if accumulated funds of Society should be reduced to less than £800 funeral allowance shall in no case exceed £20 on death of member or £10 on death of member's wife; has found no inconvenience whatever from operations of the Friendly Societies Act; has observed no way in which it might be amended with advantage to the Societies; matters of dispute are settled at committee meetings; is in favour of fixed rate instead of levies; thinks audits every three years would be sufficient; has had deaths in his Society at various ages between sixty and forty; after a sick member has received so many weeks pay he is placed on the superannuation list ... 182
 Does not think present form of return could be better than it is; states it would be some advantage if Government would exercise greater supervision over the operations of Friendly Societies than at present; thinks it would be a very good thing if a tabulated statement was prepared and published by Government in reference to each Society throughout the Colony; would be to the benefit of the Societies if the penalties against defaulting Societies as stated in Act were enforced ... 183

Evidence of Mr. Geo. H. Green:—Holds office as Secretary of the Sydney Marine Benefit Society; initiation fees for 1881, £24; contributions, £939 8s. 6d.; paid on account of sick pay, £477 9s.; on account of funeral donations, £108 19s.; on account of doctor and chemist, £379 6s. 6d. ... 183
 Total expenditure for 1881, £4,046 8s. 3d.; has a Contingent Fund; each member pays 1s. per quarter; total expenditure on account of Consolidated Fund for 1881, £456 17s. 5d.; total income, £456 17s. 6d.; investments on account of Sick and Funeral Fund, Savings Bank of New South Wales, £3,542 19s.; in Treasurer's hand, 9s.; investments on account of Contingent Fund, Savings Bank of New South Wales, £175 9s. 8d.; in Treasurer's hand, 9s. 2d.; good debts, &c., £233 16s. 6d.; total investments, £3,961 16s. 2d.; members pay 1s. per week contribution, benefits, £1 1s. per week 1s. 6d. month; 10s. 6d. per week for next six months; at expiration of that time (the member having received the aforesaid benefits) the Society will deal with his case as they deem necessary; £20 is paid to widow, child (if of age), executors, or administrators upon death of any member who has been fully twelve months in Society whose arrears having at no one time amounted to over 14s. during the fourteen weeks previous to his decease; member fully twelve months in Society and not been in arrears over fourteen weeks for fourteen weeks previous to death of wife shall, on her decease, receive the sum of £10; any members allowing his arrears to exceed 14s. shall be unfinancial, and not entitled to any benefits of the Society; believe 1s. per week is sufficient to insure all benefits his Society promises ... 184
 Has always found Registrar of Friendly Societies settle disputes satisfactory; operations of Society are entirely restricted to seafaring men; has no difficulty in working rule 76; members having a dispute and not being satisfied with Society's decision is invariably referred to Mr. Oliver; Contingent Fund is principally made up by the contribution of 1s. per quarter from each member; levy is made for payment of funeral donations if funds of Society fall below £500; thinks the doctors should be made a little more strict ... 185
 Has used rule 55 on one occasion only; believes it would be a capital plan to have an arbitration Board, to be final board of arbitration, thereby preventing Society disputes being dragged before law courts; three members are elected to carry out audit ... 186

Evidence of Mr. Otto Murer:—Has been a member of the German Benefit Association Society for fourteen years; has 115 members at present; total value of accumulated funds about £1,300 in the Bank, exclusive of value of some furniture; amount of subscriptions received during 1881, £439 15s.; amount paid in sick pay during that year, £86; on account of funeral donations during 1881, £34 12s. 6d. ... 186
 On account of doctor, £115 10s.; on account of chemist, £80 12s. 2d.; total expenditure for half-year 1881, £175; contributions, 1s. per member; when death occurs members pay 6d. per week extra; has no branch Lodges; members are all Germans, except a few natives of German parentage; is registered under Friendly Societies Act; can work very well with subscription of 1s. per week; do not admit any members over 45; has never heard any complaint relative to Friendly Societies Act; the Society is quite independent; income

income for last five years, £2,453 13s.; expenditure for same period, £2,355 12s. 7d.; is quite certain there is contingent liability accruing as members increase in age; thinks there should be some control over Friendly Societies ... 187

Examining of his accounts by Government officer would give some trouble, because all books are kept in German ... 188

Evidence of Mr. James King.—Is Secretary of the St. Patrick's Burial Society; Society gives no benefits beyond the burial-fees, except a bonus to members who have been in the Society for ten years; contributions according to age from half-penny to 1½d. per week; member having a child born legally has to register child to Secretary; in event of child's death within one month from registration member is entitled to sum of £1 10s.; exceeding one month to ten years, £3, exceeding ten years to sixteen, £5; exceeding sixteen years, £8; members must belong to the Society before entitlement to the benefits; amount of funds, £426 13s. 0½d.; scale of entrance fees according to age, from 6d. to 8s.; person admitted above the age of 40 have to pay the yearly contribution for each year or part of the year they are over 40 years of age, together with usual entrance fee; most of the funds are invested in the Savings' Bank; people can ensure their children for the Burial Fund at any age; receipts for last quarter, £51 9s. 5½d. ... 189

Evidence of Mr. W. Dike.—Is Secretary of the Sydney United Labourers' Society; is registered under the Friendly Societies Act; number of members, 394; amount of contribution, 3d. per week; benefits, member meeting with accident 10s. per week for twelve weeks if twelve months in the Lodge; payment on death of member, £7; if a good contributing member for five years, £10; if for seven years, £15; payment on death of a member's wife, £7; cost of management last year, about £94 16s.; amount paid for accidents during last year, £33 3s. 4d.; amount paid during last five years, £142 12s. 6d.; amount on account of death during last year, £7; during last five years, £94; has no doctor or chemist; amount of accumulated funds, £956 2s. 1d.; amount of subscription last year, £188 2s. 6d.; total income for 1881, £274 7s. 10d.; initiation fees, 2s. 6d., has found no difficulty in the working of the Society; Friendly Societies Act has afforded all the protection necessary to secure funds and payment of benefits promised; Societies laws demand a certificate in the case of sick members; has given money in the shape of distress gifts ... 190

Audit is carried on by three auditors quarterly; would not be in favour of accounts being supervised by a Government officer; thinks it decidedly objectionable to meet in a public-house; would not reject a man not in the best of health so long as his character was good; floating portion of his Society is decidedly larger than that of other Societies; sees no objection to a Board of Arbitration to whom would be referred matters of dispute ... 191

Has no recommendation to make with a view to future legislation ... 192

Evidence of Mr. Augustine A. Fitzpatrick.—Is at present Secretary of Court Royal Oak Ancient Order of Foresters; total amount of income, £622 17s. 8d.; expenditure, £583 4s. 8d.; deposit in Bank, £1,700; had a total value of £1,865 10s. 1d. at the end of the year; payments on account of medical attendance and chemist, £217 17s. 8d.; on account of funeral donations, £120; on account of sick pay, £127 15s.; contributions, 1s. a week and 1s. every three months towards Incidental Fund; benefits, £20 on death of a member, £15; on death of member's wife, and after three years £30 from the Society, and for 2d. a week extra £15 from the Widow and Orphan Fund ... 193

Gross expenditure of Society during last four years, £2,829 13s. 5½d.; gross receipts during that time, £2,633 0s. 6d., total receipts for year, including two years interest, £763 7s. 9d.; former view of fixed scale of contributions; has a graduated scale of charges for the admission of members; is quite clear 1s. a week is enough to ensure all benefits; there is no sick pay; has an Appeal Committee to settle matters of dispute in his Court; moneys are invested in Trustees in the Savings' Bank; has found no inconvenience arising from the present Act; thinks any town member owing £1 in the Court should not be entitled to the burial fee ... 194

Is in favour of a Government officer making an annual audit of the books of all Societies; members pay a registration fee of 2s. 6d. for payment of money on the death of a child; the smaller the working expenses and careful management of funds of a Society have as much to do with the results as the scale of contributions and benefits ... 195

Amount of donation given on the death of a child, 30s.; members receive when sick six months full pay, and twelve months half-pay; cannot come on the Order again until he is off the funds two years; any member of the Court leaving the Australian Colonies are deprived of sick benefits; would have no objection, in any new Act to an Arbitration Board outside of his Society to decide finally on all questions of dispute ... 196

Evidence of Mr. Thos. Forsyth.—Is Secretary of Court, Pride of Australia Ancient Order of Foresters; amount of funds at present time a trifle over £1,100; number of members, 180; total receipts for last year, £422 19s. 7d.; total expenditure for a like period, £397 13s. 4½d.; amount paid to doctor, £164 10s. 7½d.; payment on account of sick pay, £133 12s. 1d.; on account of funeral donations, £40; cost of management during the year, £40 8s.; contributions paid by members, 1s. per week as a uniform contribution; members fourteen weeks in arrears are disentitled to the benefits; has an Appeal Committee for settlement of disputes; members can appeal further to the High Court in England; is in favour of a uniform contribution; amount paid for sick pay for five years, £485 2s. 5d.; cost of management during that time, including levies to District, £367 14s. 4d.; cost of doctor and chemist, £662 4s. 7½d. ... 197

Evidence of Mr. James Root.—Is Secretary of Court Morning Star Ancient Order of Foresters; number of members, 240; Society was originally opened in 1845; amount of subscriptions paid during last year, £753 11s.; contributions, 1s. a week; total expenditure during last year, £360 12s.; payment to doctor, £231 15s.; to chemist, £90 2s. 6d.; cost of management, £87 13s. 8d.; total value of funds, £971 15s. 2d. ... 197

Has an Arbitration Committee to settle matters of dispute; there is no further appeal; £483 12s. 3d. is invested in Hall, and a balance in hand of £45 2s. 9d.; £256 0s. 4d. in the Funeral Fund; £186 19s. 10d. Sick Fund in the Bank; accounts are duly audited by members appointed by the Court; all

all members undergo a searching medical examination; Society has always been able to pay its way, and have a hundred or two by; considers 1s. a week quite sufficient to pay all that the rules provide; has found the Act sufficient for the purpose of protecting his members; has always furnished annual returns to the Registrar 198

Evidence of Mr. Stephen Mallarky.—Was the originator, late Secretary of the Redfern Mutual Association Society; Society has been extinct for two years; dissolution was attributable to most of the members being exceedingly healthy, and paying their subscriptions regularly, and getting no particular benefit; funds amounting to about £15 was equally divided among members, deducting subscriptions not paid up; amount of contributions paid was 40s. a year; benefits were doctor, medicine, and sick allowances proportioned to the funds of the Association; is of opinion 4s. a month would have been sufficient to ensure all benefits enjoined had the Society had an ordinary influx of new members; thirty-six was limit of age at which members were received; thinks 1s. would not be sufficient to guarantee the benefits without having a good number of young men joining; would have considered proportion of 10 per cent. per annum sufficient; there was no actuarial certificate when the Society was started, merely the opinion of the Registrar of Friendly Societies; Registrar gave an opinion that the rules were liberal, that 1s. a week afford the benefits, and make provision for all liabilities that might accrue by age 199

Further evidence of Mr. Jas. King.—Is Secretary to the St. Peter's Burial Society; in 1879 £300 were divided amongst the adult members over sixteen years of age, from the time of entrance; for copy of return showing how the money was divided and summary see pages 200 and 201; balance left after £300 was drawn out, £200; believes the whole of the members were agreeable to the amount being drawn out; notice of motion produced (for copy see page 201); the largest sum was received by himself, £16 and some odd shillings; paper prepared by Mr. Guille, schoolmaster, St. Peter's, showing how money could be proportioned to each of the members, produced (for copy see page 201); rule 16 says, "This Society shall continue so long as 5 adult male members continue together, &c., &c.," reference to rule 24 relative to alteration of rules by notice of motion; never heard any complaint about the division of the £300; annual amount paid by each member 6s. 6d. a year; does not think any member left the Society in consequence of the distribution of the £300 202

Members are admitted under rule 7; for scale of entrance fee for each member see page 203; Society is principally composed of working men; amount spent in bonuses, including the £300, during the last five years, £436 5s. 203

Evidence of Mr. Thos. Percival.—Belongs to the Oddfellows, and has held office of Secretary, Trustee, and Chairman of the St. Peter's Burial Society; was Secretary from 1877 to 1881; was Secretary during the time of the distribution 204

Those present at the monthly meetings have the power of electing members; disputes are settled by a summoned meeting of the Society; when resolution was passed about the division of the £300 the law with regard to bonuses was taken into consideration; there was no protest verbal or written against the action taken in respect to the £300; is aware that the Trustees are liable to be proceeded against; knows that the distribution is not legal 205

Society is pretty well off; clause 21 of the Friendly Societies Act provides that it shall not be lawful in any Society to direct a division or appropriation of any part of the funds, &c., &c. 206

Considers the division was not a robbery; it was the money of the members, and they could do what they liked with it 207

Report of President's interview with the Registrar of Friendly Societies respecting the distribution of the sum of £300 amongst a portion of the members of the St. Peter's Burial Society, &c., &c. ... 207

Evidence of Mr. Geo. Lillie.—Holds office of Minute Secretary of the Protestant Mutual Benefit Society; benefits a pound a week for a certain time, and then it is reduced; funeral donations £20, the utmost £30; half donations in case of a wife's death; contributions, 1s. a week; amount paid for funeral donations during last year, £20; does not believe the Society is in a good financial condition; Society admits Protestants only; does not think with the small number of members the contributions are sufficient to ensure a sound financial basis; thinks a few deaths would exhaust all the funds of the Society; approves of the principle of uniform contributions; has never experienced any inconveniences arising from the provisions of the Friendly Societies Act; thinks the Societies do pretty well as they like; considers there should be a statist go round and investigate the books of the Societies 208

Does not believe in isolated Societies like his; does not think the supervision exercised by the Registrar is sufficient; would favour a Government actuary to scrutinise the accounts 209

Further evidence of Mr. Thos. Forsyth.—Amount of contributions received during 1881, £436 18s. 1d.; amount expended for medical attendance and chemist, £164 10s. 7½d.; payment on account of sick pay, £133 12s. 1d.; funeral donations, £40; on account of working expenses, £38 7s. 8d.; disapproval of funds of a Society being applied to demonstrations, &c.; amount paid on account of funeral donations during the past five years, £115; on account of sick pay, £485 2s. 5d.; on account of working expenses, £166 4s. 7d.; total amount of income during the past five years, £1,981 4s. 6d.; amount received during five years for interest on investments, £212 16s. 9d.; total cost for all purposes during the last five years, £1,436 12s. 7½d.; total amount of funds on hand at end of last year, £1,076 12s. 9½d. 209

Has found no inconvenience from the present Act; believes it affords all the protection and shelter that the members ought to receive from the Statute; has recently increased the benefits from £1 and 10s. to £1 1s. and 12s. 6d.; believes it would be a benefit to Societies to have their accounts properly audited every five years by an actuary; is in favour of an actuarial calculation into the affairs of the Societies 210

Does not adopt principle of graduated payments for contributions; has never sued for arrears of contributions; his Lodge is of opinion that it is only just that there should be some provision made to grant the Societies grants of land for building purposes; must be admitted Societies are a great assistance to Government... .. 211.

Evidence of Mrs. Ellen Mary Lawrie.—Is Presidentess of the St. Francis' Sisters of Temperance Benefit Society; Society has been established thirteen years; is confined wholly to members of the Roman Catholic Church; number of members at present, 57; contributions, 7½d. a week; benefits, 10s. a week sick pay, doctor and medicine; in case of death, £10; amount of funds at credit at present, £55 19s. 2d.; initiation fees according to age from 2s. 6d. to £1; payment to doctor for each member per year, 13s. 4d.; chemist averaging about £7 10s. per quarter; benefits go to the children as well as to the member; members are admitted at fourteen; disputes are settled by a Committee appointed for the purpose; has found no inconvenience arising in the working of her Society from Friendly Societies Act ... 212
Believes there should be a Government supervision of the Societies in order to control the expenditure ... 213

Evidence of Mrs. Mary Ann Baker.—Is Secretary of the St. Francis Sisters of Temperance; total cost of Society last year, £123 19s.; total receipts, £82 9s. 4d.; member violating pledge is summoned, and if she promises to reform she is allowed to come in, but is suspended from all benefits for three months; after second offence no benefit is allowed for twelve months; is of opinion that 7½d. per week is sufficient to carry on the Society on a sound basis; has provision in rules for making levies ... 214

Evidence of Mr. Patrick Salmon.—Holds office of Trustee of St. Francis Brothers of Temperance; contributions, 1s. per week; benefits, £1 a week, and doctor and medicine; amount of funds in hands at end of 1881, £60 12s. 3d.; total amount of expenditure for last year, £152 9s. 6d.; total amount of income, £109 15s. 7d.; rules are same as those of the Sisters of Temperance; 1s. a week has been up to present sufficient to ensure all the benefits the Society gives to its members; total amount of expenses of Society for five years, £806 17s. 4d.; amount received during same period, £776 10s. 7d.; has found no difficulty in working his Society arising from the provisions of the Friendly Societies Act; thinks it advisable to pay for the deaths of single young men's mothers; believes his Society is virtually insolvent; has no hope it will be successful in the future... 215

Evidence of Mr. Thos. Etherington.—Is Secretary of the Sons of Perseverance Friendly Society; was instituted in 1852; number of members, 89; contribution, 1s. a week; initiation fee, according to age; amount of funds to credit, £1,028 0s. 3d.; total income for 1881, £279 9s. 7d.; total expenditure for 1881, £278 3s. 8d.; cost of building hall was about £800 ... 217

Gives the usual benefits to his members; does not approve of Society standing aloof from the general bodies; is one of a deputation to wait upon the Druids, with a view to amalgamation; total expenditure in Society for the last five years, £1,228 10s. 3d., excluding funeral funds; Society has been decreasing every way, the members and finances getting less; has found no inconvenience arising from the working of the Act; speaking fairly, considers the Society is not well managed; believes in amalgamation; special levy of 1s. 6d. a member is made in a short quarter of six weeks, and 1s. 9d. in a long quarter... 218

Thinks the neutrality and not rate of contribution has operated against the Society; thinks, in reference to Friendly Societies being permitted to invest their funds in building halls, that if a Society gets a hall it is the first foundation to work upon, and is one of the mainstays to uphold a Society; is in favour of permitting members to join more than one Society; would treat it as an Insurance Society; cannot say whether the supervision at present exercised by Registrar is sufficient; sees no objection to tabulated statements of the position of each Society being prepared and published every year by a Government authority; would favour a Government inspection of the books and accounts of each Society; thinks District Lodge would receive them back again if they paid the demands they ought to have paid them; Society is still in their debt to the extent of about £30; it is very possible the majority of members would rather join the Druids now than go back to the District Lodge, simply for the purpose of avoiding the payment of these fees ... 219

Thinks it would be well in any future legislation on the subject of Friendly Societies to have a clause which would prevent a few members taking a Society away from the District or Grand Lodge; has had a Widow and Orphan Fund in connection with his Society; has no Arbitration Committee; considers it proper and just to establish an Arbitration Board, comprised of representatives from the several Societies, with the Registrar for Chairman to settle all disputes instead of going to law ... 220

Evidence of Mr. Thos. Comber.—Is Secretary of the Sydney Progressive Society of Carpenters and Joiners; contribution, 4d. a week; is about to be raised to 6d. a week; benefits, 10s. a week, and £10 on death of a member if five years a member, and £5 if over twelve months a member; gives no further benefits excepting for loss of tools; amount of funds to credit, £319; has 100 financial members; total receipts for last year, £131 5s. 1½d.; total expenditure for last year, £107 8s. 8d.; rate of initiation, 3s. under forty, and 5s. over forty; Society is a Trade Society though it gives benefits; two-thirds or more of his members are members of Friendly Societies; has no provision in rules for settling disputes; Society is under expense of 2d. per member per quarter to the Trades and Labour Council; Society votes money out of its funds for the support of other trades out on strike... 221

Society can levy only in case of death; prime object of Society is to protect members as far as their trade is concerned; has had no occasion to consult the Friendly Societies Act in any of its particulars ... 222

Evidence of Mr. William Soderholm.—Represents the Scandinavian Society; total value of funds, £22; contributions, 1s. a week; benefits, free doctor and medicine, and a guinea a week during sickness; £7 10s. on death of a member's wife, and £10 on death of member himself; total expenditure last year, £19 15s. 7d.; Society is exclusively confined to Scandinavians; Society is registered ... 222

Evidence of Mr. John Fitz Henry.—Is Secretary of the Friendly Trade Society of Ironmoulders; contributions, 1s. a week; all pay alike; benefits, members out of work 10s. a week, in event of accident while at work a guinea a week for thirteen weeks, 11s. for the following eight weeks, and a lump sum after; in event of a member dying if he has been a member two years the widow and orphans receive the sum of £10; this amount is made up by a levy of half-a-crown a member put on all round; total value of funds last year, £531 5s. 10d.; income for past year, £259 2s. 3d.; expenditure, £182 12s. 11d.; money is invested in Commercial Bank ... 223

Has

Has full permission to make levies when the funds fail to meet the calls upon them; if the levies then are not sufficient has power to reduce the benefits; does not think it would be beneficial to have a Government Examiner of Accounts, and so on; if members cannot work it does not think the Government could better them; the levy of 2d. a member per week is a capitation allowance to the Trades and Labour Council, and is called "The Sustentation Fund"; members undergo no medical examination prior to initiation or admission 224

Evidence of Mr. Frank Forsyth.—Represents the Operative Bricklayers' Society; number of members last quarter, 575; contributions, 6d. a week full members, and 3d. juniors; give no benefits except in case of accident, when £1 a week is given; in case of death, £12 to a full member, and £2 extra for every two years membership over twelve months up to £20, and £8 on death of wife; juniors are entitled to half the above amounts; total value of funds at present, £1,200 8s.; £1,000 is invested in Trustees, £50 each, and different banks; Society is not at present registered; is general wish of the members to register the Society under the Trades' Union Act; majority of members are connected with other Friendly Societies; his Society is established to protect his own trade, and to carry out the eight-hour principle; a penalty of 5s. a day is levied against members breaking eight-hour rule 225

Evidence of Mr. Samuel Withers.—Is Secretary of the Independent Order of Royal Foresters; number of members at present, fifty; total amount of funds, £542 8s. 4d.; has a sliding scale of funeral allowance from one to five years' member is entitled to £20, and member's wife to £10; from five to ten years, £25, and £1 for every additional three years afterwards; the wife to £15 from eight to ten years, and 10s. for every three years; claims, sick pay a guinea a week medical attendance and medicine; payments on part of members, 1s. a week contributions, and levy 1s. 3d. a quarter; when funds are below £200 the levy is 2s. 6d.; between £200 and £250, 2s.; between £250 and £300, 1s. 6d.; and 1s. afterwards; has found that contribution quite sufficient, and it has left a large margin... .. 226

Medical man is bound by Society rules to be qualified by law; has never put into operation that portion of the Friendly Societies Act which allows a Society to sue members for non-payment of dues; Society affords no pension or superannuation allowance to its members; thinks he has enough funds to guarantee all the benefits the Society offers; has come to that conclusion from the money that has accumulated besides paying all expenses 227

Is in favour of Government supervision of Friendly Societies; has a Board of Management, consisting of eight members, for settlement of disputes; thinks it would be a good thing to establish an Arbitration Board as to final Court of Appeal; does favour suing for arrears; would favour more comprehensive returns (if they are necessary) of any future legislation... .. 228

Evidence of Mr. Henry Collyer.—Is the Secretary of the Sydney United Plasterers' Society; object of Society, to pay money to any one receiving an accident, and to assist other trades on strike, and to assist in alleviating distress amongst members or their widows by donations; gives £7 10s. on death of a member, only to his widow or nominee; payments made to secure these benefits, 6d. a week; accumulated funds, close upon £200; number of members, 120; no limit whatever to aged; no medical examination; is a Trades Union, and not a Friendly Society; receipts for past five years, £666 12s. 4d.; funds on hand, £196 1s. 3d.; has found no evil results arise from meeting in a public-house; disputes are settled by a Management Committee 229

Evidence of Mr. Lorimer E. Harcus.—Is connected with the Independent Order of Good Templars; was Grand Worthy Chief Templar or Executive Head of the Order for two years; has filled many other offices in other parts of the world; number of members, as nearly as possible, in New South Wales, 3,000; minimum amount of subscription, 1s. 6d. per quarter; Order is not, strictly speaking, a Friendly Society; do not allow any benefits; Society is managed by an Executive Committee, consisting of the eight principal officers of the Grand Lodge; the principal object of Order is to propagate the cause of Temperance; is a Secret Society; assets exceed liabilities by some £120; funds are used solely for the advancement of Temperance cause, and for the extension of the Order; thinks the system of male and female meeting together in Lodges tends to promote morality; would urge upon the Commission the necessity of having some clause in any Bill that may be brought forward for the purpose of protecting the funds of Temperance Societies; the Order is established for improving the moral condition of the people generally, but it is understood that there is no legislation at the present time under which protection can be got against the misappropriation of Society's funds; would recommend an alteration in the rules, giving the presiding officers more power to suppress anything like larrikinism; personally approves of the intermingling of the sexes in the Lodge-room; believes presence of ladies has a good effect on the male members; does not think Friendly Societies should be separated from political, temperance, or religious bodies; believes that the Temperance bodies, at any rate, should have their own Societies; considers, from what he has observed and read, that the sick rate is less amongst them than amongst other Societies 230

Evidence of Mr. William James Way.—Is Secretary of the Amalgamated Society of Carpenters and Joiners; Society partakes of the character of a Friendly Society and of a Trade Union; has been Auditor at different times of the Manchester Unity Oddfellows 231

Society is a Branch of, and owes allegiance to, parent Society in England; benefits, 12s. a week sick-pay for twenty-six weeks, and 6s. as long as the illness continues; £12 per member at death; out-of-work benefits, 10s. a week for twelve months, and 6s. for twelve weeks more; accident benefits, members wholly disabled, £100, partially disabled, £50, &c., &c.; contributions, 1s. a week, and 3d. a quarter; rates of contribution are similar in all parts of the world, excepting in the United States and Canada; funds in hand at end of 1881, £368 17s. 9d.; accounts are audited by members of the Lodge; if Society makes contributions to other Societies it is done by special levy amongst its own members; applied to have Branch registered, but was refused; proposes to register Branch under the Trades Union Act; has a superannuation benefit of 8s. a week if a member has been in the Society eighteen years, and 7s. for twelve years; has also a Benevolent Fund for free and non-free members; has an emigration benefit, to enable members from

England to emigrate to any other part; liability for death rate is £12; would as soon have Government supervision of Friendly Societies as not; does not think it would be any protection to the Societies; thinks Act answers the purposes for which it was passed; rules of Society were revised in 1880; considers the state of Trade in the Colonies now is very good 232

Does not think his members in the Colonies are placed at a fair advantage in strikes with those on strike in England; members are required to give certificate of birth 233

Evidence of Mr. William Francis Davison.—Represents the Shipwrights' Provident Union of Port Jackson; is at present Secretary; has about 280 members; members pay a penny a day for every day they work; benefits £1 a week for accident and £10 for burial; amount of funds in hand over £2,000; is invested in the Sydney Savings' Bank 233

Evidence of Mr. James Joseph Donohoe.—Is Secretary of the United Society of Boilermakers and Iron Shipbuilders of N. S. Wales; number of members, 230; amount of subscription, 6d. a week; members are levied 2s. per man if there is not sufficient members in the Contingent Fund at the death of a member; allows benefits in the event of a dispute; affords no medical benefits; gives a funeral donation of £10; is not necessary to be a member any specified time to obtain that benefit 233

Society can vote any sum not more than £1 per fortnight as a distress donation; Society use no regalia at present; according to the rules no member is supposed to work with a non-society man under penalties to be enforced by the Society; if member allows himself to run into arrears he is expelled from the Society; does not at all times comply with rule 14; total amount of Society's funds, £580 13s. 7d. 234

Evidence of Mr. Geo. E. Fraser.—Holds office of Secretary of the N. S. Wales Seaman's Union; contributions, 2s. a month; only benefit given is in event of a member being injured by accident; members in such cases are allowed from £2 to £5 as decided by a meeting 234

Society is purely a Trade Society; affords no sick pay or funeral donation; admits all men of good character following the sea 235

Evidence of Mr. Frederick W. Rogers.—Represents the Coachbuilders' Society of New South Wales; Society has been instituted since 1875; contributions, 6d. per week; benefits, 10s. a week for thirteen weeks to members losing employment through dulness of trade or other circumstances; and in event of a strike one-half the regular wages for three months if out of employment within seven months from the date of the strike; had a sick fund but it has been abandoned; gives no benefits for sick or funeral donation... 235

Evidence of Mr. Levi Maidment.—Is Secretary of the Quarrymen's Eight-hour Protection Society; contributions, 3d. per week; benefits, £5 funeral donation, providing member is over twelve months in the Society; £7 10s. if a member two years; funds to credit, £456 13s. 4d.; number of members, 170; receipts for last year, £50 4s. 4½d.; Society contributes to assist others on strike; affords no benefits in case of accident or sickness; most of members are attached to other Societies 235

Further Evidence of Mr. W. F. Davison.—Has an accident and insurance fund; primary object of Society is a Trades Union; sick pay for last five years, £195 2s.; for accidents, £324; on account of death, £195; to hospitals, sick and distressed persons, £153; grand total on account of sick gifts and donations, £867 2s.; receipts during five years, £2,478 19s. 6d.; amount to credit at end of 1881, £1,990 9s. 4½d.; amount spent in assisting other trades during past five years, £187; nearly the whole of members are connected with other Societies; cost of management during five years, £485 7s. 5d.; majority of members decided against proposal made in the Society to register under the Friendly Societies Act; thinks Society conjunction has prevented collisions between them 236

Evidence of William Henson, Esq., M.P.—Is a Member of the Legislature of New South Wales; has been Treasurer of the Sons of Temperance for some years 236

Particulars of case of widow and five children of a certain member for sixteen years of Court Friendship Royal Foresters who died some seven years since not receiving any benefits from the Lodge of which he was a member though entitled to £30; does not think 1s. a week is sufficient to ensure benefits beyond £25; is of opinion 1s. a week would be sufficient to ensure payment of medical attendance to a member, his wife and family, together with a funeral donation of from £20 to £25 for a member and from £10 to £15 in case of the death of a wife provided the children did not receive benefits beyond the age of sixteen instead of eighteen; considers the medical examination in connection with Societies on the admission of candidates for membership is sufficiently searching; has no doubt there are some occupations which shorten life more than others; believes it is essential that Societies should receive members from all grades or they would not meet the want; thinks graduated scale of contributions is better than a uniform scale; is in favour of Friendly Societies being under the supervision of some Government Department; thinks it would be advisable to appoint a Government Actuary to look after the Friendly Societies; would on the whole be better if arbitrators were appointed from other Societies; Registrar of Friendly Societies should be appointed to look after Friendly Societies, Trades Unions, and Building Societies without having anything else to do 237

Further evidence of Mr. James Donohoe.—Amount paid during last two years on account of disputes, £144 14s. 5d.; members are not subjected to medical examination; no proposal has yet been made to register the Society under the Act; amount of funds at last audit, in March, 1882, £1,080 4s. 3d.; Society takes no bonds or guarantee from Trustees 238

Evidence of Mr. James Sheridan.—Is Secretary of the Australian Holy Catholic Guild; number of members, 980; subscription, 2s. 4d. per fortnight; benefits allowed, a guinea a week to sick members for twelve months, and half a guinea if he continues to be sick for another twelve months; then 5s. as long as he remains ill; Society is managed by a Council and governing body elected by the general body; believes that a certain audit which took place in 1875 or '76 was favourable to the management of the Society's discussion

discussion relative to proper management of Society and its affairs; for copy of letter from Secretary and Warden to Commission respecting certain information asked for *vide* page 239; had only heard that a special audit by Mr. Carroll had taken place; would not have concluded Society was well managed at the time of audit had he known that such an audit and report as that made had been brought in ... 239

States Society is £1,000 better off now than it was in 1876; does not think he has had any occasion to consult the Registrar or the Friendly Societies Act; all funds go into one general fund; thinks the Act is ample so far as Society is concerned; Society's rules allow a member to run for fifty-two weeks and then he is removed from the books, but is informed that under the Act if a member dies within that time his widow can claim the amount; present system of settling disputes is anything but satisfactory; is in favour of disputes being decided by arbitration; does not think a close Government supervision of Societies by an officer appointed to inspect the accounts would do any harm; attaches importance to correct annual returns being sent in; is favourable to a special Registrar being appointed to supervise solely Friendly Societies apart from any other office; advocates a Registrar being appointed especially to overlook and register rules ... 240

Does not enter upon the books the ages of members or their wives when they die; has found the present scale of contributions very satisfactory; does not hold with a sliding scale... 241

There has been better supervision in the Society the last few years ... 242

Has made about forty new members since the beginning of the year; average age would be about twenty-three or twenty-four ... 248

Evidence of Mr. Richard Chas. Meacle.—Is Warden of the Australian Holy Catholic Guild; explanation in reference to a certain item of money lent on mortgage, and money in the hands of Secretary and Bursar; knows contents of letter (see evidence of previous witness, question 8528); Secretary has not the requisite facilities for affording the ages of men when they join; Secretary's books are kept in such a manner as not to enable him to furnish the information sought for in the return ... 243

Reckons Society has been remarkably well managed since he has been a member; its progress has been quite satisfactory; case of a certain member dying and being at the time of his death in arrears; the widow made claim on Society, but Society, acting on the rule, refused application; subsequent dealing of case by arbitration grant to widow of a portion of claim; is decidedly in favour of disputes being settled by arbitration; thinks it would be advisable to make the award of the arbitrators final and conclusive; is totally opposed to Government exercising a strict supervision over Societies; is of opinion the less Government interference there is with Friendly Societies the better for their own independence; disapproves of a Government appointed officer making an annual examination of the books of the Society; believes under the present Act Societies have all that is required; has never come across a Secretary who could not do all that was required in the matter of accounts; Government audit being beneficial to Benefit Societies is in his opinion very problematical ... 244

To the best of his belief Society keeps no official reliable record; thinks Society's financial position of forty years experience is equalled by very few Societies at present in the Colony; members having power to levy upon themselves in case of an extraordinary period of sickness is an additional security, added to the large sum of money that Society has invested in the freehold property; thinks if the Societies could carry on their operations without the privilege of levies it would be all the better; considers it just that a young man should pay the same contribution as an old man; has a Widow and Orphan Fund combined with the General Fund ... 245

Is of opinion that any Society that can show £5 a head over 500 members is in a solvent state; does not think Society labours under any great disadvantage as regards free registration of rules ... 246

Benefit Societies are undoubtedly a saving to the State; is decidedly unfavourable to Benefit Societies being permitted to invest funds for other purposes, in building places of meeting without reserving a certain amount to meet their just liabilities ... 247

Evidence of Dr. Andrew Houston.—Is a duly qualified medical practitioner registered under the New South Wales Board; is Secretary of the New South Wales Board; has had large experience attending different Friendly Societies; generally speaking thinks examinations are not sufficiently strict to protect the Societies; in the majority of Societies the absence of some for examination is a very great want; payments made to medical gentlemen who have to deal with the Societies are decidedly not sufficient as a rule, and not on a proper basis; contributions and payments made by members are decidedly insufficient to secure the benefits; has found inconvenience arising in the way of due observance to prescriptions and advice amongst members and their families; attempts on the part of members to sham sickness has been only too common; does not think it a wise thing to permit members to join several Societies; is of opinion it holds out an inducement for deception and practices of that kind ... 247

Thinks medical men as a rule give same amount of attention to members of Societies as to their own private patients; observations in respect to the dispensing of prescriptions; in all cases, except two Societies, all sick payments are promptly made in the Societies he represents; such delays result not from want of funds but dilatoriness on the part of the officers; does not think present mode of payments and amount fixed as at present arranged between medical men and Societies is established on a satisfactory basis; sum paid by a great many Societies now is much too low for efficient work; does not approve of tendering for Societies at all; is quite impossible to afford efficient work as so low a rate as 12s. per member per annum; members undoubtedly suffer by a system of that kind; the association of men together in Societies would, he imagines, be theoretically prejudicial to their interests, as it removes principle of self-reliance to a great extent; is socially a great benefit, but is afraid that morally it is not what might be desired; think medical changes are decidedly prejudicial; has heard from medical men who have held changing Societies that they do not pay sufficiently well... 248

Has in all cases with which he has dealt insisted upon members wives being examined; recommends that it should be a rule in all Societies for the wives of members to be examined; would also recommend that the question be put in examination forms: "Are the children in good health"; special fee for examination is paid for only in the Society with which he is connected; thinks medical men should be specially remunerated for that special service; the examination in an Insurance Society is much more searching; thinks that a similar examination form is necessary in the case of a Friendly Society; would be very difficult

to remedy the constant malingering on the part of members; is decidedly preferable to pay the chemist for the medicine received to the more common system of so much per head; this has been a conviction of his for some years; considers 18s. to £1 a fair remuneration per annum for medical men; has had more cases of brain disease in the Temperance Societies within the last twelve months than in all the others together; believes in such cases members have been drunkards previously 249

Thinks capitation tax would decidedly be better than a lump sum; thinks one-third less than the chemist charges ordinary persons would be a fair rate to pay for medicines; is not in favour of Societies combining together to form dispensaries of their own; is in favour of members attending at the medical gentlemen's own homes instead of at the Society's Hall; there is no fee payable for large accidents when a case, for instance, compound fracture of the thigh, probably requires a daily attendance for a period of at least three months; more should be paid for accouchement cases; lowest fee should be at least two guineas; form of medical certificate of health (*vide* page 250, question 8927); thinks it is a very good form; certificate at bottom is much to be relied on; insertion of words "pleurisy and venereal disease" would make 6th question more comprehensive 250

Provision should be made in any new Act to prevent giving benefits to members of Societies who may, through their own misconduct, bring on sickness or disease; allusion to note "In no case shall the medical officer refuse to attend" at the bottom of the rule of the Society; thinks in future legislation some careful oversight should be exercised in the formation of the rules 251

Evidence of Dr. Thos. B. Belgrave.—Is a duly qualified medical practitioner registered in New South Wales; is medical officer to several Friendly Societies; payments made to medical men are insufficient; payments here might be £1 per member per year, 30s. or £2 2s. for midwifery cases, with additional payments for important operations; medical men practically do devote as much time to Friendly Societies patients as they would to private patients; present system of examining candidates is insufficient; members wives should be examined as well as members; examinations would afford greater security if they were on the basis of the Life Insurance paper; sickness among men has arisen for the most part from habits of intemperance; is impossible for medical officers to guard the Societies against the tendency to intemperance on the part of members; believes those members of Societies here who are temperate are as a rule healthier than in the old country; thinks that among women there is a vast amount more of indefinite sickness than there is in England, of a very incurable character and very obstinate indeed; considers it is caused by the climate; does not favour practice of one man being a member of more than one Society; is quite sure 1s. per week is not sufficient to ensure the rendering of all benefits that Societies promise; thinks clubs would derive very great benefits themselves by having prescriptions dispensed at their own dispensary; patients have frequently complained of prescriptions not being properly dispensed, but has never seen any evidence confirmatory of those complaints 252

Thinks moral influence which the Societies exercise over their members is most excellent; is confident that the operations of Friendly Societies are a relief to the State; is sure they should have greater protection at the hands of the State than they have had; there is competition among the medical profession here in reference to securing the practice of Lodges but it varies very much; has been very much struck by the absence of syphilitic evils; thinks there is decidedly less syphilis here than there is in England among the working classes; consider Provident Societies in this Colony have been a failure; names of some Societies who have failed to pay the moneys they have promised to pay (*See* question 9,015) 253

Provident Societies have not as a body been failures; thinks they have been one of the greatest agencies of modern times in alleviating pauperism; states particulars of a few cases of defalcation in connection with certain Societies, and believes that it is a fact in England that during the decline of life of the members of clubs they find that they have not sufficient stability without a constant accession of young members, and failing to get that they break up 254

Thinks certain so-called Religious Lodges have many members who join those Lodges apparently with a view of promoting their religion but really for the purpose of receiving benefits intended for the poorer people; there is a kind of compact on part of the medical profession to assist the working classes; regrets to say that there exists a wide-spread distrust with the working classes as to the financial stability of existing Friendly Societies; if Societies were placed on an actuarially sound basis membership would become more general among the working classes; would certainly support an actuarial investigation by a Government officer; thinks it is a great drawback that so many Societies meet in public-houses; copy of form of medical certificate and member's declaration in the Court Pride of Australia, A.O.F. (*Vide* question 9054) 255

Thinks such a certificate is very good; would be as well to make an addition in reference to syphilis; rivalry of Lodges has promoted provident principles among the people in New South Wales; there should be a kind of Industrial Bank in large cities which should be opened in the evening for transaction of business, &c.; many of the inconveniences he has referred to would thus be obviated; has noticed people who are members of Friendly Societies usually make an effort to keep their family intact; those who have not these associations are much more careless; would favour complete Government supervision over Friendly Societies even more complete than that which obtains in England; management of Societies here is quite as good as in England; has found that diseases arise very largely from intemperance 256

If questions relating to lung complaints were included in the form of member's declaration it would suit admirably; members of medical profession do not like for a low scale of fees to have to attend wealthy people who happen to be member of Friendly Society; thinks it would be an excellent plan if heads of the different Lodges could meet those members of the medical profession who are interested, with a view of regulating the payments to doctors upon some more satisfactory scale; examinations is a guide to the Society and the candidates see that it means something 257

Would be much more advantageous for Societies to have their own dispensary; does not believe in a man belonging to more than one Society; at the same time is in favour of graduated payments; stone-masons and drapers should pay a different rate from that paid by butchers, &c.; members of Police Force receive two-thirds of their pay when sick. 258

There is a law in the Police service in England that constables should not be members of Friendly Societies; would be better to allow medical men to continue to hold office as long as the Societies they were connected with were satisfied with them; thinks chest measurement might be included in the form as set forth

forth in the rules of the Ancient Order of Foresters; examinations on the part have not been as fully searching as they should be; is in favor of a graduated scale of payments for the admission of members, also graduated scale of benefits according to the occupations of members; is necessary to have a principle embodied in the rules of a Society to insure its being on a sound financial basis... 259

Evidence of Dr. James Pickburn:—Is a duly qualified medical practitioner; has always made a careful examination of candidates; has objected to certain trades, such as plumbers, painters, and publicans; such occupations are dangerous to health ... 259

Examination of candidates is looked upon as rather a matter of form, Societies themselves being anxious not to get healthy lives, but increased member and increased initiation money; strips candidates but does not measure the chest; there is a very great readiness on the part of some of the members to sham sickness; thinks as a rule the salaries paid to medical officers are very insufficient; thinks £1 per annum per member would be a fair rate; a general dispenser would be cheaper and members would secure good drugs; is in favor of disqualifying the admission of certain trades absolutely; accidents, such as bad fractures, should be paid for extra; thinks the system of competition of running down the prices paid to medical officers is bad for the Societies altogether ... 260

Has built his practice upon Societies, but has been very glad to drop them; thinks ordinary fee for accouchement is too little; thinks amount of contribution per member should be increased; is sure Friendly Societies benefits working people's homes, both socially and morally ... 261

Has found that when work is scarce men get sick; doctors getting their friends to canvas for them amongst the members is bad, both for the doctors and the Societies; is of opinion £1 per member per annum would be a fair charge for medical men attending clubs or Lodges requiring medical attendance; does not think payments for medicines should be less than 10s.; examinations should certainly be paid for... 262

Diseases most prevalent and fatal in this Colony amongst members of Friendly Societies are accidents, diseases of the lungs, and fevers; thinks system of members having to go to medical man again for renewal of prescription is very necessary for the protection of the Societies; thinks in regard to examination of wives that an affirmation by the husband under penalty would be sufficient; there should be a form of inquiry made by medical men similar to that of a Life Insurance Society; thinks it is the duty of a medical man not to admit a man with a trifling ailment at all ... 263

Evidence of Dr. William Ed. Warren:—Is a duly qualified medical practitioner; has never objected to any candidate on account of occupation; his prescriptions have in some instances been dispensed in an honest, straightforward manner, but in other instances have been simply disgraceful; would favour a general dispensary for all the Societies; would make it compulsory on all Societies to have a proper medical form, containing a personal statement... 263

Thinks about £1 or £1 1s. a year would be a fair allowance to medical officers; permitting persons to be members of more than one Society in the majority of instances has led to malingering; from his own knowledge knows numbers of cases where financial basis of Societies has been insufficient; there should be some means adopted to ensure members getting sick pay ... 264

For Report of the Committee appointed by New South Wales Branch of the British Medical Association to investigate and report on the medical working of Friendly Societies *vide* page ... 265

Evidence of Dr. Andrew John Brady:—Is a duly qualified medical practitioner; largest number of members under his control at any given time about 400; general mortality of institutions has been comparatively low, particularly in the Temperance Societies; present means of examination of candidates seeking admission is insufficient; some chemists do up prescriptions very well, and others do not; think a personal statement of questions put to candidates ought to be strictly enforced in all Societies ... 265

The price paid is the cause principally of prescriptions not being faithfully and honestly dispensed; advocates a general dispensary for Friendly Societies; thinks £1 a year would be a fair allowance to medical officers; has frequently found a disposition on the part of members to go on the funds when not ill; disapproves of persons being members of more than one Society; thinks sick certificates should be renewed every fortnight, if not every week; when men are on the sick funds they should be strictly looked after, and if found drunk while in receipt of funds should be dealt with severely; £2 2s. would be a fair payment for accouchement cases; thinks it necessary to make distinction between surgical and ordinary cases... 266

Has not made occupation a bar to admission; syphilis undoubtedly exists amongst members of the Friendly Societies, but not to a great extent; cannot say it has been the cause of a large amount of sickness ... 267

Evidence of Dr. Alfred Shewen:—Is a duly qualified medical practitioner; is medical officer of five or six Benefit Societies; considers examination of candidates is quite equal to that for life insurance; Lodges belonging to Temperance Societies are a great trouble and very unhealthy; thinks a great many members belonging to Temperance Societies have been old drunkards ... 267

Believes 1s. 3d. is quite sufficient to ensure due fulfilment of the obligations of the Societies; £1 a year would be a fair consideration for medical services; change of medical officers is rather a good thing sometimes; a general dispensary for Friendly Societies would probably answer best; when Lodges fall down in numbers below a certain point they should be compelled to join with some other Lodge; they should not be allowed to go on dragging on a miserable existence; would decidedly have a provision in any new Friendly Societies Act preventing Societies starting upon an inadequate basis ... 268

Evidence of Angus Cameron, Esq., M.P.:—Is a Member of the Legislative Assembly, and Chairman of Committees; has been a member for the last thirteen years of the Grand United Order of Oddfellows; contributions of Society have varied at times from 1s. to 14d.; during the whole of his experience of the Society there never has been a case of repudiation; funeral donations vary according to length of membership, from £10 up to £30 or £40, if you belong to the Widow and Orphan Fund; sick pay according to membership, from £1 to 5s.; medical attendance and medicines for members, their wives and families, are afforded; thinks the sum paid is sufficient to pay all the benefits promised; thinks conditions of the present

Act

Act are not sufficient to ensure the protection members of Friendly Societies require; during his tenure of office as Grand Master the whole of the Registrar's office seemed to be unhinged; in June, 1877, in the Legislative Assembly, he moved for a return giving the number of Lodges in the different Societies, &c.; that return was never produced, because of inability of Registrar to obtain returns from Lodges; that seems to him to be one of the difficulties the majority of Friendly Societies are unable to cope with; does not think Act is thoroughly administered; Act is far too cumbrous and intricate; a much more simple measure would work more beneficially; is rather in favour of a graduated scale of contributions; thinks he would make a distinction between those occupations and injurious and those non-injurious to life and health in persons seeking admission 269

Attempts made to assume a quasi masonic character necessitate in the matter of regalia and books a large expenditure which ought to be applied to the Sick and Funeral Funds; would be hardly practicable under existing circumstances to have a general system of by-laws to govern whole body of Friendly Societies with reference to funeral gifts, &c.; would hardly be in favour of Government appointing a special department to look after Friendly Societies, &c.; thinks Friendly Societies have virtually been allowed to do pretty much as they like; would be better if cases of dispute could be settled by arbitration; a sliding scale would be more equitable; graduated contribution more advisable than general fixed rate with regard to age; is quite possible for State to hamper Societies too much by asking for too much petty detail; would advocate interference of a very limited character with internal management of Societies from actuarial point of view; would be glad to see all disputes referred to arbitration, and Government might be fairly empowered to appoint a tribunal of two or three persons to act as arbitrators; health of members of Societies is, he thinks, very good; is of opinion moral character of members of Societies is very high... 270

Has noticed a great deal of mismanagement in connection with affairs of the Society; is of opinion that the majority of Friendly Societies suffer from over-government; there are too many District bodies with charges on them that might be done away with; would be a good thing if Government took such action as would ensure to members that they were members of a financial organization; Government should have some authority, which would say "we will not register your Society because your contributions are not sufficient"; thinks there should be some head over Societies, an officer under one of the responsible Ministers; Registrar should have power of sending an official Auditor to inspect books in Lodges; would be in favour of any legislation that would place the Societies on a more solid footing; only duty State has to perform is to see that members are protected from misappropriation and embezzlement; would certainly compel all Societies of a friendly character to come under the Act, whether they wished it or not; is of opinion in reference to regalia that it would be wise for Friendly Societies to invest their money in a more profitable manner 271

There are incidental defects springing from over legislation, such as a conflict of opinion between the governing bodies and the passing of by-laws conflicting with one another; has no doubt of the moral advantages accruing to members by joining Friendly Societies; is undoubtedly an immense saving to the State; has no doubt of liability increasing with age; thinks Registrar should have a salary, without fees; registration fees should be reduced to a minimum, if not altogether abolished 272

Evidence of Mr. W. Walker.—Is Past Grand Master of the Protestant Alliance of Australia; expressed a wish to be examined on the point; that the registered laws are not being acted up to; particulars of cases of misappropriation of money, in connection with certain Lodges (see questions 9620 to 9646)... 272

Does not think sufficient care is taken in appointing Secretaries and Treasurers, and that has led to accounts being in a disordered state; disapproves of present system of auditing accounts; would be worse for Government to appoint a professional auditor; Act is not defective in any particular; Act in its present shape is not sufficient for the good government of Friendly Societies 273

Was disposed from his position by a band drawn together; thinks in matter of misappropriation referred to, where amount was some £270, the man was charged with misappropriating the funds; suppressed the misappropriation from his reports; acted upon law 182 of Society's rules; has not taken any action to bring other cases of misappropriation under anybody's notice; party charged with misappropriation of £270 asked for time and was allowed it; was deposed from office in September, 1880; is not the previous President referred to as being suspended for drunkenness; Executive took proceedings against him for the recovery of property; they succeeded, but did not get the collar; he paid value of collar; clause 42 of the Act prohibits Lodges investing their funds; stated at Newcastle, in reference to deficiency of £276 in accounts of a certain Secretary, that he would stake his existence that the balance-sheet was not correct; balance-sheet had been submitted to the Auditors, and signed by them; was submitted to the Council, and received as correct; books were re-audited, balance-sheets re-examined, and the deficiency discovered; Auditors were each paid £1 ls. for audit; other audits in connection with subordinate Lodges have been performed in an equally neglectful manner; men who generally audit these accounts are not competent; would be right for the Government themselves to have these accounts audited... .. 274

In nine cases out of ten the manner in which these audits have taken place is a sample of the manner in which the accounts generally are audited; when Grand Master he visited many of the Lodges, and had a look at the books; the Secretaries and Auditors are totally unfit; there had been an unlawful investment of the funds of the Order generally; was not in the Grand Council when it first took place; voted against it in the subordinate Lodge; investment transgresses the law because it is a Joint Stock Company; whole of the Society's rules are ignored by the Executive; Society was formed as a Benefit Society; benefits are not carried out according to law; does not think the alleged misappropriation of funds was legal of the governing body; general meetings are held every year; it is in the province of the Grand Master to sign cheques; none of the officers ever took action in the Courts by proceeding against the Trustees about the investments in question 275

Evidence of Mr. Alfred John Penel.—Represents Court Friendship Society of Royal Foresters; present number of members 19; has had as many as 120; Society is just dissolving; has lately had a serious drain by way of sickness; amount of contributions 1s. a week, and 1d. for the Widow and Orphan Fund; sickness referred to has consumed the whole of the funds surplus and all and left Society without any means; is a wrong idea to have small courts with twenty or thirty members; payment to doctor 4s. a member a quarter; payment to chemist, 3s.; as far as he is aware that amount has gained to the members efficient medical attendance and good medicines 276

Dissolution

Dissolution of Lodge is due to inability to carry on and several members leaving and going bad on the books; Grand Court will grant clearances on payment of half a crown; attributes want of attention on the part of members to their not bringing new members in, they happening to be Roman Catholics, because the meetings were held in the Protestant Hall; the feeling was against the building and not the Society; Supreme Court is bound to take care of the members; it is compulsory on other Courts to accept these members irrespective of their ages... 277

Evidence of Mr. Ed. W. Parsonage:—Is Secretary of the Independent Order of Oddfellows, Miller's Point Lodge; number of members by the last returns, 45 financial and 9 unfinancial; Lodge has been established since January, '79; amount of funds at end of the year, £112 5s. 4d.; benefits, sick pay, £1 a week; funeral benefits for males, £20, and females, £10; no benefits for children... 277

Particulars of case of deficiency of £36 odd by a Treasurer; is of opinion that some uniform method should be adopted of keeping the books of Societies; fact of different men keeping the books in different manner brings about a jumble in the end; has found the balance sheets and audits generally satisfactory; would have no objection to Government supervision in the way of an Examiner of Accounts of Friendly Societies; would favour provision in new Act that no Society should be permitted to start without an actuarially based system of contributions; a promissory-note was received from the party who was a defaulter for the money due to Society signed by a gentleman of good position in Sydney; name of defaulting member, Mr. J. J. Horan; guarantee is taken from the Secretary and Treasurer of £50 each; considers Society is in a sound financial state; balance to credit of Lodge after payment of accounts last year, £112; amount of contribution is fixed in the constitution and not by advice of any actuary... 278

Evidence of Mr. John Smart:—Is the Secretary of the Independent Order of Oddfellows No. 12 Ben Adhen Lodge; financial position of Society is pretty fair just now; amount of funds to credit, £153 16s. 9d.; number of financial members, 53; amount in Bank over expenses and liabilities last year, £100; the late Secretary and Treasurer made away with funds; name of Treasurer, Bernard Carroll; and William Anderson, Secretary; amount of defalcation, Treasurer, £34; Secretary, something like £8 or £9; got £5 from the Secretary and £24 from the Treasurer and a promissory-note for £10 more, backed by Mr. Barnett, of the Post Office, but both went insolvent before the note became due; guarantee Society has not made balance good; medical officer is paid a few days after his account is presented; balance sheet is generally audited every quarter; the regular audit is half-yearly; the defalcations were discovered from the special audit that took place; some of the members had an idea that things were going wrong and there was in consequence a special audit; Auditors were Mr. Cannon, the Grand Secretary, and Mr. Perry; thinks the Society is in a good financial position and able to meet all its liabilities; members are all subjected to a medical examination before admission; has not found any inconvenience in his Society arising from any defect in the Act; benefits, 20s. a week sick pay; funeral donation, £20 for a man and £10 for a woman; also doctor and chemist; contributions, 1s. 3d. a week; has no doubt that the two defaulters named come under clause 13; Treasurer said he had made away with the money to meet little things that he owed; both parties were expelled... 279

Does not know of the statement of the Guarantee Society to the effect that if the matter was left to them they would prosecute to the utmost; exercised any influence in preventing the Lodge from taking steps; thinks there was some reference of the matter by the Trustees to the higher Executives of the Order for their opinion; does not think it beneficial that officers misappropriating the funds should be let off in this way; it would have been better if they had been punished; believes members are generally satisfied with medical attendance and medicines supplied; pay medical officer (Dr. Warren) 16s. a year... 280

Evidence of Mr. William Harrison:—Is a late member of Lodge No. 25 Young Australia Protestant Alliance; by his own desire he ceased to be a member about two and-a-half years ago; Society subsequently proceeded against him in the Police Court and recovered a verdict for non-payment of dues after his paying up and telling them that he would not be a member until he was satisfied about a certain matter; did recover the money; there were no other proceedings; they took the bailiffs out; amount was about £3 9s.; was one of the founders of the Society; declined paying any further into the Society in consequence of some defalcations; books were never put into his hands; matter was brought before the meeting by the Secretary who said it was a matter of £200 or £300; late Secretary was called upon for an explanation which he refused to give... 280

He said he had not got the books; he insisted there should be some satisfaction as he discovered there were some transactions unfit for a Friendly Society; one member stated that his money was not paid in according to the books; Secretary threw down the money and said he would pay it rather than make a bother; has no doubt that if the member had died the widow would not have had the benefit; Mr. Perry the past Secretary would be able to give further particulars on the matter; these complaints as far as his knowledge extended were investigated by the Society; would rather not give the name of the Secretary in question; is not prepared to say who made away with the money; it is patent that if Trustees and Auditors take books in pencil there must be something wrong about it; thinks the matter of the books is worth the attention of the Commission; has paid into Society for a number of years; they had all his money and he had nothing; at his age it was a disadvantage to take a man back; decidedly regarded it as a hardship to be subjected to those proceedings; disapproves of the provision in the Friendly Societies Act giving power to sue, but if a man is debtor then he might be sued; thinks present provision is quite against the Friendly interest; would most certainly favour the principle of a member twelve months in arrears being struck off; matter of defalcations was not cleared up before he left the Society; left in consequence of that; it was Secretary or Treasurer that discovered the defalcations; was told at a Lodge meeting that the amount was £200 or upwards; if the money had been properly dealt with the Lodge would have been in a financial state; is at present a member of the A. R. Foresters... 281

Has belonged to that Society rather more than twenty years; thinks it is a wise thing for a man to be a member of two Societies; it would not lead to very great abuses if the officers did their duty; several other members were sued as well as himself; deficiency of £200 was discovered about three years ago last January; deficiency was disclosed through Secretary's finding that there had been more sick pay than was shown on the books; Pettit was the name of the former Secretary; there are about 160 members connected with

with the Society ; would not favour appointment of an officer to examine Societies' accounts at given periods ; examination of books should be made at periods not known to Societies ; it is very important to send in annual returns ; some slight penalty should be inflicted for non-fulfilment ; registration fees should go into the public Treasury ; knew of the misappropriation alluded to from hearsay in the Lodge... 282

Was in arrears about two and a half years ; pleaded word "shall" in 14th Rule, in Court ; does not see how Friendly Societies Act can be worth much if such a defence as made by himself can be pleaded and rejected ; from his experience has found the Foresters' control over the books was different ; a Government officer would be a still further check upon them ; would favour the recovery of as much from the members of a Society as they are liable for before the name is removed from the books ; would even go as far as six months 283

Evidence of Mr. Joseph Townsend.—Is a member of the Waratah Lodge Order of Druids at Ryde ; states that about four years ago the Lodge was established, and he found on the next meeting there was a sort of party ; next Lodge night there was a bill for this party ; bill was made up and paid by collection to the amount of £35 ; it was paid for in instalments ; there were a few concerts and members began to come in with their fees ; all at once it began to give away ; some were bad on the books and others were taken to the Police Court for arrears of fees ; tells Commission about last summoning case when the Lodge gained a verdict, and a member was put into gaol ; Grand Lodge paid money ; Society declined to pay ; dispute as to whether Grand Secretary or Lodge Secretary should pay ; Lodge Secretary required £2 for doing so ; complains of the charge of £35 for the formation of the Lodge ; funds in Lodge on the 31st January, £71 12s. in the Bank ; number of members at present, 24 ; contributions, 13d. a week ; benefits in sickness, £1 a week and the doctor ; in case of death benefit is paid out of the District funds 283

Arrears of members who were put in gaol at Parramatta went to the Lodge ; items in the bill were gowns, binds, and acorns 284

Evidence of Mr. John Watson.—Has been a chemist and druggist for about thirty years in the Colony ; has had large experience in connection with dispensing prescriptions for Friendly Societies ; is at present chemist for about fifteen Societies ; for statements of general averages of prices paid per member in these Societies to chemist *vide* question 10,133, page 284 ; thinks it sufficient payment to ensue a proper dispensing of the different prescriptions for remarks in reference to matter contained in statement of general averages of prices, &c., (*vide* questions 10,135 to 10,136, pages 284 and 285) ; has heard it remarked that many of the chemists do not faithfully prescribe the medicine ordered ; members are required to get an order from doctor for renewal of medicine ; payments made by Societies leave a fair profit ; has no doubt that other chemists can dispense at the same average prices and get the same profit he allows, 33½ per cent ; believes there is reputed to be very keen competition in the trade for supplying the Societies ; has never during his thirty years experience heard of any of the members having any difficulty in getting their sick pay ; has heard remarks but no particular complaints by medical men that the medicines have not been faithfully dispensed in other quarters ; the substitution of other drugs might retard cure ... 285

Has not in the course of his dispensing noticed that members of Friendly Societies and their families have been more troubled with venereal diseases than others ; believes people are generally better pleased if they go to a private chemist ; thinks medical men are rather in favour of private establishments than public ones ; has heard that medical men prefer certain places and that some of them are in the habit of getting a discount ; has been told of one medical man in particular that he got 25 per cent ; it is undoubtedly unwise to close a dispensary at 9 or 10 o'clock at night ; average of families of members of Joint Societies 7,684 persons ; amount received from them for quarter ending July, 1881, £764 5s. 7d. 286

Evidence of Mr. Arthur Robins.—Is dispenser of the Oddfellows Dispensary, Manchester Unity ; greatest number of members he has had to dispense for was something over 2,000 ; average number of prescriptions made up daily about seventy ; present system has given general satisfaction to his members ; average cost of his establishment has been about 4s. 6d. per quarter, including drugs and medical attendance ; three medical officers get a salary of £250 a year each ; cost of drugs alone ranges from £75 to £112 per quarter ; patients provide their own bottles ; has had no complaints from medical officers, only one solitary exception ; under some restrictions a general dispensary is more likely to give satisfaction than to have medicine dispensed by private chemists 286

Does not think it would give more general satisfaction to the members to tender at so much per head ; his patients can get medicine at all hours in urgent cases ; the drugs received from Elliott, Bros. is of the very best quality ; does not think that the officers of the Institute prescribe less expensive medicines than they would to private patients ; strength of drugs is fixed by the Pharmaceutical Society ; does not do anything in the way of venereal diseases 287

Largest number of patients during any given quarter has been over 7,000 ; 2s. 2½d. per quarter per head would be rather heavy ; the medical gentlemen are always complaining of being under-paid ; has had no difficulty in procuring good and qualified medical men at £250 a year 288

For Progress Report and List of Witnesses examined to 12th June, 1882, *vides* pages 288, 289, and 290.

Further evidence of Mr. John Hampton.—Is District Grand Secretary of the Order of Royal Foresters ; has knowledge of a man of the name of Cox ; his widow and family did not receive funeral benefits because they had not complied with the rules of the Order ; believes he did receive sick pay till the day of his death ; proposes to make a statement before answering any questions ; for statement *see* Questions 10286 to 10287, pages 290 and 291 ; Cox was financial on the books of his Lodge ; branch to which he belonged is now defunct ; District Lodge cannot pay the widow because they were not in compliance at the time ; thinks case was a very exceptional one ; has never known of such a case before ; if Society of which Cox formed a party had had sufficient funds they would have paid his widow out of their own funds ; Cox received sick pay fully six months prior to his death ; he was an old member of the Society ; there were upwards of 100 members at the time ; one quarter was due when they were suspended ; did not pay up their arrears themselves ; an individual member of the Court made a cheque out himself on purpose to enable the branch to become in compliance, and has not been paid that cheque back again ; Court passed a resolution not to pay their levies 291

Mr. Hampton reinstated the Lodge when the quarter's levies were paid ; Supreme Court would not pay back levies of Cox's because branch of which he was a member at the time he died did not belong to the Society ; Court Cox belonged to paid so much quarterly towards the Funeral Fund ; supreme body had not specially any money in the shape of Funeral Funds belonging to the Court to which he was attached ; Court specially understood that if any claims came upon Society during time of suspension they would not be paid ; widow was debarred because the branch had not registered itself ; his Funeral Fund is a general fund ; he has nothing to do with individual members ; Courts reinsure their risks on his general fund...292

District thought Cox's was a hard case, but in consequence of largeness of his operations he was compelled to take what appeared to be harsh measures ; the fact of a squabble going on between the Court and the District over registration of their laws was the excuse the Court made for not paying the money ; members not paying up quarterly they and every member were suspended from all benefits ; that is ground of his objection 293

Evidence of Mr. Richd. Teece :—Is an Actuary and is chief Clerk in the Australian Mutual Provident Society ; has principally theoretically devoted attention to the working of Friendly Societies ; 1s. or 1s. 3d. a week being sufficient to insure all benefits to members of a Society would depend very much on relative ages of members in the Society ; is quite certain it would not be sufficient if cost of medical benefits were 16s. per member, besides 6s. for medicine 293

Has found mortality among assured lives very much less in other parts of the world ; publicans and medical men are not good lives ; nor plumbers, painters, and journeymen bakers, stone-masons, and millers ; butchers are everywhere regarded as bad lives, but have been best lives in his Society ; thinks there should be some distinction made in regard to these occupations in Friendly Societies ; would not prohibit them in participating in the benefits derived ; graduated payments and benefits could be given to persons if these objectionable classes of a Society was composed of entirely of one class of occupation ; if only a small element of particularly hazardous calling it would not be necessary to make any modification at all ; proportionate mortality to the 1,000 among lives in New South Wales ; would not be more than 12 or 14 among adults ; thinks it would be highly desirable for wives of members to undergo a medical examination ; all information and experience his Society has relating to sickness and death has been collected in respect of the ages of the persons under observation, &c., &c. (*See Question 10,411.*) ... 294

Is sure a Society of 10,000 members paying 56s. per annum and averaging 36 years of age could not pay a guinea a week and £20 at death ; a Society may exist a long time and still be in an insolvent position ; at valuation of Manchester Unity in England in 1871 they had a fund of over 3 millions sterling and yet there was a deficiency of a million and a quarter ; expectation of life varies with every year of life ; thinks Friendly Societies are much more largely recruited from the ranks of working men ; should have family history on candidates examination form a little more complete ; if Actuaries are told when examining the tables of a Friendly Society that when members die that the liability of the Society to their wives ceases they would value it so : they would not assume anything ; thinks Ratcliffe's tables, those contained in Supplementary Report of 1872, are the most reliable he has 295

Should think any other system than the sliding very iniquitous ; if experience for ten years of Societies of the Colony were collected the data would be fairly reliable ; fails to see how the Management Express Fund could be legally reimbursed by cessation by members leaving District ; places no importance on the initiation fees ; status in Victoria allows all Societies five years as a sort of probation ; fair time should be given Societies to enable them to reform themselves and giving valuers opportunity of going through work ; sufficiently accurately experience to construct a table upon ; his own table is based on experience of twenty English and Scotch offices ; experience of Societies of a kindred character is the best ; thinks statistics which Commission has now got would be scarcely any use ; would require statistics of reference to ages of members on any event ; must know the number of people who are in receipt of their own expectation of benefits, the benefits to which they are entitled, the conditions under which they get their benefits, and the contributions to provide these benefits, &c., &c. 296

As a rule cessations are a benefit, and in very many cases they are the contrary ; does not think difference of claims between Ordinary Life Insurance Society and Friendly Society makes question of cessation materially different ; difference between rate per cent. paid in a fire insurance and a life policy is that when man pays a premium for a life insurance policy at first he pays more than necessary, for in order to be charged a uniform contribution through life while in fire office there is always just the same risk ; would take question of doctor and medicine into consideration in his tables if it were understood contributions were to pay for them ; amount of sickness and the death rate would certainly affect the contributions ; his attention has been called to the fact that Temperance bodies as a rule are a lighter sick and death rate ; would not make a special difference in their rate of contribution unless he had experience collected exclusively from Temperance Societies ; would equalise it subsequently on valuation of the Societies ; if contribution fixed left Society with large surplus would arrive at conclusion it would be desirable to reduce them ; would not in a valuation consider the number of members resigning an important fact in the calculation ; thinks system as regards increase of the Funeral Fund is safe if contributions are sufficient for it ; thinks the experience of the Societies themselves of value if carefully collected ; is in favour of introduction of graduated scale of payments according to age ; Ratcliffe's tables as they appear on vision requiring £2 4s. 2d. to give £1 a week and £11 17s. 9¼d. at age of 60 would be correct, but they are calculated at 3 per cent. ; a higher rate of interest could be assumed in these Colonies ; would recommend Radeliffe's last tables in forming a code of rules ; Societies should be compelled to furnish returns in a form which any statist with knowledge of the subject would provide for them 297

Thinks there should be a Statistical Department for Friendly Societies, with a Statist and Actuary attached ; thinks that with such a number of people interested in the well being of these Societies it is desirable that there should be some person appointed to whom they would go for advice in law matters ; thinks legislation in this Colony might follow in the same lines as of investigations in England, New Zealand, and Victoria ; they merely require special modification to meet the special circumstances of this Colony ; it should be made compulsory on all Societies to make annual returns to the Registrar ; every Society should be compelled to register under the Act ; would have same form of return used in every Society except in special cases ; would be prudent to allow all Societies to vary their rates of contributions and benefits the same as Insurance Companies do, provided they did not go below a certain minimum fixed by actuarial

actuarial contributions ; would force an actuarial investigation every five years ; set of tables should be framed by Government for the use of valuers, by which value of Societies could be calculated with little cost, and it would then take very little to value the Societies ; would not in framing these tables make allowances for withdrawals ... 298

Is of opinion with number of Societies in the Colony ten years of their experience would give a fairly reliable table ; sums for each separate benefit should undoubtedly be kept distinct ; would limit age up to which sick allowances should be granted ; inclines to the opinion that the majority of Societies in this Colony are not insolvent ; actuarial investigation has generally set forth that Friendly Societies are not in a sound financial position ... 299

Thinks returns called for in Victoria would be suitable to this Colony ; would be necessary to get the liability of each Lodge as to the longevity of its members ; would be fatal error to allow persons only to join who were in want of the benefits ... 300

Evidence of Mr. Christopher Rolleston, C.M.G. :—Is Auditor-General of New South Wales ; formerly held position of Registrar-General ; while holding that position he took some interest in the calculations with reference to basis on which the Friendly Societies were working ; inquired into system in vogue and collected the quinquennial returns which Act of that day required to be sent in to the Crown Law officers ; analyzed them and made report to Colonial Secretary with such tables as he could prepare ; that return was laid before Parliament ; will be found in volume II of Votes and Proceedings of 1861-2, page 1055 ; cannot tell Commission as to financial position of Societies ; is not in a position to offer any observations that could be of any value to the Commission ... 300

Evidence of Mr. James Frew :—Is Secretary of the Rose of Petersham Lodge, G. .O.O. ; has 655 financial members ; initiation fees from 16s. to 20s., graduated up to 105s. from 39s. to 40s. ; weekly payments, 1s. a week ; balance at the credit of Society half-year ending December, £54 11s. 4d. ; receipts for the year, £211 17s. 11d. ; expenditure, £157 6s. 11d. ; money paid on account of sick pay, £4 13s. 10d. ; amount of working expenses, £26 11s. 6d. ; benefits, medical attendance and medicines for members, their wives and families, and £1 per week sick pay ; on death of member, £20 ; death of his wife, £10 ; allowance set apart to meet contingencies of those who might fall sick, 22 per cent. ; is in favour of Government exercising close supervision of Friendly Societies ... 301

Doctor is paid £1 a year per member ; chemist, 8s. per year ; Societies starting should be compelled to have an actuarial certificate of the sound basis of their contributions if Government paid for it ; funds in hand from £50 to £60 ... 302

Half-fees are desirable if Lodge is low in funds, or members falling off ; it is a good way of inducing persons to join the Lodge ... 303

Evidence of Mr. Patrick Curran :—Is a member of Hibernian Australian Catholic Society ; states nature of a complaint he wishes to make, &c. (See question 10693 to 10712, pages ... 303 and 304

Evidence of Mr. Thomas Coonan :—Is member of the Sacred Heart Branch of Hibernian Australian Catholic Benefit Society ; states briefly what he knows respecting complaint made by Mr. Curran ; questions 10715 to 10730, page ... 304

Evidence of Mr. Robert Webber :—Is Secretary of G.U.O.O. ; amount of funds to credit, £60 0s. 3d. ; contributions, 1s. a week and 2s. a quarter levies to contingent fund ; payment to medical officer, 7s. per quarter per member ; it would be a great deal better to have a uniform rate of contribution for all Friendly Societies ... 305

Evidence of Mr. George Brown :—Is Secretary of the Herald Office Benefit Society ; Society is not registered under Friendly Societies Act ; amount of accumulated funds, £270 ; number of members, 111 ; benefits, medical attendance in cases of sickness to members and their families, sick pay ranging from 25s. to 15s. per week and £15 burial fee on death of member, £10 on death of member's wife ; contributions, 3s. per month per member ; persons comprising Society are wholly those employed in Herald Office ; doctor is paid 18s. a year a head ... 306

Society pays for prescriptions, with 33 per cent. discount ; does not think 3s. a month is sufficient to ensure payment of all benefits Society provides ; Society would not have been sound without donation of the £100 from Messrs. Fairfax & Sons ; expenditure last year about £280 ; receipts less cash in Bank, £60 11s. 6d. ; for first half-year of 1881 were £213 2s. 6d. ; expenditure, £156 3s. 10d. ; next half-year receipts were £202 2s. 8d., less £49 13s. ; cash in Bank and £7 5s. 8d. cash in hand was £158 17s. 6d. ; these amounts include £100 from Messrs. Fairfax & Sons ; present half-year's balance-sheets, balanced up to date, show £100 debenture in Bank of New South Wales and interest in Government Savings' Bank of £64 19s. 1d. and £3 5s. interest, and £2 2s. interest on two bonds due this half-year ; receipts of Society are £92 2s. 11d., less cash in hand and Bank, £43 5s. 2d. ; expenditure was £93 16s. 6d. ; amount in Joint Stock Bank, £103 5s. 5d. ... 307

Initiation fee 5s. uniformly ; fees to Doctor in cases of accouchement two guineas, paid by the members... 307

Has no pension fund in connection with the Society ; has a scale as to sick pay ; thinks it would be an advantage to bring the society under the operation of the law ... 308

Would most decidedly favour appointment of a Government officer to supervise all Societies of a Friendly benefit nature ; has a sliding scale of payments ... 309

Evidence of Mr. Henry Austen :—Is Treasurer of No. 3, Good Samaritan Sons of Temperance ; financial position of Society is low ; amount of money to credit about £72 ; contributions, 1s. a week ; usual benefits are given by the Society ... 309

Payment to doctor per member, 5s. 8d. per quarter ; chemist finds his own medicine... 310

Evidence of Mr. Jacob Audit :—Represents the American constitution of Oddfellows ; has a complaint against the Society ; states nature of complaint (*vide* questions 11039 to 11051, pages 311 and 312) ... 312

Evidence

Evidence of Dr. W. W. Joseph O'Reilly.—Is hon. Secretary to New South Wales Branch of the British Medical Association ; has one Society at present, Court Robin Hood of the Foresters ; pay him £1 a year per member ; there has certainly been no proper form of examination of candidates in Society ; form somewhat similar to that of Life Assurance offices should be adopted ; finds at present time people with considerable means, as merchants, bank managers, &c., avail themselves to large extents of the medical benefits intended for their less affluent brethren ; a large number of the classes mentioned avail themselves of the services of the doctor ; his Society regards Friendly Societies as simply for mechanics, labourers, small traders, and journeymen, and not for persons better off in life... 312

Payment to medical men should not be less than £1 per annum ; thinks that amount is sufficient to ensure attendance on members, their wives, and families ; is a fair payment if confined to the class spoken of, within a certain radius ; fee in cases of accouchement should be increased up to two guineas because of the continual attendance ; some of the best medical men have commenced with the Societies ; the majority of members in Sydney registered under the New South Wales Board belong to Association ; medical man taking a Society for 10s. would have to have a large number of Societies to make it pay him ; has had reason to doubt that his prescriptions have been faithfully dispensed ; attributes that to chemist being insufficiently paid ; thinks fairest way of paying a chemist is to take a per centage of the amount of medicines dispensed ; does not think it is right that members should be permitted to belong to more than one Society ; has found in certain Lodges a disposition on the part of members to be placed on funds when really not sick ... 313

Cure for that would be not to permit persons to be members of more than one Society ; that should decidedly be a provision in any new legislation ; is aware that the members and Lodges of several Societies do not pay sufficient to place Societies in a solvent position ; Association does not think the present facilities granted by Government Savings' Banks and Post Office Savings' Banks are sufficient for the purpose ; all financial matters should be carried on through the bank instead of through the Societies ; thinks that would simplify the working of the Societies ; recommend a bank for carrying on all the operations of Friendly Societies only ; there are many things that would come up in reference to which it would be well to have medical men on the Commission ; if medical men get better pay Lodge patients would get better attention ; has had no experience of internal working of Friendly Societies... 314

Has had reason to assume that wives and children of members attend and pay the contributions, thereby saving a loss of time and salary to member himself ; wives of members have complained to him that none of the visiting members have been to them nor have they received their sick pay ; class of members mentioned in second paragraph of his report probably are the most valuable members in connection with Friendly Societies, in view of the most wealthy of the citizens of Sydney organising themselves into a Society for the purpose of securing medical attendance to themselves and family at a much cheaper rate than they have had to pay under the system of having a family doctor it would but be in harmony with recommendation as set forth in paragraph II of his report if such men belonged to an Association of that kind ; it would depend upon what their contributions were ... 316

Receives £1 11s. 6d. in his Court for midwifery cases ; one object of Association adopting clause about Friendly Societies bank was that it would prevent the possibility of defalcations ; it would also facilitate members getting sick pay quicker than at present ; Association would like medical attendance to be entirely separated from the provident portion of the objects of Friendly Societies ; his Society is prepared to allow all the members, no matter what their financial position may be, to receive sick benefits in money as well as the funeral donations, but not medical benefits ; the sooner the friendly principle is separated from the commercial the better for the Societies ... 316

Societies would get better served if they combined and got a public dispensary ; thinks the large dispensaries can get as good drugs as any private chemist ; members of Friendly Societies are rather free from venereal diseases than others ... 318

Evidence of Mr. Richard Stapleton.—Belongs to the St. Patrick's Branch, Parramatta, of the Guild ; number of members, 112 ; total assets in property and money, about £1,200 in round numbers ; is invested in accordance with the Friendly Societies Act of 1867 ; rate of subscription, 13d. to the general fund and 1d. to the widow and orphans ; gives exactly the same benefits as the other branches of the Guild ; no circumstances have come under his notice in which the present Act has not been sufficient for his purposes ; thinks actual working of Societies might be left to members themselves ; members are allowed a pension Society is independent ; contemplates registering rules under Act when the Commission is finished... 316

Evidence of Mr. Stephen Murphy.—Is a member of the Manchester Unity, the United Brothers Lodge ... 319

Was charged with slandering certain officers of the Lodge ; regards their action as being illegal ; case was, nonsuited in District Court ; for plaintiff's statement dated February 2nd, 1882, see page 320 ; grounds of his expulsion were the result of an inquiry as to certain sums of money he paid over to Financial Secretary as Noble Grand of the Lodge ; auditors refused him any information ; the money in question was fines imposed by him and Mr. Robertson who filled the chair after him ; amount was £4 0s. 6d. ; Read's notice of motion that caused row because he could not get any account of the moneys he inquired after ... 320

Admission of one of the Auditors that he did not audit the fine book ; other Auditor was absent from meeting ; acknowledgment of Society that he did not place the moneys to the credit of the Sick and Funeral Fund according to 23 by-law of Lodge ; interview of Provincial Corresponding Secretary with Lodge officers and their determination to bring the case before meeting of the Lodge ; and his attendance being required to substantiate his charges ; reads copy of charge to P.C.S. (see page 321) ; was not allowed to state his case before Lodge ; was about two hours talking but Chairman would not allow him to substantiate his charge ; officers were all unanimously acquitted of the charge ... 321

Mr. Robertson preferred a charge against him ; Lodge was summoned to deal with charge ; meeting decided charge proved against him, and passed resolution to expel him ; received intimation of his expulsion ; applied subsequently to the District and wrote Mr. Gelding requesting him to lay it before District Meeting ; is not in arrears ; was told by Mr. A. Kethel that Mr. Gelding was the only obstacle in the way of his being reinstated ; two officers examined fine-book with him and concluded it had not been audited since 1863 ; notwithstanding that the persons charged were dismissed by the investigating Committee of the Lodge ... 322

His

His action turned simply on the irregularity of keeping the books ; the words " wilfully combined " were stated through ignorance ; does not consider he got fair play ; was in Court when the case went on against him before Judge Cohen ; no books to his knowledge were brought into Court 323

Evidence of Mr. Abraham W. Chapman.—Is Treasurer of the Manchester Unity Order ; has held several offices in connection with the Lodge ; Lodge provides own chemist separate from the medical institute ; payment to doctor 3s. 6d. per member per quarter ; costs 24s. a year for doctor and chemist ; system is not so cheap as other Lodges that support Medical Institute ; reason for adoption of present mode was dissatisfaction with arrangements of the dispensary and the doctor ; number of members close on 500 ; Murphy had a fair trial in every way ; Society is managed on the same principle as other Lodges of the Order ; benefits similar to those in other Lodges ; has uniform rate of contribution 1s. 2d. a week ; £750 of funds is invested in land in Elizabeth-street 324

Cost to the Lodge of law expenses in Murphy's case was between £50 and £60 ; thinks his Society is in a thoroughly sound financial position ; would be glad to see his contributions increased a penny a week ; graduated scale of payments ought to be adopted in all Friendly Societies ; reason that Society ceased to subscribe to the Medical Institute was owing to complaints by members that they did not have the control over the medical officers that they should have ; there were also complaints against the non-attendance of medical men and the medicines ; members did not believe the medicines were genuine 325

Members are decidedly more satisfied with the present system ; every opportunity was afforded Murphy to prove his case ; is not in favour of a Board of Final Appeal ; should advise executive body to defend any lawsuit ; does not think drugs as good as those obtained from private chemist can be obtained from Institute 326

Has had no complaints in connection with medical attendance under the present system ; he was for years on the Medical Board ; is in favour of annual audit of Societies' accounts by Government officers ; thinks the less Government interfere with Friendly Societies the better, beyond seeing that they pay a proper rate of contribution ; Friendly Societies most undoubtedly are a great advantage to the State in more ways than one 327

Evidence of Mr. John Robinson.—Is Secretary of the United Brothers Lodge of the Oddfellows ; total amount of funds, £2,949 14s. 1d. ; number of members, 450 ; funeral donation of Lodge comes from District ; Lodge pays 1s. 6d. a quarter levy to District for Funeral Fund ; pays the District 6d., sometimes 4d. levy to Widow and Orphans Fund ; District pays funeral donation in event of a member's death, in return for levy 327

A brother dying and leaving children under a certain age, a sum is paid out of Funeral Fund according to scale calculated on the length of membership ; largest amount paid out of that fund £30 ; must be a member over twenty years to get it ; payments to doctor 3s. 6d. per member good in the books, and 1s. 9d. for member being bad during the quarter, and 1s. 9d. for every new member as an examination fee ; payment to doctor and chemist about 24s. per member per year ; amount paid on account of sick pay last year, £572 14s. 2d. ; cost of management during same period, £175 5s. 2d. ; Mr. Stephen Murphy's charge was groundless as far as he can recollect ; he was an Auditor at the time ; does not think Murphy would under any circumstances be taken back into the Lodge ; thinks the whole of the fines inflicted during Murphy's term of office and that of his successor were accounted for ; Act decidedly affords sufficient security to members and officers of the different Friendly Societies ; report brought up by the Auditors in Murphy's case was favourable to the Lodge, &c. ; all the brothers concerned in Murphy's affair left the room during the time he was expelled 328

Hardly thinks it would be an advantage to have a Government appointed officer to examine the accounts of different Friendly Societies ; believes it would be an advantage to have one uniform set of books for all Societies 329

Evidence of Mr. James Perry.—Represents the Protestant Alliance Friendly Society of Australasia, Lodge 25 ; amount of defalcation in connection with his Society during his term of office was about £180 ; name of Secretary who was guilty, James Pettit ; took office immediately following Pettit ; found that members were continually complaining of amount of money he was suing them for ; Lodge was in a most successful career ; struck him, while in office, that there had been a very small amount accumulated ; special audit was then called ; Pettit was called upon to explain ; his only reply was that he paid more to the funds of the Lodge than ever he had taken from it ; had legal opinions on the matter ; resulted in their not being able to prove any particular amount, and it was better to let the case drop ; Pettit was expelled 329

Present value of funds of Lodge, £1,130 ; number of members, 210 ; Grand Lodge pays funeral donations ; pays Grand Lodge 10s. a year ; has to his credit £1,100, independent of share on general funds ; money is invested in various Banks, with exception of 180 shares in Protestant Hall ; amount paid on account of shares, £150 ; contributions, 1s. a week and 2s. levy per quarter ; payment to doctor, 10s. per member per annum ; to chemist, 10s. per member per annum ; working expenses per year, about £45 in salaries, &c. ; profits on receipts and expenditure last year, about £130 ; sees no objection to provision to permit persons to belong to more than one Society ; thinks his Society is on a sound financial basis ; present Act causes great dissension at times in various Lodges, in reference to registration of Society's rules ; rules once registered and distributed to the various subordinate Lodges originating throughout the land do not require re-registration ; it is an injustice to receive registration fee for rules again unless there is some by-law added by the Lodge ; is of opinion if Grand Council register the rules it should be sufficient for all purposes 330

Has no doubt if present Act had been more stringent in its governing principles, misappropriations of money could not take place ; thinks in any new legislation that particular interest should be carefully guarded over ; appropriation of money by Pettit extended over some two years ; he succeeded in disguising from auditors of Lodge the fact that he had not accounted for all the moneys he had received ; system of auditing differs now—from that in use at time of defalcations ; would decidedly favour principle of any member applying to a Government (if appointed) for appointment of two officers that might examine the accounts ; such a principle would, no doubt, be a great protection to members of the various Friendly Societies ; Mr. Colyer was the lawyer who recommended him not to take proceedings against Pettit ; would favour using of a uniform set of books throughout all Friendly Societies ; thinks they might be greatly simplified ... 331

Evidence

Evidence of Mr. James Munro :—Is President of No. 25 Young Australian Protestant Alliance ; further evidence relative to alleged defalcations by the late Grand Secretary. See pages 332 to 336 ... 336

Thinks Government should give Friendly Societies more protection than they have at present time, &c. ; certainly favours provisions of the Act providing that members in arrears should be summoned for the non-payment of their arrears, if they are able to pay ; disapproves of the principle of arbitration being applied to matters of dispute in financial affairs ; if a member exceeds fourteen weeks in arrears he is unfinancial ; sectarian Lodges do assist their members ; Grand Lodge adopts a uniform set of rules for government of all subordinate Lodges ; rules of his Society make clear provision that members belonging to a Lodge failing shall be absorbed into other Lodges ... 337

Evidence of Mr. Edward McEncroe :—Is an honorary member of the Guild ; was deposed from the benefit of the Sickness Funds some nine or ten years ago, but is still entitled to medical and funeral benefits ... 337

States grounds of his being deposed from the benefits of the sickness funds ; Society has been acting in contravention of the Act ; thinks there should be a system of arbitration preventing persons from going to law for the settlement of disputes ... 338

Evidence of Mr. James Collis Pettit, who appeared with Mr. W. C. Proctor as his Solicitor :—States that charge against him of alleged misapplication of funds would not have been made had he not gone up for re-election and beat those parties who were appearing against him ; seeing that they were beaten in an election, the claim was put against him, and he put in a counter-claim, which was for letting people off for sums that they owed, &c., &c. See pages 339 to 342... 342

[Sittings held at Newcastle.]

Evidence of Mr. James Reid :—Is a member of the Manchester Unity, and holds office of Provincial Corresponding Secretary for the District ; gross number of members at present, about 600 ; value of Management Fund up to December, £47 7s. 9d. ; Funeral Fund, £481 0s. 6d. ; amount for Widow and Orphans Fund, £837 2s. 4d. ; members' wives, on the death of husband, are paid according to a sliding scale, from £5 to £20 ; weekly contributions paid by members is about 8½d. or 9d. ; sick pay, 20s. and one Lodge 21s. a week ; payment by members for doctor, 6d. a week ... 342

Receipts for last year from all sources for all subordinate Lodges, £1,821 14s. 1d. ; total expenditure for like period, £1,681 13s. 1d. ; payment of 6d. per week per member to medical officer includes all medicines ; believes sick pay is too high for the amount of contributions paid ; is an unhealthy indication to find income of last year from Districts has not been equal to the amount of the expenditure ; principle of old and young paying alike has been carried on ever since Order has been established ; is of opinion graduated scale of contributions would be most equitable ; when a member runs into arrears he is unfinancial at the end of three months ; such a member is disentitled to medical attendance or sick pay ; would be entitled to no benefits whatever ; is opposed to principle of suing members at Police Court ... 343

Has not experienced any inconvenience from the present Friendly Societies Act in the performance of his duties in the working of his District ; Society's funds are invested in the Savings' Banks, to the credit of trustees ; Rule 59, page 11, of his Rules, is carried out ... 344

Law in respect to all members attending the funeral of a deceased member has been rescinded in his own Lodge ; it is carried out in some Lodges ; wives of members are medically examined ; it is on the Sick Fund that Society has lost ; first competition the Society has to work against is the Colliery Societies ; contributions into Colliery Societies 6d. a week ; benefits 15s., 10s., and 7s. 6d. ; benefits in case of death, £20, and £12 10s. for member's wife ; Grand United Order has been lately competing against Society in the lowness of their initiations ; miners have risks that other men have not—miners are subject to accidents ... 345

Does not favour view that law should make provision that members should not be permitted to join more than one Society ... 346

Evidence of Mr. John Somerville :—Is a member of the Manchester Unity and the Order of Druids ; is Treasurer of the Loyal Junction Lodge of the Manchester Unity, number of members thirty-eight ; amount of funds to credit in Lodge above £617 at end of the last quarter ; contributions 6d. a week to Funeral Fund, 2d. to Management Fund ; Medical Fund 6d., and 1d. to Widow and Orphan Fund ; members not requiring doctor do not pay more than 9d. ; approves of members being permitted to join more than one Society ; is opposed to principle of a uniform contribution ; there is a great deal of competition in Newcastle among Friendly Societies ; is Treasurer in one of the Lodges in connection with the Druids ; number of members 17 ; amount of funds £104 at the last balance, independent of District Fund ; largest number of members Society has had at one time 120 ; number was reduced through the defalcations of late Secretary, could never find out nature of defalcations, through Secretary having burnt the books and destroyed the papers ; had solicitor's advice ; his name was George Tribe, and he was a defaulter in the Municipality ; waited to see if Municipality got a conviction, and finding they could not the matter was dropped ... 347

Contributions to Druids 6d. a week for Sick and Funeral Fund ; sick benefit is only 15s. a week ; thinks amount of contributions paid in Societies are too small to ensure the large payments for sick pay ; present Act is not properly administered ; is perfectly satisfied that amendments could be made in his general rules, but does not think they would be of benefit in an Act of Parliament ; is of opinion Districts are too large and should be left to work themselves ; would not advocate an audit by a Government official annually ; Friendly Societies' returns are too complicated ; would prefer Police Court rather than a Board of Arbitration as a final Court after laws were exhausted, because it would cost less ... 348

Evidence of Mr. Richard Bailey :—Is a member of the Ancient Order of Foresters ; was Secretary up to the end of last quarter ; number of members 104 financial and unfinancial ; subscriptions paid by members 1s. a week, and 1s. a quarter for superannuation ; benefits £1 a week sick pay for first six months, 8s. for 2nd six months, and 5s. after as long as illness lasts ; funeral donations according to length of membership ; total value of funds of Court about £1,200, invested in Savings' Bank, property, &c. ; payment medical officers 30s. for each member per annum, including medicine ; there is no special registration fee ; total receipts for last year, £419 18s. 5d. ; expenditure during same period, £432 18s. 8d. ; 1s. a week is sufficient to provide benefits that are promised ; payment to doctor is too much ; members have in contemplation to get amount reduced or secure another doctor ; would prefer disputes being settled by arbitration rather than going to Law Courts ... 349

Approves

Approves of provisions of Friendly Societies Act which provide for the recovery of arrears; it would be a ver good plan to appoint a Government officer to investigate every year the books and documents of each Society; wives of members do not undergo a medical examination; thinks a man should have the right to be a member of as many Lodges as he can pay into; should have the right to receive benefits from all the Societies he may belong to... 350

Evidence of Mr. David Beveridge.—Is a member of the Foresters and Protestant Alliance; is Secretary of Court Friendship No. 4,584 of the Foresters; number of members in Lodge, 111; has lost a good many members through non-payments of dues; amount of contributions last year, £237 7s. 5d. to the sick and Funeral Fund; £54 5s. 4d. to Incidental Fund; expenditure for the year, £172 12s.; total value of funds of Court, £461 3s. 9d.; doctor is paid through colliery; moneys are invested in the Bank; favours principle of a man being a member of more than one Society; considers one Society is too little for a working-man; matters of dispute are settled by an Arbitration Committee ... 350

Does not approve of uniform contributions; is Secretary of Black Diamond Lodge in the Protestant Alliance; has thirty-six members now; largest number he has ever had, eighty odd; reduction of members was caused through non-payment of dues; amount of funds, about £37; amount paid last year for sick pay was over £100; would certainly approve of a Government officer being appointed to inspect the books of the various Friendly Societies; would be satisfied with the Act if it was carried out properly; the Government, in consideration of the increase of population in the district, ought to allow Societies something towards their expenses ... 351

Evidence of Mr. Thomas New.—Is Secretary of Court Hunter, Ancient Order of Foresters; number of financial members, 97; non-financial, 4; amount of funds to credit, £220 2s. 4d. last December; amount of subscriptions received last year, £290 9s. 9d.; total amount of expenditure for that year, £1,173 5s. 8d.; receipts during five years from all sources, £1,393 8s. 2d.; contributions a shilling a week; payment to doctor, 6s. 6d. per quarter, including medicine; benefits one guinea a week for six months, 10s. for next six months, and 6s. as long as long as the member lives; funeral donation, £20; on death of wife, £15; thinks 1s. a week is insufficient to ensure the large benefits; is in favour of a uniform contribution; would not be against a Government officer going through the books ... 352

Would approve of a man (if he were honest) being a member of more than one Society; Act in the matter of investments is rather too restrictive ... 353

Further evidence of Mr. David Beveridge.—Is member of the Accident Fund Colliery Society, Wallsend Pit; does not come under Friendly Societies Act in any way whatever; Society pays according to call; amount comes sometimes to 6d. or will go as high as a shilling, or as low as 3d.; largest amounts paid towards assisting any of the employes in pit, £1 a week for twelve months; has got no funds in connection with Accident Fund; is simply a voluntary contribution; do not provide a doctor, one being occupied in the colliery; Society is simply a mutual aid Society; majority of employes generally contribute towards the fund; members of the sick and Accident Fund who happen to be members of Friendly Societies also receive sick pay from them and this money ... 353

Has a separate fund for providing medical attendance and chemist; it is sustained by members themselves; a good many accidents occur in connection with the occupation of a miner; all miners very nearly belong to one Society or another; if there are several accidents they have to make a large call; accident must happen to member in A. A. Co. when engaged in a particular work in order that he may receive the benefits; Sick and Accident Fund in A. A. Co. is entirely restricted to colliery operations alone ... 354

Evidence of Mr. Henry Rushton.—Holds office of Grand Worthy Patriarch of the Grand Division Sons of Temperance; there has been some secession of the Grand Division by one of his Lodges; cause of secession was objection to some action of the National Division in Sydney, in regard to some levies which they said were illegal; generally speaking thinks Sons of Temperance with one or two exceptions are in a very fair and prosperous condition; payments on account of sickness in connection with his own district for five years, £408 4s. 7d.; funeral donations during the time, £90; amount of credit of Division, £40; total amount received for sick and funeral donation in five years, £8,606 6s. 9d.; total expenditure £708 6s. 7d.; contribution, 7½d. per week; benefits, 15s. a week and medical attendance; doctor is paid through colliery; every person working at the colliery has 6d. a week stopped from his wages, so the doctor is paid in that way; members of Division pay 7½d. a week; contributions are not sufficient, especially in a mining district, to ensure all benefits; states how Sick and Accident Funds in connection with the collieries are sustained and worked. See question 12809 ... 355

Evidence of Mr. Alfred Asher.—Is Grand Scribe of the Sons of Temperance; total number of members in connection with his Grand Division, 475; total funds of Divisions, £3,293 8s. 9d.; total expenditure for last five years 4,733 13s. 8d., income has been about £6,000 ... 355

Each Division makes its own by-laws and charge whatever contributions they like—in most cases 6d. a week; medical attendance charged separately; his Lodge pays 6s. 6d. a quarter in advance to the doctor; benefits £1 a week sick pay for the first six months, 15s. for next three months; has a general Funeral Fund for the whole Order; capitation allowance to Funeral Fund, 1s. 6d. per member per quarter; funeral donations for five years, £1,517 14s. 11d.; medical, £1,326 12s., exclusive of doctor; and benefits, £1,836 6s. 9d.; states particulars in connection with certain alleged misappropriation; is in favour of a uniform scale of contributions; approves of conditions contained in Friendly Societies Act empowering officers of Societies to recover arrears of contributions from their members; is opposed to matters of disputes being carried into the Law Courts; would most decidedly favour appointment of Government Inspector to inspect Societies books ... 356

There is a falling off of nearly 200 members in five years; breaking up of Divisions has been caused through want of interest, not want of funds ... 356

Evidence of Mr. Edward Claridge.—Is Treasurer of the Honeysuckle Lodge, G.U.O.O.; number of members, 202, of whom forty are unfinancial; amount of money to credit, £755 9s. 6d.; contributions, 1s. 1½d. a week if members pay to the doctor, if not, only 7½d. a week; total amount paid last year for sick benefits ...

benefits, £136 18s. 4d., for medical benefits, £136 7s. 6d. ; total expenditure for last year, £32 19s. 5d., exclusive of what has already mentioned ; total amount of income of District last year, £456 0s. 1d. ; total expenditure, £416 3s. 6d. ; total amount on account of sick pay and other benefits for five years—sick allowance, £442 5s. 4d. ; medical benefits, £621 13s. 9d. working expenses, £136 7s. 11d. ; funeral donations during five years, £127 paid by the District ; benefits given—£1 a week for first six months, 15s. a week for next six months, and 5s. for next twelve months ... 357

Funeral donation is paid according to graduated scale ; highest amount is £30, must be a member ten years to get that amount ; on death of wife, £10, if five years a member, £15 and if ten years, £20 ; thinks 1s. 1½d. is sufficient to ensure all benefits ; considers Society is in a good financial position and able to meet its financial engagements ; is in favour of uniform contribution ; has never taken members into a Court of Law for arrears ; if member is unable to pay his contribution, other members endeavour to make it up for him, and sometimes let him run out ; objects to principle of going to the Courts ; member in arrears fourteen weeks become unfinancial ; is then a month before he is good on the books again or entitled to benefits ; oldest member is about fifty ; members are principally all young men ; has quarterly audits of his receipts and expenditure ; if Government officer was appointed to inspect books and accounts and paid by the Government, it would be very desirable ; management and government of Friendly Societies is not very expensive, because Societies keep within strict limits and most of officers do work almost gratuitously ; Secretary and Treasurer give a bond ; all assets are in money in the Government Savings Bank ; members and their wives undergo medical examination ; children are registered to the Funeral Fund ; members desirous of registering their children pay a shilling ; amount paid in case of a child's death if a member has belonged to Order for not less than six months, £1 ; if over twelve months, £2 ... 358

Society is principally composed of tradesmen and labourers ; payment to Dr. Knaggs, 6d. per member per week ; is not desirable for Friendly Societies to meet in public-houses ; members provide their own regalia ; has no doubt that the liabilities increase with the age of members ; does not think it advisable to adopt the system of half-fees ; approves of members being permitted to join more than one Society... 359

Evidence of Mr. Henry Sneyby :—Is Secretary of the City of Newcastle Lodge G. U. O. O. ; number of members on books, 280 ; amount of subscriptions received during last year from all sources, £737 17s. 3d. ; total amount of expenditure for like period, £714 11s. 6d. ; total amount paid for sick benefits for past five years, £1,115 4s. 11d. ; for funeral expenses for like period, £316 ; payments for medical attendance, £1,102 18s. ; cost of management for five years, including Sub-Committee of Management levy, £258 2s. ; total receipts for five years, £3,594 14s. 4d. ; total expenditure for same period, £2,832 4s. 9d. ; does not approve of the provision in Act allowing him to go to the Small Debts Court ; highest sum paid in case of death of a member, £30 ; member's wife, £20, provided he has been a member ten years ; contributions,—full members on their paying to doctor, 13½d. a week ; non-medical members, or country members, 7½d. ; that has up to present time been sufficient to ensure payment of all the Society's obligations ; there was a case of defalcation of £100 some ten years ago by a Secretary ; was principally the fault of members of the Lodge, who were too idle to go to the Lodge and pay their subscriptions, but if they met the Secretary in the street would give him the money, and he absconded ; did not follow the law, as he got away before he could be prosecuted ; candidates seeking admission and their wives undergo a medical examination ; his medical officers have always given satisfaction in respect to medical examination ; has quarterly audits by two or three Auditors chosen by the members ; would have no objection to Government appointing a public officer to investigate and inspect the books of all Friendly Societies every year ; present Act to the best of his belief is fairly and reasonably administered ; two or three of the oldest members of Lodge are of opinion that Society has no power to lend money in any other manner but that set forth in the Friendly Societies Act of 1874, whereas, if Society could have lent money on house or other property, being good security, the funds would have been much increased thereby, as it is the Banks receive the benefit of their money ... 360

Having members of Society as bondsmen is equally as good as having a bond from a Guarantee Society ; annual returns are sent direct to Registrar ... 361

Evidence of Mr. George Buckley :—Represents the G. U. O. O. ; is Secretary to the District and also private Lodge Secretary ; number of members in District, 1,656 ; number in private Lodge, 126 ; receipts in Lodge last year, £240 17s. 3d. ; total expenditure £206 12s. 10d. ; name of Lodge, The Miner's Refuge ; sick pay during five years, £562 13s. ; funeral donations, £105 ; doctor and medicines, £113 14s. ; on account of management, £218 1s. 11½d. ; making total for five years of £894 8s. 11½d., excluding £105 for funeral donations, which is recouped from the District ; total receipts for five years, £1,180 0s. 1d. ... 361

All Lodges pay the same contributions ; total value of funds of District Lodge up to December, 1881, £1,943 1s. 3½d. ; at present time, about £1,990 ; receipts for five years, £4,259 15s. 3½d. ; funeral allowances during that time, £1,465 0s. 3d. ; cost of management, £1,783 3s. 10d. ; total expenditure, £3,263 1s. 1d. ; total income, £4,259 15s. 3½d. ; has never heard any complaints about present Act ; there should be something done to have one uniform system of book-keeping throughout the whole of the Society ; disapproves of persons joining more than one Lodge ; approves of provisions in Act for subordinate Lodges to sue their members for arrears of contributions ; is in favour of Government Officer being appointed to investigate and inspect books and accounts of Friendly Societies every year ; is firmly of opinion that contributions paid by members is sufficient to ensure all benefits that the Society gives ... 362

Evidence of Mr. Alexander Wilkinson :—Is an old member of the G. U. O. O. ; produces tabulated statement in detail showing the workings of the Lodge from 1873 to 30th June, 1882 ; for statement and copy of suggestions to the Commission, see page ... 363

Present mode of governing his own body with small contributions of a uniform character is insufficient to meet all requirements ; number of members in 1863, sixty-one good and five bad, there are now ninety-three good and thirteen bad ; does not think that 1s. 1½d. a week is sufficient to provide all payments ; is in favour of a graduated payment according to age ; is quite of opinion that nineteen out of twenty Societies are in a state of insolvency at present moment ; gives instance ; there is a great deal of speculation going on in several of the Societies registered under the Friendly Societies Act ; provision in future legislation should be made for a table showing the basis on which new Societies should be established ; annual inspection of books, &c., by Government Officer would be of great service ... 364

Funds are invested in the Savings' Bank, to credit of Trustees, bearing ordinary interest; in applying the principle of insurance to Friendly Societies, a man's occupation (where there is a whole community engaged in miner's work) should be taken in consideration; is sure the medical examinations are not sufficiently full and searching; does not approve of persons joining more than one Society; if permitted to join more than one Society, amount of benefit to be received should be fixed; members wives do not undergo a medical examination; thinks it necessary to have an examination of members' wives; sums paid to doctor include medicine; all Lodge disputes should be settled among themselves and not go to the Law Courts at all; officers should have power to receive arrears of contributions; member of Society in arrears is suspended eight weeks from benefits after he has been three months bad; if over thirteen weeks in arrears is suspended from benefits for another eight weeks; was surprised in looking over the annual report of the G. U. O. O. F. to find the large number of members in each of the Lodges and the small amount of money to their credit; many of these Lodges are of old standing; it proves that the contribution must be very inadequate 365

Cost as far as his experience goes of opening a private Lodge in connection with the District would be about £10 if they come up from Sydney; it is very bad for Lodges to meet in public-houses—is certain it leads to intemperate habits; thinks there should be a general mode of government of Friendly Societies; thinks there should be only one in a town or district, as the greater the number the greater the security 366

Evidence of Mr. John M'Fadyen.—Represents the Rose of Australia Lodge G.U.O.O.F; number of members, 178; total value of funds on 31st December last year were £526; contributions, 7½d. a week; 6d. to medical fund; occasionally makes a levy to work his own Management Expense Fund ... 366

Total receipts last year, £369 19s. 11d.; total expenditure during that time, £327 4s. 8d.; receipts for five years, sick and funeral, £1,626 16s. 5d.; management, £243 7s. 2d.; doctor, £52 10s. 6d.; expenditure for same period—Funeral, £150; sick pay, £1,365 15s. 8d.; management, £77 5s. 6d.; printing, &c., £33 9s. 11d.; rent, £24 6s. 6d.; has never had any cases of defalcation in connection with officers or members of his Society; money to credit of Society is invested in Building Society as a fixed deposit; there is supposed to be 1,800 miners employed in the district; contributions is scarcely sufficient to ensure the benefits the Society gives to its members; taking all things into consideration—the young Colony, the number of members who join and leave again—the Society has an advantage that is incalculable to those who are unacquainted with it; would like to see a calculation made as to what it would take for a Society to sustain itself; suggests an Inspector being appointed to superintend the Societies, in order that there might be a check on them; one system of bookkeeping should be adopted; has the security of the Directors and Trustees of Building Society for amount of funds invested 367

Mode of investment of money in a Building Society has been inserted in the annual returns of the Lodge to Mr. Oliver 368

Evidence of Mr. George Mather.—Is Warden of the Guild, West Maitland Branch, St. John the Baptist; total number of members in district, 107; produces documents giving the information he has prepared, see page 368; contributions, 14d. a week; benefits, a guinea a week when sick for twelve months, 10s. 6d. for the next twelve months, then 5s. with option of settling up and getting so much to pay them off; payment to doctor, £1 per head, including medicines; total value of funds at last balance, £1,103 14s. 6d.; funeral donation on death of a Brother, when he has passed his noviciate we give the wife £30, if over five years a member £35; in case of the death of a wife £12 is paid to the Brother; Society is confined to members of his Church only; from eighteen to forty-five years of age; has lent £150 on mortgage; rest of funds is in the Savings Bank to the credit of Trustees on account of the Society 368

Secretary is paid £20 a year; thinks amount paid by members is sufficient to ensure all benefits the Society provides; Society is composed principally of tradesmen in the town and farmers' sons round the district; all members up to twelve months in Society are only considered as novices; favours principle of graduated scale of payment according to age; members going bad on the books twelve months are struck off; Society does not sue them; is in favour of uniform contributions being paid by members of Friendly Societies; disapproves of provision of the Act in reference to recovery of arrears of contribution from members; has not had any trouble with the Act; is in favour of public Government Officer being appointed to keep all Societies up to the mark; does not think investment of moneys on mortgage is illegal 369

Evidence of Mr. Michael Murray.—Represents St. John's Guild, West Maitland; is Bursar or Treasurer; Society works very well, and is in a safe and sound position; never has any disputes; officers and members transgressing are brought before the Council; in case of any difficulty about decision they could call past and present Councils together; disapproves of Societies taking members to Law Courts; all members undergo medical examination; has had doctors who were very careless; does not know that there is anything wrong in a man joining more than one Society if he pays his subscription to all; it might lead to fraud, but if he were an honest man he could not do this; thinks it would be better to fix the amount members should be entitled to receive by Statute—thinks it would be fairer to the Societies; Society has not to his knowledge suffered from disabilities under the present Act... .. 370

Evidence of Mr. William Law Kidd.—Is Secretary of No. 5, Sons of Temperance; number of members, ninety; has had as many as 150; principal cause of decrease is through a good many leaving the district; value of funds £390; sick pay during last year, £65 3s.; members in his Division contribute 6s. 6d. a quarter for those registered to doctor's list, and it is paid to him; contributions 6d. a week, not including doctor; benefits, 20s. a week for thirteen weeks, 15s. for next thirteen weeks, 10s. for next twenty-six weeks, and 7s. 6d. during remainder of sickness; funeral donations £20, and £10 on the death of a member's wife; Division is not at present on Funeral Fund; they have not rejoined the fund owing to a dispute as to the amount of the levies and they were suspended; disruption does not exist, but there have been no terms made with the Funeral Fund and the levies have not been paid up, so the Division has to insure its own members now 371

Does not know that a better investment can be made of the funds, either in his Division or in some other way, to secure the payments at death for 1s. 6d. per quarter; members travelling are provided with a clearance, which is all the benefit obtained from belonging to the Grand Division; particulars and result of dispute with Grand Division, see page 371

Has never summoned members for nonpayment of arrears; nature of a case of defalcation in connection with his Division—see questions 13498 to 13503; Secretaries and Treasurer of his Division give no bond or guarantee; does not think examination of candidates is sufficiently searching; approves to a certain extent of members joining more than one Society; thinks the amount paid by members just now is rather small; is in favour of Government appointed officer to examine books of Societies every year; funds are invested in the Savings Bank ... 372

Believes a Board of Arbitration composed of members acquainted with the working of different Friendly Societies would be advantageous to themselves and other Societies ... 373

Evidence of Mr. John Thorn:—Is a member of the Sons of Temperance, Day Dawn Division No. 5; states Society is at present very badly worked owing to the enormity of the expenses; pays a shilling a quarter to Grand Division and gets no assistance from them whatever ... 373

Has no particular suggestions to offer the Commission; if Societies work like theirs it is impossible for them to stand; nothing has been paid by his Division to Funeral Fund, in consequence of a dispute; before that they paid 1s. to Grand Division and 1s. 4d. to the National Division; that was cause of dispute, as when members asked what was done they could get no satisfaction out of it; majority of members do not think they have been fairly treated in this dispute; thinks if there is a fair settlement, members of his Division can again participate in the benefits of the Funeral Fund; has no doubt of dispute having punished both parties; believes portion of cost of dispute on their side was paid out of funds subscribed for sick and funeral benefits, though he opposed that ... 374

Evidence of Mr. Henry Cox Colyer:—Is a solicitor; was consulted in March 1880, in connection with Lodge 25, Protestant Alliance, in the matter of a misappropriation of their funds; for copies of correspondence between Mr. Colyer and Mr. J. Pettit, and Auditors' report dated 17th February, 1880, see page ... 375

For copy of paper of accounts prepared by the Auditors as a specimen of what they found, see page 376; advised Trustees to be careful about criminal proceedings, because their books had not been kept in such a shape as to ensure conviction before a Jury; he never had any personal conversation with Pettit since this matter; the fact of the Society books not being kept in a thoroughly satisfactory manner would have had an important effect before a Bench of Magistrates; if by documents signed by Pettit it could be shown that he had received money from members, he being the Secretary, the charge could be sustained unless it could be explained away in some other way; if any statement were made that he had been challenged to proceed it would be absolutely false ... 376

Evidence of Mr. Thomas Stewart:—Is the Secretary of the Independent Order of Oddfellows situated at Marrickville; has thirty financial members at present; amount of subscriptions paid 1s. 3d. a week; benefits, sick allowance of £1 a week; is connected with the Loyal Pymont Lodge of the same Order at Pymont; expenses incurred in organizing that Lodge, £56 12s.; for statement of amounts expended in connection with opening of Loyal Pymont, No. 14, I.O.O.F., see page 377; was legally proceeded against by printers for payment of £12 for printing posters; bill was disputed on account of its being extravagant; printers obtained verdict, and he had to pay the money besides the solicitor's charges; Lodge pleaded that they had no right to pay the money; Garcia was the name of the officer who swore on that occasion that that they had a perfect right to expend any amount of money in establishing new Lodges; had a cause of action to get a refund if members had been willing to do it; it is not favourable to Societies to be strangled at the commencement by heavy expenses in opening ... 377

Is of opinion that a uniform system of book-keeping should be adopted by all Lodges; would favour appointment of Government Officer to examine Friendly Societies' accounts occasionally; Lodge doctors generally do not seem to give the attendance required—they attend the members as if they were receiving nothing for it; rate of contribution, 1s. 3d. per week; allows 2s. 6d. for every financial member, at the end of each month to the sick fund; 2s. a quarter to funeral fund, which is paid to the Grand Lodge, and 9d. per quarter to the Grand Lodge for incidental expenses; the 2s. for the funeral fund is kept for the donations; admits members at half-fees if they can get fifteen together; has never initiated any at full fees since he has been in the Lodge; there is no advantage in that principle, except that persons are prevented from joining other Lodges or Societies, and they want to get them; it is the custom in the most successful Lodges of other Friendly Societies to initiate at half-fees, so far as he has heard ... 378

There has been no unpleasantness at all on account of members coming in at half-fees; considers Lodge to be in a healthy condition at present time; for copy of letter from Grand Secretary, I.O.O. Grand Lodge of Australia, to Thomas Stewart, Esq., Secretary Pymont Lodge, respecting the extravagant expenditure in connection with opening of Lodge at Pymont, see page ... 379

Cost of opening Langley Lodge at Marrickville was £30, including all books and rods; Pymont Lodge cost more like £70, irrespective of any books whatever; would be a good plan to get Grand Lodge officers in future to intimate where a Lodge shall be opened, and to vote an amount of money to be spent, to be repaid by the subordinate Lodge; Mr. Garcia has never been brought to account by the Grand Lodge or in any Lodge for the large expenditure in connection with the Pymont Lodge ... 380

Finances of Marrickville Lodge at the end of June were £21 8s. 8d.; thinks £25 is a fair amount to open a Lodge; his experience is that if there is not a certain amount of initiation ceremony in Lodges the members lose interest; Treasurer and Secretary give guarantee bonds by a Society; does not believe in the wisdom of the keen competition that is taking place in Friendly Societies; is in favour of a uniform contribution; young men paying as much as old men does not make any difference to the Lodge whatever; Lodges of his Order are compelled to send in quarterly returns of receipts only; believes the returns are examined by a Special Committee appointed by the Grand Lodge ... 381

Evidence of Mr. Thomas Sanders:—Is late Secretary of the Prince Albert Lodge, G.U.O.O.; has been established thirty-five years; has forty members now, there were 145 members thirty-five years ago; Lodge was prospering very well, but as members got into arrears sickness came on them; has no doubt about their present financial position not being sound ... 381

Thinks present Act is a very good Act; no decrease in his funds has been occasioned by misappropriation by the officers; thinks half initiation fees is a very good idea; it takes in young members to balance the aged; funds are at present invested in the Bank; members go bond for Trustees; has audits every three

three months ; Auditors called attention to the fact that the Lodge was going back ; the only notice that they could take was that they should have to stop the sick pay ; is in favour of a Government audit of the books of all Societies 382

Evidence of Mr. James Dummer :—Is a member of the Protestant Alliance Friendly Society of Australasia, Lodge No. 25 ; has been a member since starting of Society ; further evidence in respect to defalcations by late Secretary (J. C. Pettit), see pages 382 and 383

Evidence of Mr. Alexander Kethel :—Has been a member of the Manchester Unity about twenty-five years ; does not hold office at present ; is simply a member of the Board of Directors, the supreme Court of Appeal in the Manchester Unity ; is of opinion provisions contained in the present Act are insufficient to afford security and protection to the members of the different bodies ; thinks the administration of Act is defective ; as far as Government administration is concerned, he looks upon it as a dead letter to a large extent ; suggests that a Department of the Registrar of Friendly Societies be organized on an effective scale ; that an officer, such as the Registrar, be appointed, who should devote his whole time to the administration of the Act in its various bearing ; he should be a man selected through having special qualifications for it and, being paid a liberal salary, should be expected to supervise and carry out the whole of the administration of the Act ; a gentleman of actuarial experience should be connected with the Department in addition, and no Society should be registered unless it was proven that their contributions were sufficient to meet all the benefits the members were to receive ; believes a large number of Societies do not pay sufficient contributions to ensure financial success ; is of opinion the contributions paid by the members of Societies are not sufficient to ensure the fulfilment on the part of the Societies of the obligations to their members ; in the case of large Societies having many Branches extended over the country the risk is lessened, but simply isolated Societies are more apt to fail by having the sphere of their liability confined ; there are many instances of failures in Societies from that cause ; can only speak personally as regards a great deal of competition having taken place, from what he has witnessed from hand-bills and posters through the city and advertisements in the daily papers ; a large Society or body would not be in a sound healthy state unless they had to their credit an average of £10 per head, provided they gave an average amount of benefits ; takes as the foundation of his remarks the average assistance to members of a guinea a week reduced at six and twelve months, a funeral donation of £20 and £30, and at his wife's death £15, with medical attendance and medicines for himself, wife, and family under the age of sixteen ; taking these benefits as the average basis of a District embracing a number of Lodges with 2,000 members and with an average age of thirty-five, a shilling a week contribution would certainly not be sufficient to place the Society in anything like a hopeful state ; in many of his own Lodges the contributions are sufficient, but in some they are not ; his contributions are alike, without regard to the age of the members at admission, and range from 1s. to 1s. 6d. per week, the higher sums being chiefly paid by members of Lodges in the interior, where the medical officer's fees are heavier than in the settled districts ; approves of the principle of graduated scale of payments according to age ; regards it in principle as a more fair and equitable system than the present one 384

Examinations by most of the medical officers in his Society are satisfactory, though some shirk their duty ; Act is defective, especially in the fact that the returns required by the Act are not rendered, and in the apparent ignorance of the administrators of the Act of the way how to enforce the provisions ; provision should be made for compulsory returns, to be furnished at stated intervals, and that the positive age of every member in every Society should be furnished annually, with a statement of their funds, which would enable the Government to decide whether each Lodge or Branch was in a solvent position or not ; funds of these Societies are invested first in the Government Savings' Bank and secondly in freehold property ; every officer who has the handling of money gives a fidelity bond ; officer at head of each Branch is bound under a penalty to see that the bond is furnished ; does not approve of power given under the Act to sue defaulting members ; would favour a Board of Arbitration to deal with all cases of dispute ; does not know whether it would be better to have a permanent Board or allow the parties themselves to select the arbitrators ; there is a provision in the Act that arbitrators may be appointed ; would be wise to make a similar provision for dealing with this matter of dispute by arbitration, but there would be a danger of its becoming a permanent Court of Justice and thus lose its semi-private character ; would not erase the names of members after they are twelve months in arrears—would give them the right under certain circumstances to apply for permission to rejoin ; Friendly Societies are one of the most powerful agencies for elevating the working classes ; an examining officer should be appointed to visit every Lodge or Branch either in city, suburb, or country, without giving notice when he is coming, and examine books, vouchers, &c., &c. 385

Supreme authority of every Society should appoint its own officers, so that the men should be well acquainted with the laws and rules ; considers it is necessary more or less to have regalia ; £10 would be required to initiate a Lodge ; in any new Act where the Government found a Society regularly going back on its funds it becoming impossible for them to meet their liabilities ; the only two ways to meet such a case would be either to increase the contributions or decrease the benefits ; and the Government, to protect strangers joining them, should have power to compel them to do either one or the other ; Societies should be allowed to invest only a certain portion of their funds in building halls ; would insist on the funds of a Society becoming insolvent being transferred to the parent Society, and every member of that branch having a claim on that Society ; thinks it would be desirable to enforce a uniform system of book-keeping in all Lodges ; a simple form of arbitration bond would be a very desirable appendix to a new Act ... 386

A graduated scale of payments is at present in use in all of the best Societies of the United Kingdom ; would not make any provision for a Superannuation Fund on a graduated scale of contributions ; would favour a separate Superannuation or Pension Fund for permanently disabled or aged members ... 387

It would be better if a member was limited to one Society as a contributing or financial member ; objects to the 14th clause of the Act ; there would be no very serious labour incurred by Secretaries in adopting the sliding scale as adopted in the Manchester Unity 388

Evidence of Mr. Robert Balls :—Has been twenty-two years a member of the Protestant Alliance ; is also Worthy Patriarch of the Princess Alice Lodge Daughters of Temperance ; financial position of that Society is good ; number of members, twenty ; wives half benefits ; members only pay 6d. a week ; as regards sickness, they were compelled to suspend by unanimous vote sick pay for a time, and has had to do it

it for six or twelve months ; each member by resolution has to register for doctor, paying 2s. a quarter for that ; funds are sufficient at present time to ensure payments of all the benefits to the twenty-one members ; sick pay has been suspended for twelve months ; young members began to confer about funds going down gave notice of motion, and called a meeting and agreed to it themselves so as not to be without funds ; thinks himself that 6d. a week is hardly sufficient to ensure the benefits, and thinks the same with reference to the 1s. a week for the male branches 388

Establishment of Female Benefit Societies is of more advantage to the people that join them than to the community ; does not think having Government officer to examine the accounts of the Societies would do any good 389

Evidence of Mr. Henry Asher :—Is a member of the Hebrew Mutual Benefit Society ; has thirty-three members ; amount of funds to credit, £95 7s. 11d. at end of June ; contributions 1s. a week and 1s. a quarter extra ; considers 1s. a week sufficient to ensure all benefits ; has no sick benefit ; funeral donations, £5 for twelve months membership and £10 after two years if clear on the books of the Society ; funds have been wholly made up from the contributions ; Society was in debt when it dissolved ; Society is a registered Society ; all the members undergo a medical examination 389

Some injustice was done through the bursting up of old Society ; it broke up for want of funds 390

Evidence of Mr. James Thomas Hewitt :—Is Secretary of the Prince Albert Lodge G.U.O.O. ; at present time Society is only worth about £45 and has fifty-one members ; attributes lowness of funds to large proportion of sickness among the members ; contributions, 1s. 3d. a week ; for last twelve months Lodge deemed it advisable to raise the contribution in order to better the condition of things ; believes any Society at all can be worked for 1s. a week ; it only requires management and system ; thinks it would be advisable to have a uniform system of book-keeping ; if things go on as they have been he has no hesitation in saying that £45 will never see this Society over another twelve months ; Lodge has on repeated occasions tried to raise their contributions and has failed 391

Believes it has been known to the District that his Lodge has been carrying on its business in the loose and irregular manner as they have been doing ; officers have visited the Lodge and endeavoured by force of speech to try and alter the state of affairs ; allows £1 sick pay for twenty-six weeks, 15s. after that, and then 10s. a week ; members and officers are going to hold a public meeting and invite members at reduced rate to try and help them out of the fire 392

Does not think the competition existing is a healthy one 393

Evidence of Mr. Henry Hand :—Is Secretary of the Travellers' Home Lodge, Grand United Order of Oddfellows ; list (*produced*) of the names of doctors tendering for the Society and the prices (*see question 14266*) ; financial position of Society is very good at present time ; amount to credit about £380 ; has 170 members on books ; non-medical members pay only 9d. a week ; when a member becomes unfinancial to the extent of 15s. he is unfinancial, and is no longer entitled to any benefits until eight weeks have elapsed after he becomes unfinancial again, so that he must pay up all he owes in order to be entitled to benefits ; contributions, including doctor, 15d. a week ; considers contributions sufficient to provide the benefits for each of his members ; is a fact that a Member of Parliament, a member of his Lodge, has been in arrears about twelve months 393

Evidence of Mr. Abraham Garcia :—Is Deputy Grand Master of the Independent Order of Oddfellows ; has opened fifteen subordinate Lodges ; expenses of opening each Lodge were £28 2s. 1½d. ; believes financial state of everyone of the Lodges he has opened, excepting one or two, are in a very fair position ; half initiation fees are charged on the night of joining ; approves of that principle in the main ; disapproves of a graduated scale of payments by members according to age ; does not believe cost of instituting Lodge at Pymont was between £60 and £70 394

Does not know financial position of the Lodge at Pymont ; the fact of Lodge having suffered through extravagance of the charges in connection with its institution has not to his knowledge ever been brought under his notice ; he did go by coach to Lodge on opening night, and charged Lodge some 19s. 6d. cost of conveyance ; imagines it is customary—both the Druids and the G.U.O. do the same thing ; has adopted a different principle in opening Lodges—a system of personal canvassing instead of issuing bills and placards, &c., having found it was an expensive mode of proceeding ; admits having been more extravagant than otherwise in the opening of some of the older Lodges, but not purposely so ; describes cost of opening of certain Lodges, &c. ; has opened five Lodges under the personal canvassing system ; none of the extravagant expenditures in connection with the opening of Lodges has taken place during his tenure of office ; does not think Order has any difficulty with any of the Lodges under the present Friendly Societies Act 395

Has no pecuniary interest in the Order ; he gives the time which is necessary simply for his love of the Order ; accounts incurred in opening of Pymont Lodge were paid by him ; accounts were partly paid out of the funds received on behalf of the Lodge ; makes inquiry as to health and suitability for joining when canvassing for men to become members of a new Lodge ; he ordered the printing in connection with opening of Lodge at Pymont ; Lodge was sued for cost of printing ; admits the expenditure was extravagant and has avoided it since ; when Pymont Lodge was sued as referred to, he did not swear that he was authorized to expend certain moneys and that he had the authority of the Grand Master in Victoria 396

Considers he gave fair value for the money he charged for the goods for the Lodge ; regards present Act sufficient for purposes of working Friendly Societies, but it would stand amending ; does not think it is fairly and properly administered ; thinks the Trustees should be under a bond as well as the Secretary and Treasurer 397

Evidence of Mr. Morris Alex. Black :—Is a member of the Institute of Actuaries, and Actuary to the Mutual Provident Society ; his attention was called to Act that was passed in 1873, and he pointed out the defects in it in a letter to the paper, showing that the Act as passed would be valueless as not affording the requisite information ; his impression is that the letter was not published ; nothing was attached to that Act that would render it from a professional point of view of any service ; the schedules were not in such a form as would have enabled an actuary to arrive at satisfactory data 397

Act does not define the character of the annual returns to be made to Friendly Societies; produces form of return which he got from the Actuary of one of the Friendly Societies in England, which that gentleman supplies to Societies with the different particulars required to be furnished (see Appendix); it would be hopeless to try and get any reliable data without some form of that kind; attaches great importance to getting the absolute experience of the Friendly Societies—their sickness experience; it should besides in connection with these returns be elicited how much should be paid at each age for each member; it was not until one or two actuaries had been consulted in England that there was any improvement in the Societies there; they were as bad in England as they are here; believes that nothing better could be done than adopting the experience of the Manchester Unity of Oddfellows, as theirs is the largest experience of sickness without exception, and is under very competent management indeed; it should not be lost sight of as a recommendation, the systematic collection of the experience of the Societies for New South Wales to be accumulated and recorded; it is very necessary to have returns of sickness in Societies and to ascertain what the experience is, in order to find out what the contributions ought to be; when that is found it can be compared with the experience at home, and if it is more favourable the rates of contribution might be less; but a valuation could be determined by tables already existing; is in favour of a graduated scale of payment according to age 398

Societies with members averaging (say) 40 years of age and giving benefits on the following scale—£20 in case of death of member, and £10 or £15 at death of the wife; a guinea a week sick pay for six months, 15s. next six months, 10s. third six months, with 5s. superannuation allowance—could not do so for 1s. a week all round; omitting medical attendance and confining it to an allowance of £1 or a guinea a week, £20 at death of member, £10 death of member's wife, it would range from 11d. at age twenty-five to 1s. 7d. at age forty, without making any provision for expenses; members' wives should most decidedly undergo a medical examination; his impression is that the mortality in Colony as compared with the mortality of the old country among working-classes is more favourable; thinks forms might be appended to any Act making it compulsory on the members to furnish returns; they ought to be required to have a valuation of assets and liabilities made in so many years; is quite sure that is indispensable to any satisfactory working of Benefit Societies; should have such valuations not oftener than every five years; necessity when registering Societies of having some information of a substantial character as to the possibilities and probability of the Society existing before the Registrar granted a certificate, would require the having of a certain minimum number of members; the amount of contribution might be fixed; would certainly make distinctions with reference to occupations and trades and callings of members in the statistics; occupations such as a miner are liable to a great deal of accident; clerks and tailors may experience less actual sickness and yet have a higher death rate; the Manchester Unity is a Society that, from being in a state of insolvency in 1845 or 46, worked itself round and had rates deduced from its own experience; it is his impression that they are now working satisfactorily 399

Apprehends that there are a very large number of individuals enrolled in the Societies; is of opinion that members of Friendly Societies should be encouraged by the State; favours the principle of Friendly Societies; believes that it is indeed an advantage to the individual and to the State, especially in regard to sickness; Registrar here should be an actuary; at home and before the Act came into force, the Registrar, he must be plain to say, was a delusion and a snare—it was worse than useless; the Societies got a certificate from the Registrar, and people thought everything was right because he had certified to it; under the new Act there is a Registrar who merely acts in the capacity of a Registrar registering the Societies after the rates have been actuarially certified; there is also an actuary attached to the Office, and he sees to the quinquennial investigations of the Societies, and reports annually upon them, and in that way there is a complete and systematic report; considers Registrar's Office is worse than useless, and the Registrar is helpless as regards information; in order to have the Societies reported on annually, and all the information put in the proper statistical form, it is absolutely necessary to have a Registrar who is an actuary; is aware that they have something of the kind in New Zealand, and it is a credit to that Colony; in framing tables of payments to be made, it would be necessary to take the experience of England instead of experience of Australia, simply because the latter has not yet been obtained 400

He would not, in fixing rates of contributions here, take into consideration the large amounts which are paid by members into a Society for which benefits are never subsequently returned, in consequence of the men shifting about or from other causes leaving the Society; in event of finding that any deficiency when examining accounts of Friendly Societies was compensated for by the number of withdrawals, the profit that represents would go into the general fund; the statement to the effect that Societies existing in New South Wales have simply been able to pay their way and not become insolvent because of the policies lapsing—as it would be termed in insurance—is worth nothing; it may be true, but it can scarcely be asserted of any Society, with a view of starting or putting Societies on a firm basis the Commission should be guided for the present simply by English experience; in forming tables the age at entrance and the duration would be required, and from the age at entrance plus the duration you get the present age; in future Societies should be compelled to keep proper returns, so that they could make them without difficulty; is inclined to think that the sickness in these Colonies may be far in excess of what it is at home, though it may not at all affect the mortality; it does not follow that though the mortality from accidents is heavier the sickness is lighter... .. 401

Would be advisable to have a special Government Department in connection with Friendly Societies only to the extent of having a clerk, an actuary, and a skilled person as Registrar; as a statistical fact, a return of ten years of the different Friendly Societies of the number of members who had resigned or left the Society would be of some value; thinks the experience of Friendly Societies in Victoria, as regards the statistical information that has been obtained, would to some extent be applicable to New South Wales; there are only two things which are open for an actuary to take notice of in the Societies, that is the sickness, and the death rate; the other things would be simply a matter of pro rata; a rate of contribution might be framed irrespective of expenses; the sickness fund ought to be by itself and the assurance fund by itself; if well managed and properly done, there would be no difficulty whatever in seeing that the total expenses should be apportioned to the respective funds 402

Ratcliffe's tables of sickness have been deduced by scientific methods from the experience of the Societies, and from these data premiums are computed that will be adequate to the risks; the calculation would be made on the whole of the experience of the Society, on the whole of the members that have been exposed to sickness; the knowledge of concealed or unreported sickness would not at all interfere with the calculation;

calculation; a table of sickness could not be deduced simply from those that have suffered sickness; the surplus of Societies that went on a sliding scale could be distributed to the members; Ratcliffe's tables would require modification; could give the Commission many instances of Societies and Companies which held a million of money succumbing in the end ... 403

Further evidence of Mr. A. Kethel.—The statement made by Mr. Stephen Murphy before the Commission that he (Mr. Kethel) had told him that Mr. Gelding was the only obstacle in the way of his being reinstated is not true; as far as he knows, Mr. Gelding has not at any time taken any action to prevent the admission of Murphy—Mr. Gelding rather befriended Mr. Murphy; he told Mr. Murphy that his only means of being reinstated would be through the regular tribunals of the Order; believes Mr. Abigail did write to him urging him if possible to use his influence to get Mr. Murphy back; if Mr. Murphy said that he (Mr. Kethel) gave him no opportunity of looking at the books when on his trial, it would be a deliberate falsehood... 403

Further evidence of Mr. W. E. Langley.—Produces letter from Mr. Garcia to the address of Mr. Melville, M.L.A., for copy, see page 404; he can swear to the signature; statement made therein is unmistakably untrue; Mr. Melville's name was never mentioned before the Commission except by Mr. Garcia himself; thinks it was a member of the Commission who brought the Pymont Lodge business before the Commission; he was asked some questions about it, the reference was to the cost of management; the only name he remembers in connection with that was that of Mr. Garcia ... 404

Evidence of Mr. John Slade.—Is aware of the sum paid, over over a space of thirty-two years, in this Colony, by the different Societies, to secure medical attendance; has made on behalf of Friendly Societies engagements and contracts with doctors; considers the amount paid by the Societies is sufficient to secure the best of the medical men and faithful attendance on the part of the medical officer; he has known Societies to have the attendance of the same medical man for a period of twenty-five years; has known a medical man elected fifteen or sixteen times to a Society without opposition; knows of no difficulty in securing a medical officer for a Society; considers 15s. without medicine a fair payment to a medical man; decidedly favours the principle of graduated payments; uniform system of contributions is unequal in its operation, and is both unfair and injudicious; nothing but graduated payments will ensure permanent stability in Friendly Societies; favours the provision providing that each Society should have an Arbitration Board, and he should supplement that by having a Board of which the Registrar should be President; their decision to be final, without appeal to the Law Courts, except in criminal matters; some very pointed cases of members declaring on the sick fund and shamming sickness have come under his notice; concealment of age at entrance is another fraud which has given them large benefits in some cases; approves of persons being members of more than one Society; a man who belongs to a Society, and whose wages or salary is £3 or £4 a week cannot afford to avail himself of the advantages of his Society while the whole benefits are £1 a week, and he will work while really unable to do so; would limit the amount of payment to two Societies at a guinea each; would make special provision with reference to the superannuation or pensioning of members, entirely separate from all other benefits; suggests a separate fund with separate trustees, and administered separately; the fund could be maintained by a small yearly contribution to be paid by the members ... 404

Would prefer a uniform system of bookkeeping adopted in Friendly Societies; it should be duty of Registrar to supply a form of book or books; is of opinion that in some cases management and expenses incurred in connection with the districts is grossly extravagant, almost criminal; Government appointing an officer to make an annual valuation of the assets and liabilities of the various Societies should be the most imperative provision of any new Act; believes a minimum should be fixed in making provision in any new legislation for the rate of contributions to be paid by persons joining the Societies; fixing on minimum should be on some table founded on an actuarial report; no condonation or settlement should be allowed outside the Registrar's Court; all defalcations should be handed to the Registrar, and he should decide whether they should go to the law Courts or be settled by arbitration; is in favour of exacting from each officer—Treasurer or Secretary—a fidelity bond; every Society should submit its books to a Government officer at any time he called either at Secretary's residence in reasonable hours or at the Lodge room or place of meeting as duly advertised; gives instances of cases of misappropriation of Society's funds by members, &c. ... 405 & 406

Has had cases in his Order where doctors have carelessly given certificates that members were sick when they were not; in all future legislation the liability of a Society to a member for benefits should cease immediately the member ceases to be in a position to be compelled to pay his subscriptions, directly he becomes financial, whatever his position may be; is in favour of the medical benefits of Societies being administered so that they shall collectively form a Medical Board of sufficient medical skill to attend to the whole of their members, &c., &c.; believes medical men to be very careless ... 406

Evidence of Mr. T. M. Shepherd.—Is Chairman of the Ancient Order of Foresters—has been connected with the Society about fifteen years; no defalcations have taken place; is his private opinion that the funds have been misapplied in the investment of £400 in connection with the purchase of the Friendly Societies Hall; hall is not exactly the property of his Court—is a Joint Stock Company in which the Society has invested its funds; is of opinion that the investment is an illegal one; the legal opinion was that the members could invest their money in this way; value of his funds would be between £1,000 and £1,100 in all; 8 per cent. interest was guaranteed on the shares; building was on the land when they purchased; a number of Friendly Societies have participated; building is designated Friendly Societies' Hall Company, limited liability and incorporated; shares are confined to *bona fide* members of Societies; there will be no source of revenue for the moneys invested unless the speculation turns out a success.

Evidence of Mr. Liphman Menser.—Is a member of several Friendly Societies; three of his Societies have invested money to the extent of £400, and £200, £100, in connection with the Friendly Societies' Hall; he approved of the investment of the funds in this way; all the Lodges having to meet in public-houses, they had no place to go to; the separate Lodges were not in funds to build halls of their own;

own ; a meeting of delegates for the various Societies was called ; it was resolved to bring a report up to the effect that they should combine to build a hall ; found it could be done, under the 42nd clause of the Act, by separate Lodges ; thought that they could also do it in combination ; Protestant Alliance and Oddfellows' Hall in Sydney has been built by the members of several Lodges, although under the same Order ; takes it that the Friendly Societies Act prohibiting the investment of funds means amongst non-members ; the investment is sure, and the interest from the hall is the same as would be got from the Bank ; Directors of Friendly Societies' Hall Company give the guarantee and are personally liable ; in the event of Society or Societies requiring their funds, they could be obtained by giving twenty-eight days' notice ; has received praise from the members in reference to these investments ; has Mr. Bowden's opinion as to what they could do (see page 408) ; three Lodges only have invested their funds in it ; there is a special form in which the applicant has to state he is a member of such and such a Society, and none but members of Societies can obtain shares ; does not look at it as a Joint Stock Company ; in case of bankruptcy or death the shares could be passed to non-members ; believes that Mr. Oliver did advise a way of making the affair legal, but is not sure ; he did not make a statement to the effect that Mr. Oliver had said he knew it was illegal, &c. ; the position of Messrs. Coates and Gazzard is the same as his ; Mr. Coates knows nothing of the matter...

Evidence of Mr. George Coates :—Has been a member of the Ancient Order of Foresters for twenty-six years ; from hearsay £400 has been invested in the Friendly Societies' Hall Company ; he disapproves of the investment, as contrary to the Friendly Societies Act ; thinks the funds should be only invested in the Savings Bank or Government securities ; was elected Trustee without his knowledge ; on stating to the Treasurer that he understood that they were about to purchase a hall, but that he would not sign the cheque, he said it was needless, as it was paid for already ; Mr. Menser and Mr. Gazzard took it upon themselves to draw the money out ; cannot say if he was removed because he would not sign the cheque ; his name is not still registered as Trustee ; had no intimation from the Court that he was removed—it was only by accident he heard of his removal.

Evidence of Mr. L. Menser continued :—The Manager of the Bank declined to acknowledge more than two Trustees ; his name is John Taylor ; he told him nothing himself, his clerk did ; he never had the opportunity of consulting Mr. Coates respecting this matter, or should have done so ; had spoken to him about purchase of the property, although he did not officially consult him ; it is not a fact that he overlooked him as a Trustee ; in the Bank-book it is Gazzard, Menser, and Coates ; the Manager only recognizes the first two names ; this was the first time they have had to draw money out of the Bank for years ; Mr. Gazzard always banked the money.

Evidence of Mr. Moses Gazzard :—Is a member of the Foresters ; is also a Trustee ; he drew out £400 for the Hall ; approved of that mode of investing the funds, because they had nowhere to go to ; has never read the 42nd section of the Act ; has been informed that it says that the Trustees have no power to invest money in a Joint Stock Company ; has heard that Mr. Bowden stated it could be done ; Mr. Coates was appointed before him and Mr. Menser ; if he had known the provisions of the 42nd clause he might have considered the matter ; the shares are taken in the name of the Lodge ; Mr. Menser paid the money ; he was not present when the money was handed over ; he was guided by the summoned meeting ; owing to the action then taken, he was a consenting party to the money being taken ; is sure the shares were applied for in the name of the Lodge, as it was voted that it should be done so in the Lodge ; he did sign a cheque for the withdrawal of the money.

Evidence of Mr. L. Menser continued :—They applied on behalf of the Court for 400 shares to be allotted to the Court ; no scrip was issued ; the application was signed by him on behalf of the three Trustees ; did not consult them directly, but it was done in the Court ; he applied to Mr. Gazzard directly to authorize him to apply on their behalf ; this Companies Act does recognize bodies of men ; there is a special (registration) deed ; the Secretary signed the cheque for the money himself ; they signed the receipt book at the Bank ; the cheque is signed by the officers of the Court.

Evidence of Mr. Gazzard continued :—The money of the Court is deposited in his and Mr. Menser's name in the Bank ; Mr. Coates' name is not in the Bank-book ; had nothing to do in the matter beyond signing his name on one occasion ; he did not apply for the shares ; has had no paper exhibited to him as a receipt for the payment of the money ; has a positive knowledge that the money has been paid ; does not know if any receipt is in existence ; does not think the Lodge would do anything illegal.

Evidence of Mr. Menser continued :—The Sons of Temperance and the Druids have invested in this Company ; these Lodges have taken shares which have been allotted to them ; has no signed articles of association ; he holds the documents from the Company ; he holds a receipt, and the deed of settlement is signed by the other Trustee and himself.

Evidence of Mr. Henry Harrington Green :—Is Grand Master of the Independent Order of Oddfellows ; he has, with the concurrence of the Trustees, removed some of the funds of the Lodge ; a portion of the Funeral Fund has been operated upon by the Trustees ; it is invested in real estate ; when the land was placed in the market it was purchased conditionally, that the Order would accept it ; a private cheque was given for one quarter of the purchase money (£834) ; subsequently a meeting of the Executive was called for the purpose of laying the matter before them ; previous to this two or three meetings were held to know if it would be advisable, at each of which it was unanimously decided that it would be a profitable investment ; it was determined to purchase the land ; they had previously obtained legal advice as to the step they were about to take ; the matter is still in embryo, although the name of the Order was used in connection with it ; it is not a fact that two new Trustees and one old one drew out £200 ; it was done by the original Trustees as registered by the Registrar of Friendly Societies (*produced for inspection*) ; at the last annual session of the Grand Lodge Trustees were elected ; the Journal of Proceedings will explain that a protest was made at the election as to the mode of election ; the mode of election was objected to because it did not accord with the clause of the constitution under which it was held ; the protest has yet to be decided by the Supreme Grand Body ; the old Trustees have acted in the meantime, and have withdrawn the money applied for the purpose of purchasing this property ; believes that the appropriation of the Funeral Fund

in the manner done is in conformity with the rules ; he interprets " and for no other purpose " to mean that it may be invested profitably in real estate ; previous to the land being purchased he gave instructions to the Grand Secretary that Mr. Langley should be apprised of the fact ; Mr. Langley was interviewed by the Grand Treasurer ; he has the Treasurer's word of honor that Mr. Langley gave his consent ; has copy of intimation sent to all Lodges, and Mr. Langley's Lodge amongst others received one ; they received a protest from that Lodge, though they were present at the meeting at which action was taken ; he learned subsequently that Mr. Langley influenced the passing of that protest ; they were immediately after purchase offered £500, and subsequently £800, and more recently £1,000 on their bargain ; the matter of the Trustees was referred to the Supreme Grand Lodge of Australasia ; the Executive meets when any matter of importance is brought before it ; they can give a ruling which is binding ; the matter of the Trustees has been referred to them ; he was in the office of the Supreme Grand Secretary in April last, and he said he had received such a document ; has had no communication since ; indirect influence on the part of Mr. Langley has been used to obtain from the Grand Sire a decision ; their institution is of American origin, and they say distinctly that honorary membership is not recognized ; one of the clauses in the protest is with regard to Mr. Langley holding an honorary position ; Messrs. Dawson & Sons, solicitors, were consulted legally ; their opinion was that they could go on and complete the purchase ; the laws were submitted to Messrs. Dawson & Sons for their opinion ; they advised them that if they complied with the Friendly Societies Act, with regard to one or two clauses pointed out to them, by having special meetings, all was clear ; he cannot say whether their special attention was called to the intention of their Society to apply the Funeral Fund for the purpose of making the purchase ; attention was drawn to the fact that the mother institution of the Order had invested their funds in almost a precisely similar way. There was no objection made to persons at all.

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FRIENDLY SOCIETIES ACT INQUIRY COMMISSION.

MINUTES OF EVIDENCE.

FRIDAY, 25 NOVEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
ARCHIBALD HAMILTON JACOB, Esq.,
M.P.,
PHILIP J. NEWLAND, Esq.,JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,
JOHN DAVIES, Esq., C.M.G., M.P.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RISBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.

Mr. Alexander Oliver, Registrar of Friendly Societies, sworn and examined:—

1. *President.*] You are the Registrar of Friendly Societies? Yes, sir, I am.*
2. I presume you would be able to furnish a return from your office of the number of Friendly Societies registered under the Act? Of Friendly Societies registered under the Act; yes, in fact we have such a return now. It is a little approximate, and it would be subject to reduction, because some of the registered Societies we know to be extinct, but we have got no record of their dissolution. We know them to be extinct, because after writing several letters to send in their returns we have had no reply; we believe them therefore to be extinct. Those I refer to are Societies registered many years ago, so that my return will not be an accurate return, but will have to be taken with some reductions; my return will show a larger number than actually exist.
3. I may inform you that, notwithstanding the Commission is to inquire into the whole Act, our inquiry is confined to the Friendly Societies. Now, do these registrations include Building Societies? Yes; that is to say, the Act under which I register Friendly Societies is the same as that under which I register Building Societies.
4. Then in any return you may prepare will you kindly exempt the Building Societies? Yes, and I presume also Industrial and Provident Societies. What I am asked for, I suppose, is a return of the number of Societies.
5. Will you supply us a return of the number of the respective Orders? Yes.
6. Under the Act these Societies have to send in certain returns? Yes, sir, they have.
7. Will you inform the Commission whether these Societies strictly comply with the law in this respect? The Societies have made returns in many instances and regularly in the time prescribed by the Act, but a great many Societies have not done so. Your question is almost impossible to answer without going a little into detail. For example, the Manchester Unity, the Foresters, and some other large Orders send in their returns punctually; and, if I may say so, in a very good form. On the other hand, many of the Societies, especially the country Societies, send their returns in utterly unintelligible; and some—a large number I am sorry to say—send none in at all. Take last year for example. I suppose some two or three hundred letters must have been written sending the form of the return and reminding the Societies of the time when their returns must be sent in. In many cases these were not replied to; in others, returns were sent in, but to attempt to dissect them or make any use of them was absurd. They are constructed in the country by very illiterate men, who could not understand how to make them out. Therefore, for statistical purposes the returns are quite useless. We send the returns back with a request that they should be amended; but the Secretaries get hopelessly confused, and it ends in us simply getting lumped-in figures. We try to get them dissected so as to exhibit the income and expenditure in a proper way; but we rarely can get that except with those Societies that make this a matter of importance and see that this is done. Some of the large Orders do that, but many from the country pay no attention to it. So that out of 460 Societies, perhaps we may get a few over 200 returning in accordance with the forms sent them, the balance being all more or less unintelligible, and some returning not at all.
8. You are now speaking of country Societies? My last remark was with respect to Societies generally. About 200 of all of those registered send in good returns, a certain proportion send in imperfect returns, and some send in none at all. Well, from returns prepared in that form it would of course be impossible to put any man to work to dissect them with a view of obtaining any decent result.
9. Do you know whether these country Societies you speak of are not connected with what is called the Grand Lodge of the Society in the city of Sydney? A great many of them are.
10. And are these returns irrespective of the Grand Lodge? Well, that has been a difficulty. I consider the Act requires that each Lodge should send in its own returns. In the Manchester Unity there would be so many districts. There would be the Sydney district and districts all over the Colony, and the same with the other large Orders.
11. But I suppose you know they are governed by a Grand Lodge? Yes, some representative body.
12. But that they have no influence over the district Lodges? I do not pretend to know anything about their domestic government. All I know is from hearsay or from what I see in the rules. I do not know anything

Mr. A. Oliver.
25 Nov., 1881.

* NOTE (on revision):—The office of Registrar of Friendly Societies is held in conjunction with that of Parliamentary Draftsman; the Friendly Societies Act requiring that the office must be held by some public officer.

Mr. A. Oliver. anything of my own knowledge of their internal government as between district and Lodge, or between Grand Lodge and districts.

25 Nov., 1881. 13. I think the law provides that there should be an annual return laid before Parliament? It does.

14. Has that ever been done? Never.

15. Will you explain the reason why? I have no objection, but it will be rather a long story. I was appointed in 1874, in January—

16. I will ask you another question in addition to that. Will you be kind enough to inform the Commission what staff you have in connection with the working of this department? The last three years I have had about one quarter of a man; that is I have a clerk who has to do a large variety of other duties, and practically I get about one quarter of his time for Friendly Societies.

17. Now, will you be kind enough to explain the reason why the law has not been obeyed in that respect of laying these returns before Parliament? In 1874 when I was appointed, I was then filling the office of Parliamentary Draftsman, as I am at present. The Act makes no provision to authorize the Government to appoint any clerk or to give any sum of money whatever for the purpose of making a return. Shortly after my appointment I applied to the then Government, pointing out that by the Act the duty was cast on me of preparing returns and of submitting them to Parliament. I was answered that, as I was an officer paid by fees, I would be expected to provide my own staff. I went on one or two occasions to see the Principal Under Secretary, then Mr. Halloran, in order to show him that, with fees amounting to something like £26 a year, I could hardly be expected to find a man capable of dissecting the returns and preparing a report for Parliament. This went on for two or three years, always with the same result; they would not find me any assistant, or provide me with any money, with the exception of one small sum of £25, which was provided not to prepare this return but to help me to put the records, of which I had then something like two cartloads, into something like form. From this large number of Societies there are a vast number of documents, which fill two very large presses. These had to be re-registered, re-indexed, and put in proper form, and for that I got the sum of £25.* This state of things continued and has continued up to the present time; but when Mr. Scott was appointed I said we must make the attempt to obey the law in this respect—I think it was in 1877—and we endeavoured to get the returns together and make up a report from them to submit to Parliament. This was the first instance that we found out how negligent the Societies had been in sending in their returns, and that to get them involved a large amount of correspondence. That correspondence continued until it was so late in 1877 that we saw it was no use going on for that year. The same result has followed year after year, and has continued until this year; and even now we have not the means of making a report to Parliament as demanded by the Act.

18. Thus it is impossible for you to comply with the law unless you have a clerical staff in connection with the office? Perfectly impossible. In any other place where returns have to be forwarded they have a large staff, notably in England, and also in Victoria, where the Government Statist, Mr. Hayter, has charge of the matter. They think nothing there of making a large expenditure for the purpose of getting these returns in punctually; but here the Act first casts the duty of being Registrar upon some public officer—it must be a public officer—and then makes no provision for any staff or any assistance whatever. Even now my clerk is not clerk for the Friendly Societies, but to me, as Parliamentary Draftsman.

19. Is it your opinion that this matter of Friendly Societies is of so much importance that there ought to be a Department or a Branch Department in connection with yours, in order that you might be able to comply with the law and have complete supervision over these Societies? I think that a reasonable way of getting over the difficulty might be to cast the duty on the Statistical Branch here—that is upon the Registrar General. The work is done by the corresponding officer in Victoria; the Government Statist does it there, and I think the statistical duties in reference to Friendly Societies might reasonably be done by the Statistical Department, unless the interests of the Friendly Societies are considered to be so important as to justify a special Department. As to that I do not pretend to give any opinion.

20. The matter of Friendly Societies itself is important, taking into consideration the large amount of money involved in the contributions of people concerned in them; is it not so? Yes.

21. Do you think there is any great advantage in these returns being laid before Parliament? I apprehend that is the usual way of giving publication to any document prepared in a public Department. The real value of the returns is that statistics shall be accessible for actuarial purposes, for if the returns are reliable there are great advantages to be obtained from their publication. If the material of these returns be properly dissected it will give material for actuarial purposes that would be of value, but without proper dissection the actuary would be very much at sea.

22. Then as I understand you, it would be necessary to have an actuary attached to the Department? I think it must be that eventually, and therefore the sooner the better. The question of solvency is one that must be very largely an actuarial question.

23. Do you have frequent correspondence with these Societies over these yearly returns? Oh! a very large amount. Not so very much this last year, but I must have given a matter of three or four hundred opinions in writing on the construction of the Act. Once I used to devote the best part of Saturday, and always the dinner-hour, to persons who came to me. Their difficulties are nearly always in connection with their own rules—the application of these rules to a given state of things. For example, a man tumbles overboard in the Clarence River, and his wife makes the usual demand for the funeral money. Well, on behalf of the Society they raise the question that he did so while he was drunk. They have certain evidence of the man being in a state of drunkenness, and they come to me and say can we resist this claim? Then there is another kind of claim, where money has to be paid to the personal representatives of a deceased member. They say—“Our rules say we shall pay the money to the wife, next of kin, or administrator; whom shall we pay it to?” Then another class of people are those who say they have a claim on the Society. They come and say—“They will not pay me my sick pay, because they say I am unfinancial,” and then the question comes, are they unfinancial under the rules of the Society.

24. Then there is no general uniformity? No, except with the large Societies—they have their rules uniform or nearly so; but even with them the Lodges are left very much to themselves, subject of course to the general guidance of the rules of the Order. Each Order has a perfect right to frame its own rules, though there is a general understanding that the rules so framed shall be approved by the proper officer of the district.

25.

* NOTE (on revision) :—This was paid over to the person employed to do the work.

25. Then I presume you could supply the Commission with all the important and necessary information in the shape of a return, without rendering it necessary to bring all these documents before the Commission and submit them to us? I can supply the names of all the registered Societies. Mr. A. Oliver.
25 Nov., 1881.

26. If you say you cannot do this thing without having some clerical assistance, it will be our duty to put it into your power? I shall be able to supply that information in a day or half-a-day, but if you can give me an idea of the nature of the returns wanted I could answer at once.

27. We should want the number of the respective Societies, a similar return to that required for Parliament? Perhaps if I showed you a return that is being prepared now—or I have here the result of an attempt made in 1878 to comply with the law. If it is a return for this year compiled like that, I could not do it. It is an elaborate return, and I have not the material.

28. This shows the whole transactions for that year? The only fault is that we cannot get from that, by reason of the way the returns are made up, the management expenses properly set out; because a vast number of the Societies have included medicine and doctors in them. In fact in one Society they have lumped everything as management expenses. It is in the attempt to get them separated that we have failed.

29. Then from the returns sent in to you you cannot compile a truthful return? Not one that would be of any use.

30. *Mr. Abigail.*] Not for the past year? They are getting better now, but I do not think I could do it even now.

31. *President.*] However, I think we shall deliberate about this matter of these returns, and will then ask you to prepare such returns as we may require; and as you have stated that you have not got sufficient clerical assistance, we shall then ask you to do what we think is necessary and supply you with the assistance necessary to supply what we require. In that event could you get it done? Yes, anything that the materials I have can do I will do. At present I cannot supply a return that will be a proper return.

32. This I hold in my hand (*the return for 1878*), does it supply any information whatever; could we arrive at any conclusion with regard to the solvency of the Societies? Most undoubtedly, with respect to some of them.

33. Have any of these Societies ever submitted their data to an actuary to see whether they are on a sound basis or not? I believe—but I have no knowledge further than that I have been told so—that the tables of some of the Societies, of the large Orders, have been submitted to actuaries in England. I am not aware that any of them have submitted them to actuarial calculation here.

34. Are you aware that from the results of a Royal Commission in England it has been ascertained that the rates they are now taking are not nearly sufficient to meet all demands upon them? I have read parts of a voluminous Report issued from the Commission of 1871, and have noticed on two or three occasions in the Report that they have some serious misgivings as to the solvency of the greater portion of the Societies in England. I mean Sir Stafford Northcote's last Commission.

35. *Mr. Abigail.*] In the matter of the fees you referred to, will you describe what these fees are? The fees. Of course they are prescribed by the Act in the second Schedule:—For certificate of rules of a new Society, one guinea; for certificate of new or amended rules, or change of name, 5s.; for an award, three guineas.

36. Have the Societies ever made a complaint that these fees are vexatious? There has been a complaint, no doubt, of this kind, that where in a Society the parent Society has been registered, a claim has been made that every Lodge shall be considered as registered too. I have never heard any other objection; but several persons have raised that point, and have sent letters to the Attorney General complaining that I do not take a proper view of the matter.

37. Can you state the amount of fees you have received yearly since the Act was passed? I know that the first year they were under £20, and that for several years they did not reach £40; but within the last two or three years they have been steadily going up, until last year they reached £120.*

38. You stated that some of the Societies had not sent in their returns—Does the Act not compel them to do so? The Act purports to compel them; it makes their default penal, and makes me also the person to take proceedings against them.

39. You have never done so? I have never done so.

40. Have you any plan to cure that evil? One reason why I have not taken proceedings is that most of the defaulters are in the country, and on some occasions it would have cost more than £20 to go backwards and forwards to lay an information against an illiterate man; and I did not think it was my duty to do this.

41. Have you any plan to suggest to cure that evil? It is a very difficult question. I have thought about it, but I cannot say I have anything I can consider a real remedy, though something could be done to bring about a better state of things than the present. I think that the returns of chief value will be found to be those made by the large Orders; for example, the Manchester Unity, the Grand United, the Sons of Temperance, the Foresters, the Protestant Alliance, the Druids, and the Guilds, which represent much the largest numbers. I think that each of these Orders ought to be compelled to appoint a sort of returning officer, a public officer, upon whom the duty ought to be cast of making sworn returns to the department; that that officer ought to be responsible for the correctness and accuracy of the returns from all the Lodges or Divisions under his charge, and that such a return should be deemed to be a sufficient return for the purposes of the Act.

42. Is there any means by which you can get now a periodical valuation of the liabilities and assets? Oh no, it could not be done.

43. Have you a return partially prepared for 1878? I have a report that I made for my own purposes.

44. When moving for a Commission I made certain statements; I will thank you to see if they agree with your return. I said—"I find that the Oddfellows of the Manchester Unity set down the expenses at 18 per cent." Is that correct? It is approximately so. I do not guarantee that they are absolutely so; and there is one thing,—these are made up from the returns of registered Societies only.

45. Then I stated that the Grand United Order of Oddfellows set theirs down at 47 per cent. Is that correct? That is what this makes it. There is a note against it:—"This includes medical benefits." In the other case it did not.

46.

* NOTE (*on revision*):—The fees, however, for the year ending December, 1881, amounted to only £70 19s. 6d.

- Mr. A. Oliver. 46. The Independent Order of Oddfellows 67 per cent. Is that correct? It is correct, according to this.
47. The Sons of Temperance 29 per cent.? That is correct.
- 25 Nov., 1881. 48. Rechabites 75 per cent.? 75 per cent., yes.
49. Will you tell us what the Rechabites paid for sick pay and funeral benefits in that year? There was one Lodge in that year—there are three now.
50. What was the number of members? Forty-one.
51. Now the sick pay? £2.
52. And funeral? £5 18s.
53. And other expenses? £87 3s. 2d. put under management expenses.
54. You have no doubt that if annual returns could be rendered correctly, it would be of vast benefit in enabling persons to see if the Societies were carrying on satisfactorily or otherwise? I presume that is the only way of ascertaining that fact.
55. Do you know that any of these Societies have expended large sums of money in vexatious litigation? I think all litigation is vexatious, but I cannot say that I know of any case in which a member has endeavoured to obtain a claim that I should call vexatious or frivolous; but I think the Societies have on one or two occasions resisted claims on what I should consider quite inequitable grounds.
56. You said you had given three or four hundred opinions; have you made any charge for them? Not one shilling.
57. Have you been the means of bringing about a settlement? Yes, in many cases. They have come to me as sole arbitrator.
58. Do you think if a law were framed enabling them to settle all disputes by arbitration, that it would be desirable? I think that is the object of the law now, but the Judges do not take that view. I think the fact that the law says that the rules must contain one for the settlement of disputes meant that these disputes should all be settled out of Court. It has been so held in England, but not here; I mean by the District Courts and Justices. If it were possible to obtain a sort of representative body from the Societies generally as a body of permanent arbitrators, and to oust the jurisdiction of all Courts in cases where it is an action between a member and the Society, it would be beneficial, for I do not think either the Justices or District Court Judges have time to go into the peculiar relations of Friendly Societies. They do not like the jurisdiction themselves, and would be glad to get rid of it.
59. Have you any knowledge of Societies having failed to meet their obligations? There are several Societies that have been dissolved by me, and I have no doubt that one of the reasons for dissolution has been that they were unable to provide for their liabilities: but the whole number of these Societies so dissolved has not been a dozen.
60. Have you had under your notice the returns for last year? Yes, a few.
61. My object in asking is to know if you can say if any of them have shown a surplus or a deficiency? I can only say that Mr. Scott in taking out the figures has on one or two occasions come to me with a set of returns saying—"Here is a Society whose expenditure exceeds its revenue." He will be able to give particulars.
62. Would you recommend annual audits by Government officers as beneficial to these Societies—could they be carried out? An audit would not be much use unless the officers knew how to value the liabilities and assets. It must be an audit and valuation if it is to be of any use.
63. *Mr. Greville.*] I presume you only speak authoritatively upon legal matters; you do not wish your evidence to be taken as that of an expert except upon legal matters? I do not consider myself an expert in any way.
64. Then just now you only speak as one who takes an interest? I speak as one having been in the habit of reading the reports. I am not an actuary.
65. Then if a Society submits its rules to you, are the tables bound to be appended? The Act says, in the 7th section ————. I do not insist on a set of tables if the rules say plainly what the rates are.
66. And if you saw they were glaringly wrong, not legally but actuarially, could you stop any registration? I have done so; whether legally or not, I do not know; they have never tried the question. I say—"I do not think your tables are sufficient, but if you raise the contributions to a certain amount I will certify them."
67. But do not you step beyond your province in doing this? I think so; but there is nothing to compel me to register the rules.
68. Not if they are in accordance with the law of the land? I do not know; I do not think I am compelled.
69. But primarily it is your duty to see that the rules and regulations are legally framed? My business is first to see that the requirements of the 14th section are complied with. That section states in what subjects the rules are to be made, and what they are to contain. I also conceive it to be my duty to see that I am not registering a Trades Union or Society of a similar kind.
70. You first duty is to look to the legal question? It is.
71. Do you consider it part of your duty to look to the financial aspect? I think if I registered a Society which gave a guinea a week sick pay and £25 funeral donation, at a threepenny contribution, I should be reprehensible.
72. Yes, but that is an extreme case; but if it were a case in which the rates charged came very close? I think I am entitled, and indeed bound to exercise a reasonable discretion in the matter; if they were within a fraction of what I reasonably consider sufficient, I would not refuse to register because they did not come exactly up to it.
73. But is it not as important that the actuarial aspect should be attended to as the legal aspect when a Society is registered? Oh yes, I certainly think so.
74. And you do not profess to be an actuary? I do not.
75. And it is not often that an actuary and legal gentleman are found combined in one man? Very rarely, I should say; at all events they are not combined in me.
76. Would it not be advisable then that simultaneously with your passing of the rules, all Societies should have their tables submitted to an independent actuary? I know that is a very favourite view, and I should be sorry to say anything against it; but if you say that the Government should associate with any given office an actuary and that the Society shall not be charged an actuarial fee, but that the expense shall fall on

on the Government, and that if the actuary refuses to give his certificate the Society shall not be registered, Mr. A. Oliver. it would be a very harsh rule in its application sometimes.

77. Need we mix up the question of who should pay—I want to arrive at a conclusion on the abstract principle as to whether the tables ought not to be submitted as well as the legal question? Independent of the question who is to pay the actuary? 25 Nov., 1881.

78. Certainly? My view is that any rules to be submitted for registration should come up to some settled point in relation to the contributions and insurance benefits—some point that could be settled by law. It is not a difficult calculation to say that less than a certain rate of contribution should not be contained in the rules of a Society. Having done that and settled that relation by law, I think this might be very fairly left as an alternative to Societies:—If you come up to these figures you pass as a matter of course, but if you do not you must have a safety-valve, in other words, you must have a levy system; that is, a provision by means of which whenever your funds are reduced below a certain level you shall have a *pro rata* contribution all round. I think I would give that alternative to Societies in any future law.

79. Then you admit that it is the duty of the Government to see that the tables should be a matter of consideration as well as the rules? Undoubtedly.

80. In speaking of the *pro rata* contributions, is not that an uncertain and a dangerous method of relief? More or less it is the system in vogue in this Colony. It seems to me to be open to one or two objections, but I think there are advantages. The objections of course are that after one or two levies you make a man irritable, and that the system is apt to become a levy system pure and simple, the contributions being reduced as low as possible.

81. And this would have the effect of breaking up the Society; that is, if the members withdraw on account of there being so many levies? Yes, members will withdraw or not according to their ages and the consequent possibility of getting into another Society. A man would not withdraw because one or two levies were made if he found he could not get into another Society, but if he were a young man he would probably go into another Society.

82. The young would withdraw, thereby weakening the Society and breaking it up, thus doing an injustice to the older members, who could not get out? Possibly; but I think the system is defensible on this ground, that if it is possible to fix the contributions there should be a system side by side with that—a kind of volunteer movement. Of course I am assuming that in all cases a fair contribution should be made.

83. In other words, you believe there may be a combination of the two systems? I think so. The difficulty might be got over if the Registrar was a man of discretion, so that he might have the power to absolutely refuse confirmation of the rules. If he is a man of sense he ought to know about what is a fair scale.

84. I think you mentioned that there are many Societies which exist unregistered? Not many. With regard to the Manchester Unity, I think some eight or ten, and there may be about the same in regard to other Societies.

85. Have these sought registration and been refused? No, not so far as I know. There may be some who consider they are sufficiently registered when the parent Society is registered.

86. Can you speak positively as to the number of Societies which have been dissolved? I can speak positively as to the number dissolved under the Act, and there is no other way of legally dissolving them. I can only speak of registered Societies dissolved under the section, and there have not been a dozen of them.

87. And can you tell the causes of their dissolution? Well, no, I can hardly tell.

88. Was it because their funds were not sufficient to meet their expenses—have pecuniary difficulties brought it about? No, I do not think it is pecuniary difficulties alone. In most cases it has been some objection to their governing body, or jealousy, or something of that kind.

89. Then you are not aware that the Societies here are upon an unhealthy basis, at least they have not proved themselves so? Officially, I certainly say no.

90. Mr. Davies.] I gather from your evidence that the present Act is defective in its operations? In reference to the returns, yes, I think it is.

91. And in many other respects? Yes, I think I may say it is defective in other respects.

92. What have you to suggest in the shape of new legislation that would place these Societies in a better position? That is such an important question that I should like to be permitted to make a statement in writing. If you would ask me on any one point I should be glad to give you my opinions.

93. In what portions of the present Act do you think the law is defective? The first thing would be to consider whether we could properly adapt the English Act, and whether it is an Act that would be beneficial to the workings of these Societies. That would require an elaborate comparison with our present Act. Thus there is a great deal in your question that I could not answer at once.

94. You state that you would have no objection to prepare suggestions? I should be glad to prepare an outline of what has occurred to me in my investigations.

95. I gather also that, although the present law provides for returns to be sent officially to you, a large number of Societies have failed to comply with the law? Yes, a very large number have failed to comply.

96. Do you think it would be necessary to clothe the Registrar with power to deal with them? He has the power now—he can prosecute.

97. But could not some other power be given, such as the withdrawal of the certificate? That would be very harsh, as it would be making the whole Society responsible for the misdoings of an unlettered man. The only suggestion I have is that the central bodies should be recognized, and that the larger bodies should have a responsible officer to send in their returns properly attested.

98. Then the returns so far as they go are of very little use, being imperfect? The major part of the returns are of very little use.

99. Do I understand you to say that some of the Societies belonging to the older Orders have not been registered? In the Manchester Unity returns for last year they put in one column—"Whether the Societies are registered or not," so that on looking down, I was able to see at once whether they were registered or not, and I found that there were some seven or eight that were returned as "not registered."

100. Then you have really no control over these unregistered Societies? None whatever over unregistered Societies.

101. How long have you occupied the position of Registrar? Eight years.

102. What has been the total amount of fees received? I do not know; it would be under £500, considerably under £500.

- Mr. A. Oliver. 103. Who gets these fees? They are given by the Act to the Registrar.
- 25 Nov., 1881. 104. What amount of money do you think would be necessary to properly conduct the business of these Societies? If there were to be a registrar, an actuary, a valuator, and a sufficient clerical staff, I do not think it could be worked under about £2,000 a year.*
105. Then would it be better to make a provision of that kind, or to adopt the present course? I think any practice by which the Registrar keeps his fees is a wrong one, as the fees might make it an object with him to register the Societies. In England, now, there are no fees.
106. What are your duties as defined in the Act? Those I perform under the Act are to register rules that conform with the law, keep the records of all Societies under the operation of the Act—
107. The Registrar has more to see that the by-laws are in accordance with the Act? Yes, and to send returns to Parliament.
108. How frequently have returns been made? Never.
109. Then you have failed in the discharge of your duty? Yes, undoubtedly so.
110. You have made representations to the Head of the Department? Oh, frequently,—six or seven times.
111. During the eight years you have been Registrar, how many Societies have been registered? I cannot say exactly.
112. I think I gathered from you that in Victoria Mr. Hayter has charge of the Department? No, Mr. Greville; Mr. Hayter is the Statist.
113. And that here it would be better to put the Societies under the charge of the Registrar General? Yes, if the duties are not legal.
114. I gathered from what you said that it would be better if the returns were made to the Registrar General's department? I think that the returns of the Lodges or Societies should be handed to the Government Statist for registration in proper form, as that Department does all the other statistical work of the Colony.
115. In your opinion, is the present Act sufficient protection to the individual members of the Societies, so far as the financial basis of the Societies is concerned? No, it is not, because there is no person other than their own arbitrators to whom any financial dispute can be referred: there is no impartial person as there should be. Something should be done to permit a certain number of members of each Society to procure a special audit of the accounts.
116. Would it not be better for some independent body or person, say the Registrar, to be appointed sole arbitrator? I do not know that the Registrar could do it, unless this were his sole duty. In that case I think it should be one of his duties.
117. To act as sole arbitrator? Not in the matter of a claim; but where a Society has showed that it is badly conducted, and that it is in an insolvent condition, the Registrar General might for himself investigate the accounts, or authorize their investigation by some person whom he can rely upon. In regard to claims made by members of the Society, I should recommend a body of permanent arbitrators to be elected by the Society themselves—say three or five; and let all claims on the funds, or claims for reinstatement by members in arrears be brought within their cognizance.
118. Has any particular case come under your observation of the insolvent state of a Society in consequence of the by-laws of the Society being on a wrong basis as far as advances are concerned? The only way in which I get any light thrown upon the question is when a member comes with a claim and tells me that he cannot get his money, and asks me what he is to do. I have no other knowledge.
119. You have no knowledge of a Society actually failing? No, unless when a Society dissolves I am entitled to assume that it is left insolvent. In one case a Society came to me and said that their young men having gone away there were so many old men left that they must smash up shortly.
120. But would not that be caused by some internal disagreement? It might happen, and very likely did so in this case.
121. Then you do not know of any case in which the dissolution of a Society was caused by its insolvent condition? I do not know of any such case.
122. What is your opinion as to Societies in this Colony as compared with those in England? As a matter of opinion, I should think the Societies here—I should think the old Societies that have lasted thirty years or so—must be taken to be sound, as they must have gone through a generation. With regard to some of the new Societies that have been founded with a few members, and in the country, where they have to make large contributions owing to the distance from a doctor, I think they may be insolvent; but taking the bulk of the Societies, I should say they would compare not unfavourably with those elsewhere.
123. Do you think then that the Societies here do not undertake too much for the contributions they receive? The payments themselves vary so very much that I should have to go through the whole of the Orders, and then should not feel justified in speaking as to any given figures—they vary so much; each Order has a different scale. I shall be able in a day or two to furnish you with a statement I have prepared bringing out these facts particularly, and you will see from that what an extraordinary range there is. It can be accounted for by the fact that in some Societies after a time the benefits cease, while in others they do not. Every Society seems to be based on a different foundation with regard to contributions and benefits.
124. With reference to country branches, or Societies, or Lodges, I understood you to say that many of them had been reduced to almost a state of insolvency? Say a Society of twenty or thirty members, it might be so.
125. Have they in such a case any aid or assistance from the Societies in Sydney? That I do not know; but I was speaking not of funeral matters, but with reference to doctors; however, a doctor often means a funeral.

The Commission then adjourned until Friday, 28th November.

MONDAY,

* NOTE (on revision):—On further consideration I am of opinion that the sum required would be nearer £3,000 than £2,000.

MONDAY, 28 NOVEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP R. HOLDSWORTH, Esq.,
EDWARD J. RUBLE, Esq.

Examination of Mr. Alexander Oliver, Registrar of Friendly Societies, resumed:—

126. *Mr. Holdsworth.*] I think provision is made in the present Act for certain returns to be sent in *Mr. A. Oliver.* annually and quinquennially? Yes.

127. These returns are supposed to be in such a form as to supply materials for the statist? That of ^{28 Nov., 1881.} course is the inference; but the statute does not say so. If they are not for that purpose I do not know what they are for. I should, perhaps, say for the actuary rather than the statist.

128. We will say, then, for the actuary? I presume that is the object.

129. You say you have received a large number of returns, some properly made out and sent in regularly, others defective and obtained after much trouble? Yes.

130. You have also a number of returns received at different times from Societies which you believe have now ceased to exist? I do not remember saying that; I have never received returns.

131. But you have the returns in your office? No; we have sent forms and reminders to the Societies, and having no replies we infer that they have ceased to exist. But these are all old Societies.

132. Could you provide a return of all Lodges, Divisions, or Societies which have sent in returns, underlining or making some distinguishing mark against those which have not been returned within the last two years, assuming all such to be defunct? That could be done if I had a fortnight's time, and if I had assistance.

133. Some Societies have sent in returns, others have not. Do you not think that those which have sent in returns would for all statistical purposes present a fair average of the whole of the bodies? That is a very difficult question for me to answer, and I will tell you why. We have got some Societies in which the majority of the members are lumpers—by far the largest majority are lumpers; there are others in which the whole of the members are miners, coal and tin miners; and others in which the item "accident" will be very much more common than in some of the Societies composed of an average number of persons following different pursuits none of which perhaps are dangerous to life; so that you would not, from a series of returns representing what you might call average occupations in life, be justified in drawing an inference for Societies in which the occupations are more dangerous.

134. But if these Societies were some of those which sent in returns, could not a fair average be obtained then? Yes, if they did, but these are just the Societies which do not, and it is they which are chiefly in default. I should like to give some reference to my statement, that is to give an authority. If you have ever seen Dr. Farr's tables of mortality you will see that they are arranged in the order of occupations according to the percentage of deaths. There are something like forty or fifty different kinds of occupations, and the averages are strikingly different. That is of course an authority on the subject. It has been found necessary to construct tables for different occupations; and I deduce from that, that in any sort of calculation or valuation to be made it would be necessary to follow these tables.

135. Then you do not consider that from the returns which have been sent in you could form an average? I think some kind of average might be arrived at, but it would be unsafe with regard to some classes.

136. The present Act provides a penalty in cases where Lodges send in no returns, but owing to a defect in the construction the Act is a dead letter; is it not so? A great many do not send in returns at all, but there is no doubt about a penalty therefor having been incurred. But these are not the ones that we find most fault with; the worst cases are those which send in returns which are unintelligible. If I were to prosecute these Secretaries the case would be dismissed, because it would be held that they had complied with the Act by sending in returns.

137. The officer, if I remember the Act, who neglects the duty is individually liable, is he not? The 45th section says that "the trustees of every such Society established under this Act * * * or the officer thereof appointed to prepare returns" shall forward them, so it is either the trustees or such officer who is liable.

138. And proceedings to recover the penalty have to be taken in the Police Court of the district in which the Society exists? Under the 78th section "all penalties and fines imposed by this Act or by the rules of any Society registered or brought under the operation of this Act and all offences committed under such Act or rules shall and may be recovered and prosecuted (where no other provision for the recovery or prosecution thereof is in that behalf provided) in a summary way at the suit of the Registrar in the case of offences liable to penalties under this Act and at the suit of the Society or the Secretary thereof in the case of penalties imposed by the rules of such Society, by and before any two Justices of the Peace in manner provided by the Act or Acts in force for the time being regulating summary proceedings before Justices," so that of course the Registrar would have to prosecute before the Court of Petty Sessions in the district.

139. And a conviction would be doubtful, and the expense very considerable? A conviction would be very doubtful, and the expense incurred would be more than the amount of the penalties.

140. I think you have laboured hard for some years to obtain these returns, and that you have much simplified the old form? We have done the best we could.

141. The result is that the returns now sent in are greater in number and more correct in detail than before you commenced your labours? During the past two or three years there has been a marked difference. For 1879, out of about 450 Societies, 244 furnished returns; we consider that pretty good. But I am sorry to say that for 1880, last year, only 204 Societies have complied with the Act, out of a total number which must be approaching 500. I have here a calculation made by my clerk, who has gone through the records in order to compare the returns for 1879 with those for 1880, and I find that 244 made returns for 1879, and only 204 for 1880, so that there has been a falling off of something like forty Societies in the year; but comparing that with the first few years the Act was in operation it shows a large increase.

Mr. A. Oliver. 142. I think you suggested that the Heads of the various Societies, say the Presidents and Secretaries of the supreme bodies, should be made responsible for the annual returns? I meant to suggest that some officer should be appointed by each body in some way, whose special duty it should be to see to the returns and to send them in collectively to the office of the Registrar, and that he should be responsible for their correctness. For instance, in the Sons of Temperance, in which I believe you are interested, there are some ninety Divisions; now instead of having ninety separate returns I should propose that the same course now pursued by the Manchester Unity should be taken, and that we should have the returns sent in all together.

28 Nov., 1881.

143. Are you aware that such Lodges have now to make returns to the superior bodies, and that from these statistical returns are prepared by such superior bodies? I believe it is so.

144. There is a return sheet from a Grand Lodge—would not a return of this character, attested by the Heads of Societies, save a vast amount of trouble? If a form was settled, that is what should be done. I do not say this is all that should be done, but if the form were settled, this, attested as Bank returns are attested, would do.

145. Do you think that by the adoption of such a course the difficulty in connection with returns would be overcome? Yes, provided that the officer had sufficient control over the Societies, that is to say, sufficient power to compel what I am unable to compel now.

146. Of course that must be provided for. When you accepted office there was, I understand, nothing like order in connection with papers belonging to Friendly Societies. There was merely a certain number of bundles? This was the case, and it took me eighteen months to get them in any kind of order.

147. At present they have been reduced to order, and any paper can now be readily found? That is so. Mr. Scott has been very clever and active in arranging the papers, and has got them now so that any question arising out of them can be answered in five minutes.

148. The fees you have received for all this work have not averaged £70 per annum? No, they have not averaged £70. They were only £25 one year, and last year they reached £120.

149. I understood you to say that you thought a person should be appointed as Registrar if the interests of the Friendly Societies are of sufficient importance? Yes.

150. By a memo. here of your own I find that the number of members registered in 1878 was 20,000? Yes, that is very nearly correct.

151. You stated also that probably two-thirds are registered, the other third not being registered? I do not remember saying that; if I said that, it was by inadvertence.

152. That there were two-thirds who had sent in returns, while the other third had not? No, I do not think so.

153. Well, that would bring the number of members of the Societies up to 40,000? Oh! I see what you mean. That depends on what you call Friendly Societies. Do you call the Good Templars a Friendly Society?

154. No, because they number nearly as many themselves? Well, the number of members of registered Friendly Societies will not be much over 30,000.*

155. Then we will put it down at 30,000; that number of members—By the way I think that for each head of a family the statistics give four individuals? At least that.

156. That would be 120,000 souls affected? Yes.

157. And I think that these 120,000 people pay nearly a quarter of a million towards the revenue of the country in the shape of taxes? I am not prepared to say what is the present rate of taxation per head, but I do not think you are wrong. I think the taxation per head is in round numbers about £3.

158. Do you, from your experience, consider under these circumstances that the interests involved are such to justify the appointment of a properly paid officer to guard the interests of these Societies? Yes.

159. I have before me a memo. which I presume was used by Mr. Abigail when in his place in the Legislative Assembly he asked for a Select Committee. By this memo. the management expenses of the various Societies vary from 18 to 75 per cent. of the total income. Are you aware that this can be very easily explained? I believe that with the qualification mentioned in the memo. that statement might be—

160. You cannot say how much is pure administration of funds? All we know is that in some cases almost the whole of the expenditure of the Societies is included.

161. With the exception of the Manchester Unity Oddfellows, medical benefits are more or less included in working expenses, I see by your memo.? Yes.

162. I think that so glaring was this fact that in 1879 you prepared and submitted to the Heads of the various Societies an amended return? I did my best to separate the items.

163. Mr. Abigail.] Did I understand you that the fact was so glaring—? I found that the management expenses were so mixed up that I prepared amended forms of returns. I think these were distributed for 1879 and 1880: they ought to have been. If the President wishes I can bring copies.

164. Mr. Holdsworth.] You have suggested the desirability of actuarial supervision of the tables of rates of the various Lodges or Orders? I think I said that in my opinion an actuary should be associated with the Department, for the purpose of controlling their tables and for valuations; but I said also that I did not think the tables of voluntary contributions to a Society should be wholly under the control of an actuary. I tried to indicate that I thought an alternative might be provided—in reply to some question, asked me by Mr. Greville I think. I will tell you why I think so. If the State fixes a hard and fast set of tables, inferentially the State says—"We guarantee these tables, and guarantee that no Society that uses these tables will ever become insolvent." Now if the State does that it should guarantee the solvency of the Societies, and this it would be very difficult for the State to do. There is my difficulty. I do not think that the State is prepared to say—"We guarantee the solvency of these Societies in the same way as we guarantee titles to land"; but if the State says to the Societies "You must take our contribution tables," that result appears to me to follow. But I recommended that an actuary should be appointed for other purposes as well as for that. There will be matters quite as important as the contribution tables to come under his notice.

165. Is it not a fact that before actuaries can test or frame tables they must have proper data to go upon? Certainly.

166. Are you aware of any data having been prepared in New South Wales outside of the Friendly Societies themselves? Outside of the Friendly Societies—No. I think the mortality tables are quite sufficient for all purposes.

* NOTE (on revision):—The number will probably be found to be under 30,000 by two or three thousand.

Mr. A. Oliver.

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167. About sickness? No, I do not think there are such.
168. Your return now before me shows that the sick and death rate varies very much in the different Societies, the sickness being from one-third of a day up to 5 $\frac{1}{2}$ days, and the deaths from 1.33 to 19.04? Yes, it does.
169. The memo. supplied represents only one year, and the results might be quite different in the next;—is it not so? These do not pretend to be averages. It might be as you say.
170. It would take some years then to arrange data, and consequently I imagine actuaries would be powerless at present? Yes, unless they could adopt the English mortality tables or those constructed in Victoria. They have done some of this work in Victoria, but only to a limited extent. They are trying to do it now, and they will get some fair tables, but it is a work that requires time; I should think it would require two generations.
171. You are aware that the large Societies have statistical returns made out annually for their own guidance? I believe so.
172. Do you not think that the experience of existing Societies is the best guide that can be taken for tables of mortality and sickness? If their returns are perfectly accurate, and range over a sufficient period, under proper conditions they would be valuable.
173. What do you mean by proper conditions? I mean if they are extensive enough, are accurate, embrace the whole of the Lodges under the control of the Society, and are handled by a man who knows his business.
174. Is it not a fact that the large bodies steadily have increased their capital year by year? I should hardly like to answer that question simply by yes or no, because I believe some have and some have not, but I have not any table by me by which I can compare them.
175. Have we not the same experience from England, America, and the sister Colonies; that is, that the large Societies have yearly increased their capital? That I believe to be the fact—that the large Societies have increased their capital: it is notably so in Victoria, and I believe it is true also in New Zealand. It is so in England. With regard to America I have no information.
176. Then do you think that any one can justly assert that our Friendly Societies are in an unsound condition? That depends upon what is meant by an unsound condition.
177. I mean that they are not solvent? I am not going to say that they are unsound, if by unsound you mean insolvent.
178. I will put it that way: Do you think any one can justly say that our Friendly Societies are in an insolvent state? I do not believe they are; if your question is whether a large number are unsound, I have no hesitation in answering no.
179. You have stated that certain Lodges have wound up according to law. Have not the large Societies a provision to protect financial and loyal members where a branch winds up? I think they generally have such a provision in their rules.
180. Do you know of any cases where Lodges have dissolved because they had too much money, and they wished to divide the profits? I think there have been one or two such cases, but the exact reason has not been stated to me; I have only found it out afterwards, when the amount available for division on dissolution showed at all events that they did not dissolve on account of want of funds.
181. Are you aware that large sums of money have been wasted in law costs, and the Societies' funds reduced thereby? Yes, I believe that considerable amounts have been spent in unprofitable litigation.
182. Would not this have been prevented if the wording of the present Act had been more clear? Would you refer me to what part of the Act you mean—is it "settlement of disputes?"
183. Yes? The 14th clause is not clear.
184. You are not aware that all superior bodies are formed by representatives elected from the subordinate bodies? Yes.
185. You are also aware that the members of subordinate bodies have power to appeal to the superior bodies? Yes.
186. Also that provision is made in the Act for matters to be referred to arbitration? That is correct.
187. Do you not think that such appeals should be final, and that members should be deprived of the power to waste the funds of a Lodge, so as to prevent such Lodge fulfilling the objects for which it was called into existence? My answer to that will make it appear that I have very little of the instinct of a lawyer about me. I do think that the jurisdiction of the Courts ought to be ousted; but that is upon the assumption that you can provide a trustworthy body of permanent arbitrators.
188. You have suggested that the Lodges should have an alternative rule giving the officers power to make a levy when the funds are below a certain amount? I do not quite suggest that, but I think it would be an alternative part of my scheme. I submitted it for this reason, that I think it difficult for any statute to prescribe what the contributions should be; and if that cannot be done, I think the safety-valve is in a system of levy when the funds get below a certain sum.
189. Are you aware that several Lodges or Divisions have laws to that effect? Yes, I believe a great many.
190. *Mr. Rubie.*] Are you acquainted with the present practice in England, or have you any tables in reference to actuarial calculations instituted by the Government? I have all the reports sent to me by Mr. Ludlow, the Chief Registrar, and I have I think received the tables; but there is one thing I cannot find, and that is that up to the present time any set of tables has been prescribed by regulations to govern the English Societies or any of them.
191. But you are aware that there have been very elaborate calculations made to regulate the various trades, and that from them most of the tables have been compiled? Yes; I am, however, inclined to think they rely more on valuation than upon contribution rates.
192. But I suppose you are aware that nearly all the great Societies have adopted the Government tables more or less? Well, I do not know what the Government tables are; I have never seen them, and I cannot gather that there are any. I do not see that there are any tables yet prescribed, and I have looked very carefully for my own use and information.
193. But you have seen Fidd Pratt's and Neison's tables? Oh yes.
194. With regard to the Registrar here, it would be no part of his duty to see whether the tables were sound or not? He could not do so.
195. And therefore it would be necessary to have an actuary in any new system adopted here? I think so.

Mr. A. Oliver. 196. *Mr. Newland.*] Are there any Societies registered that have a graduated scale of payments? Well, I have never seen one—at least I have no recollection of it at present. I have always thought it would be a very wise thing to do it.

28 Nov., 1881. 197. Then to your knowledge there is no Society registered that has a graduated scale of payments? Well, I do not recollect it.

198. You said here that in your opinion young members withdrawing from a Society would have a tendency to break it up: would that be the case if there were a graduated scale of fees? Well, they would be very lightly handicapped. From twenty-one to twenty-five these men would be paying perhaps half what those of forty-five would be paying, and therefore the disposition to withdraw would not be nearly so strong, although where the scales are uniform it has that effect. As it is now, the younger men say, very naturally, "we have to pay for ten or fifteen years for nothing," and they think they are merely paying for the older men.

199. Would you recommend a system of graduated payments? I think this matter of contributions should not cease to be voluntary, and that it would be a pity to prescribe any hard and fast scale and say that it must be adhered to. It should be left to the Societies themselves, because they might prefer a large uniform rate owing to there being but a few members, and they might not care to have the trouble of constantly altering their cards. The graduation system would do very well with a large Society; but with a small Society there would be a great deal of trouble in altering the rates.

200. My idea of the graduated scale was, that a young man joining at (say) twenty should pay a rate that should carry him through life? Then you would not alter the rate as he got up in years?

201. No? Oh, well, that is another thing entirely. My idea was that he paid a certain fixed sum between certain fixed intervals of life. You appear to mean that he commences from a certain period (say twenty years of age), and goes on through life at the same scale.

202. Precisely. You do not think that trouble would be given to the Societies by such a course as that? Not by that principle; that would introduce no further complications.

203. You stated that the English Societies were based upon periodical valuations. Who makes these valuations; are the persons doing so appointed by the Societies or by the Government? I think they are Public Auditors; they are called in the English Act Public Auditors, so that I presume they have some system of appointment of these Public Auditors; but I am not prepared to say that they have not also an audit by persons named on behalf of the Societies who may not be public officers at all. I know that on the returns coming to the Registrar he can order a valuation either by public valuers or by any person that he chooses to appoint. No doubt that in many cases he would select any person who was competent who might be nominated by the Society.

204. Then you think the Societies have the option of nominating the valuers themselves? I think it is very likely; but I am taking the position of a set of persons thinking themselves aggrieved. They go to the Registrar, and he has the option of appointing a valuer. I dare say that the Societies have a system of valuation in addition to this.

205. I see by these average returns that there is a large number of the Societies bracketed together. Were these brackets in the original? I think they were merely marked in a few days ago by Mr. Scott for my information.

206. Were the same returns furnished to the Manchester Unity as to the other Societies? That I cannot answer. I directed that the same should be sent. But these returns are for 1878; the new forms had not been prepared then.

207. Then are the returns from the Manchester Unity incorrect? I do not see that that is an inference.

208. Then all the returns should be the same? I could not explain this without showing the two forms of returns. I will bring them on the next occasion, and you will see this, that there was no excuse for including everything under the head of "management expenses." The old form was quite enough guide for any intelligent person to have excluded medical benefits and a variety of these items included in "management expenses," but to make it still more express and clear I altered the form.

209. Will you read the return in your hand? This is a memorandum intended to show the number of Lodges within each Order; the number which sent in returns for 1879 and 1880; and showing in another column those which appear to be in default. It is as follows:—

Name of Order.	Number of Lodges.	Returns furnished.		Default.	
		1879.	1880.	1879.	1880.
Oddfellows—Manchester Unity .....	.....	.....	.....	.....	.....
Grand United Order of Oddfellows	86	74	72	12	14
Sons of Temperance	78	41	10	37	68
Daughters of Temperance	12	8	.....	4	12
Ancient Order of Foresters	27	18	21	9	6
Order of Royal Foresters	23	20	22	3	1
Druids	30	11	14	19	16
Protestant Alliance	38	32	33	6	5
Independent Order of Oddfellows.....	16	11	.....	5	16
A.H.C. Guild	19	10	5	9	14
Hibernian A.C.B.S.....	11	6	8	5	3
Loyal Orange	3	3	3	.....	.....
Miscellaneous	22	10	16	12	6

It is only approximate of course, but it will be seen that 204 out of 365 only made returns last year, so that I could not furnish what has been asked for.

210. *Mr. Abigail.*] When I quoted from this paper in Parliament, do I understand that this bracket was not on it? No, it was not on; it was put on his own account by Mr. Scott a few days ago.

211. What is the bracket? In a bracket embracing all the Societies but the Manchester Unity are these words,—“These include medical benefits in management expenses.”

212. *Mr. Smith.*] In this return what do you understand by "miscellaneous"? "Miscellaneous" are Societies that have no Lodges or Divisions as a rule; such as the Marine Benefit. The Labourers Society is another; the Wesleyan Benefit is another. Simply one Lodge with no other Lodges. Mr. A. Oliver.
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The Commission then adjourned until Friday, 2 December.

FRIDAY, 2 DECEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,

JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,

P. R. HOLDSWORTH, Esq.

Examination of Mr. Alexander Oliver, Registrar of Friendly Societies, resumed:—

213. *Mr. Slade.*] Regarding the returns; do all registered Societies send in returns on the forms furnished Mr. A. Oliver. by your office? No, they do not. 2 Dec., 1881.

214. Have any Societies or members objected to the way in which these forms are arranged? I am informed by Mr. Scott (who sees, as a rule, the people) that sometimes they have made a little trouble; they have wished to send in their returns in a form that suits themselves. They sometimes say they do not understand the office forms; and some of them, when their own returns have been sent back to them covered by a copy of the return we want, have not done anything; they have simply let the thing slide, and have not sent in any returns at all.

215. I mean have they objected to the sick and doctor and medicine expenses classed amongst those of management? No; the grounds have been there that they cannot in many cases—and will not in others—dissect their income and expenditure so as to put it in this form.

216. Do not the forms sent round place doctors and management amongst the management expenses? It is there in the old form in these words "Expended on behalf of management expenses, including medicines and medical attendance"; so apparently it would appear there prior to 1878.

217. But are such forms now altered? Yes, they are altered now. The arrangement in the new form is such that so far as we can manage it we get the items under the proper heads; such as "paid for medicines," "paid for medical attendance."

218. Of course that applies to the forms in use now, and not those for which these returns which are laid upon the Table were sent in? No, they have only been in force for two years and a half.

219. Has any one from your office informed the Societies that the quinquennial returns are not required? I directed that as I could not get the annual returns it was nonsense to try to get the quinquennial returns, as they are much more complicated.

220. Have any of the Societies sent in returns to your office on forms of their own arranging? Oh yes.

221. Could you tell us what Societies have done so? Certainly. For some time the Protestant Alliance used to use their own forms, and for some time I think the Grand United used their own forms, and other Societies that I do not know—that I could exactly mention; but I know that I frequently had them brought in to me. We have had all sorts of forms; sometimes the returns were on Victorian forms, and on one or two occasions we have had returns on Launceston forms.

222. *President.*] Perhaps when your evidence is sent to you, you would be able to put accurately the number? No, I could not do that. I have already been trying to get several items of information that I knew would be asked for, but I found that it was impossible to do it; that is to say, I could not do it unless my clerk had nothing else to do. This work I have brought you now has been done by him in his extra time; and it is no use putting a stranger to the work, for he would not know what to do.

223. Do you know what caused the Manchester Unity to appear on that list with the medical expenses subtracted from the management expenses? I presume it was because in the pamphlet returns sent in this must have been so shown. But it must be understood that this was never an official document; I asked my clerk to rough out from the returns sent him these figures, so as to see if he could not get some percentages; and this was the result. I must assume that the Manchester Unity returns were sent in in the usual way.

224. Would not the subtraction of the cost of doctor and chemist from the management expenses—say 40 to 45 per cent.—place the real management expenses of some of the Societies very far below those of the Manchester Unity? The whole gist of this question depends upon the data; and if you apply that principle, it would reduce the real management expenses of some of the Societies to 3 per cent. I have got one here which is 29 per cent., with these other expenses included—I mean the Sons of Temperance; if there was a reduction made there of from 40 to 50 per cent. it would leave nothing to charge to management expenses. You could not carry that principle out, because the percentage for their other expenses must be a very varying amount. On the other hand, I have the Rechabites with their expenses returned at 75 per cent., and here it is very possible that 45 per cent. would represent these expenses for medicine and medical attendance very fairly.

225. Therefore any statement made from that return without explanation would be extremely injurious to some of the Societies and favourable to others? Well, I suppose it would be so.

226. I mean if put before the public as a *bona fide* Government statement? Yes, these figures as put here would prejudice many of the Societies in favour of others, and it would be unfair to these Societies unless an explanation were given.

227. Do you know if the Bathurst district of the Manchester Unity sent in a separate return—say for 1880, or the first half of 1881? No, they did not do it.

228. Then, if that district printed a report representing the cost of management up to 60 or 63 per cent., you would have no knowledge of that? The only knowledge I should have would be by finding it in the collective returns.

Mr. A. Oliver. 229. But if they when massed showed a less sum, that would give no proof how the parts of the Society were managed; the gross return being prepared in Sydney without regard to the actual expenditure on the spot would not be a reliable one to put forward as a true statement of their management; is not that so? The Lodges within each district are returned on tabulated forms, which I presume give all the information asked for.

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230. I wish to ask you whether, not having district returns from a body which sent in a gross return, you have any means of knowing if any part of that body cost more for management than the rest? One would have to rely on the trustworthiness of the return.

231. Have you any means of knowing the cost of management of this particular Society except the gross returns prepared by the head office? Oh, certainly not.

232. Passing again to the original paper you showed us, you stated I think, in answer to Mr. Holdsworth or Mr. Newland, that the marginal note was not made when Mr. Abigail saw it, before using the figures in Parliament? Certainly not.

233. Do you always examine rules which are sent to you for certification? I always examine rules that are new rules, by which I mean the rules of a new Society; I read these through myself; I read through, too, the rules of every other Society so far as concerns the matters that the law requires these rules to state. The law requires that every set of rules shall provide for certain stated things; and the first thing I do is to see that these provisions are conformed to; then I have a look at the tables. Sometimes, of course, these rules follow one another—are counterparts of one another; that makes my trouble less; for instance, if the Manchester Unity or Protestant Alliance Societies' rules are submitted for registration, I should get them in the old forms, which I have read through over and over again. I do not read through these, but see always that the provisions of the Act are provided for.

234. Then if it is stated that you certify rules on the faith of the names attached to them it is not true. Oh no, it is certainly not true.

235. Has it come to your knowledge that any one has publicly stated that nine-tenths of the Societies under you are insolvent? Nine-tenths! I do not think that it has been publicly stated, but I have heard that it has been said that a good many of the Societies are insolvent.

236. Have you seen the report of a deputation to the Colonial Secretary containing that statement? No, I have not.

237. What is your opinion of such a statement if it has been made? Why, that there is no solid foundation for it.

238. How many Societies have dissolved from your office? The best way I can answer that is to give you this return, which I have had prepared, and in which I have got the names of them all. During the time I have held office there have been ten. The following is the return:—

1. *Fountain of Friendship Division, 81. Sons of Temperance.*—No reason given. Balance of £167 1s. 3d. in hand, giving a dividend of £2 7s. after all claims had been settled. Dissolved 10 December, 1874.
2. *Sydney Labouring Men's Benefit Association.*—No reason given. Funds equally divided after all claims were settled. Dissolved 24 August, 1876.
3. *Australian Order of Oddfellows, Iron Duke Lodge.*—Amalgamated with Druids, 7 June, 1877. Existent.
4. *Hebrew Mutual Benefit Society.*—No reason given. Dissolution registered 17 October, 1877.
5. *Grafton New German Sick Club.*—Amalgamated with Clarence River German Club, 6th May, 1878.
6. *Hope of Marulan, 96. Sons of Temperance.*—Amalgamated with Southern Cross Lodge, I.O.O.F., M.U., 16 July, 1879.
7. *Sanctuary Robin Hood, 2,223. Ancient Order of Shepherds.*—All claims settled. Dissolved 28 November, 1879.
8. *Australian Total Abstinence Benefit Society.*—Amalgamated with Grand United Order of Free Gardeners, 12 July, 1880.
9. *Argyle Lodge, 61. United Ancient Order of Druids.*—Expelled the Order. Amalgamated with Grand United Order of Oddfellows, 31 August, 1881.
10. *St. Bede's Branch Hibernian Australasian Catholic Benefit Society.*—Jembaicumbene. Dissolved 12/3/76.

239. Have you stated what have been the causes of dissolution? I have; I said that so far as I could remember the cause of dissolution has really been insolvency; that insolvency has been admitted by the Societies seeking to dissolve.

240. The usual plans of distribution and settlement are always carried out? Yes.

241. Have any cases of repudiation of claims come under your notice? That is, have those in the minority made any application how to recover their share of the proceeds? No, I do not remember any such case.

242. Do you know of any Societies which have dissolved with plenty of funds? Well, in my time there has been a division in which there was a good round sum divided after making good all claims, as far as I can remember, £170 or £180. There are papers in the office relating to a Society which dissolved with a still larger amount, but it was not in my time, so that I cannot speak of it. It was said to have had some four or five hundred pounds to divide.

243. Do you not think that the late recovery by law of large contributions up to £9 is opposed to the spirit of the law? Recovery at the suit of an officer of the Society against a defaulting member. Well, I think where there is provision for his expulsion, and the rules contain at the same time a provision for arbitration, that it is distinctly against the spirit of the Act; and I do not think it is lawful either. As the rules of the Society require to have a provision for arbitration, and have nearly always contained a provision for expulsion when a member becomes unfinancial for a certain time litigation is simply impossible, or ought to be so. I quite understand the question, which is, do not I think the late recovery of such amounts as £9 for arrears of contributions is opposed to the spirit of the Act. It is a question I cannot say yes or no to, because a good deal will depend upon the Societies' rules, some Societies having in their rules a provision to enable them to sue before Justices. On the other hand, ninety-nine per cent. of the Societies I have registered have not such a provision; nevertheless they have succeeded in suits against their members who are in default. I should here like to make a reference to what has been said in England on the subject. [*Vide Appendix.*] That decision is only about four or five years old.

244. Do you not consider that if any arrears of contributions are to be recoverable by law, they should be limited to a corresponding time or amount to that for which a Society is required by its rules to replace a member on the books? I do not know what that time would be.

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245. Say that a member is fourteen weeks in arrears, he is then suspended until he pays, but his name is kept on the books for fifty-two weeks, at the end of which time it is struck out. Do you not think that the right of a Society to recover contributions should be limited to the time for which he has a claim to be replaced on the books, as that would amount to £2 12s.—taking the average contributions at a shilling a week—while the fines would bring it up to (say) £3. In other words, I mean that he should not be responsible for more contributions than would cover the period at the end of which he is liable to expulsion? Well, to be consistent with the opinion I formerly expressed, I do not think there should be any such thing as enforced payment.

246. Do not you consider it unjust to sue for the recovery of dues accrued after membership has ceased by effluxion of time? In that case I think expulsion is the remedy, and not a suit. I cannot see that a member should be liable both to expulsion and to be mulcted.

247. You are quite aware then that the recovery of such a sum as £9 must represent dues that cover a period of some three years? Yes, unless the fines were very large.

248. Would you recommend special levies both in districts and branches as a safety-valve or means of protection against running out of funds? I think that I did express that opinion with regard to this matter, but I afterwards said that I should be glad of the opportunity of putting what I think on the subject into writing.

249. Do you consider that such a fund would be a valuable addition to a Society's security? I do, because I think a levy proceeds on a system of continuing liability which is valuable.

250. Regarding new Societies applying to you to be registered, or new Societies opening, are you of opinion that they should admit members before they are opened, under some certified rules and mode of payment? By new Societies you mean new branches only.

251. Yes? That is what I try to carry out.

252. Would you make the evasion of this punishable? The Societies ought not to be able to evade it—they ought not to be registered.

253. You know that new branches sometimes offer certain inducements to members to join; do you think if these are above what have otherwise been certified they should be punishable? A Society of that kind ought not to be in existence.

254. But this is prior to registration? Then it is already penal for them to take any money until they are registered. The sixth clause of the present Act says:—"Every person being a member of the committee of management of any Society hereafter to be formed for any purpose within the meaning of this Act who shall take any money in consideration of the allotment of shares or any interest in such Society until the same shall be registered under this Act shall incur a penalty for every such offence not exceeding twenty pounds."

255. Does that apply to the third part of the Act? Oh yes, that is a general clause.

256. *President.* Does that apply to Benefit Societies receiving contributions? It must apply to them, and I will point out why. It is in Part II of the Act which relates exclusively to Benefit Societies and not to Building Societies or Co-operative Societies; and it is copied almost word for word from the Imperial Statute, where it was expressly intended to prevent any person from collecting money before registration; the thing prohibited is to take any money consideration.

257. As a Society can only be registered by the fact of its having an existence, and proper persons to compile rules for its management, how could they be registered before they receive money? They can appoint their officers and constitute themselves a Society, but they cannot take money in consideration of any interest in the Society.

258. Then I am to understand that they cannot proceed to give benefits until they are registered? They cannot take money in consideration of them; they cannot take a weekly contribution to ensure the prescribed benefits.

259. Does that apply to entrance fees as well? I should not think it does, because the entrance fee is nothing more than a preliminary, and was never meant to be a thing on which the Society was to be established.

260. Having stated the difficulty of getting returns in on account of the illiteracy of the secretaries, would you advise that any new Act should provide that a statist should be employed to collect these returns? What I previously said was that in Victoria the statistical part of the work was administered by the Government Statist, Mr. Hayter, but he is only an officer for the purpose of forming and preparing the various returns, distributing them, collecting the information under them, doing the correspondence, and preparing the whole in the form of one return for Parliament. I do not gather that the Government Statist of Victoria has anything to do with the valuation—I fancy that it is under the Registrar; and what I intended to say was that a similar course might be pursued here, at all events this far, that the returns might be placed as one of the functions of the Registrar-General, the legal matters remaining with the Registrar of Friendly Societies, unless a special Department is created. But in any case it would be advisable to have a Government Actuary attached to the office.

261. Would you in any new Act make it imperative that no appeal to law be allowed except in cases of felony? Do you mean theft or misappropriation of money?

262. I mean in reference to disputes between the members; should these be confined to arbitration? Yes, I think I have said that that is precisely what ought to be the course adopted.

263. Would you advise that that Board of arbitration should take something of the form of the Marine Board, with (say) one officer at the head and sundry gentlemen chosen to assist him? If the arbitrators are a representative body I think it matters not how they are appointed.

264. I mean should this Board be beyond and outside of the Societies themselves? Yes, but they should be persons who intimately know the working of the Societies, and should be generally a representative body.

265. Do you think the minority should be able to appeal to them and have power to prohibit expenditure that they think would be injurious to the Society? I think the right course in a case like that would be to enable any given number of the members of a Society to apply to the Registrar, and that then he might, if he chose,

- Mr. A. Oliver. chose, submit the matter to the arbitrators ; because it must be taken for granted that they are experts, and that they know what is proper expenditure for these Societies. But I think that a given number (say six or a dozen) should have some means of appealing against what they consider intended misappropriation of funds, although not necessarily criminal.
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266. Could the decisions of such a Board be upheld or enforced ? That is a matter that could be very easily managed in any new Act.
267. Should you advise a penalty for false returns ? I think they should be presented in the same way as those of Banks—that they should be sworn returns.
268. Would you advise that graduated subscriptions should be made compulsory ? I think it would be a pity to make it compulsory, though they should be encouraged ; but my idea of a Friendly Society is that it is made up of voluntary contributions, and that we must not interfere too much with that principle.
269. Would you advise that any new Act should fix a minimum of subscriptions and a maximum of benefit ? I think it would be a very good plan, because it seems to me that—
270. I mean that although Societies may exist under or over this minimum and maximum, they should not receive the benefit of registration ? I think that it is possible for the Legislature to provide that there should be a certain maximum of benefit and minimum of subscriptions ; and if there is no variation from that the tables should be certified actuarially. If, for example, it is said that thirteen-pence a week should be considered to be a proper contribution to receive such and such sick pay and such and such funeral donation together with other minor benefits, and said that no Society should be registered that purported to receive these benefits at a less rate, unless they deposited the certificate of an actuary with their tables, I think it would be a great improvement on the present law, because I do not see then how these Societies that you mention as competing for public favour on ridiculously small scales could exist.
271. Do you not think that the returns demanded by the Act are most important in convincing the public that the Societies in which they are interested are working properly ? I do, certainly.
272. If I remember rightly, when the present Act was brought into existence, you did recommend the appointment of a staff to work the office ? I did ; on several occasions I have pointed out that assistance was required.
273. Was it in consequence of some emergency at the time, and the necessity for pushing the Bill through without loss of time, that this question was put aside and some arrangement made with you ? No, I do not think there was any arrangement of the kind you mention. It was quite a surprise to me when Sir George Innes asked me if I would take the position, it having been previously offered to two or three Government officers. The fact is that in the Legislative Council they made it necessary that the position should be held by a Government officer, and it was offered to two or three who had large departments under them but they declined, and then it was offered to me and I accepted it ; but I am not aware of any arrangement.
274. An actuary has been mentioned by some of the members of the Commission ; do you know of any such gentleman in the Colonies who would be considered by the Societies an impartial person to perform these duties ? All the actuaries are, I believe, attached to life offices here ; I really know of no member of the Institute who is not attached to some life office.
275. Do you think an actuary attached to a Life Assurance Office would be considered impartial ; should he not be entirely disconnected with any other institution to properly represent these Societies ? Well, if so, he would have to be paid, and the question of money comes in here ; I very much question whether any special actuary could exist on the Friendly Societies' work that would be put before him.
276. Are you aware that the actuaries of Great Britain say that a subscription of over three times the amount charged is required to secure even less benefits than we now give ? I have heard substantially that the benefits are grossly in excess of the rates, or that the rates are insufficient to secure the benefits.
277. And you are aware that there are numbers of Societies which have existed for years, met all their liabilities, and have large balances, on less subscriptions than these gentlemen have considered necessary ? I believe there are a large number of Societies that have been for a long time in existence which have always been able to meet their engagements, and have always had a good balance at their bankers ; whether that balance would represent the right amount to the actuarial mind or not I do not know.
278. Could you suggest any organization or other plan of managing Friendly Societies than by a similar Act to the present ? I think any Act worth framing ought not to be similar to the present ; I think a considerable amount of variation would be required.
279. Mr. Gelding.] I see by this return that in 1880 there were a number of defaulting Lodges : were not a quantity of them metropolitan Lodges ? Certainly, included in this number there are a good number of metropolitan Lodges.
280. I think you told us that you have the power of inflicting a very heavy fine on these defaulting Lodges, but that as the majority of them were in the country districts it would cost more money than it was worth ? Yes, the metropolitan Lodges would have been within easy reach, but we have not had the defaults with the metropolitan Lodges that we have had with the country Lodges, and it would not have been fair to have summoned them and not those in the country.
281. Why were not these metropolitan Lodges visited with the pains and penalties of the Friendly Societies Act, being so easily come-at-able ? When the question of procedure came before me I did not take the easiest to go at, but I took the worst cases. If I had gone to the metropolitan Lodges I should have been bound to go to the country Lodges ; but having come to the conclusion that procedure under the Act would be a great hardship, I did not have recourse to it.
282. In the top of the column in this return I see "management expenses per pound of total income." I see the Manchester Unity is 3s. 7d. Will you tell me what this means ? This column ought to be the percentage, or the amount per pound of total income devoted to the management expenses.
283. Then according to that, the Manchester Unity compares trebly favourably with any Society named ? Oh no, here is one 5s. 9½d.
284. But the Manchester Unity does compare more favourably than any other Society named in that Schedule ? Oh yes.
285. You mentioned a few minutes ago that among these Societies who wished to send in their returns on their own forms were the Protestant Alliance and the Grand United Order of Oddfellows ? I am not so sure about the Grand United, but am certain about the Protestant Alliance, though I am pretty sure—in fact I remember the returns in 1876 or 1877, being sent in to me by a Mr. Shaw in a form that was not in accordance with the Act.

286. And you mentioned that other Lodges wished to send in returns on other forms ; in other words, that they wished to do as they liked? Well, I think that perhaps represents their wishes. Mr. A. Oliver.
287. Have you no means of compelling them to agree to your form which you issue? No, not strictly, because, as the law puts it, the penalty upon a Society not sending in a return does not meet the case of a Society that simply refuses to send in a return on the authorized form. I might demur to take their own forms, but could not get a penalty. 2 Dec., 1881.
288. Would it not be advisable to have this specially put in, that all Orders and bodies should be compelled to make their annual returns on these special forms that the Registrar might adopt and issue for the sake of uniformity? I have already said that I think an officer of each of the Orders should be made responsible for the returns, and therefore I should answer your question yes.
289. The Act gives you here the power to force Lodges to comply and to fill up these forms? Yes, but if you read the 46th section—that is the one that makes the penalty—you will see what I mean. I have the power, but then the question comes what fixes the penalty.
290. Then do you mean that the two clauses are vague and unworkable? Yes, to understand and expect a conviction under the 46th.
291. Are you not aware that the Manchester Unity specially produces and sends in a verified form of all their Lodges, Societies, and districts? Yes.
292. And in addition to that, does not the corresponding secretary of the Order tie up and forward to you the separate returns of every Lodge in the district? Oh, I do not understand that, but I should like to answer the question at another meeting, because I will make inquiries. The returns have always been sent to me in a pamphlet.
293. I heard you answer a question about the dissolution of Lodges. Are you aware that plenty of them break up without you knowing anything about it? I have some reason to suspect that they do it.
294. And in conformity with the law without you knowing? They could not; my sanction is required if a Society is to be legally dissolved.
295. I have heard you speak of appeal Boards outside of the Societies. Are you not aware that such constituted Boards elected from outside of Friendly Societies would not be of the slightest use in trying to bring about a settlement of disputes? No, I am not.
296. Do you not know that there are peculiarities attaching to all these Societies, such that a person unless well aware of the facts would not be able to do anything? There is a great deal in common in all Friendly Societies, and there is a good deal of divergence; but their laws are sufficiently in common to allow men who had been connected for some years with the Societies to express an opinion. Of course I do not mean that they should be outside the Societies altogether.
297. Are you aware that there are several Friendly Societies in active competition at cheap rates; with a low scale of contributions, and large benefits attaching thereto? Do you mean registered Societies?
298. Yes? I have heard that there are.
299. Do you not think that the Registrar ought to be aware of such facts from the officers of the Societies? Of course it would be an advantage to the Registrar to know it under a new Act, but not under the present Act, for if he knew it he could do nothing.
300. Are you aware that the system is pursued by at least four Societies, that when first opening a branch or Lodge joining members are admitted on paying half fees? I have heard something to that effect.
301. What is your opinion of such a course; do you think it just? I think it is a fraud upon the Act.
302. I have heard you say a good deal about special levies; do not you think them very injudicious? I cannot say that, because I have already said that I think within limits they would be very judicious; but I may ask you whether you mean levies for a certain benefit, say a death levy; because I mean quite a different thing. According to my view, it would be a benefit in the new Act if there were this mode of liability enacted, that when the funds whether in a district or in a Lodge fell below a certain—
303. I mean by these special levies that when a death takes place you have a levy to pay, or if you have any serious amount of sickness there should be extra levies. Do you think that judicious? I do not think it would be judicious to have any special levy specially to supplement solvency, which ought to be guaranteed by the contributions; my recommendation was general levies where the funds were reduced below a certain point.
304. Then according to your answer you think it very imperative that on every member joining a Lodge he should know what he has to pay? He should know all his liabilities.
305. I believe you have stated that you think it one of the greatest benefits that could be entailed on Societies to have what they call a safety-valve in this way; by which I understand you to mean that should the funds of a Lodge fail to meet the liabilities the Lodge should have power to stop sick pay and raise their contributions in order to get funds in hand? That is not my proposition. My proposition or my recommendation was a very general one and in these terms: if the funds of a Lodge shall fall below a certain proportion that is not very hard to ascertain, there should be a levy from the members in order to feed the fund until it comes to the prescribed proportion,—I do not say what that proportion should be; but I do not say that during this interval all benefits should be suspended.
306. But when these funds fall to this low scale, presuming there was a lot of sickness to take place? No doubt the levies would have to be repeated rather too often. I said this at the time.
307. Then it would be a dangerous safety-valve, would it not? It would not. It would by itself, but not if taken in conjunction with a statutory scale of benefits and contributions. I do not think it would be dangerous then. It is quite competent for the statute to say that there shall be a certain scale of contributions and benefits, and that if there is any variation the tables must be certified actuarially.
308. I suppose you are aware of some Lodges that have had to apply to head-quarters for money to pay their members? I have heard that this has been the case with some of the Lodges.
309. Do not you think that our present system of Friendly Societies of gathering contributions from old and young on the same scale very injudicious; that is to say, a young man of seventeen years of age joins a Lodge, pays a shilling a week, and another man is admitted at the age of forty-five and he only pays the same rate, a shilling a week. Do not you think something should be done to remedy that and try to get all the Lodges in New South Wales to try and agree to something like a sliding scale? It would be very beneficial if it could be done, but it seems to me to interfere with the voluntary character of the contributions. If a Lodge publishes its scales it publishes the fact that a young man can get in at a certain rate, and if that

Mr. A. Oliver. that rate is made lower on account of his age say seven or eight pence, it appears to me that he would go in there rather than to a Lodge where he would have to pay a shilling. One would think that it would require no compulsion.

2 Dec., 1881.

310. Are you not aware that the most successful Friendly Society in Great Britain adopts this sliding scale system? I have seen it so stated in the English reports.

311. And you are also aware that under this system it is proved that all these Lodges are perfectly solvent and are able to save money, and that they have often to divide the surplus funds? I can answer yes to all the former part of your question, but with regard to the division of funds I did not know they were dividing Societies.

312. Would it not be an improvement and materially assist the Registrar to make it imperative that in the returns the ages of all the joining members should be given? I presume that is the English system.

313. Yes; do you not think it would be an advantage here too, so as to form just data on which to go in making up any actuarial statements? Yes, there is no doubt it would be a valuable piece of information, as well as the trade of the person joining.

314. I presume you know that the Victorian Act is imperative on that point? I believe it is, but cannot say positively.

315. I believe you are of opinion that there would be quite enough work for a permanent Registrar to keep him employed? Well, if he were to carry out the idea of being standing Counsel to the Societies, I am sure that there would be plenty of work to do. By "standing Counsel" I mean one to whom any member of a Society would have a right to go to obtain information.

316. Do not you think that before Lodges are opened application should be made to the Registrar, accompanied with a list of the fees and proposed contributions and benefits to be given, so that the Registrar could form some idea whether the proposed payments would meet the liabilities, and on such should depend whether or not the rules should be certified? My answer is that that would imply that the Registrar was an actuary.

317. Are you aware of the fact that there are two sections of Friendly Societies in the Colony; those who take members in independent of creed, and those which are established for political, temperance, and other objects? I am aware that there are sectarian and non-sectarian Societies.

318. Do you not think that in these sectarian Societies, considering that people pay money in for various benefits which they expect to receive, the insurance branch should be kept distinct from the sectarian principles? I do not think that anything we may call sectarian should be mixed up with the sick and funeral funds, but I have reason to believe that it is so. They make one fund of the whole moneys received, and take all out from that fund.

319. Do not you think it should be different; that when they break the sectarian rules, they should not thereby lose the insurance benefits? The answer to that is difficult, because it is a principle of these Societies that every man knows what he is joining; and he is not to be restricted from joining a Society by Act of Parliament if he chooses voluntarily to join. For instance, with regard to the Guilds, any man joining must be taken to know precisely what the rules are; and if by these rules any part of the contributions may be diverted to sectarian purposes we must assume that they have assented to them. Therefore the question is a difficult one to answer. You could not regulate the matter by statute without interfering with the voluntary character of the Societies.

320. *President.*] What connection is there between the sectarian principle and the Society itself? They are all Societies of a religious character, or requiring some particular phase of belief amongst the members: some of them, for example, require the fiat of the Archbishop, and are considerably under sectarian control.

321. Then these Societies are composed of persons of certain denominations or forms of belief, who form themselves into a Society within themselves and register themselves? Just so, with certain provisions for their sick.

322. *Mr. Gelding.*] Are you aware that in some instances medical examination of the joining members of some of these competitive Societies has been dispensed with? I have heard so.

323. What is your opinion of such proceedings? That they are not justifiable if carried out.

324. Are you aware that there are Societies that guarantee the burial of children—that give a donation on the death of children? I believe there are some, but very few.

325. Have you ever seen this poster before you headed "For the benefit of the Public"? I have not seen this before.

326. What is your opinion of this cheap rate of fees, the cheap rate of entrance, the great amount given out for sick pay and burial fees? That I could hardly answer satisfactorily without seeing what the constitution of the Society was. I presume that under the laws they are entitled to do this, or are they attempting to break their own laws? I should have to look at this "Native Rose Lodge, No. 2,014" before I could give any opinion on this point. If it is a registered Lodge I should have to see rules and see whether this prospectus is in terms of its rules or is a breach of those rules.

327. Is the Society registered? Yes, the "Native Rose" Lodge is a registered Lodge.

328. Are you aware that this sort of competition has sprung up since the introduction of the American Independent Order of Oddfellows in this Colony? I was not aware that that was the exact time; I thought it had been in existence some time—in fact ever since the new Act was passed.

329. I believe you said that the best method of getting in proper returns would be for each Society to have a proper officer to attend to them? Yes, it ought to be his duty to send out the forms, and to see that they are properly sent in and verified.

330. Does not the Manchester Unity do this? I understand that the returns of the Manchester Unity are always very well submitted.

331. You have never had occasion to find fault with them, have you? No.

332. Do you not think all the difficulty might have been avoided if the Orders had the power of inflicting a heavy fine on Lodges that did not send in their returns? Yes, I think it would be better to have the compulsion come from the Order than from any Government officer.

333. I presume you are aware that the Manchester Unity has a fine of two guineas? Yes; it is not, however, a statutory fine, and it is possible you could not enforce it; I, however, would go further and make it a fine that could be enforced—make it statutory.

334. Following up that, what is your opinion of the fines and penalties contained in the general laws; if you

you could not enforce the payment of one fine it is hardly possible you could enforce another one then? I Mr. A. Oliver.
do not see how you can; I know of no provision in the Act by which you can enforce a fine contained in a rule.

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335. Then if I rebelled against paying a fine the Lodge could not compel me to pay? They could inflict the penalty and do their best to enforce it, but the only compulsion I see is expulsion.

336. But would not the Judge then be able to reinstate me? That would raise the whole question; if he thought you should not be reinstated until you had paid the fine, he might make payment a condition of reinstatement.

337. Then in framing a new Act it would be desirable to give all the Societies power to inflict these fines? Yes, unless it is considered better to give it to the arbitrators. I am in favour of referring everything to arbitration; but certainly the Act ought not to say you shall be able to inflict a fine, for instance for smoking in a Court, but not be able to inflict a fine for arrears or to enforce the payment of arrears.

338. Considering the importance of Friendly Societies, and the great saving they must be to the State, do you not believe their rules should be registered free of cost? I do.

339. Also, that their reports, like those of other charitable institutions, should be allowed to go through the mails post free? That is a question of policy for the Government.

340. In Victoria I believe the Act will not allow Lodges to build halls unless they have a certain amount of funds; should not such a provision be adopted here? I am aware that in Victoria there is a limitation upon the building of places of business, halls for Societies; and as the value of the hall is shown in all cases as an asset, it might be misleading if that asset is not immediately available; therefore I think that a hall should not be capable of being built unless out of what may be called surplus assets—until the assets reached a certain condition.

341. I come now to the dividing of the funds of the bodies. Are you aware that in Victoria the Judges have decided that no Lodge can break up and divide its funds without the consent of the grand body; and also, considering they are part and parcel of the parent Society, that the funds of such Society belong to the whole body, and not simply to the Lodge? I presume the decision is under the new Act, but there could not be such a division in this Colony.

342. Do you not think it would be desirable to have something of the sort here? Yes, in all cases where this parent Society has the control of a general fund, but not if it were simply a regulative Society. I am inclined to think that is one of the laws in Victoria—that it is so enacted.

343. You are of opinion that it would be advisable to introduce something of the sort here? I think it would where there is a relation of contributions; that is, where the Lodges contribute to the central body.

344. In the 8th clause of the Act you will find special mention made of a three-fourths majority being required for the alteration of rules: are you of opinion that this requires alteration, and that it is totally unworkable? I am not aware that it has ever been required in the alteration of rules. Sometimes the rules themselves require it.

345. Do you not think that alterations of rules might be made by a majority of the members then present, the whole of the members having been duly summoned? You mean that an alteration of the rules should depend on a bare majority of those present at a summoned meeting. All that I have required is that a declaration should be made that the alteration desired has been duly carried in accordance with the provisions of their own rules.

346. Do you not think it would be desirable to make it simply a majority? I think a bare majority might be permitted to alter any rule, but there is one consideration; a bare majority may be summoned very suddenly, and in the absence of perhaps some members who would oppose—who would turn that majority into a minority. If it were a rule, for instance, to suspend benefits, I think there should be some great caution used. Of course I know we are assuming that the meeting is a summoned one, and that every member would thus have had due notice of it.

347. You have spoken favourably of the appointment of arbitrators: I presume you are aware that the Manchester Unity refers disputes to arbitration; or that, in other words, a charge must be heard before a Board of Arbitrators. Do you not think that under such a condition the members get natural justice? I think so; my proposal is simply an extension of that principle.

348. Without actuarial investigation would the experience of the Societies be a sure guide? I consider the experience of the best and oldest Societies would be a very safe guide in fixing the proportion of contributions to benefits; but a guide is a very different thing from laying down a rule.

349. I presume such experience could only be gathered from those Societies which have kept as nearly as possible to the scale of payments they started from; you would not take these deviations from the ordinary rules? No; I should assume that the information so derived would be from Societies which held uniformly to their own rules.

350. It does not necessarily imply that because Lodges are registered they can meet demands when called upon? No, certainly not; in the first place the office is in no way responsible for the working of the Society; it may be launched on the best possible scales, and yet be wrecked in a couple of years by extravagance.

351. Do you not think the various Friendly Societies have auditors of sufficient prudence to audit their books without going outside? Yes, except where you come to valuing the interest of a member. It is the interest of a member in the Society which has to be valued. It is valued now in Victoria; but it could not be done by a mere accountant, unless he were well up in actuarial calculations.

352. I think I heard you remark that the annual return sheet still requires amendment to allow careful dissection of the items? I do not think it is perfect; it is quite capable of improvement even at the present time.

353. Are you aware that *pro rata* Friendly Societies here give greater benefits than those in Great Britain? I know that perfectly well, and have tried to get the English tables for various Societies. I have succeeded in some cases, and have often thought the scales here seem to be higher than those in England; that is, the benefits are greater in proportion to the contributions.

354. I suppose you are aware that in Great Britain, in Lodges registered under the Act, the only party who gets medical benefits is the one who pays the contributions? I believe that is the general rule in England.

355. I suppose you have noticed in certifying the General Lodge Rules that clause after clause clashes with each other? I have.

- Mr. A. Oliver. 356. And do not you think it should be the province of the Registrar to amend such, so that the book should be readable, and that there should be no quibble should anything be brought to a Court of law? It is undoubtedly true that on reading some sets of rules I have found that the rules are out of construction, and I have seen cases in which they are contradictory, but as I have not got the power to make rules I have not the power to alter them in any way.
- 2 Dec., 1881. 357. Are you aware that Mr. Ludlow, the Registrar of Friendly Societies in Great Britain, does such things? Yes, because he has the power to do it under the Act, but I have no such power.
358. And would you recommend it here? Only within certain limits, or he might clap on another shilling to the contributions.
359. The Friendly Societies Act gives power to trustees to lend money on mortgage. Now, if, before the mortgage is paid off one of the trustees dies, much trouble and expense is caused in releasing the mortgage. Should not a clause be inserted in any new Friendly Societies Act, giving power to any new trustee appointed to act in his place? I think the releasors of the mortgage should be the trustees of the Lodge for the time being.
360. Mr. Smith.] Is it a fact that you drafted the present Act, Mr. Oliver? I received it as a sort of heirloom or remanet; but practically this is what happened: I had a Bill handed to me by Mr. Sutherland which had been prepared, I do not know by whom; it was a transcript of the English Act of 1855; and I found that by reason of an extraordinary complication of Building Society law with Friendly Society law there would be great confusion in any new Act which did not embrace these other Societies. I having come to that conclusion, stated so much to Mr. Darley, and he accepted the idea, and asked me to do it. I then altered the Bill so as to repeal all the Building Society Regulation Acts and bring them under the operation of the Bill.
361. Then this Bill did not emanate from you as Parliamentary Draftsman? I did not draw these clauses, but I received the Bill as I have stated, and I added the Building Society Law and the Co-operative and Trading Society clauses; but I did not make any alteration in the part relating to Friendly Societies.
362. You have worked this Act since it became law up to the present time? Yes.
363. This fact has given you a large experience as to the general management and government of Friendly Societies? Necessarily it has given me some.
364. Would you give the Commission the benefit of your opinion as to the adequacy of this Act in regard to Friendly Societies, and your knowledge since working the Act as to their stability and financial condition? I think the Act wants to be completely repealed, and substituted by a new measure, for it would be impossible to merely amend it. It is not an Act for looking after Societies when they are formed; it takes a deal of trouble in registering them, and then leaves them. If they like to take the trouble to send in their returns, well and good; if not, well and good too.
365. You are of opinion that the Act has been totally inadequate? It is now totally inadequate.
366. Having worked this Act, you must have a knowledge of the Societies; I should like you to give the Commission the benefit of your opinion as to their financial condition? I think I have answered that question, though put in a different form, before. Of course I have only two modes of ascertaining what the financial position of a Society is; one is officially, and the other ex-officially. Officially I should decidedly express the opinion that the Societies cannot be in an unwholesome state when only ten have dissolved within a period of eight years. What I have heard outside is only hearsay, and not within my own knowledge.
367. During some portion of your evidence you said you thought it desirable that a Board of arbitrators should be established for the purpose of dealing with the internal disagreements of Friendly Societies? Yes, I am of opinion that such a Board should be constituted.
368. Do you mean that it should be constituted of persons not identified with the Societies? Certainly not; they would be no use at all. My idea would be that if the office is made into a separate Department, the Registrar of Friendly Societies should be the Chairman, and that the members of the Board should have a seat with him and be a tribunal to dispose of all the quarrels of Societies.
369. Then the Commission is to understand that in your opinion this Board, with the exception of the Registrar, should be composed of members identified with the various Societies? Persons experienced in the working of the Societies.
370. Is it a fact that the majority of the Societies have a council, or district or governing body? Yes.
371. Do you think that each district nominating one of its members to constitute such Board would be a workable piece of machinery? That would make the Board too large. I have already stated that I propose to offer a few suggestions in writing on that subject, and that head cannot escape me. At present my notions are a little bit crude, because I have not yet thought out whether this Board should be a body nominated by the Government or elected by the Societies, or partly nominated and partly elected; but I am inclined to think that a system of election could be carried out, and in this way, that any Society which numbers so many thousand members should have the right of election of one of its members on the Board, but the difficulty is what number that should be. This is a matter that I should desire the Commission to allow to remain in abeyance, so that I may think over it and put it in writing.
372. Is it within your knowledge that a number of Societies have established themselves, have elected officers, have initiated members, drawn subscriptions from such members, have registered themselves, and after a life of some few months have ceased to exist? I have heard so much, but I have no official knowledge of it.
373. Of course it is within your knowledge that within the last two years there has been great competition going on amongst the Friendly Societies? I believe there has been considerable competition within the last two or three years.
374. If you had any means of knowing that the scale of fees fixed and the amount of benefits given as exhibited in that document that was here a few minutes ago was to be given, if you had the power as Registrar would you ever have registered a Society of that character? Of course I could not answer that question exactly. They seem here for a shilling a week to insure a funeral donation of from £20 to £30, but they may by their rules limit that so as to make it inoperative, or only operative in a few cases.
375. Would you register that as a Society if that sort of thing came within your knowledge? Well, I could not say what would be done unless I saw the rules of the Society. That document is only a prospectus, and might mean nothing; that in itself means nothing.
376. It has frequently, I presume, come under your notice that a number of subordinate Courts or individuals or Lodges connected with Societies secede from their districts? We have had a few cases, but very few; we have not had many of that character, but they come to us to amalgamate. 377.

377. Do you think that the stability of subordinate Courts would be more assured by their being identified with their districts? Yes.

378. Do you think it would be a good piece of legislation to make this compulsory in any new law? That would have the effect of preventing any new Lodge from being registered. I confess I do not see at this moment the necessity of this restriction.

379. *President.*] When this evidence is submitted to you, if anything suggests itself to you will you be kind enough to make a memorandum of it? Oh yes, certainly.

Mr. A. Oliver.
That 2 Dec., 1881.

MONDAY, 5 DECEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,

JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,
FRANCIS ABIGAIL, Esq., M.P.,

PHILIP RISBY HOLDSWORTH, Esq.

Mr. Edwin Lewis Scott affirmed and examined:—

380. *President.*] What position do you occupy, Mr. Scott? I am Clerk to the Parliamentary Draftsman and nominally Secretary to the Registrar of Friendly Societies.

381. Have you been appointed to that office? I have never; it fell to my lot to do the work without pay.

382. You get no salary under the Friendly Societies Act? No.

383. Can you give us any information in regard to the punctuality or compliance with the law in reference to the returns that the different Friendly Societies are bound under the law to make to the Registrar? Some of the Societies are very lax in making the returns; the Manchester Unity Oddfellows make the returns in pamphlet-form, and the other Societies on the sheets which are furnished to them by our office. All the Societies can have return forms on application. It was the custom that they should apply at the Government Printing Office for them, where they were charged sixpence for each form; Mr. Oliver deemed this too large a charge, and accordingly requisitioned for a number of forms for gratuitous distribution.

Mr.
E. L. Scott.
5 Dec., 1881.

384. Since you commenced to supply the various Societies with forms have they been more punctual? They have; I have taken the trouble to communicate with the Grand Secretaries of the Orders requesting that they would attend to the requirements of the Act in that respect. The Grand United Order gives us a very large percentage of returns over what they used to do.

385. There are a large number of subordinate Lodges in connection with the Orders? Yes.

386. And each one makes a return direct to the Registrar? In some cases only; for instance, in the Grand United Order of Oddfellows the Grand Secretary brings me the returns himself, the Lodges sending them to him; and the Protestant Alliance the same.

387. From your experience in dealing with this matter do you think it would be better under any circumstances that these returns from the various subordinate Lodges should come through the Grand Lodge? I think so, and for this reason: many of the Secretaries are very illiterate men, the majority of them probably; and the Grand Secretary of an Order on receiving the returns would have an opportunity of checking them, putting them into shape, and if necessary sending them back before we get them and have any trouble with them.

388. In any alteration of the law do you think it would be a wise thing to enact that these subordinate Lodges should send in their returns to the Grand Lodge, and that the Grand Lodge should be made responsible to the Registrar? I never gave that matter a thought.

389. Would it not facilitate matters very much more if the Registrar had to deal only with the Grand Lodges? Certainly; oh, certainly; because the Grand Secretaries are, as a rule, more intelligent and better educated men. The Societies send in their returns very late, and it is not a fortnight ago that I received one of the returns for last year.

390. Now in these returns that are sent in I presume you have to look into the matters that are laid down? So far as I can, and the returns will admit of it. For instance, some Societies do not divide their funds into the different items set out in the return forms, and I am unable, in making up the big sheets of returns, to dissect these funds.

391. Yes, and in your opinion do you think it would be a good thing to have uniformity in reference to the mode of distribution of the funds? Certainly.

392. Do these Societies return the ages and occupations of persons who are members of the respective Lodges? No, they give no data of that sort. They give the number good on the books, the number expelled, the number of members who have died, the number of members' wives who have died, and information of that sort.

393. Then in the preparation of any return for the information of this Commission that we might ask you to prepare, you would not be able to give us the information I speak of; that is, the ages and occupations of the members, and the ages at which the persons died? No, it is not furnished to us.

394. Do you not think it would be wise to have provision made for information of that kind to be furnished? Certainly; it would assist any actuarial process of investigation.

395. For the purposes of an actuarial inquiry the information you now have at your command registered in your office would be of no assistance? It would be very insufficient.

396. The Registrar, I believe, has instructed you to prepare some returns; a return of the list of Lodges, with the places of meeting and the Secretaries' names? This I have done from the most recent documents, and the return which I hand in is as complete as I can make it. (See Appendix B.)

397. And I understand you have received no emolument whatever for the preparation of this return? None at all; it has all been done after office hours, in my own time.

398. A return has been laid before the Commission giving the averages for 1878? I prepared that.

399. I presume it is only approximate? It is only approximate, and needs explanation as to the item "management expense expenditure."

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400. Yes; I notice, bracketed here from Grand United down to Miscellaneous, in fact, all but the Manchester Unity; the fact is, that from these returns you could not tell what particular expenditure belongs to each fund? No, because the return forms at that time had this item, "management expenses, including medical expenditure and medicines," and other things which we now think proper to dissect.

401. I understand that all the by-laws pass through your hands? They do, in fact all the rules.

402. *Mr. Greville.*] By-laws or rules? The by-laws. The Lodge is, as a rule, connected with some Order; it registers the rules of the Order, and, in addition to this, the by-laws for the ordinary management of the Lodge itself. Many of them do not register these by-laws.

403. Many of them you say? Yes, many of them, because some of them register their general laws and the by-laws together.

404. *President.*] I presume you simply register these rules and by-laws when submitted? I examine them to see that the requirements of the Act are fulfilled. There are several things that the Act requires to be done. It prescribes that the rules shall set forth— "(1.) The name of the Society and place of meeting for the business of the Society. (2.) The whole of the objects for which the Society is to be established the purposes for which the funds thereof shall be applicable the tables or scales of payment and the conditions under which any member may become entitled to any benefit assured thereby and the fines and forfeitures to be imposed on any member of such Society. (3.) The manner of making altering amending and rescinding rules. (4.) A provision for the appointment and removal of a general Committee of management of a Trustee or Trustees treasurer and other officers. (5.) A provision for the investment of the funds and for an annual or periodical audit of accounts. (6.) The manner in which disputes between the Society and any of its members or any person claiming by or through any member or under the rules shall be settled." It is also enacted that "the rules of every such Society shall provide that all moneys received or paid on account of each and every particular fund or benefit assured to the members thereof their husbands wives children fathers mothers brothers or sisters nephews or nieces or assigns for which a separate table of contributions payable shall have been adopted shall be entered in a separate account distinct from the moneys received and paid on account of any other benefit or fund and also that a contribution shall be made to defray the necessary expenses of management and a separate account shall be kept of such contributions and expenses." These provisions of the Act being attended to, I generally take no further notice.

405. Are these Friendly Societies increasing in number? They are.

406. How long have you been connected with the matter in a clerical way? Since the 1st of July, 1878.

407. Now, from your knowledge and experience of this matter, and bearing in mind the importance of these Societies, and the large amount of money involved in it, and the large interests involved generally, do you think it would be justifiable on the part of the Government to provide that there should be a Department formed to deal with this matter? The present staff is totally inadequate to the requirements, and I think a staff is necessary; there are many things that are wanted now that I cannot get for you or any one without occupying three times the usual office hours over it.

408. And what you have done for the Commission altogether you have done at night and in over-time? I have.

409. The other duties connected with your office in connection with the Parliamentary Draftsman occupy the whole of your time? They do; something has to stand back, and it is generally the Friendly Societies.

410. Have you noticed whether there is any uniformity in the rules in reference to the amount of dues demanded from members? There is; they run from 11d. to 1s. 3d. per week.

411. Do you know if they are calculated from any actuarial data? No; they seem to be calculated from the experience of the Societies formed previous to the one about to be registered; sometimes if I notice that the contributions are too low or the benefits too high I have drawn attention to it, and have written to the Secretaries, and have had them amended at our suggestion.

412. But the Registrar has no power to refuse registration on these grounds? No.

413. All you can do is to communicate with the Secretaries with a view of suggesting? That is all; and, in fact, the power the Registrar possesses to compel the making of returns is nullified by the want of machinery.

414. In your opinion would it be a wise thing to allow the Societies to settle all differences amongst themselves? Yes, as a preliminary step, but not as a final power. I have been of opinion that a sort of Board, composed of the Heads of the Societies and presided over by an official, should be the final Court, so as to keep all matters out of the Courts. I will give two reasons for keeping these disputes out of the Law Courts. The Magistrates have no knowledge of the wants of the Societies, and the District Court Judges will not learn anything. I have heard Judge Dowling say in a case that he had made up his mind to make no order.

415. And are the cases such that they would be better dealt with amongst the Societies themselves? They are, very much better.

416. Then you think there should be some known machinery to deal with this matter; that is, a final Court of Appeal? Yes, a final Court of Appeal. I would point out that the Societies have no right to spend money in legal expenses, but they do so, and spend large sums. This money is illegally expended.

417. Has any case come to your knowledge where special levies have been made? Many of the Societies provide for special levies to be made when the funds fall below a certain amount.

418. And sometimes these Societies dissolve and divide whatever funds they have in hand? Yes, with the Registrar's consent to the terms of dissolution.

419. Now, are these subordinate Lodges—are they in connection with a Grand Lodge? No, they are independent Societies, or have been so during my time, or have been subordinate Lodges of an Order which have been either expelled or suspended by the Grand Council as false to the Order. And in such cases, as a rule, they have joined other Orders, so that the dissolution has resulted as a rule in an amalgamation.

420. Have you any experience as to the expense of working these Lodges generally? No, I cannot say. I have never been able to get at it. I have every year the return ready but no report. I have the Grand United and Manchester Unity returns ready now, but the rest I have not been able to finish. In fact it would require some one to attend to the work the whole time; and it should be a statistical clerk, or one conversant with figures, which I am not.

421. But you know sufficient of figures to work out these averages? Yes, but I am slow.

422. Is there any suggestion you could give in reference to this matter touching this inquiry—I mean any special information that you could add as an addendum to your evidence? I could only suggest that in the appellate Board I speak of, the Registrar would be the best man as Chairman. I am fully of that opinion, because he would be independent; or in his absence it should be some one well acquainted with the Act, with a legal mind.

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423. But you are clearly of opinion that there ought to be a distinct Department to deal with these matters? Oh, certainly; though I have always found the Heads of the Orders very willing to assist me; I have never made a reasonable request to them that has not been complied with.

424. Have you ever heard it suggested that these respective Societies, or some of them, are not in a solvent state? No, not officially; I do not see how they could carry on. Members are only too willing to come up to the office with complaints if they find anything shaky about the distribution of the funds. I should like to suggest that no Order should have the power to suspend its benefits. Some Lodges seem to act, according to complaints, tyrannically with members in suspending sick pay. Although a man pays his contributions regularly his sick pay is suspended. Instead of this it would be better to make special levies as a safety-valve.

425. Has any member of an Order the power to recover their sick pay in the event of a Lodge suspending it? I know of no means except at common law, and as a rule he is too poor to go to law, especially as he is almost sure to lose. Of course a Lodge can always increase its contributions to meet demands.

426. You are acquainted with the present Act, are you not? Yes.

427. Do you know in any special or particular way where that Act is defective? Yes; it is defective in not defining what can be sued for in Court; presumably defective, because decisions are given against men who are in arrears for contributions. The Act does not state that contributions can be sued for, but Magistrates are continually giving decisions for the management of the Lodges against defaulting members and Lodges; and also for the Grand Lodge or district, which is an extreme measure in a Friendly Society.

428. Do you know anything about the working of the Societies in other Colonies or other Countries? I do not, except from reading the reports, which are very voluminous.

429. Could you say from your experience that the present Friendly Societies Act is defective in many particulars? Oh, in many particulars that I cannot recollect just now; something crops up every week that the Act is powerless to cope with.

430. *Mr. Smith.*] You consider, then, that the time has arrived when new legislation is necessary? I do.

431. You believe the interest and importance of the Friendly Societies in the Colony of New South Wales sufficient to justify the Government in establishing a Department for the purpose of administering any new piece of legislation? I do, as I believe the Friendly Societies abolish a great deal of pauperism.

432. You stated that this is the only return of a complete character since 1878 (*Appendix*)? Yes.

433. It only shows the number of existing Lodges? That is all.

434. Did I understand you to say that you were engaged in the work of preparing a detailed statement something like this, having reference to two Lodges or Orders? Oh, no; I was speaking of the large detailed statement which is made every year.

435. Is there any time fixed by which these returns should be sent in? They should be sent in by the end of March.

436. What has been the usual practice of these bodies in sending in returns? About the end of August.

437. Have you any idea how the delay has occurred? Through carelessness or neglect.

438. You have made complaints, I suppose—What has been the character of the replies you have received? Silence.

439. You have no means under the Act to enforce compliance? We have no such method; but it is provided that it shall be done under a penalty which we have no means of enforcing.

440. How long would it take to complete the returns for 1880 in the large detailed form you speak of; I mean to prepare them so as to be in the hands of the Commission? I am almost unable to cope with the totals myself.

441. But you suggested that it should be done by some officer from the Statistical Department? I do not know that I suggested it, but I should be happy to suggest it. I believe it should be done by an accountant.

442. I simply want to know the time it would take if you had the necessary clerical assistance? One man at it all the time could do it in a month if he were conversant with figures, but he would have to be near me for information as to the meaning sought to be conveyed by the Secretary of a certain Lodge or a certain Order. There are many Lodges working in the Colony which are not registered; and under the 6th section of the Act the Secretary is liable to a fine not exceeding £20 for every sum he receives.

443. Has it reached your knowledge officially or otherwise that a number of persons have formed themselves into a Society, have not registered the Society but have initiated candidates and taken contributions? No, it has not come to my knowledge, but through them sending in returns I imagine that Societies have been working without being registered. There has always been a difference of opinion whether it is necessary for a subordinate Lodge in connection with an Order to register its rules; but on appeal to the Registrar it has been decided that each individual Lodge was to be registered.

444. Have you supplied forms to the various Societies to fill in their returns? Yes, when they have applied for them.

445. Do they apply for them? As a rule they do.

446. But there are cases in which they do not use the forms supplied? Not now, though they used to do so.

447. *Mr. Greville.*] Not looking at the principle of the present Act but at the working of it, you consider its principal defect to be not making provision for proper returns? The great defect is that it does not place in the Registrar's hands the power to compel the making of returns; it imposes a fine, but does not say how it is to be recovered.

448. But are you aware that the Registrar has assigned a different cause? I am not.

449. Is there any specified month by which the returns are to be made? In the month of March.

450. When March has expired and the returns have not been received by you, do you send a circular by way of reminder to the various Societies? I do not.

451. Did you say that the Secretaries were largely illiterate men, and that you thought the defectiveness of the returns arose more from ignorance than from wilfulness? Yes, certainly that is my idea.

452. Do not you think, then, that it is a great pity reminders have not been sent? They would doubtless have been sent had there been a staff to do it, but it has been total inability on my part that has prevented me from doing it.

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453. Have forms been sent to the Societies unless asked for? No.
454. Do not you think the working of the present Act would have been very much more perfect if, prior to the 31st March in each year, a return form had been sent to all of these Societies requesting that they might be filled in and returned? Certainly.
455. And we should not have the same cause to complain of the insufficiency of the returns? No, nor of the small average returning.
456. When Societies have failed to send in their returns, has any circular been sent to them threatening them with the penalties of the Act? No.
457. Then they have sent them in or not according to their own pleasure? Yes. If I have found a Grand Secretary late, I have sent him a friendly reminder on several occasions.
458. Only to the large Societies? That is all.
459. You spoke just now of the suspension of sick pay—Do you think that power is ever exercised arbitrarily simply for the purpose of depriving a particular member of his sick pay? According to *ex parte* statements, yes.
460. Do you have many cases of that nature? Yes.
461. And do you believe this often takes place? I do not believe all these statements always; but the statements being made show the power of the Lodges to do it, and that it is open to a Lodge to do it. Some Societies have the power in their rules to do it; but I call attention to it now, and Mr. Oliver suggests that it should be expunged.
462. But in drawing the attention of the Societies to such a clause, or to any other clause except as to its legal bearing, do not both you and the Registrar exceed your actual duty? I believe so.
463. In other words, all you have to do is to look to the legal aspects? That is all—to see that the requirements of the Act are conformed to, and nothing more.
464. And do you therefore consider that great actuarial mistakes might occur in rules which are legally correct and properly passed by you? Yes, certainly.
465. Except for the friendly supervision of the Registrar where he thinks that a Society will not pay upon certain scales proposed? Yes; for instance, we have had Accident Societies proposing to give greater benefits on less contributions than other ordinary Societies.
466. *Mr. Holdsworth.*] Prior to your appointment, Mr. Oliver had no one to assist him? No one.
467. When you went there the papers were in a very confused state? Yes; there was simply a certain number of parcels.
468. You went as Clerk to the Parliamentary Draftsman, but was it not understood that if Mr. Oliver accepted the office of Registrar of Friendly Societies he was to have a clerk? I never heard that. I only know I never was paid for it, although three parts of my work has been for Friendly Societies.
469. You have found that in a number of cases the management expenses are mixed up with the expenses for doctor and medicine; that is, as I take it, certain Lodges have done this? Prior to 1878 all the Lodges did it.
470. Have you ever worked it out to see whether they did include all their expenses for doctor and medicine in these expenses? In the form sent to us it said "Management Expenses, including medicine and medical attendance," in one sum.
471. There was nothing separated? Not before 1878.
472. There was no return to show what they paid for doctors and medicine? No.
473. Then did it strike you that if in other Societies they paid for doctors and medicine at the same rate as in the Manchester Unity, they must have been worked for less than nothing? No; I do not know.
474. This return then is valueless—no guide whatever? It was valueless in 1878, and naturally would be so now.
475. Some of the Societies you say register the general rules of the Order, and then their by-laws? Yes.
476. Is it not compulsory that every Lodge or Division should register itself? Yes.
477. That they register their own Lodge rules? Yes, but some Orders register one pamphlet, including the general laws, district laws, and the Lodge laws.
478. Do not you think it would be a great advantage if all Orders had a code of rules so as to render them uniform through the various branches? I do.
479. And that these should be registered by the superior body? I do.
480. You think a general body should be appointed to finally settle disputes? Yes.
481. Do you know of cases lately where such a provision would have proved of service? Yes.
482. And in one of these cases you had to go to Newcastle? Yes, and the Judge gave no opinion on the case, suggesting that it should be referred to me.
483. You have heard of cases where Lodges have suspended sick pay? Yes.
484. Are you aware that provision is made in the larger Orders that where one Branch runs short it shall be assisted? Yes, in most of them.
485. Then is it only in the smaller Lodges that you find this suspension of sick pay? Yes.
486. How would you suggest that the difficulty should be met? By levies.
487. Societies you say have no right to spend their money in law costs? They have no right to spend money for anything more than the rules provide.
488. Then however great an injustice might be done, a Society could not defend itself from being robbed? Not under the present Act; but a Board would avoid unnecessary expenditure.
489. That is one of the chief defects of the law? Yes.
490. You were asked whether the Act was defective. Is it your opinion that the Act is so defective all through that it is not workable in any part? Oh, it is workable in many parts; the compulsory registration, for instance.
491. Which you say you cannot make them do? We cannot get in the returns.
492. Did not you tell us that there are a number of Lodges unregistered? Yes, I found yesterday that eight Loyal Orange Lodges had sent in returns, of which only four are registered.
493. Then is not the Act thoroughly unworkable so far as the Friendly Societies are concerned? It will bear a large amount of improvement.
494. Does it not grasp at too much and miss all? It misses everything.
495. Is it your opinion that there should be a plain distinct Act for the Friendly Societies? I think so;
do

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- do not know anything of the working of Building Societies under this Act. I simply pass their rules on to Mr. Oliver and enter them in a book.
496. You think there should be a distinct Act for the Friendly Societies? Yes.
497. Are you of opinion that Lodges or Divisions should have the power to sue for arrears? No.
498. As a rule is there not a rule providing for the suspension of members who are in arrears? Yes, after a certain amount of default.
499. And suspended members sustain no benefits? None.
500. Am I to understand that there are sometimes very excellent members who fall into arrears? Yes. I understand suing for arrears to be the same as an Insurance Society suing for a lapsed policy.
501. I understand that the Manchester Unity registers in pamphlet form? No; makes returns in pamphlet form.
502. Does each individual Lodge send in a return? Not to us.
503. Does it send in a return which subsequently reaches you signed? Only in the printed form.
504. Then each Lodge does not send in a return? No, two or three Lodges which are a little obstinate send them in.
505. Then all you get is a printed form? Yes.
506. And this is sent in by the Grand Officers? Yes.
507. Are you aware that in all the Orders the Grand Officers have to receive returns in a more complete form than you do? I fancy they must, or they could not work the Societies.
508. Do you think it would be well if the superior bodies were to register themselves and their rules, and then the names of their subordinate Lodges, without the separate Lodges having to register? No, I would make each Lodge register as now.
509. *Mr. Davies.*] I understand from your evidence that you consider the present Act defective? I do.
510. Will you kindly describe in what respects? Well, in the first place there is no machinery given to the Registrar to enforce any of these provisions; there are no means of ascertaining where Lodges are working unregistered. I would suggest that a new Act should make provision for a reward to an informer the same as for evidence for an offence against the Licensing Act, so that any one discovering a Lodge working without registration should be enabled to prosecute and receive a moiety of the fine.
511. And do I understand that it is only in respect to the matter of registered returns that the Act is defective and requires amendment? I believe it should also insist upon an actuarial table being made, and that no Lodge should be allowed to adopt a lower table or to give a higher benefit than that contained in that table.
512. Not in any other respect? There is one slight defect respecting Building Societies; when a trustee is appointed in a Friendly Society he has to sign a document accepting the trust, but not in a Building Society.
513. We have nothing to do with that; I mean in the Act as referring to Friendly Societies; and I would ask you to what extent you believe the Act to be defective and how should it be amended so as to afford security to members? I would suggest an official investigation of the accounts of the various Societies.
514. How do you consider it defective? In the absence of machinery to work the provisions and enforce registration; in the non-existence of an official accountant, and in the absence of a staff to do the clerical part of the work required. I have not looked through the Act with a view of giving this evidence, because I expected only to be asked in reference to the working of the office.
515. But you have had some experience of its working? I have had all to do with it.
516. And I understand that you pass the by-laws? Yes.
517. And send them on to the Registrar? I submit them to him, pointing out anything that I think is opposed to the principle of the Act.
518. But did I not understand you to say that you passed the by-laws? I meant that I examined them.
519. Is it not the duty of the Registrar to examine them? Yes; I give them to him.
520. Is he not the only official known under the Act? Yes.
521. And he is responsible? Yes.
522. Have you any further suggestions to make to the Commission? None at present; though I would advocate that contributions should not be sued for. As the Act at present stands, it is interpreted that contributions may be sued for, and several such suits have been successfully maintained.
523. Then it is in your opinion only in these minor matters that the Act requires amending? So far as my lay mind enables me to read it.
524. But you do not see any other particular in which it ought to be amended? I cannot recollect any at present.
525. You stated that the returns were not furnished regularly? Not as a rule.
526. And that the Act was defective in not enforcing this punctuality? It prescribes a penalty, but gives no means of recovering that penalty from defaulters.
527. Can it not be recovered before two Justices? Yes; but the Registrar is powerless to do it on account of having to personally prosecute the defaulters. He could not, for instance, be expected to go to Wagga or Bathurst to prosecute.
528. But in Sydney there would be no difficulty in obtaining an enforcement of the provisions of the Act, and are there not many defaulters there? Oh yes; for in the Sons of Temperance we have only received ten returns, and there are more than ten Divisions in Sydney.
529. And you could not enforce the provisions of the Act? Yes, but not without inconvenience.
530. Then the Act would not be defective so far as Sydney is concerned? No.
531. It would simply be that the official Head does not take steps in the matter? He cannot; the Act gives him power, but time does not. If the Act gave him power to appoint a deputy to prosecute, it might be done.
532. What number of Societies have failed to furnish returns during the present year? I have given a return, which is rather incomplete now. For the first time since I have been in office I have been able to get out the number of registered Societies.
533. Can you tell me the number that have complied with the 45th section? I can by means of this return.
534. Do I understand that the return furnishes not only the number of members of every Society, but also the separate returns of every Order? No.
535. But does not the Act require that? It does require a return to be furnished.

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536. What Societies have failed? All have failed, to a certain extent.
537. All the Societies? Yes. This return gives approximately 365 Lodges in existence, of which 161 are defaulters.
538. What Societies do you say have conformed to the requirements of this section? None of them have, except the Loyal Orange; all of their three Lodges have sent in their returns.
539. The Sons of Temperance? They have sent in ten returns out of eighty-six Lodges.
540. Have the Manchester Unity sent in separate returns? No; they have been sent in in one return.
541. The Ancient Order of Foresters, have they complied with the section? No, they have not; there are six defaulters.
542. And the Royal Order? According to these returns there is only one defaulter this year.
543. The Druids? They have sixteen Lodges in default.
544. The Guilds? Of nineteen Lodges nine have sent in returns.
545. The Protestant Alliance? There are five Lodges which have not complied with the Act.
546. The Independent Order of Oddfellows? Out of sixteen Lodges none have made returns.
547. So that the return which has been furnished to the Commission will not give anything like a correct view of the working of the Societies? The return I have laid on the table to-day simply shows the number of Lodges, the place of meeting, and the name of the Secretary.
548. Did I understand you to say that you are preparing a tabulated return showing the working expenses, amount of funds available for sick benefits, and also funeral benefits? No, it shows the income, expenditure under various items, and the balance in hand.
549. Of all the Societies that have been registered? Yes.
550. When will that return be in the possession of the Chairman? It is not intended for the Commission; it is provided in the Act that it should be laid before Parliament, but it has hitherto never been done.
551. You said, I believe, that you were in favour of the contribution being uniform? Yes, if the benefits are uniform.
552. Now, is it not a fact that many Societies are much lower in their contributions than others? Oh, much lower.
553. And have you looked at the financial position of these as compared with the others? I have not.
554. Is there anything else you would like to suggest to the Commission in reference to the working of the Friendly Societies? I do not think of anything just now.
555. *Mr. Abigail.*] Can you tell me how many Lodges, Societies, or Branches have been supplied with the Registrar's printed form for 1880? I cannot tell you directly; but all who applied for them have got them.
556. And how do you propose that the people in the far country districts shall obtain them? I propose that they should be sent.
557. Has it not been the practice at any time during Mr. Oliver's term of office to supply them without application being made? Not during my time.
558. How many Lodges have sent in returns for 1880, in round numbers? 204 are shown to have done so by this return.
559. These have sent in returns? Yes, sir.
560. Have you examined these returns sufficiently closely to state what is the general condition of these various Lodges? No, I have not looked over them with that object in view.
561. Do any of those you have examined show a profit for 1880 in their receipts? Some of them have lost.
562. Is there much loss? No, not much.
563. That is the result up to the present? I have five or six deficits.
564. You do not know what the case is with others? No, not yet. When the expenditure is greater than the receipts during the year I call it a deficit, as I do not include the balance in hand at the beginning of the year.
565. Then is your work sufficiently advanced to lay the report before Parliament as provided in the Act? No.
566. Will no report be laid before Parliament then for the year 1880? No, not this year, at all events.
567. You stated that you thought some inducements should be held out to informers to inform against a Society that is working without registration? Yes, because there is otherwise no protection for the members of the Society.
568. Are you aware that clause 6 places a penalty of £20 on any person working or receiving any money without registration? I am, and I have pointed it out to several Lodges, and they have registered themselves.
569. Do not you think that that clause, if properly worked by the Registrar, would prevent these Societies carrying on their work? No; because he does not become cognisant of their existence until something crops up connected with them.
570. I see in the bottom line there are twenty-eight or more put in "presumably defunct"? Yes.
571. You have I presume come to that conclusion in consequence of not receiving returns? In consequence of not receiving anything since this Act came into force; there are Societies which were registered before 1839; we have the rules, and nothing but these original rules.
572. Are you aware that the 45th clause in part II of the Act makes it imperative on these Societies to send in every five years a return of the rate or amount of sickness and mortality? I know the Act provides for it.
573. Have they ever done that? No.
574. Has Mr. Oliver ever called the attention of the Government to that neglect? Not to my knowledge.
575. Do you think if a return of that kind had been sent out that it would have been of value? Of very great value as a return of sickness and mortality only; but all these returns when they come in should be placed under the correction and supervision of some one who understands figures.
576. Do you think if the provisions of this Act had been administered fairly, apart from the want of clerical assistance, would it not have been a great advantage—I mean these provisions for sending in returns with reference to carrying on without registration, and for sending in the amount of sickness and mortality? If these had been complied with it would have been of great value.
577. *Mr. Newland.*] Have not some of the large Societies furnished complete returns, or nearly so, for purposes of actuarial returns—I mean, so that we might get some data from them? I think so; you certainly could take the Manchester Unity returns, because they are complete.
578. Would you take the tables of the Manchester Unity to form sufficient data for actuarial purposes? For their own Society, certainly.
- 579.

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579. Are there any other returns of the large Societies complete enough for that purpose? I think they all do their best, so far as the separation of the funds will allow; some Societies have a general fund, and expend from that general fund in different directions, so that you can never see how any particular fund stands; others have a general fund, into which a certain proportion of their subscriptions goes and out of which all funeral donations are paid.

580. And those who limit them, do they do that in accordance with the Act? I do not know; it is not in accordance with the forms of return we send out.

581. Do you not draw their attention to this? I do, but do not get any further information.

582. Does the Act give you any power to inflict a penalty on Societies which neglect to give you the returns in accordance with these forms? No.

583. I see according to clause 45 that Societies are bound to send in returns showing the amount of sickness or mortality? They do it always; they always show the deaths and number of the sick, and the period of the sickness, and the amount of sick pay.

584. Are you of opinion that the mode adopted by the Manchester Unity of sending in the returns in pamphlet form is best? It is best for me and for the office. I think the ruling body of the Orders should compile the returns and send them in for all the subordinate Lodges; but I would have these returns attested by the signatures of the Grand Officers, and a statutory declaration made that they were the returns as sent in by the Lodges.

585. Then the Registrar would never see the returns from the subordinate Lodges at all? The only value they are is that he may compile a tabulated and complete return of the whole of the Societies registered under the Act from them.

586. But he would only have the authority of two or three individuals for their correctness? But it would make the work more easy, more compact. As it is I have to go through every return to make one line in my large return.

587. You stated that you had heard of some Lodges breaking up, dissolving? Yes, they have dissolved with consent; there is provision in the Act that it may be done by five-sixths of the members present; they have to make a statutory declaration that all claims are settled.

588. You do not know of any reason why the Societies have been dissolved? I have never heard of any Society dissolving that had not funds in hand to divide.

589. You have no information of Societies breaking up for want of funds; the Grand Lodge taking the liabilities of their sick members? That has not come under my observation.

590. Lodges that have no head or governing body in Sydney, how would you act with them if you prosecuted them? The only way it could be done would be by the Registrar or an officer from his office attending the town and prosecuting; but I think that notice should be given to each Lodge, accompanied by a return form, a due time before the Lodge is considered a defaulter. I think the 30th of March is too late to send in returns for the previous year, for they could all be in by the end of January.

591. You say then that it would take you a month to tabulate them? Oh yes, or any person.

592. Then leaving the Act as it is, you could have the returns ready by the first week in May? Well, they could be laid before Parliament in June if some one had nothing else to do, and the returns were in from the Lodges in due time.

593. *Mr. Slade.*] Can you say how it happened that one Society on that printed return only appears in such a form that their funds are divided, that the actual working expenses are shown to be 18 per cent.? Because they did not return on the Registrar's return forms. If they had sent in their returns on the Registrar's return forms the medicines and other medical expenses would have been included with the management expenses; but they sent in a return in pamphlet form and they were there separated.

594. Then can you say why you did not send them back as a breach of the regulations? Because Mr. Oliver always accepted them.

595. Are you aware that is a breach of the 45th section? It is a breach of the strict letter of the Act.

596. Was that bracket to the other figures in the return when it was used in Parliament? No, it was put there when Mr. Oliver came down to the Commission on the first day.

597. Then you cannot tell the Commission why it was that these returns were not returned as informal? No, I cannot; I was not instructed to return them; indeed, I was glad to get them in that form.

598. Does not the fact that all the Societies but one gave in these returns according to the Act place them at an apparent disadvantage when compared with this one? It did in 1878, but would not now.

599. Does the Manchester Unity now send in their returns on forms prescribed by the Act? No.

600. Is it not a fact that there are in your office now a large amount of returns sent in properly by these Societies, which if published would have served very largely the purposes for which this Commission is instituted? Oh yes.

601. Then are we to understand that it is not the fault of the Societies, but that you have not the clerical means of furnishing the return? That is it; though one-half have not made returns—I mean of the registered Societies.

602. Did any of the Societies protest against or object to the form in which the returns were called for, and cause you to alter them? Yes; they caused the separation of medicines and medical attendance from the management expenses.

603. Then it is not the different Societies' faults that they appear in that Schedule in the form they are now? No, it is the fault of the forms issued.

604. Does the Commission understand that if the other Societies had made the same division of their funds as that of the Manchester Unity you would have accepted that? I presume so.

605. You always examine rules sent in to you? I do, and send them back until they are in conformity with the Act.

606. Has it ever been a rule of your office to accept them at once simply on account of the fact that they come from a certain quarter? No.

607. If such a statement has been made, it is not true? It is not true. If you bring in the Protestant Alliance rules I skim them to see that they are the same as those registered already in pamphlet form; but they are all examined.

608. You have stated to the Commission that you did not advise the recovery of contributions by law? I think it unjust, because it is punishing a man for relinquishing a benefit.

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609. Would you recommend that in any new Act there should be no power to recover for contributions? Not to any extent at all.
610. Do you know any registered Societies which maintain a pension or superannuation fund? Yes, there are several; I do not quite recollect what they are.
611. I mean a separate pension fund, altogether away from other benefits, to provide for permanently disabled or aged members? I think so. Yes, there are several.
612. You have given an opinion on the formation of a Board to assist in the settlement of disputes—do I understand you to mean that it should assist the Registrar as follows:—That a number of persons should be elected from the Boards of the Societies by the Societies themselves, and that they should be a final Court of Appeal? I did not suggest that, but would like to do so, as I think it would be preferable to have elected delegates.
613. Do not you consider that a Board of five or six with the Registrar would be enough? Certainly.
614. *Mr. Gelding.*] These returns which you have laid on the table, whence came they? I furnished them; they came from the rules and papers of the Societies that are in my office.
615. Are you aware that there are Lodges connected with some of these Orders that have been in existence two or three years that are not in that list? If they are not registered there are. There are Lodges and Societies which have sent in papers to our office that are not registered.
616. Are not the Manchester Unity returns compiled from the returns sent in by the corresponding Secretaries? Yes, and I strike out the Lodges which are not registered, so that the returns which would be laid before Parliament would only contain the registered Lodges.
617. You speak favourably of the system pursued by the Manchester Unity in compiling these returns, and say that it would assist you if other Orders did the same? Yes.
618. It was also mentioned that you required other signatures. Are you not aware that before they are sent in to you they are duly audited? I believe they are, but I have no proof of auditing.
619. There has been a good deal of talk about separate Lodge returns—Are you aware that it is only for the last year that these returns have not been sent in, that you have not received whole batches of returns? I am not aware of that, but no doubt it is correct.
620. Did not Mr. Sutton give you a whole batch of returns tied up? I do not remember that I ever had anything but the pamphlet.
621. I have heard you speak about these arbitrators before; I presume you are aware that the Manchester Unity rules are very perfect, and that their Societies have it within their own power to form a Board sufficient to deal with all these questions that arise? Not an independent Board—it would be biased.
622. Are you are not aware that none of their decisions have been overthrown by the Judges when taken to a Court of law? I am not aware of that.
623. If such is the case, is it not a very fair criterion that the Societies can manage these things themselves? The Judges have said that they do not care about going into the matter, because they thought that the governing body of a Society knew better than they did.
624. Do not you think it advisable in framing any new Act that all the specialities relative to medical Societies should be kept totally apart from the recognised rules of the Lodge? In some Orders they are so.
625. But not certified to? Not certified to.
626. Would it not save a vast amount of litigation if this were done? The Societies seem to go to law about very trifling matters; for instance, there was a long dispute between the Druids' ruling body and one of their Societies, and in this case they suspended a Lodge because they would not take a corner of the regalia off or leave it on—I forget which.
627. Do not you think this Board of Arbitration would be quite as expensive as law proceedings? I do not know whether it is part of my province to suggest that the Government should pay the fees of the arbitrators, but I am of that opinion, as these Societies save so much in pauperism annually.
628. I suppose you know that the reason why these quinquennial returns were not sent in was simply that you had not staff enough to do anything with them when you got them? Mr. Oliver stated when Mr. Sutton saw me that the quinquennial return could only be corrected by the annual returns for the five years, so that unless they had the complete annual returns the quinquennial returns would be valueless.
629. I suppose it is quite within your province to furnish the Commission with copies of the rules of the Societies? I cannot allow them out of my office; but you can get them from the various Orders, and, if necessary, I can get Mr. Oliver to certify to their correctness.
630. *Mr. Smith.*] During the course of your examination you gave it as your opinion that the Registrar thought it should be a principle laid down that the tables of fees to be taken from members, and the benefits to be given, should be included in the rules? Yes, when fees on an actuarial basis.
631. In the event of any Society failing to meet its obligations under such a regulation, how would you recommend them to proceed? To make provision for a levy.

The Commission then adjourned until Friday, December 9th.

FRIDAY, 9 DECEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JAMES F. SMITH, Esq.,

JOHN GELDING, Esq.,

JOHN SLADE, Esq.,

PHILIP RISBY HOLDSWORTH, Esq.,

PHILIP J. NEWLAND, Esq.

EDWARD J. RUBIE, Esq.,

JOHN DAVIES, Esq., C.M.G., M.P.,

FRANCIS ABIGAIL, Esq., M.P.,

EDWARD GREVILLE, Esq., J.P.,

Mr. E. Schofield.

Mr. Edwin Schofield sworn and examined:—

632. *President.*] You are Secretary to the Manchester Unity Order of Oddfellows? Yes.
633. How long have you been Secretary? Only some five or six months—six months probably, not more.

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634. Who was your predecessor? Mr. G. T. Sutton.

635. I presume you are thoroughly acquainted with the working of the Order? I am acquainted with the working of the Order. It was my intention to ask you to allow me to make some explanation before my examination is proceeded with, which will probably throw some light on the position I occupy here to-day. I had formed a notion of my own that the gentlemen composing the Commission would have written to the various Societies asking them to nominate persons whom they thought should be examined before this Commission. Being under that apprehension, I had no idea whatever that I should be summoned upon such short notice. It was only on Wednesday evening last at 7 o'clock that I received notice to attend here to-day; consequently I am in no way prepared to make a statement in regard to the working of the Friendly Societies Act. In other respects, however, I am just as well prepared to answer questions upon two minutes' notice as upon twelve months' notice; but under the circumstances I am quite unprepared for offering any suggestion as to alterations or improvements in the Act or in its administration. I have had no opportunity whatever of putting any suggestions of that kind into shape, fully relying as I did upon my impression that the Commission would have written to the various Societies asking them to each nominate as witnesses such persons as they believed would be best capable of giving the required evidence. Although I have only been five or six months in my present position, I have been connected with and taken an active part in the working of the Manchester Unity Branch of the Order during the last twelve years. My predecessor Mr. Sutton died, and the Board, by a unanimous vote, requested me to take the Secretaryship *pro tem*. I am, therefore, only Secretary until the next annual meeting, when a permanent Secretary will be elected.

636. Then I understand from your statement that you have taken great interest in the Order during the past twelve years, and are thoroughly acquainted with its working? I believe I am. I believe there are other men connected with the Society better able to give a statement to this Commission than I am, therefore I relied in some measure upon the probability of the Commission requesting the Society to nominate a representative to be examined. At the same time I may mention that I give place to no man in my desire to have a full and searching inquiry into this matter. I have received a written notice to produce all books and papers, but I scarcely know what books or papers are meant.

637. Are you not, as Secretary *pro tem.*, in possession of all the books in connection with this Society? I am in possession of the books connected with the Board-room, but not of all the books connected with the Society.

638. The whole ramifications of the Society are worked through you, are they not? Above the subordinate Lodges. Their ultimate results for the year have to come through me, so far as concerns the making of members, their financial position, or anything of that kind. So far as the internal working of the Lodges is concerned, I know nothing.

639. Can you furnish this Commission with a return showing the ages of persons when they joined the respective Lodges? No. I may be allowed to say this: that Mr. Oliver does not require, or at all events has never asked for, the ages, and they have never been furnished in the annual returns; but since I received notice on Wednesday evening I have endeavoured to take an average Lodge and strike an average result.

640. What I want to know from you is whether, as Secretary of the Manchester Unity, you have not got recorded or enrolled in your books the ages of the members of the Order when they were initiated into the Lodges, their occupations, and also the ages at death of those members who have died? There is not the slightest record in my office giving any information of that kind.

641. Do you mean to say you have no record at all of that kind? None whatever.

642. Is it not a fact that under your rules persons upon joining your Order have to make a declaration as to their ages or occupations? Yes.

643. Have you not got those declarations? No.

644. Have the District Lodges that information? Yes, I believe so.

645. Do they not forward returns embodying that information to you as the representative of the Grand Lodge? No.

646. Then you can give us no information as to the ages respectively of the members of the Manchester Unity, either in the Grand Lodge or the subordinate Lodges, and you have no record whatever of the ages of those members who have died? Not the slightest.

647. No information whatever? No information whatever on that point.

648. You have got a fixed scale of fees, have you not? Yes, for everything.

649. Upon what are those fees based? They are not based on any given principle or groundwork in any shape whatever. The fixed scale is decided upon by what is known as the Annual Movable Committee.

650. Then the Annual Movable Committee has independent power in fixing that scale of fees? Yes.

651. And the contributions? Each Lodge decides what contributions shall be paid, so long as the decision is not contrary to the general law.

652. What is the general law? Rule 109 of the "Amended Rules for the Government of the New South Wales Independent Order of Oddfellows in connection with the Manchester Unity, Oddfellows' Friendly Society, adopted at the Annual Movable Committee held on Wednesday and Thursday, March 31st and April 1st, 1880," states that "Every member shall pay his contributions, which shall not be less than 6d. per week, clear to the Sick and Funeral Funds of the Lodge to which he belongs." The money thus subscribed must not be touched for any other purpose than that stated in the rule just read.

653. As I understood from your answer that you have no information as to the ages of persons when they become members of the Order, and no information as to the ages at which members have died, or the general death rate of the Order, upon what principle are these contributions calculated? I could not answer that question.

654. Will you be kind enough to put in for the information of the Committee your rules and regulations in respect to this matter? Yes, here is our general law, the only law I have any authority over. (Amended Rules adopted at A. M. C., 1880, N.S.W. *produced*.)

655. What authority have you or the Grand Lodge over these district or local Lodges? We see that their laws are in conformity with the general laws—that is the power we have over them.

656. Have you no power to deal with them in reference to their local funds? No.

657. Supposing that one of those Lodges became as it were insolvent, in what position would the Grand Lodge be to that Lodge? I have never known a Lodge become insolvent, but, dealing with the same matter,

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I might refer to an instance which came under my notice since I have been in office. A Lodge known as the Narrandera had closed, but it was not for want of funds, as your question would lead one to suppose was the only cause of the closing of Lodges. They had an average of something over £12 per member. Their reason for closing was their inability to get sufficient number of members to work the Lodge. When they have got into a difficulty of that kind, it is their duty to throw the whole of their funds, books, &c., into their district, which will then grant them district clearances, giving them the same rights and privileges in the Unity as if they had drawn their clearances from one Lodge with the view of placing them in another under ordinary circumstances.

658. What responsibility has the Grand Lodge in respect to these subordinate Lodges, in the event of these subordinate Lodges not being able to meet their engagements? That question in some measure bears on the previous one, inasmuch as they are desired to keep together so long as they can get sufficient members, and in the event of their being unable to do that, or get sufficient funds, they can throw the whole responsibility upon the district. So long as they comply strictly with their own laws the district will take the responsibility.

659. Are not all these subordinate Lodges, as I may term them, represented at the annual meeting of the Grand Lodge? That will require some little explanation, inasmuch as at our annual meetings Lodges are not represented, but what are known as districts are represented. The Lodges nominate persons to the respective districts, each district makes its choice according to the provisions contained in our laws of those who are to represent that district. Consequently, at the annual meeting, districts and not Lodges are directly represented.

660. Will you define what a district is? A district is a body who make application to our annual meeting to be allowed to form themselves into a district. If their application is entertained, they and those who like to join them comprise that district, and they then make internal levies, which contributions cover everything. They then make levies on the Lodges in the district, with the view of making provision for claims for funerals and of widows and orphans. Those are the objects of a district. They have the power of levying what the Committee may decide is the amount that shall be claimed from the various Lodges per member for the Funeral and Widows' and Orphans' Funds.

661. A district, then, may comprise one or more Lodges? A great number of Lodges. There are, for instance, over fifty Lodges in the Sydney district.

662. Taking the Ryde Lodge, for instance, as a recently established Lodge, what position does it occupy in connection with the Grand Lodge—does the Grand Lodge incur any responsibility in respect of that Lodge, the payment of its fees, contributions, funeral expenses, and so on? The Grand Lodge never comes in direct dealing with any individual Lodge. All correspondence, or attempts to approach the Grand Lodge, must be through the district.

663. Do individual Lodges send any representatives at all to the Grand Lodge? No.

664. Are you quite positive about that? Quite positive.

665. But you say you have only had five or six months' experience in connection with the Grand Lodge? I have never said I have not had much experience. I have been five months acting as Secretary of the Grand Lodge; but I have had twelve years' experience of the working of the Society, and I say again, without any hesitation, that individual Lodges are in no way represented in the Grand Lodge. They must act through their districts, those districts being represented. As some slight illustration of there being no direct connection between the Grand Lodge and the subordinate Lodges, I may state that no officer of a subordinate Lodge is allowed to stand for election as an officer of the Grand Lodge, and the Corresponding Secretary must be a Past District Officer to stand his poll as an officer of the Order.

666. Well, as I understand, you cannot give us any information or prepare any return showing the ages at which persons have been initiated into your Order, the ages of those members who have died, and the ages of those persons who are now in the Order—you have no record of that kind? Not the slightest; it does not come within the scope of my duties at all.

667. If a person dies in connection with the Order, do you not want some certificate in reference to his age at death, or some notification of that kind? No.

668. Is the money from the Society's funds paid to his widow without any inquiry or examination whatever? No; on the contrary, a most searching inquiry is made.

669. What does that inquiry consist of? The inquiry is out of my official cognizance altogether.

670. And you cannot furnish a return giving any information as to the ages of members of the Order under the direction of the Grand Lodge of which you are an officer? We have no record of their ages either at the time of the admission or the death of members.

671. Then upon what basis can you form this funeral fund? I have nothing to do with the funeral fund; the district officers decide that.

672. Upon no data whatever? I could not say, not being a district officer.

673. Can you tell me at all upon what data these fees are fixed? I could not give any data whatever, beyond this fact, that a majority of the District Committees decide that a certain amount shall be paid in certain cases.

674. Are there not certain donations in connection with the initiation of members paid to the respective Lodges in accordance with the ages of the persons initiated? Yes.

675. I presume they are calculated upon some basis—for instance, a person of twenty-one would have to pay less than a person of forty? In regard to initiation they do. There is a sliding scale of initiation, but we have no sliding scale of contributions in this Colony.

676. Then how is this sliding scale of initiation fees calculated? As far as my own knowledge goes there is no basis of calculation. The matter is one of opinion as to what they think they shall charge.

677. Do you mean a matter of opinion with the Grand Lodge or the subordinate Lodges? The Grand Lodge lays down the minimum scale of charges for initiation, no Lodge being allowed to take less than that amount. They may charge twenty times as much, but in no case can they charge a penny less.

678. Will you tell me this, then: that if I were an Oddfellow, belonging to your fraternity, and I died, you would pay the funeral donation and expenses without knowing my age? No, I do not say that. There are records kept, but what I say is that I have not possession of those records.

679. Who keeps those records? The Provincial Corresponding Secretary of each district. I am Corresponding Secretary for all the districts. Each of such District Officers has a number of Lodges within his jurisdiction, and the whole of the Districts are within our jurisdiction.

680. Is it within your knowledge as Grand Lodge Secretary that Lodges have lent money from one fund to another?

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another? As a matter of fact I cannot say it is, but as a matter of general remark I have heard it stated so.

681. You have told us already that you have not given this matter sufficient consideration to enable you to afford the Commission any information as to the direction in which any amendment of the law might be made? Yes.

682. Will you then put in for the information of the Commission all the documents you are able to produce relative to the particular Order which you represent—such documents, for instance, as the rules, by-laws, regulations, and such original documents as may be available and likely to prove of any service to the Commission? Yes. These rules which I have already produced are the only rules which you can have from me. I have not brought my books, simply because those books are of such a character that they could not possibly give the Commission any information. I make such levies as may be decided upon by the Annual Movable Committee, and my books are merely rough day-books giving detailed information in reference to matters of that kind, but no information in reference to the principles, financial or otherwise, upon which the Order is worked. So far as the internal working of the Society is concerned, these books will throw no light whatever upon the matter. The Annual Reports are, I think, the only documents giving information of that general character. I produce a printed copy of the "Report and Proceedings of the Grand Annual Movable Committee of the New South Wales Independent Order of Oddfellows, Manchester Unity Friendly Society, held at the Oddfellows' Hall, Albury, on Wednesday and Thursday, April 20th and 21st, 1881." (*Report produced.*)

683. Your annual returns embody the returns of the subordinate Lodges which you supply to the Registrar General? Yes.

684. Do you ever inquire into the stability or non-stability of these subordinate Lodges when they send in their returns—in other words, do you ever have those returns verified? The Auditors go over them. The subordinate Lodges very often send in their returns in a very incorrect manner, inasmuch as they often mix up the returns of the money paid on medical accounts with the money paid on management accounts. Dealing with that very question I made a few remarks at the A. M. C. at Albury. On page 7 of the report which I have just put in, in the course of the Grand Master's address, the following remarks appear:—"In referring to our disbursements during the year we have paid £4,541 19s. 11½d. to the management funds, and in reference to this item I may say it frequently occurs that returns are in with the amounts that have been paid for medical comforts entered under the head of management. Nothing can be more erroneous or misleading, as medical advice and medicine are a portion of our benefits and not management."

685. Can you tell the Commission what amount of money you have to the credit of the Manchester Unity? According to our last returns, as printed in the report I have just put in, under the head of "Summary of Lodge and District Funds," appears the statement that the "gross value of Lodge and District Funds" amounted to £76,658 9s. 7½d. That of course refers to this Colony only.

686. But are the ramifications of the Society connected with any other Country or Colony? So far as the internal interests of the Society in this Colony are concerned we are independent of outside control; but we possess the rights and privileges of throwing clearances into other Branches of the Unity in other Countries, and in that way we are connected in every sense with the Branches of the Unity elsewhere. We have, however, no financial connection whatever, being perfectly free to regulate our own expenditure and manage the Institution as we think best. Fraternally, however, we are in every way connected with the members of the same Order in other Countries.

687. To return to the subject in hand: can you tell me, as against this money which you have credited the Society in this Colony with, what are your liabilities in reference to claims upon the sick funds, and, bearing in mind what the death rate is, what are your probable liabilities? As I stated before, each Lodge makes its own arrangements in regard to contributions, and in like manner they make their own arrangements in regard to sick pay; but the average in regard to the latter benefits would be a payment during the first six months of the member's illness of one guinea per week; 15s. per week during the second six months. In many cases, of course, these rates of payment vary more or less. They then call out the Committee and take the matter into consideration, and if they find that the sickness is likely to be permanent they endeavour to make some mutual arrangement under which they allow the sick member so much per week, and perhaps permit him to follow some light occupation, if he is able, while he is receiving this pay.

688. My question dealt with a larger question than you are dealing with. You have a certain amount of money to your credit, and in reference to this income to the credit of the subordinate Lodges I wish you to give the Commission some information as to the probable liability that would be cast upon the Grand Lodge according to the death rate and rate of sick pay in connection with the subordinate Lodges? I have already endeavoured to point that out. I can go through the whole of the accounts and see what our actual liabilities are; but that would be a work of considerable time. I have already explained what would be the average liabilities in connection with the Lodges.

689. What I want to get at is this—whether you would be likely to be able to meet your engagements if an emergency should arise and exceptionally heavy claims be made upon your funds? I can only say that so far as concerns the liabilities in connection with sick payments, the statement I have already made is a fair average statement. After that we come to the funeral liabilities.

690. What was the total expenditure for the year you have just referred to? £25,555 19s. 5½d.*

691. What was the income for that year? The total income was £39,207 16s. 3d., as set forth in the "Summary of Income" in the "Report and proceedings of the A. M. C." for 1881.

692. *Mr. Smith.*] You are Corresponding Secretary in connection with the various districts of the Manchester Unity Order in New South Wales, are you not? Yes.

693. You are constantly in communication with these various districts which are connected with the Sydney district? Yes, with the various districts in connection with the Grand Lodge.

694. It is, then, I understand, simply your business to conduct the correspondence between the Grand Lodge and those various districts? Yes.

695. You have nothing whatever to do with financial matters in connection with the Manchester Unity? Only so far as receiving the financial returns.

696.

* NOTE.—From this total is omitted the item "District Fund Levy, £2,184 5s. 5d." In the "Summary of Expenditure," in the report of the A.M.C. for 1881, the "Total Expenditure" is given as £27,736 14s. 8d.

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696. Those financial returns are supplied to you from those districts that you referred to? Yes, having first been supplied to the districts by the various Lodges.
697. How many districts are there in connection with your Order in this Colony? Nine.
698. Those districts constitute at various periods a sort of Grand Council, which takes into consideration all matters relating to the Order in this Colony? Yes.
699. Those Councils are known as Grand Annual Movable Committees? Yes.
700. Are they paid for the services they render at such times as they meet? Yes.
701. From what source do they receive such payments? From the Management Fund.
702. That is, that each district will levy upon its subordinate Lodges a certain fee in order to meet the expenditure in connection with the Movable Councils? Yes.
703. Is it a special levy? No. Special levies are made for the District Funeral Fund and the District Management Fund, and from the latter are paid all necessary expenses of the District and Unity levies made by the A. M. C.
704. Then it is a fact that a special levy is made upon the members of the subordinate Lodges for defraying the expenditure in connection with the Annual Movable Committees? No, it is not a fact.
705. Then how is the money supplied? As I said before, from the District or Management Fund.
706. What is that fund? It is not a special fund for this purpose, but for general management purposes. This levy is not only for meeting charges in connection with the Annual Movable Committee, but also for other matters, such as postage stamps, stationery, &c.
707. From your position as Grand Secretary, are you in a position to give any information as to the internal working of the Order generally? Yes, if you mention any particular portion of the working of the Order.
708. Can you supply the Commission with the number of persons enrolled as members of your Order? Yes, up to last December.
709. Can you supply a statement of their average ages? I have already answered that question.
710. There is a Secretary, also, in connection with each of the districts? Yes.
711. *Mr. Abigail.*] I understand that your portion of the Order of Oddfellows is governed by a Committee composed of deputies appointed by districts as provided in the general laws, and that the Committee of Management consists of a Board of Directors and the officers of the Order, called the Grand Master, the Deputy Grand Master, and the Corresponding Secretary? Yes.
712. You are now acting as Corresponding Secretary? Yes.
713. You deal with business only coming through your districts? Yes.
714. How are those officers of your portion of the Society elected? They are elected by a majority at the annual meeting of the Movable Committee.
715. Any applications for districts have to be made to your portion of the Society? Yes.
716. How often do your Board of Directors meet? I could not do better than refer you to the law on that point. As a matter of fact, it is optional how often they meet; but they must not meet less than twice a year; they may meet as much oftener as they think fit.
717. Do the Directors receive payment for their services? Yes.
718. How much? The officers of the Order and Directors are allowed their travelling expenses, on the following scale:—Sydney, 2s. 6d.; Parramatta, 5s.; Newcastle, 35s.; Hunter River, 40s.; Goulburn and Bathurst, 60s.; Braidwood, 100s.; Riverina, 100s.; and Tamworth, 100s.
719. How are the costs of the A. M. C.'s paid? They are paid from the District Fund of each respective district.
720. You have, I suppose, a notion of what is the percentage of cost thus borne by each district? Yes; I have here a statement which I have prepared showing the cost of these A. M. C.'s. This printed statement shows the cost of the A. M. C.'s from 1875 to 1881, the number of members of the Order, the number of deputies, and the average cost per member in each of those years, together with a supplementary statement, showing the cost of A. M. C.'s from 1875 to 1881, both years inclusive, for attendance of officers of the Order, and Auditors, and testimonial and charitable costs, &c. (*Document produced.*)
721. I find in that statement that the average cost per member for the A. M. C. held at West Maitland was 3½d.—was that correct? Yes.
722. Referring to the Sydney District, what was the average cost per member for the A. M. C. held at Parramatta in 1876, and the percentage for the Sydney district? The average cost per member was 1½d. The percentage I could not state. I may be permitted to add that I have been requested to hand this document in, so that the members of the Commission may have the full information before them.
723. *Mr. Holdsworth.*] May I ask what is this document—has it been supplied to other members of the Commission as well as Mr. Abigail? I have just handed in the document for the information of the Commission.
724. *Mr. Abiding.*] Is this an official document, or is it a document which you have merely prepared yourself for the information of the members of the Order? Strictly speaking, it is not an official document.
725. *Mr. Abigail.*] Have you ever held any other position in connection with the Manchester Unity Order of Oddfellows? Yes, I have held every position in connection with the Society. I was a Lodge Officer for seven years, a District Officer for two years, Deputy Grand Master for a year, and Grand Master for another year.
726. Have you any knowledge of the nature of the annual returns sent up by the various Lodges from year to year? Yes.
727. Are they always sent in correctly? Very frequently they are incorrect.
728. In what way are they incorrect? The management expenses and the expenses for medical benefits are jumbled up together in many of the returns that are furnished.
729. Do your Lodges generally send in the returns as required? In some instances they have not done so.
730. Do you inflict a penalty in such cases of neglect? We generally fine the neglectful Secretary and the Noble Grand a guinea each, and, as a rule, that has the desired effect.
731. Under what authority do you inflict that penalty? We take our power from our own general laws, which are certified to by the Registrar.
732. Has the Registrar ever taken any action in cases of neglect, such as that mentioned by you? Not that I am aware of.

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733. So far as your knowledge goes, the Registrar makes no distinction between the Lodges that comply with the Act and those who do not? No, he treats them all alike, so far as I know.

734. Do you attach any importance to those returns? I attach great importance to them, so far as they are useful in showing the increase in the number of members, and information of that kind; but I do not attach any importance to them as showing the financial position of the Society, for this reason: There may be a Lodge with 400 members, averaging forty years of age, and with funds to the value of £4,000, and there may be another Lodge with the same number of members averaging twenty years of age, and with funds amounting only to £2,000; yet it is just possible that the Lodge with only £2,000 may be in a better position than the other, double that amount of funds, because in that case youth means capital.

735. What is your opinion as to the powers or operations of the Friendly Societies Act—does it answer all the purposes for which it was intended? I have already answered that it does not in some respects, but I am not prepared on the spur of the moment to fully state the exact particulars in which I think it is defective.

736. Is there any large amount of your funds expended in regalia? A very small amount indeed.

737. Is any large amount of the funds contributed for sick benefits expended in regalia? None whatever; the expenditure in that respect does not amount to an average of 1d. per member per annum, and is paid from the Management Fund.

738. Can you give any idea of the amount of sickness in the Lodges, the number of members sick, and the rate of mortality? I can do so; that is one of the provisions of the returns. I will draw up a statement and append it to my evidence.

739. Will you also add the data, if there be any, as to the rate of mortality in the various districts of the Colony? I will.

740. Do you find any difference in the rate of mortality in the mining districts as compared with other or agricultural districts? The way that our districts are arranged we have no geographical boundaries, therefore nearly the whole of the districts comprise both agricultural and mining populations. Speaking from memory, I may say of the Newcastle district—which is clearly a mining district—I may say that there the rate of sickness is greater than in the agricultural districts. However I will endeavour to give that information more definitely in the appendix to my evidence.

741. Do the members of the Order pay according to a sliding scale of contributions? Not in New South Wales.

742. Does each Lodge have the right to fix the scale of contributions? Yes, so long as the rate is not less than 6d. per week contribution to the Sick and Funeral Fund.

743. Can you give us the highest and lowest contributions? The lowest amount paid is 1s., and the highest is 1s. 7½d. per week.

744. What are the benefits as against those contributions—are the benefits uniform? In like manner the Lodges regulate the benefits they confer in return for the various contributions. In the Lodge in which the rate-charge is 1s. 7½d. the sick pay is 20s. per week, besides the funeral benefits; but I may add that the 1s. 7½d. is an exceptionally high charge.

745. Does the 1s. Lodge give the same benefits? Yes.

746. In funeral as well as sick benefits? Well, the funeral benefit in the 1s. 7½d. Lodge is actually less than the funeral benefit in the 1s. Lodge.

747. Is there any general fund in the hands of the Districts or the Grand Master or Board of District which, in the event of any Lodge failing to meet its engagements, could be come upon for sick pay and other benefits? Any Lodge being unable to meet its liabilities has only to comply with the rules under which it exists, and the members would be taken under the wing of the district by way of clearance, just in the same way as if the members obtained their clearances from that Lodge and threw them into another Lodge.

748. Suppose a man was an aged man, and the other Lodges refused to accept his clearance, as they have the power to do when a man is over 40 years of age, what would become of that member? He could still remain on the district or become a Unity member.

749. Would that in any way interfere with his receiving his benefits? Not in the slightest degree, so long as he complied with the laws.

750. How are the contributions to the Widows' and Orphans' Fund regulated? They are regulated by the members of the District Committee. In some districts they have a fixed sum for the Widows' and Orphans' Fund; in other places they have a fluctuating levy.

751. Can you state what is the amount of funds now to the credit of the Widows' and Orphans' Fund? Up to last December it was £11,863 7s. 0½d.

752. And what was the amount of the Funeral Fund? On the same date the amount was £8,044 2s. 6½d. The combined capital of the District Management Funds is £834 15s. 7d. The levies made for that fund are simply just enough to pay working expenses; there is no desire to accumulate capital in connection with that fund.

753. What is the liability against the Widows' and Orphans' Fund? Each district manages its own affairs as to its liabilities. In several districts the liabilities on the death of a member are £20, with a sliding scale of from £10 to £30 from the Widows' and Orphans' Fund. Some districts, on the death of a member's wife, pay £15.

754. *President.*] I suppose those rules which you have put in speak for themselves without any necessity for lengthy explanations? Yes.

755. And the reports and statements as to the working of the Order are complete in themselves, and can be examined and understood by the members of the Commission? Yes; but I must again say, in reference to that statement of my own which I put in, showing the cost of the A.M.C.'s, that it is in no way official, and is on my own authority.

756. *Mr. Greville.*] When you said you could not give the ages of the members of your Order, did you wish it to be understood that there was no such record, or that in your capacity as Grand Lodge Corresponding Secretary you could not get it? I meant that in my present official capacity I could not get it.

757. Is there a faithful record of that character kept? Yes; we have a record, and the compilers of it are liable to be expelled if it is not true.

758. Is the record of the ages of the members made up by the individual Lodges? Yes; the ages are taken at the initiation of members. Each member then signs a declaration to the effect that he resigns all benefits if it is proved to be false. Even if it is proved after the death of a member that his declaration has been false the benefits are forfeited.

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759. Does each individual Lodge fix its own rates of various contributions, independently of any table laid down by the Order? Yes, each Lodge can decide whether the contribution shall be 1s. or 2s. per week.
760. Or 1d.? No; they must pay not less than 6d. per week, but as much more as each Lodge deems necessary.
761. Then I understand your answer to be that the fixing of the rate of contributions is independent of every rule except that which requires the rate to be not less than 6d. per week? Yes.
762. Do any of these Societies make special levies for deficiencies? Contributions are enforced for everything in our Society.
763. Have you known any case in which the contributions did not enable a Society to meet the demands made upon it? I have no information of any case of that kind. Speaking from memory, I cannot say I have known such a case. The only case which has come within my own knowledge of a Lodge failing to exist was the one I have mentioned, and that Lodge dissolved with funds averaging £12 per member.
764. Have you ever heard of any Society that could not meet its obligations? No.
765. How long has your Order been in existence in this Colony? Forty-two years next March.
766. And the experience of the Lodges up to the present time has been that the contributions levied have been sufficient to meet all demands? So far as my knowledge goes, that is the case. You will observe that the very fact I just pointed out that some Lodges levy a heavier contribution than others indicates that they endeavour to meet their liabilities by increased contributions.
767. Then you have known cases in which Lodges have found it necessary to increase the contributions of their members in order to be prepared to meet all liabilities? Yes.
768. Have there been any returns, either in the Grand Lodge or the various districts, by which the death rate of the members could be ascertained? Yes.
769. Has any actual calculation been made to show whether the accumulated funds to which you were referring just now were sufficient to meet the contingent death rate in the future? None whatever in this Colony.
770. Have you ever made a calculation yourself? No, because I have had no data to work upon.
771. The data I meant was this: given a certain number of members of a Society of certain ages, and given a certain accumulated fund, will that fund be sufficient to meet what may be the death rate for the next five years? I could give you some information on that point, but I should require time to prepare it. So far as this Colony is concerned, there has been no actual statement of that kind prepared. From our own experience as a Society in other parts of the world I could show what they should have.
772. Has the Grand Lodge ever called in an actuary to see whether the accumulated surplus of previous years was sufficient to meet probable contingencies? Not in this Colony.
773. Has it been done in England? Yes.
774. What was the result there? The result there was that very few Societies were found to be in a solvent condition.
775. Did it not induce the Legislature there to step in and compel the adoption of a different financial system? Speaking of my own Society, we made a voluntary effort to meet the difficulty, and we succeeded.
776. Do you not think, as a matter of prudence, that a similar step ought to be taken here? Certainly I do.
777. I suppose you know the working of other Orders besides your own? I know something about them.
778. Do you think sufficient data is obtained by the head Lodges to enable an actuary to make such a calculation as that to which we have been referring? No; there are not sufficient data for an actuary at present.
779. Then for national purposes these returns are practically useless? So far as they might be depended upon for finding out whether the Society to which they related was in a solvent condition or otherwise they are perfectly useless. As I endeavoured to show by the illustration of the two Lodges, one may have double the funds per member than the other has, and yet the Lodge with the smaller amount of funds may be in a sounder financial condition.
780. If the Lodges of any district fail to make their returns, does the District Lodge call upon them to furnish the required returns? The Secretary of the district writes to them, calling their attention to the neglect, and if they still fail to send in the returns I fine them two guineas.
781. Do you, as a matter of fact, inflict that penalty? Yes; my predecessor has inflicted it, and I will do so.
782. Do you find that sufficient? Yes; a Lodge once fined in that way remembers the lesson in the future.
783. If the Registrar of Friendly Societies had taken proceedings against Societies not furnishing their returns, do you not think the returns in his hands would have been much more perfect than they are? I do not quite understand the question.
784. Do you know if there are penalties that can be inflicted for neglect in furnishing returns? Yes.
785. Have they ever been enforced to your knowledge? No.
786. Could you suggest an improvement upon the form of the return which is now sought for by the Registrar? I think I can suggest an improvement.
787. What is that improvement? Without entering too deeply into details, I should say there should be a return of the ages of members, because that is the real groundwork of the solvency or otherwise of a Society. No return of the ages is now made, nor does the Registrar demand it. I would also have the trades specified. A man's occupation has something to do with a calculation of the liabilities of the Society of which he is a member.
788. How does the Grand Lodge invest its funds? The Grand Lodge has very little funds to invest; only sufficient levies are made to keep the work of the Lodge going.
789. How are the district funds invested? They are invested under the direction of trustees. I happen to be a trustee of £6,000 of the Widows' and Orphans' Fund. We lend the money for good interest upon indisputable security, such as freehold property.
790. Is it left to the trustees to invest these funds as they like? We have to exercise our judgment.
791. *President.*] Do you ever invest any of this money in public securities? I have no knowledge of any such investment having been made. So far as the funds for which I am a trustee are concerned, they have never been invested in public securities.
792. You have invested upon security of real property only? Upon real property only.

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793. *Mr. Greville.*] You are speaking now only of the district funds? The Lodge trustees are guided by the majority of the Lodge as to the particular mode in which they shall invest their funds.

794. How are the district trustees guided? The district trustees are placed in control of the funds to do the best they can with those funds. So far as our own district is concerned, we have to exercise our judgment in the matter without authority from any person.

795. Do I understand that you and your co-trustees have laid it down as a rule only to lend upon real property? Yes. I might here be allowed to make what I conceive to be a very valuable suggestion, and one that I think is surrounded by matters of considerable importance in connection with the Friendly Societies Act and the lending of moneys. The 32nd section of the Friendly Societies Act gives Friendly Societies all the privileges and powers of a Building Society, and it is no uncommon thing for Lodges to exercise all the functions of Building Societies in regard to the erection of halls. It is a matter upon which I feel very strongly. A Royal Commission in Victoria made a special recommendation on this point. The facts are these: the Commission in Victoria decided that no sum of money should be lent for the purpose of building halls only so much as they have over and above £10 per member. My experience so far has been that the investment of money in these halls has been a good investment, and has turned out satisfactory in every way and shape; but there is no disguising the fact that these investments are surrounded with liabilities that in no way belong to Friendly Societies.

796. Do you know of any instance in which the trustees have invested the funds in any way contrary to the manner laid down in the Act? I know of no such instance whatever.

797. With respect to accumulated funds, your accumulated funds are merely the accumulated surplus of previous years? Yes.

798. How is that invested? That is the portion of the funds which they do invest.

799. Are the contributions to the Management Fund kept separately from the Sick Funds and the Widows and Orphans' Funds? Yes.

800. By each Lodge? Yes.

801. And by each district? Yes.

802. Then in this Order, provided the accounts are kept faithfully, it would be impossible to touch either the Widows and Orphans' Fund or the Sick Fund for expenses of management without it being generally known? It would be a clear violation of the general law.

803. In a Society such as this, if the accounts are kept properly, there can be no jumbling of the Management and Sick Funds? No. There is no jumbling so far as I know except in the making of these returns. Some Secretaries look upon the amounts which they have paid for medical officers as a portion of the management. The contributions to the Sick and Funeral Funds are kept separate.

804. Then how are they mixed up? Well, money that has been paid for medical fees and medicines has in many cases been jumbled up with the actual amounts paid for expenses of management.

805. A very unfavourable impression has been created upon the public mind by the publicity given to a return showing the very large expenditure in connection with management; do you know the return to which I refer? Yes, it has been explained that that was merely an error in making out the accounts. The returns from many of the country Lodges are often very imperfect.

806. Was that merely an error, or were the two funds really mixed up? We keep the two funds clear and distinct; but in connection with management the medical fees and cost of medicines have been paid out of the Management Fund.

807. Then how is that keeping the payment for medicines and medical attendance separate from the management? I never said anything of the kind.

808. Do you think the payments for medical men should be charged to the Management Fund? I think those payments should have some separate head, the same as the Funeral Fund.

809. I understood you to say just now that they were kept separate? I said nothing of the kind.

810. Your answers hitherto have led me to believe that the expenditure in connection with the Management Fund was for stationery, &c., leading me to the conclusion that the Management Fund was applied wholly and solely for management purposes? When I made the statement you are alluding to I was answering a question as to the fund out of which were paid the expenses of the A.M.C.

811. Then it is not a fact that the Management Fund is applied solely to the management of the Society? We divide our contributions under two stated heads. Out of those contributions the sum of not less than 6d. per week per member has to be paid to the Sick and Funeral Fund, and the rest of the contributions goes under the head of Management.

812. Then all payments come out of the Management Fund with the exception of those for the Sick and Funeral Fund? Yes, all.

813. Would you be willing to give the Commission the benefit of your experience by appending to your evidence suggestions as to the manner in which the Friendly Societies Act might be improved? Yes, I would do so willingly.

814. *Mr. Holdsworth.*] You are what is known as Corresponding Secretary, are you not? Yes.

815. It is the district Lodge that manages the whole of the affairs of the district, and that Lodge has communication with the subordinate Lodges? Yes.

816. The subordinate Lodges have communication with the districts in all matters? Yes.

817. You were asked just now about the ages of members—every Lodge has a record of the age of each member when he entered the Lodge? Yes.

818. Then if the particular age of a member was recorded when he entered a Lodge, and he died while a member, the mere addition of the number of years he was a member would give his age at the time of death? Certainly.

819. Then how could you say that you had no record of the ages at which members died? I never said anything of the kind. I said that I individually, in my official capacity, had no record whatever, nor have I.

820. But the subordinate Lodges have? Yes.

821. And the subordinate Lodges have got a record of the amount of sickness? I have got a record of the amount of sickness.

822. I understand then that each of the Lodges can fix its own rate of contribution, provided they lay aside not less than 6d. per week for the Sick and Funeral Fund? Yes.

823. And I understand that your statistics show the amount of sickness you have? Yes.

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824. If a case should arise in which a Lodge was not able to meet its engagements, the members of that Lodge could be thrown upon the district, could they not? Yes.
825. No member could then suffer through the default of his Lodge? No, so long as the Lodge complied with the rules of the Order.
826. You have had great experience in connection with the Order? I have had twelve years' experience.
827. Your Society has had an experience extending over many years both in this Colony and in the Mother Country? Yes.
828. Are not the rates which are charged supposed to be formed on the experience which your Society has had of the sick and death rates? Yes.
829. Do you base your experience on your returns? In some measure. We have not been having returns until within the last few years.
830. Those returns are duly audited, I presume? Yes.
831. And we may trust them implicitly? Yes, I should think so.
832. And what about your liabilities? I have said already that each district had its own liabilities.
833. Those liabilities have never been calculated? Not so far as this Colony is concerned.
834. The amount of expenditure for each year is given under each year? Yes.
835. Would not the difference between the expenditure and income give the profits? It might in one way.
836. Are you not justified in claiming it as profit when year after year you have a surplus? I do not know.
837. Have you known of any of the large Societies that have broken down? No.
838. Do you not think it fair to assume that the rates of contribution are sufficient when a Society goes on safely from year to year? That is a fair assumption, in the absence of any direct evidence to the contrary.
839. In your Society you have acted upon the principle of the sliding scale? Yes.
840. In many of the Lodges? Yes.
841. In regard to contributions? No.
842. Then in reference to contributions you have a uniform rate in the Lodges? Yes.
843. That is different from the case in England? Yes.
844. Have they the sliding scale generally? Yes.
845. Can you tell me when that system was introduced? I think it was after the Friendly Societies Commission in 1874.
846. I understand you to refer to the Manchester Unity having taken means for overcoming certain difficulties? Yes, I did.
847. Was the sliding scale the means they adopted for effecting the purpose they had in view? That was one of the means adopted.
848. Was that one of the chief means? No.
849. Did it prove successful? That, combined with other means, proved successful.
850. Reference has been made to investments—Are not the funds of each particular Lodge invested as each Lodge itself wishes? Yes.
851. By their own trustees? By the vote of the Lodges.
852. The district has nothing to do with that? No.
853. You complain, I understand, that there is very much trouble in the returns from the charges for medicines and medical attendance being mixed up with the purely management expenses? Yes.
854. Are you aware that in the returns for 1878 medical expenditure and working expenditure were marked in the same line? I believe that such was the case.
855. Then that might account for this mixture that you complain of? Yes.
856. *Mr. Davies.*] I gather from your evidence that you have acquired a good deal of knowledge and experience in connection with the working of Friendly Societies? Yes.
857. During the time that you have occupied the offices you have named, have you found the present Act defective in its operations in assuring members of the various Societies—not only your own—of the certainty of the amount of sick pay, funeral donations, and other incidental benefits provided for in the general rules? I believe the Act is very defective in several respects; but, on the other hand, it possesses many beneficial powers if they were only put into force.
858. In what particulars do you regard it as defective? In one respect, in giving Lodges liberty to spend money on buildings without proper restrictions. Another defect is that parties, after putting into motion all the juries, as I may term them, of one Society, can run into the District or other Courts and put the Lodges or the Order to considerable expense in connection with an action which has already been tried by three different bodies in the Order. Another drawback is that it is not certain what amount of sick pay a person can claim by belonging to a number of Lodges. There are other defects which I will point out in the suggestions which I intend to put into writing and append to my evidence.
859. Speaking of persons being members of various Societies, is it your opinion that the principle is bad? I think the principle is a bad one, and that it offers a high premium to persons to impose upon the Benefit Societies.
860. Have you found such to be the case? I believe I have.
861. Does your general law provide punishment for that violation of the law? Yes.
862. What is the punishment? Liability to expulsion is the extreme penalty.
863. Can you tell me what was the average sickness of the members of your Order for a period of ten years I dare say I could provide you with that information; at all events I will go back as many years as I can to get the information.
864. *President.*] Will you get this information in reference to all the different Lodges? I will if I can.
865. With regard to the ages, could you not get returns from each of the District Lodges? I have no power to compel the furnishing of such returns.
866. *Mr. Davies.*] With regard to the returns, you know, I presume, that the 45th and 46th sections of the Act compel the furnishing of returns to the Registrar? Yes.
867. According to the 45th section it should be an annual return from each individual Society. What has been the practice in your Order? We have issued return forms to the various districts, and they have re-issued them to the Lodges, and we thus obtained the necessary information from the districts through the Corresponding Secretaries of Districts. From these returns I have compiled the statement presented to the Commission.

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868. Do you consider that a return furnished in that way is in conformity with the Act? Our general law says they are, and the Registrar says they are in conformity with the Act, and I believe they are strictly in conformity with the Act.

869. Have you read the 46th section of the Act? Yes.

870. In many cases, I understand, the Act is not complied with? Yes, there are cases of clear violation of the Act.

871. The returns have been irregular and incomplete, and consequently of little value? Of a great deal of value, but incomplete. They are of value as showing the number of members and the amount of funds in hand.

872. What has been your practice in cases where the accounts have been mixed in the manner you have described? We have communicated with them with the view of finding out what they have paid their medical men, divided the accounts, and sent the returns back, and we have kept on that system until it has been almost too late to get our returns printed.

873. Has the Grand Lodge power to fine them? Yes, the Grand Lodge impose a fine of two guineas.

874. I understood you to say that the general Funeral Fund in the district Lodge——? Each district manages its own Funeral Fund.

875. Are the benefits uniform? No.

876. Are the initiation fees uniform? No, so long as they are not below a certain scale.

877. Of course the returns with which you have promised us will furnish us with information more in detail? Yes.

878. Are you quite clear as to the 45th section of the Act and the mode there prescribed? I take it that that is quite correct. Our rules prescribe the mode.

879. Then if that principle would apply, would not the registration of the Grand Lodge rules be sufficient for all purposes? The rules, of course, are subject to whatever Act may be in force.

880. You do not register separately and distinctly for all the subordinate Lodges? The Corresponding Secretaries of Districts do that. The by-laws of a Lodge are submitted to the District Corresponding Secretary to see if they are in accordance with the district laws, and he passes them on for the Registrar when a district wants to alter its rules. I have to certify if the alteration is in conformity with the general law.

881. Would it not be better to have a uniform system of rules and by-laws? I do not think so, from my experience in another Society.

882. If you had a uniform system of by-laws for these subordinate Lodges, one registration would be sufficient? No, because we would have to certify each Lodge separately. It might, of course, have been sufficient. This is the first time, I believe, I have heard a suggestion of this kind, and if it could be carried out should reduce the cost of management.

883. Might you not have another tribunal to which to refer matters in dispute? I could not suggest a better than that which already exists. If any person has a grievance of any kind, he can bring it before a summons meeting of the Lodge, then before the District Committee, and he can then take it to the Grand Master and the Board of Directors, the representatives of the various Boards of the Colony. My opinion is that that should be the tribunal, and that it should be conclusive.

884. Then you do not think it desirable that Lodge disputes should appear in the District Courts? Certainly not.

885. Have you had a case of that kind? Yes, a case occurred not long ago in which a man was brought before his Lodge and expelled. Then he took the matter to the District Committee, by whom the decision was upheld. He then took the matter to the Grand Master, and failing to get satisfaction there he carried the case before a District Court Judge, by whom the original decision was upheld. The result was that the Order had to put up with a loss of £72 for expenses, for which they were never able to get the money.

886. Under what head would you charge those expenses? Under the head of management.

887. Under the present Friendly Societies Act have you power to enforce payment of arrears of contributions on the part of members? Yes.

888. Do you think that a wise provision? No.

889. Would you suggest an amendment? I would suggest that members in arrears should be permitted to run out, because I believe that one of the most profitable sources of income is derivable from the payments of members who were permitted to run out. As the law stands at present, I believe if you could recover for twelve months a person could claim for twelve months. A member twelve months in arrears can be readmitted upon payment of all arrears, and be in just the same position as he was before he went out of compliance. The gentleman who succeeded Mr. Tidd Pratt as Registrar of the Friendly Societies in England positively declined to register rules of Friendly Societies containing such provisions.

890. Do you think the present arrangements for registering Friendly Societies are sufficient for all purposes? No, I do not think them at all sufficient. Speaking on that point at our Annual Movable Committee at Albury I said—"A Commission such as I refer to could recommend a new and more effective Friendly Societies Act, or else infuse life into the present one, for I cannot help thinking that the present Friendly Societies Act is a dead letter, and that the chief functions of the Registrar seem to be the keeping of a guardian eye on the sums to be paid for the honor of his autograph; for I will venture to say that all are treated alike, whether they send in their annual returns or not; and what other evidence have we for the proof of the stability of these Societies but the returns?"

891. Then you have no hesitation in saying that the present arrangements are very defective? I have no hesitation whatever in saying so.

892. *Mr. Rubie.*] You stated that in connection with your Society there were three Courts of Appeal? Yes.

893. Do you think it would be judicious to form an independent Court? I do not think so; I think each Order should have the management of its own affairs.

894. Do you not think that delegates from various Friendly Societies would be a reliable, independent, and qualified Court of Appeal? No, I could not look with favour upon such a system as that.

895. You stated something about a Lodge having to dissolve, although possessing funds to the extent of £12 per member—suppose any of those individuals wanted benefit, in what way would they get it, the Lodge having broken up? That would depend upon what had been done with the funds. If the members of the Lodge divided the money personally they would cease to be members of the Order.

896. Then what should they do? The whole of their money, books, and belongings, should be thrown into the

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the district in which the Lodge is situated, and the district Lodge would thereupon grant them district clearances and enter some other Lodge in the ordinary way as under ordinary clearances. They would be enabled to make all their claims on the district.

897. You say you have a rule under which a levy of 6d. for the Sick and Funeral Fund must be paid by every member? Not a levy—a weekly contribution.

898. Is that payment carried to a separate fund? Yes.

899. Do you find that payment sufficient for the purpose? I find it ample. I think there ought to be more carried to the credit of the Management Fund, because the whole of the expenses, with the exception of the sick and funeral payments, are drawn from the Management Fund.

900. The object of the Commission is in a measure to ascertain whether the contributions paid by members are sufficient to secure them the benefits they are led to expect from becoming members of a Friendly Society, and my question was whether you found the payment of 6d. per week to the Funeral Fund sufficient to meet all the demands upon that Fund? So far as the district to which I belong is concerned it has been found to be ample up to the present time, and we have been banking money.

901. Does the donation to the wife of a member come out of that 6d. per week? Yes.

902. And with that drain upon the fund you have found it amply sufficient? Yes, but not being an actuary I cannot say whether that amount of contribution enables the Society to keep a sufficient fund in hand to meet all liabilities.

903. No doubt competent witnesses will by-and-by show the Commission whether the Friendly Societies, in regard to their Sick and Funeral Fund, are in a healthy state or not; but have you formed any opinion yourself on that point? In my opinion 6d. per week is amply sufficient.

904. Including the donation at the death of the wife? Yes.

905. *Mr. Newland.*] Do you allow uniform benefits in all Branches of your Society? Yes.

906. Whether mining or agricultural districts? Yes.

907. Do any of the Lodges in connection with your Society in this Colony have a graduated scale of payments in regard to the weekly contributions? No.

908. Are you in favour of that system of a graduated scale of payments? Yes, I am very much in favour of it.

909. I see by your returns that your Management Fund last year amounted to £4,541 19s. 5½d., and that the total number of members good at the same date was 9,013? That is correct.

910. Then your expenditure under the head of management amounted to a little more than 10s. per member for the year? Yes, but I may explain that in many cases the expenditure under the head of management includes medical benefits. In many cases in the returns from the country Lodges the management and medical expenditure is classed under the one head of management.

911. Did your Society alter its scale of charges? No, not last year.

912. There is nothing in your rules to prevent your making those alterations? Yes, there is a great deal to prevent it. The alteration has to be agreed to by the Lodge and adopted by the Annual Movable Committee.

913. *Mr. Slade.*] If this Commission furnished you and other Secretaries with a form setting forth what the Commission had to deal with and what is required, would it not largely assist you in giving the Commission information? Well, I should imagine that the Commission had some given object in view, although I have not as yet been able to discover what it is. It appears now to me that it is all-round matter that the Commission is endeavouring to get.

914. If you had a prepared form furnished to you, you could fill it up and bring it to us? Yes, so long as the questions asked are applicable to the Society to which they are addressed. The questions that would apply to one Society would not apply to another.

915. Could you not prepare a body of evidence in answer to questions, stating exactly what we want to know, if we gave you sufficient time in which to do it? Yes. At the same time I may say that I do not think there have been two questions asked to-day that I could not answer as well on the spur of the moment as if you gave me twelve months' notice.

916. But do you not think the Secretaries should have some forms furnished them? I do think so.

917. You say your rules necessitate the application of 6d. per member per week to the Sick and Funeral Fund—does that include the fund for the doctor and medicine? No.

918. Can you give us any idea as to what proportion to the member's subscriptions the cost of medical benefits represents? That would be a very difficult matter.

919. Would it not be from 5s. per member per quarter and upwards? In my own Lodge in Balmain we pay 28s. per member per annum for medical advice and medicines.

920. Then supposing your subscriptions to be 56s. or 58s., that would be 40 or 50 per cent. of the income? Yes.

921. I see by your report that, taking the total Lodge and District Funds, the value per member is set down at £8 10s. 1¼d.? Yes.

922. And what is the value of the accumulated gifts which the Society is liable to have to pay to each member from the Funeral and Widow and Orphan's Funds—would it not average £20 from each fund? I dare say the accumulated liabilities under the two funds would be about £40.

923. Have you any opinion as to what would be the actuarial report upon those figures, the value per member of the total worth of funds being £8 10s. 1¼d., and the liabilities under the Funeral and Widows and Orphans' Funds being £40? No actuary would give a report upon such figures as those standing alone, because there are so many other important considerations upon which such a report would be absolutely dependent, such as the average age of members, the average sick rate, the average death rate, &c.

924. *President.*] Do I understand you to say that the liabilities were £40 per member? I believe that the liabilities under the Funeral Funds would be about £40 per member.

925. *Mr. Gelding.*] In a statement issued by your Order it is represented, is it not, that forty years ago the "Strangers' Refuge Lodge" was opened in Sydney in connection with the Liverpool District of Oddfellows in England? Yes.

926. I believe that that was the first Lodge established in connection with the Manchester Unity Order of Oddfellows in this Colony, or indeed in Australia, was it not? Yes.

927. Are you aware that although that Lodge has a very considerably less number of members than some other Lodges, the total period of sickness among the members in the year was very nearly one-third more than

than in some of the other Lodges? The returns would show whether that is a fact, one of the pamphlets I have put in (the report of the Annual Movable Committee held at Albury, 1881) giving the period in each Lodge in the Colony during the year, together with the total number of members good at the last balance.

928. Are you aware that the excessive period of sickness in that Lodge is accounted for by the fact that it is the oldest Lodge in the Colony, and includes a large proportion of the oldest members? I am not aware that that is the explanation.

929. I presume you are aware that the Widows and Orphans' Fund is not kept as a separate fund by the Lodges? The districts keep it separate.

930. A great deal has been said about illiterate Secretaries—I believe you have had a great deal of correspondence and communication with most of the Secretaries—have you ever found them illiterate? I have found them to be intelligent men, well qualified for the positions they have filled.

931. Have you had to fine Lodges for not sending in returns, or your predecessor to your knowledge, and if so, how many? I could not definitely answer the question as to the precise number.

932. Would there be more than six last year? I do not think there would be more.

933. Do you think that a large percentage out of the fifty Lodges there are now in the district? I think it is a very small proportion.

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MONDAY, 12 DECEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
JOHN DAVIES, Esq., C.M.G., M.P.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RESBY HOLDSWORTH, Esq.,

EDWARD J. RUBIE, Esq.

Mr. John Gelding, Secretary of the Sydney District of the Independent Order of Oddfellows, Manchester Unity, sworn and examined:—

934. *Mr. Abigail.*] What position do you hold in connection with the Oddfellows? I am a District Officer.

935. Your duty is to correspond with all the subordinate Lodges in the Sydney District? Yes.

936. You have had great experience in the working of these Lodges? I have had thirteen years' experience as District Secretary of the district.

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937. Judging from that experience, do you think that the present Friendly Societies Act has answered the purposes for which it was passed? No, I do not—some of it is very defective indeed; I note one clause here very specially, that is the 44th. I might state that when Mr. Oliver was compiling this Act—I think Mr. Sutherland was in office at the time—I called his special attention to this law about allowing sick members to receive so great an amount out of their Lodges if they chose to pay increased rates, and pointed out that it was an injudicious thing, as it tended to cause what we call malingering. I have always regarded Friendly Societies as intended merely to provide medical attendance for members and to give them sufficient money to keep them in comfortable circumstances. He took the case into consideration, and instructed, as I understood, Mr. Oliver to make the necessary alteration; but to my surprise, when the law was passed, I found that a sick member could take £52 a year out of the Societies. You will very seldom find a man ill for fifty-two consecutive weeks, but he could take £3 a week out of three Societies for parts of his sickness if he were ill two or three months, so that it would pay him better to be sick than well. Then there is another matter in the same clause with reference to the £200. I have always looked upon that as a clause requiring all the Judges and lawyers to interpret what it means. If there is any clause in the Act wants altering, I believe that does.

938. Are there any other parts of the Act you can refer to? Oh, I believe a great deal of improvement might be made. I mentioned to Mr. Oliver that I believed that as the trustees had the power of taking mortgages, they should also have the power of releasing estates; but they have not got this at the present time. If a trustee who is one of the mortgagees dies, the others would have to go and forage up all the friends and relatives interested in the will in order to get a release so that they could release the mortgage.

939. Do you believe the penalties for non-fulfilment sufficient? Quite sufficient if they are acted up to. Had some of these defaulting Lodges been fined, it would have been such a caution to others that there would have been no difficulty in getting the returns; but as it is, I know that if I am in any way lax the Lodges get careless, but if I enforce the penalties I find no trouble in getting them to act up to the rules.

940. Are you of the opinion that the Societies should have exclusive legislation for their management? Yes, I am; I believe that legislation should not go out of their own bodies. If you take the large Societies, you find that you have three local bodies—the Lodge, the District, and the Grand body; and if a matter passes through them it should go no further. As a proof that this works well, I may mention that during the time I have been connected with these Societies I never knew a District Court Judge to give an opinion against these Societies. Judge Dowling has adjudicated in these cases, and Judge Cohen has done the same, being of opinion that if justice can be done it is by the authorities of these Societies.

941. Are you aware of any cases under your jurisdiction where Lodges have borrowed from one fund to assist another? I am not aware of it; it may have been so. There has been a great deal of talk about the Management Expense Fund; but according to the Manchester Unity rules you must pay 6d. a week for the Sick and Funeral Funds. Outside of Sydney the doctor's attendance fees amount to fully 7d. more; so then comes the question, how can Lodges meet their liabilities out of a total contribution of 1s. a week?

942. Have you known any of the Lodges in the Sydney district to raise their contributions because they found themselves going back? Yes, I have done so; and not only that, but I have known a great many pay 1s. 3d. a week so as to keep themselves up to the mark.

943. Have any of your Lodges dissolved? Well, the only Lodge that has dissolved during my tenure of office was one up at Wentworth, and they dissolved simply because they quarrelled amongst themselves, and they could not get the members together to pay their contributions.

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944. Do you think that in any new Act branches should have the power to dissolve without permission of the parent Society, seeing that they cannot start without the permission of such Society? I believe not. I am of the same opinion as the Judges in Victoria, that the branch Lodges form part and parcel of the whole body; and it simply amounts to this: that if a Lodge by some means becomes poor, the members can fall back on the district, and bleed it of the funds. Considering that this works this way, I consider that it should also work the other way, and that a Lodge should not be empowered to break up and divide the funds so as to put them into their own pockets; but if they dissolve, every penny should be paid to the District or Grand Lodge Funds.

945. Am I correct in concluding that you are in favour of arbitration being confined to the bodies themselves? Yes, I am.

946. Do any of your Societies grant any assistance to members when they travel in search of work, or sustain loss through fire or shipwreck? There are so very few poor people in the Colony that we are never asked to contribute to those in search of work, but we have liberty to do so; they do, however, often get relief, and that makes a great item in our Management Expense Fund.

947. Do subordinate Lodges grant relief under the head of "Distress Gifts"? Yes.

948. Up to what amount? Some of them are limited to £3; but in addition to that a collection is often made.

949. Have you known any cases in which officers entrusted with money have made away with it or absconded? There have been three or four instances where this has occurred.

950. During what period? One occurred about eight years ago, another about ten years ago, another about thirteen years ago, before I took office.

951. Do you think it would be a wise provision to allow the Registrar to have power to order an audit of the accounts of a Lodge if requested by a given number of its members? Well, that question requires grave consideration, because you might get a few cantankerous members in a Lodge who would combine together and prevent the duties being carried on. They might get the requisite number to sign the requisition and put the Lodge to great expense. I should say that if these members did not prove their case they should be put to the expense of the audit. That would, I believe, be a safeguard, because it would stop persons making assertions that they were not in a position to prove. I never found anything wrong in the Lodge audits.

952. Can you give the Commission direct information as to the average deaths among the members of your district for a given number of years? I could furnish a return, but could not give it now.

953. Are you aware if any of your Societies have received Crown grants for the purpose of building halls? No, the Government are not liberal enough here for that, but they do it in Victoria.

954. Do you think that members should be permitted to join more than one sick benefit Lodge? I believe not. I believe that under the circumstances under which these Societies are formed members should never be allowed to join more than one Friendly Societies Lodge.

955. *Mr. Holdsworth.*] You have stated as one of the reasons why you object to members joining more than one Society that there is a large amount of shamming. Did it ever strike you, or did you ever notice, that during the times of strikes there was more sickness in the Lodges than at any other time? Well, we have hardly had a sufficient number of strikes here to be able to judge. The majority of strikes have been in the Northern district, and there has always been sufficient money there to keep them without going on the Sick Fund of the Lodges.

956. In reference to the question of auditors, do not Lodges appoint auditors by election? They do.

957. And audits are regularly held and certified? Yes, they are.

958. Have you any reason to believe that they are false? Not the slightest.

959. And you believe they are as correct as they can be? Certainly. I have had occasion to do special audits for Lodges when law cases have arisen; and after a full examination by another accountant and myself we have found that there has not been the slightest cause for the complaints made.

960. Your Society is the oldest we have in the Colonies, or one of the oldest, is it not? Yes, but it was not the first registered.

961. Your system of working is as perfect almost as that of a Benefit Society can be? Well —

962. Well, it is supposed to be so amongst Benefit Societies generally? We give ourselves credit for it.

963. You have very full statistical returns? We publish annual statistical returns, which are as correct as possible. I have audited these returns for some years past with others, and my own opinion of them is that they are correct.

964. Do they give the amount of your income and expenditure? Yes, income and expenditure.

965. And sickness? Yes.

966. The death rate? Yes, the death rate.

967. The working expenses? Well, the working expenses want more getting up than they do at present. I may mention that I had an interview with Mr. Oliver some time ago, and I told him that I thought the annual return sheet that he sent out should be greatly altered from what it is now, so that the management expenses should be further dissected; because we pay a great amount of money to people that cannot possibly show itself on the balance sheet. I might give an explanation of that. If you take the district, for instance, of which I am Secretary, at the end of this year we shall balance our books and see that we have a lot of members all over the world receiving sick pay; and the probability is that there may be hundreds of pounds out, which will not be gathered in for four or five months. That money shows us a debit against the Society without a corresponding return; and therefore it shows the Society in an unfavourable state on the particular date referred to. The sheet wants to be enlarged so as to be three times the size it is at the present time.

968. Your balances are shown each year? Yes.

969. Do they grow less each year? Oh no; considerably more.

970. Your Society is over thirty years old in New South Wales, I believe? Oh yes, I think it is forty-two years old.

971. Do you take it that your Society is old enough here to get a general average of the life of its members? I think it is quite old enough for that purpose.

972. Do you consider your risks this year are greater than they have been in other years; that is, that they are beyond the general average risks? I should not like to answer that question positively. The best answer would be the returns.

973. I want to know whether your risks are greater one year than another? No, they generally run a fair average every year; we generally look upon having two very bad quarters and two moderate quarters.

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- 974. There has been a great deal said about the increased risk to Societies each year. I presume you have certain members die every year, and that you take in a certain number of new members every year? Yes.
- 975. The new members you take in are under a certain age? No, we are not confined to that.
- 976. But what is the age you fix for members? From seventeen to thirty-seven.
- 977. Then, while the old members are dying out new ones are coming in? Yes.
- 978. Then your risk is not, from a common-sense stand-point, greater one year than another? Well, I fancy it is, simply on this ground: that if you study the question you will find that those parties who leave the Societies are the young men, while the parties who stick in and must become an incubus upon the funds are the aged ones. After they get to thirty years of age the majority of the members keep in; those who leave are young members. So I conceive the risk must increase every year. That is my experience with it, and I see that this view is borne out by my return books.
- 979. But has not this been the case every year in the past as well as at present? Well, I do not think so; I think the young men are getting more careless now than they used to be.
- 980. You have a number of members leave your Societies, then? Yes.
- 981. The moneys they have paid in, do they become a gain to the Societies? Oh yes, of course.
- 982. Is it your opinion that under all the circumstances your Society is poorer to-day than it was ten years since? It cannot be, because it is richer; the only question is whether the extra assets you have got will meet the increased liabilities of these aged members.
- 983. Have you more aged members proportionately now than ten years ago? Oh, I should think so; undoubtedly.
- 984. You have read, I dare say, of an inquiry in the British House of Commons in 1841? Yes.
- 985. Are you aware that then the Societies were declared to be insolvent, or nearly so? Yes, it was stated so; and the Manchester Unity amongst them.
- 986. You are aware that in 1873 or 1874 another inquiry was held and the same statements made? Yes.
- 987. And at one or two in Victoria the same statements were made? Yes.
- 988. And the same statements are made now in Sydney? Yes, I believe so.
- 989. Is there anything in your opinion to make you believe that the statements are correct? I do not believe, candidly speaking, during the experience I have had with perhaps the largest Society in New South Wales, that the members pay a sufficient sum of money to ensure what they get out. That is my opinion.
- 990. You believe that the present rates are not sufficient to meet the requirements? Just so; that is, the rates of a good many of the Societies. My impression is that with the high rate now paid for medical benefits and one thing and another, the least that should be paid to ensure the benefits is 1s. 3d. a week. You may go on swimmingly for a while with a less rate, but the day of retribution must come.
- 991. I imagine the sick and death rate would have a great deal to do with the contribution required? Yes; I see in our returns in the Funeral Fund alone we average from £350 to £500 for funeral gifts alone, and in the Sydney District only.
- 992. Are you aware that it is a common practice in localities to expend money in building halls of various sorts? Yes, it is; and I might state in reference to that that I have found, although I am rather against it, that those who did so a few years ago are reaping a great advantage out of it now.
- 993. Do you think it is a wise thing to be permitted? I do not think so.
- 994. Do you think that the funds of a Society should be locked up in such a manner that they are not available? I think it is injudicious.
- 995. Do you think that great precaution should be taken to prevent it? Yes; but there is another thing to be considered, and that is that in many places the Societies have only public-houses to meet in, and if in such places they could get halls I think it would be a great advantage.

The Commission then adjourned until Friday, 16th December.

FRIDAY, 16 DECEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,

JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,
PHILIP RESBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.

Mr. John Gelding's examination was resumed:—

- 996. *President.*] You have been connected with the Manchester Unity Oddfellows for many years, have you not? Yes I have, over thirteen years as District Secretary.
- 997. You have had a large experience in connection with the working of the Order? I have studied it very materially during that time.
- 998. The executive or governing body, I believe, is fixed in Sydney, is it not? Yes.
- 999. And do you sometimes have what are called movable meetings? The Grand Annual Session is movable.
- 1000. Now where are these movable Lodges held? They may be held in any district in the Colony of New South Wales that may be carried by resolution at our Annual Movable Conference. Each Grand Committee fixes before it dissolves where the next shall be held. It might be held at Albury, Bathurst, or Tamworth, or anywhere where there is a district in the Colony.
- 1001. Then there are a number of districts? Yes, nine, I believe.
- 1002. And within them there are subordinate Lodges? Yes.
- 1003. I presume that all the districts are worked in a similar manner, and under the same executive authority as the head-quarters Lodge? There is just the same governing body, a President, Vice-president, and Secretary, connected with each of the districts as well as with the executive body.

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1004. And they are bound by the constitutions of the Order as a whole? Yes, they are.

1005. Have the respective Lodges under your Order power to make their own by-laws, and fix their own amount of sick pay and contributions and so on? They have the power to do these things, but they must be subject to both the general rules and the district rules. The general rules lay down a certain precis to go by, and the districts say we will carry out your views, and this fixes the maximum amount of sick pay and the minimum amount of contribution, and the ages at which persons shall be allowed to join, and the Lodges cannot depart from that.

1006. All the subordinate Lodges have to submit their by-laws or rules to the governing body, do not they? They have to submit them to the District Secretary. He has the power of looking over the rules, and if he is in doubt about them he has full power to send them back and make the Lodge alter them before they are registered; and I have always found that when his decision has been appealed against they have taken his dictum, and have made the Lodge comply with what he wanted.

1007. Does the governing body make itself responsible in reference to the financial position of the subordinate Lodges? No, there is no responsibility attaching in that way, excepting that if a Lodge through accident or a great amount of sickness should not be able to meet its liabilities and should break up, then so long as none of the members have been a party to the breaking up through maladministration the district has to take its members, and either grant them clearances or keep them. That simply means that so long as you pay your contributions, once an Oddfellow you are always an Oddfellow.

1008. Then in such a case as that there is a guarantee that the governing body will look after the interests of the respective members of the Lodges? Oh yes, most decidedly. I may mention that is probably one of the items that swells up the management expense fund of these large Societies. The ramifications of these large Societies are so immense that they extend all over the civilized world; and, belonging to one of these bodies in New South Wales, you virtually belong to it wherever you go.

1009. We will say that an Oddfellow comes here from England who was a member of a certain Lodge there and had paid up his contributions,—would he be enrolled here, and would he get benefits the same as if he had been initiated in this Colony? That would rest with himself; he could either bring his clearance, and throw it into a Lodge here, and pay the contribution rate of the New South Wales body, or he could remain a member of his own Lodge and pay their rates to the district here, when he would, in case of sickness or death, receive benefits at the rates guaranteed to him. But the great advantage he would have would be that he could join the medical list of one of the Lodges here, and thereby receive medical attendance. They all avail themselves of that, and pay no more for the privilege than an ordinary member does in New South Wales.

1010. And he gets sick benefits as other members? Yes.

1011. And you receive no contributions whatever from his mother Lodge in the old country? No, not as regards medical benefits; we generally get his "pence money" and forward it; we never find any difficulty in getting the sick pay back again.

1012. Whom do you get it from? From the Lodge the member belongs to in other countries. I dare say we have as many as a hundred members paying in belonging all over the world: Gibraltar, and everywhere else. There is £108 5s. 5d. of sick pay paid away quarterly to members of other districts, according to our last returns.

1013. Do you think a return could be furnished to the Commission showing the ages at which persons entered the respective Lodges, and the ages of the persons who have died as members of the Society, (say) for the last five years? Oh, there would be no trouble in doing that; I was looking over the book the other day, and I found that we could give forty years' experience.

1014. Do not you think it would be necessary to have that information as to the ages of the members of the Lodges, when they entered the Order, and at their deaths, in order to have an actuarial examination? I believe it would be very valuable indeed; and, in fact, I believe the Commission would be almost worthless without the experience of these large Societies was given. You could thus get an average death age.

1015. Now in your large experience in connection with the working of the Order could you point out where the present law is at all defective, or say whether it is the administration of the law or the law itself that is defective? There are a good many defects in it that require amendment. Most of the Societies have been breaking the laws here in clauses 41, 43, and 47, which say that the trustees shall do all the things referred to in the clauses; instead of which the trustees have nothing at all to do with it, and they know nothing of what is done. It says that the trustees shall pay over money and donations, which is simply nonsense, because they know nothing at all about it. The trustees' duties are simply to invest the money and draw the moneys out of the Bank. The Friendly Societies at the present time are a regular commercial affair, and you cannot call on the trustees to come and do these things; and, in fact, these provisions have never been acted up to. And there is another thing in connection with the Act; if you want to register an amended rule you have to sign a document stating that that amended rule is in conformity with the laws relating to the Friendly Societies, and swear it before a Justice of the Peace. If this is so, according to my mind what is the use of the Registrar? I have always tried to evade it as much as possible, and I would suggest that in an amended Act that should be done away with altogether, because it seems to me to be an absurdity.

1016. Do you think that there ought to be a separate Department to deal with this matter of Friendly Societies? I do; I believe that there is sufficient work now to keep one person entirely employed; and were such an appointment made—that is, a man skilled in these matters—it would be of great service to everybody connected with Friendly Societies, as he might be able to give very valuable advice, and would be able to see whether the laws were in conformity with law or not, and if not, to suggest alterations so as to make them so. In fact, I have seen the English Manchester Unity's documents submitted to the Registrar at Home, and it is surprising the amount of work he takes with them. As it is, our laws are often in such a state that you cannot make head or tail out of them. I believe that is so, because in the penal laws of Societies we have sometimes eight or nine different clauses which clash with one another, whereas the Registrar would put them all into one and it would be intelligible. Now we intend to put all penal affairs into one clause, and make it "shall be expelled or suffer such other punishment as a Committee of the District or Order may think fit," so that we shall have no more trouble over the matter.

1017. Do you think it would be a good thing or a prudent thing to have all the correspondence, by-laws, and so on, so that any action that the respective Lodges under the Order took should be submitted to the executive authority prior to registration by the Registrar? I do not quite catch the gist of your question.

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1018. The correspondence, rules and by-laws that are made by the respective Lodges under any particular Order—would it be a good thing that instead of these persons dealing directly with the Registrar they should go through the District or Grand Lodge? We always make it imperative in our Order; the Registrar would not certify them unless they were first certified by the officer of the Order.

1019. *Mr. Rubie.*] With regard to members coming from other countries, if I understand you correctly, they throw a card of clearance here and get the benefits of the Lodge in England or wherever they come from. Is not that an injustice if they comply with the rules here by paying the rates; would it not be unjust to give that man full payment? No; it generally cuts the other way; if a person comes from England here with a clearance it is probably dated three months back by the time he gets out here; the Lodge is responsible for his funeral, sick pay, and everything connected with him for twelve months from the date of his clearance; after that he comes on the full rates of the New South Wales District.

1020. But does he pay anything extra for that? He had to pay the New South Wales contributions.

1021. No entrance? Well, there is a bagatelle; I think it comes to about 9s. in our Order.

1022. Suppose a man of 50 years of age came? He would not be admitted.

1023. At what age would you admit him? You are not obliged to admit him over 40.

1024. Then for 9s. he would get all the benefits in New South Wales? Yes, but it is mutual; if I went to England it would be just the same thing.

1025. Yes, but the question comes, are there so many go from here as come here? I believe that new blood in this country is very valuable, and that they are not so liable to sickness as the old members. However that may be, there is this mutuality arrangement throughout the Order.

1026. Are you also of opinion that it would be necessary to have some mode of arbitration for Societies in New South Wales? I believe that in all well constituted Societies like these large ones there are three courses open for a member to go through; there is the Lodge, the District, and the high governing body; and my opinion is that after he has exhausted these three he has got as much natural justice as any Court of law would give him, because they are so totally distinct, members coming from all parts of the Colony; and no Courts have attempted to upset the decisions of the governing bodies. This fact, I think, shows that substantial justice is done.

1027. That would be well in large Societies like yours; but we have also to deal with single Societies, and must recommend some judicial mode by which their disputes may be settled without expense. Would it not in your opinion be judicious to appoint some Court of Appeal or governing body in this Colony for these single Societies, whether these arbitrators are appointed by the Crown or elected by the various Societies? I believe, in answer to that, that the Protestant Alliance have a rule to this effect, that any member aggrieved at the decisions of the highest governing body may have the power of nominating from other Societies one or more members to whom the dispute is referred; and I think in the case you mentioned that that would be the best plan of settling disputes. I was once nominated myself on something of that sort, and I think it was a very good thing.

1028. With regard to payments, there never has been an actuarial calculation of rates and terms in your Society? No, there has not.

1029. You have simply relied on the general working and management as to what is requisite to be charged? Well, I think the idea of the rate of contribution was first imported from Great Britain when the Friendly Societies first started here; and of course the Manchester Unity have several funds; we have an Orphans' Fund, to which all must belong, and every member had to pay 13d. per quarter to that fund. Well, a few years ago I came to the opinion that this was a matter of injustice. Why should members subscribe heavily towards a fund that in the course of a generation would be self-supporting? I thought that those who came after us should help to support this fund as well as we did, and we made it floating; that is, the District Committee has the power of saying every quarter what the levy shall be; now, instead of being 13d. they pay about 4d., and still the fund goes ahead.

1030. I understood you to a former question to say that 6d. was levied, or went to the Sick and Funeral Funds; has this been adequate to meet all payments for sickness? Yes, I believe so, especially in these Sydney Lodges, and in the country Lodges in healthy places it has been found more than sufficient; and in any fresh legislation there might be I should make it imperative that all metropolitan and suburban Lodges should pay not less than 6d., but that in some of the country Lodges 4d. would be quite sufficient, as many of them are saving a large amount of money out of that 6d. while the Management Fund in the meantime goes behind.

1031. Is that sufficient to meet funeral donations as well? It is in our Society. The mode of procedure in our Society is that every member is levied so much per quarter to keep up this fund.

1032. What! besides the sixpence? No, they pay the sixpence into the Lodge, and the District levies the Lodge so much per head per quarter; the Lodge has nothing to do with the Funeral Fund.

1033. Have you found the rates of mortality in the Sydney district greater than in the suburban and country districts? It all depends on age. Some of our country Lodges that have been in existence for thirty years or more have quite as many claims upon the Funeral Fund as the Sydney Lodges. There is an old adage—"The old must die, the young may."

1034. *President.*] I think you said that in some of the country Lodges large amounts of money were accumulated in the Sick and Funeral Fund, and that the Management Expense Fund went behind? Yes.

1035. Do you know whether it is a fact that in these Lodges they loan money from one fund to the other? I fancy some of them do. I know none of the Lodges in the Sydney district do it, but I believe some of the Lodges in other districts do it.

1036. Have they the power to do that without obtaining the consent of the district or governing body? It is difficult to get at it. The money is generally paid back sooner or later. I had once to borrow from the Widows and Orphans' Fund to meet two or three very high payments on other funds.

1037. *Mr. Newland.*] What is the number of Lodges in your district? I think I have about fifty-one or fifty-two Lodges now.

1038. And these Lodges, I presume, have an annual meeting for the election of District Officers? The officers are elected by ballot on the last Wednesday in December in each year, at what is called the Annual District Meeting.

1039. And what constitutes that? It is a meeting of members from any of the Lodges that choose to send deputies, according to a rule; not more than two from any one Lodge.

1040. And how are these deputies paid? They are paid from the District Fund.

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1041. Irrespective of locality, do they all receive an equal amount? All an equal amount.
1042. No matter what distance they come? No matter what distance they come.
1043. What is the amount of funeral donation for a member, and for a member's wife? £20 for a member, and £15 for a member's wife.
1044. You have no sliding scale of funeral donation? No, we have no sliding scale at all. We are perhaps not in conformity with the spirit of the age, for we sometimes help one another, making no distinction; we give the same uniform benefits, with the exception of the Widows and Orphans' Fund, which is on the sliding principle, varying from £10 to £30.
1045. What is your maximum of sick pay? Twenty-one shillings a week for the first six months, fifteen shillings for the second six months, and about seven shillings and sixpence for the next six months. After that some mutual arrangement is come to.
1046. And what is your minimum of sick pay—can a Lodge give less than twenty-one shillings? There is nothing less than twenty shillings; most of the Lodges, I think, work on this twenty-shilling scale.
1047. And the Lodges in your district, do they pay anything like an average amount of weekly contributions? It runs up from ls. 1½d. to ls. 3d.; the strange part of it is that the Lodges where the ls. 3d. rules are the best patronised, getting the greatest number of new members.
1048. I believe you are in favour of a law similar to that in force in Victoria, that in the event of a Lodge breaking up, all the books, vouchers, property, and cash should go to the Grand Lodge or governing body? Should go to the District, which is virtually responsible should a Lodge break up and be unable to fulfil its promises. It seems monstrous that a Lodge should be allowed to divide its funds; while, on the other hand, should it from unforeseen circumstances become insolvent, the members join the District and receive the same benefits as if they were in good circumstances. If it cuts one way I consider that it should cut another.
1049. Are you aware that a Society in Victoria dissolved and divided its funds; and when the governing body tried to bring them to justice they failed to have justice given them according to law? I know a case where the Judges *in banco* decided that a Lodge could not divide its funds; and they had to pay over every penny into the Grand Lodge, otherwise they would have been prosecuted for misdemeanour.
1050. You are not aware of parties being so prosecuted and justice failed? Not in connection with the Manchester Unity; it may have been in some other Society.
1051. These District members, or members arriving from foreign ports and throwing their clearances into your Lodges, as soon as they do that they become amenable to the laws the same as any other member and receive the same benefits, I presume? They receive medical benefits immediately, but for the others they have to wait a while until the clearance is twelve months old.
1052. They receive the benefits the same as a new member, according to effluxion of time? No, a new member receives sick pay when he has been in the Order six months.
1053. These do not get it for twelve months? Yes, they get it at the rate guaranteed to them by their own Lodge.
1054. But it is not a charge on the Lodge they join for twelve months? No, it would not be fair to do so. It is the same all over the world in the Manchester Unity.
1055. But you limit the age to forty for receiving these members? Yes.
1056. *Mr. Stade.*] Are members in the minority at the breaking up of a Lodge able to get into the District irrespective of age? That makes no difference.
1057. Then the restriction as to forty does not apply to them? Not at all; it only applies to persons coming from beyond the Colony.
1058. *President.*] Has the Society to which you belong any real property? Yes, a great number of the Lodges have real property—very valuable real property.
1059. Of what does it consist? Of ground and buildings.
1060. I do not mean Lodge rooms; I mean real property, independent of them? Yes, some of them have. Newtown Lodge has a number of shops in the Newtown Road, besides a hall.
1061. But is this in connection with the hall? No, it is detached from the hall.
1062. Then do some of these Lodges invest their surplus funds in the purchase of real property? There are a few of them do, but not a great many of them.
1063. I think your Corresponding Secretary has promised to put in a return; or is there such a return at present? Yes, there is, up to last year.
1064. Now, this surplus money is it vested in any way? A great deal of it is in the Savings Bank; the districts have some out at mortgage, and some is invested in land, and in these halls that I have spoken of. None of the Lodges ever trouble themselves to invest on mortgage; it is merely the districts that do that.
1065. But in placing money in the Savings Bank do they give you interest on the whole amount? Yes; that is a rule in connection with the Savings Bank here.
1066. Is there any suggestion you would wish to make in addition to the evidence already given? It might be advisable to refer to my notion of the annual returns in the evidence. I should make these annual returns contain the ages of both members and members' wives, and their trade or occupation; and the Management Expense Fund should be thoroughly divided so as to show the amounts paid for salaries, rent, regalia for officers, district gifts or payments for officers' services, or sick visiting officers. I believe it would be also a very good thing if before Lodges were allowed to be opened they should send to the Registrar a copy of their proposed rates of contributions and benefits that they wish to give to their members. I also believe some alteration is necessary with regard to the Children's Burial Fund; I do not think that should be mixed up with Friendly Societies matters. If the Lodges wish to pay their members so much on the death of a child, it should be a separate insurance fund and not connected with the ordinary arrangements of the Societies. Some of the Societies do it, and some members wish to introduce the principle in our Order; but our idea is that if any one wishes to establish a fund of this description he should pay a small fee to specially ensure that benefit. I am also of opinion that when these returns are furnished to the Registrar every year, they should be sworn to and certified not only by the Corresponding Secretary but by the auditors that have examined them. In the Friendly Societies Act there is a clause that allows members to will away the funeral money to whom they like. My experience in these matters is that that law is very injurious; that a widow, providing she has kept herself as she should do, should be the recipient of that bounty; and that the member should not have the power of willing away the money, for which she perhaps has been struggling to keep his payments up. I know men often who, in a fit of temper, before they have died, have willed the money away; and I have always looked upon it as a most disgraceful proceeding.

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I should certainly recommend an alteration in that. I am also of opinion that the Societies, considering the great benefit the Government must positively receive from their establishment, in doing away with a great amount of pauperism, and thus saving a large amount of money every year, should be entitled to have these rules registered free of charge; as it is now, a Lodge, no matter how poor, has to pay a guinea for the registration of a few rules, and if they require to make a slight alteration in one of the rules there is another 5s. taken from them. I have already referred to the alteration required in reference to the trustees, in clauses 41, 43, and 47. They should be so altered that the executive bodies of these Lodges and districts should be the proper parties by whom these moneys should be paid. It would be some length of time before an actuary or anybody else could bring a proper scale of contributions into effect; but I see that in Victoria, according to the new law, the Government Registrar has the power of granting a certificate of conformity for five years; and I think that would be a very good thing here pending good trustworthy tables being issued, as I believe it would be also a very good test that the Society would be something like solvent. It is carried out very much in Victoria now, and I see that a number of the Societies have obtained this additional certificate, while a number of them have had it refused, the Registrar considering the fees nothing like equivalent to the money the members expect to receive from the Societies.

1067. In reference to what you have stated about a married man bequeathing his funeral donation to any person other than his wife, I think you qualified that by saying that it was on the supposition that the wife behaved herself? Yes, we have a qualification always to that effect, so that if a woman has been living away from her husband in adultery for a certain time, or has been following other evil courses, she does not get the money. Of course, there are women who drink and are not fit to be entrusted with anything; we find that, and have a law to deal with these cases.

1068. *Mr. Smith.*] I suppose you find it to be the practice in the other districts for moneys to be taken from one fund and transferred to another? Well, I think it very seldom occurs; my own impression is that if they pay sufficient contributions—that is something like the Manchester Unity—they would not have any occasion to do it.

1069. But if one fund has greater calls upon it than another you find it the case? I have heard of it in the country districts.

1070. Then from what you know do you think there is anything radically wrong in it? Not if the money is paid back with all due speed. The members of a Lodge are the guardians of their own money, and they would not allow it to be misappropriated.

1071. Then do you think that the peculiar circumstances of these Societies justify such a course at times? I believe it should be avoided as much as it possibly can; and the only way to avoid it is to pay in sufficient money to meet all the requirements of the various funds.

1072. Are there any circumstances which would justify the lending of a sum of money from one fund to another? No doubt it should not be done, but it simply amounts to this: if you pay 6d. a week to the Sick and Funeral Fund, and, as in the interior, have to pay 7d. a week for doctor, there is the whole amount of a member's weekly subscription swallowed up; and unless you have something over that how are you going to swim? Something must go. It is a well-known fact that nowhere except within the city of Sydney can you get medical attendance for less than about 7s. a quarter.

1073. I presume you know that there is no fund that has a greater run upon it than the Funeral Fund? Oh yes, the Sick Fund has. There is more sick pay given away than the amount of the funeral donations.

1074. Has it ever come to your knowledge that any bad or ill results have followed from the taking of money from one fund to another? That remains to be proved when you get the balance sheets in.

1075. Then such being the practice for moneys to be taken from one fund to recoup another, do not you think it would be wise in any fresh legislation to provide by law for its refund? Yes, it would be a very good thing, but I believe that all governing bodies have such a provision. I would suggest that, instead of having such a provision, power should be given to the Registrar to see that the contributions were made large enough to prevent any necessity for it arising.

1076. Is it customary on the part of your Lodges to purchase property for the purpose of erecting halls to hold their meetings in? Yes, it is customary. The method they pursue is to buy a bit of ground if they have plenty of money in hand, and take out shares in a Society amongst themselves, and raise money enough by that means to borrow a little more.

1077. So that the funds of the Society are not touched for the purpose of purchasing the property? No, that will not do. They spend some of the Lodge money to buy the ground with first.

1078. Are there any instances where the share system has not been resorted to in order to acquire property? Yes, they did so in the large hall in Elizabeth-street, and that has paid itself over and over again.

1079. Has it frequently been the case that moneys have been taken from various funds for the purpose of purchasing property; that this money has been lent at the usual rate of Bank interest? Yes, I dare say that has been the case. I do not know about the rate of interest; they might get three times the amount of interest on their investments, according to the locality in which the speculation is carried on. It is impossible for me to say about that.

1080. In your experience you have never known any of these things to be failures? No, they have been generally a great success.

1081. You alluded in your evidence to the fact that they had done something of the kind at Newtown? Yes.

1082. That has been a very successful investment, has it not? My conscience, it has; I wish it was mine.

1083. It is also a fact that this is one of the richest Lodges in your jurisdiction? Yes.

1084. And it is one of the most successful? The most successful in the whole of the Australian Colonies, having the most money, most members, most property, and everything else.

1085. Have you ever known an instance in which the Government have assisted Friendly Societies by giving them grants of land? No, I have not; and if you read that report (of the Victorian Commissioner) you will see that that Commission was very much against what the Government has done in Victoria.

1086. Have any of your country Lodges made application through your district to the Government for a small piece of land on which to erect buildings to carry on their work? I do not know, but I have a vague recollection of something of the kind. At all events they did not get it.

The Commission then adjourned until Monday, December 19.

MONDAY,

MONDAY, 19 DECEMBER, 1881.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,JAMES F. SMITH, Esq.,
JOHN DAVIES, Esq., C.M.G., M.P.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RISBY HOLDSWORTH, Esq.,

EDWARD J. RUBIE, Esq.

Alfred Lees Smith sworn and examined:—

- Mr. A. L. Smith.
19 Dec., 1881.
1087. *President.*] What office do you hold in the Grand United Order of Oddfellows? The office I hold is styled Grand Secretary.
1088. How long have you been connected with the Society? About ten years.
1089. How long have you held your present office? Three years.
1090. How old is your Society in New South Wales? I am not aware of the exact date on which the first Lodge or Branch was founded in the Society, but I am aware that our Society was registered in 1848. But there were branches in existence some years before that.
1091. Have you an executive authority in Sydney? We have, sir.
1092. And have you branches connected with it throughout the Colony? Yes, we have.
1093. And what are called Districts? There are branches all over the Colony, and these branches join together, and form what we call a District, or central governing body for these Lodges.
1094. Do these branches act independently of the governing body? They do to a certain extent, as far as sick pay and benefits to the members are concerned, but not as far as funeral benefits are concerned; these come from the District.
1095. You have subordinate Lodges, have you not? I do not exactly understand what you mean by subordinate Lodges.
1096. That is persons who form themselves into a Lodge under your Order, and act independently of it to some extent in reference to making rules and by-laws? We have neutral or non-district Lodges which have the whole governing power within themselves, as far as dealing with the funds is concerned. These are not attached to any particular District.
1097. Then I presume they are under the government of the central governing body in Sydney? Under that of the central body, or sub-committee of management, as it is called.
1098. Do you make returns to the Registrar of Friendly Societies? We do, yes.
1099. And are they sent in annually? Yes, annually.
1100. And does the governing body send in reports embodying all the information in connection with the whole of the Lodges under the Order; or do the Lodges send the returns themselves directly? The return forms are received by myself from the Registrar, and I furnish them to the Districts. They distribute them to the branches, and they are returned in the same way to me, and I hand them over to the Registrar. I compile, for my own use, the statistics from the returns, but the returns are furnished to the Registrar as I receive them.
1101. In sending in these returns to the Registrar, do you inform him of the ages at which persons are initiated into the Order, and the ages at which persons are registered—the death rate I mean? No, the return does not require the information and it has not been given; the law does not provide that we shall do it.
1102. But I suppose you have a record of the age of every person initiated into the Order? There is a record kept by the Districts.
1103. And is that not supplied to the governing body? There is no return made regularly of the ages.
1104. How does the governing body know what are the respective ages? In the case of a new Society being formed, the ages and names are submitted to the sub-committee for approval, but not with new members joining branches already formed.
1105. But there is a record at the respective branches? Oh yes, there is.
1106. Do not they make a declaration? A new member joining has to make a declaration.
1107. And is there not a medical examination as well? There is; every candidate has to pass a medical examination.
1108. And do not persons joining have to pay a donation? They are required to pay an entrance fee.
1109. Is that a fixed entrance fee for all persons, or is it graduated according to the ages of the persons who join? It is a graduated scale according to age.
1110. Could you afford the Commission such information as you have, by either obtaining it from the respective Districts or from any other source, of the ages of the persons belonging to the respective Lodges, when they were initiated, and the ages at which persons died? All that information could be furnished by the Secretaries of the Districts, who have a record of all ages.
1111. Have you a copy of your rules with you? I have.
1112. Will you put a copy in evidence? Yes. (*Copy of rules put in.*)
1113. Are they the rules that govern the whole Order? They are.
1114. Have you paid much attention to the working of the Friendly Societies Act? As far as it has come within my knowledge, the Act operates well as far as our Society is concerned.
1115. I suppose disputes sometimes arise amongst the members of the Order? Yes, occasionally they do.
1116. How are they disposed of? A member, if he has a grievance and cannot get satisfaction in his own branch, is at liberty to appeal to the District.
1117. Do you think it would be a wise provision in any new Bill to be introduced to provide that all these local disputes should be settled within the body itself? I think that is the opinion of many members of the Order who take an interest in the matter; they object to cases going outside our limits, and do not care to take them into Court or anything of that kind.
1118. In the event of persons not paying up their fees, what means do you take to compel them? We have power to summon them to Court.
1119. Have you done so in any case? Not within my recollection now—none certainly recently.

1120.

1120. Now, do you think some local means, local to the bodies themselves, could be devised by which the matter could be settled? I think it would be a wise provision if Societies were empowered to settle these matters amongst themselves by the appointment of a number of persons to arbitrate upon them.

Mr.
A. L. Smith.
19 Dec., 1887

1121. Has there been any inquiry or examination as to whether the amount of contributions and fees levied for sick and funeral pay would be sufficient to meet all cases? As far as we are concerned, I am not aware that there has been any attempt made to ascertain that point.

1122. Then you do not know whether the fees fixed would be sufficient to meet all the claims upon the funds? We can only judge by the past; they have been met for a number of years, and we never had any difficulty in meeting our engagements.

1123. Have you much money to your credit? We consider we have a fair balance—something like £22,000.

1124. Does that include landed property? It includes all our assets.

1125. Have you any landed property? There are some branches which have property of this kind; we have a Lodge at Waverley or Randwick which possesses land, and some Lodges possess halls and land.

1126. Do you invest this surplus money in any way? In some instances I know branches have invested money in Corporation bonds; but the greater part of our money is in the hands of the Banks.

1127. Then you could not say whether there is any money invested in land or property irrespective of Lodgerooms? They have land other than the rooms in which they meet, but I do not know to what extent.

1128. Could any of these District authorities give us any information in respect to the working of the Order more than you yourself have already given? The District Secretaries are brought more directly in contact with the working of the branches; I deal only with the Districts, and through them with the branches indirectly.

1129. But as Secretary you, as a matter of fact, know all that is going on? Yes.

1130. In fact, the ramifications of the whole Order have to be dealt with by the body in Sydney? Generally, but of course we have not the whole of the details.

1131. They are all governed by the rules you have laid on the table? Yes, with the exception of Lodges which have framed by-laws to suit their peculiar circumstances.

1132. Are they submitted to the governing body for their approval? Yes.

1133. Have you felt any difficulty or inconvenience of any kind in communicating with the Registrar? No, I have not; I have always found any business I have had to transact has been done promptly; and we have had every attention we could desire.

1134. Have you thought over the question whether any necessity exists for the establishment of an office for dealing with this business itself? It is not a matter I have given much thought to, but I should think the extent of the Friendly Societies would quite justify the establishment of a separate Department to deal with them.

1135. *Mr. Abigail.* Have you a Lodge named "The Duke of Edinburgh" attached to your Order? Yes.

1136. Where is it situated? Kempsey, Macleay River.

1137. Has there been any disturbance recently come under your notice in reference to its financial position? Not in reference to its financial position.

1138. In reference to its working? No; no one has called any attention to its working. There was some time ago a member who had a dispute with the branch, but that is more than twelve months ago.

1139. Was it represented to you as Grand Secretary that this Lodge admitted a number of its members who had gone out of compliance, owing as much as from £8 to £10 each, and had placed them financial without paying any contributions? I have no recollection of anything of that sort coming before me in the manner you have stated; I have no recollection distinctly, but I could not say that such a communication has not been made.

1140. Would the papers come to you or to the District? To our Committee.

1141. What District governs that part of the Colony? It is a neutral branch.

1142. Then they would come directly to you? Yes.

1143. Do you know a Dennis Collins, Past Grand Master of that Lodge? Yes, that is the name of the party from whom the communications came that I have referred to already.

1144. You admit that some communications came from that Lodge? Oh yes.

1145. Could you give us their purport? It happened so long ago that I could scarcely give you the whole of the details; but generally I have some recollection that Dennis Collins objected to some member whom the Lodge wished to initiate, and that he protested against the initiation, I think, on the ground that he was not an eligible candidate; and, I think, because they did not agree with his statement, he took umbrage and threw down his regalia, and left the room saying he would have nothing more to do with them.

1146. You say they have not sent papers direct to you from that Lodge setting forth that a number of members have been made financial as just described by me? Such a statement might have been made by Collins, but it has not come from the Lodge.

1147. No investigation has taken place into a matter of that kind? No, there has been no investigation.

1148. You stated in answer to the President, I understand, that you have direct communication with all the Lodges? Not with all the Lodges—only with neutral Lodges and the Districts.

1149. How many neutral Lodges are there? We have three.

1150. Where are they situated? One at Kempsey, one at Newcastle, and one in Sydney.

1151. How many Districts have you? There are four now, one having been formed during this year.

1152. How many Lodges do these Districts control? About ninety; I think the exact number is eighty-six.

1153. Then you have only direct communication with three Lodges? That is all, and the Districts.

1154. Will you produce the papers that you have received from the Duke of Edinburgh Lodge? Certainly.

1155. You stated that, so far as your knowledge goes, the present Friendly Societies Act answers well the purposes for which it was passed; is that so? Some circumstances have transpired in which we have thought that there might have been some better provisions made for particular portions of our workings, or to enable us sometimes to take action that we cannot now do without going into Court.

1156. I take it you mean by that, by way of arbitration amongst yourselves? Yes.

1157. Are you favourable to a proposition that the management of a Society shall be controlled by arbitration within itself? Yes.

1158. Do you send your returns in regularly every year? The returns are furnished every year to the Registrar.

1159. From whom? They come to me from the Districts, and I send them to the Registrar.

1160.

- Mr. A. L. Smith. 1160. As you receive them, or in pamphlet form? Yes, as I receive them.
1161. How many did you send in for 1880? I am not positive as to the number, but I know there were several short.
- 19 Dec., 1881. 1162. Do you know that the Act provides a penalty for non-compliance with that? I do.
1163. Have you had any notice from the Registrar? Not officially, but I have been told neutrally that certain returns were required, but I have not had any demand for them.
1164. £22,000 you say are the total funds of your Society—How many members would that cover? The number of members is about 5,000.
1165. That £22,000 covers funeral, widow and orphans, and sick money? Not the widow and orphans in every instance, as this is not necessarily a portion of our Society, although we have a Widows and Orphans' Fund in connection with the Society. Still it is a separate institution in itself, with the exception of the Braidwood and Hunter River Districts. So far as Sydney is concerned it is a separate institution. I am not aware positively of the state of the Widows and Orphans' Fund in the Sydney district; but in the Braidwood District it stands very well—it stands at £1,070.
1166. And how many members are attached to that? 976.
1167. That gives the Widows and Orphans' Fund a little over a pound a head? Yes.
1168. Are the contributions uniform? No, not uniform.
1169. Just describe the differences, will you, as near as you can—the lowest and the highest? In some of the mining townships they have a different arrangement for medical attendance, but taking this into consideration they pay a contribution equal to a shilling a week, less the amount that would be paid for a medical man, or equal to 7½d. But they have no medical practitioner to pay out of that, because there is medical attendance attached to the collieries.
1170. Then that will cover funeral benefits, sick pay, and the management expenses of the Society? Yes.
1171. There is no provision for distress gifts? There is no special provision beyond what our laws give.
1172. Do your laws make any provision for these? There is presumably a provision.
1173. Up to what amount? £2 is the highest amount.
1174. From your experience of the management of the Society, do you think 7½d. is sufficient to cover the benefits? Well, that would be the same as asking if a shilling is sufficient, because out of that shilling we should have to pay a medical man.
1175. Do you, then, consider a shilling sufficient? My own opinion is that it is scarcely sufficient.
1176. Is there any one of your Lodges paying more or less? Yes, some pay more, none less; they pay up to 16d. I do not know whether any pay that now, but it used to be so.
1177. And do they get benefits proportionately large? Not beyond what our laws allow.
1178. And do they get the same for a shilling as those Lodges whose members pay 15d. or 16d.? Yes.
1179. Are you in favour of a uniform contribution, seeing that you give uniform benefits? I have had some thought that a graduated scale ought to be made, but have not sufficiently considered the matter to say how that graduated scale should be made.
1180. When any number of men desire to start a branch in connection with your Order, how do they proceed; do you instruct them to carry out the Friendly Societies Act before they take any money, or inform them that they must be registered? They cannot be registered until they are formed; the usual plan is to make out or get a requisition signed by a number of persons desirous of becoming members of the Society, and this of course sets out the ages, occupations, and so on, and whether they are married or single.
1181. I understand you, then, that these Societies are started and established before they are registered? The Society or branch is opened.
1182. And do they receive money before the registration? They receive the entrance fees and contributions.
1183. Have you read this in clause 6, under Part II: "Every person being a member of the committee of management of any Society hereafter to be formed for any purpose within the meaning of this Act who shall take any money in consideration of the allotment of shares or any interest in such Society until the same shall be registered under this Act shall incur a penalty for every such offence not exceeding twenty pounds"? Then in that case no Society could be established—they could not be formed.
1184. I simply point out the clause and ask if your Society complies with it? It is quite impossible for a Society to be registered before it is formed.
1185. Do they do it simultaneously with receiving the money? It is done as soon after as convenient—within a reasonable time.
1186. What is a reasonable time? Well, a month or two.
1187. *President.*] You read from a book just now, showing certain amounts of money; would you put that in evidence, if you have a spare copy? Yes. (*Report of Braidwood District put in.*)
1188. *Mr. Greville.*] Is there a certain limit both as to contributions and benefits within which all the Lodges formed must keep? Yes.
1189. That is the contributions cannot be less than a certain sum? Not less than a certain sum.
1190. And benefits? As stated by our laws they must be within certain limits.
1191. And so long as they keep within these limits can the Lodges exercise their own discretion as to the payments by members? They are laid down by law. Our law states here on page 15, law 21, what the amounts paid are to be.
1192. Can a Society fix higher fees than these? The Society can decide the amount of contribution which it will charge its members.
1193. Have the Societies a discretionary power as to what they shall charge their members, provided that they keep within the rules? Yes, so far as regards the contributions.
1194. Then, I presume, the Grand Lodge adopted this scale from the previous working of the Order elsewhere? I do not know from what source our laws are compiled; the law I referred you to just now refers to the Funeral Fund only, and not to the contributions.
1195. Have any of these rates of contributions, for whatever fund they may be, been tested by any actuary? Not that I am aware of.
1196. Do you know from what source the Grand Lodge in New South Wales obtained them? I think they are based on the laws in use by the Society in England, though there may be some variations in matters in detail.
1197. Have you compared the rates of contribution in use here with the rates existing in the Society in England? They do vary.

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1198. Are they higher or lower here? I think they are lower in England than they are here.
1199. And the benefits? They are greater here also.
1200. Is there a proportion observed? I am not sufficiently conversant with the English laws to state positively.
1201. And do you say you believe the English contributions were taken as a basis for yours? No; the general laws, not the contributions.
1202. Then I must ask you again upon what basis the contributions were fixed? I am not aware that they have been taken from any particular source—I do not know from what source they are taken.
1203. And you do not know whether they have been tested by any actuary? No; the experience of thirty years has tested them—they have not varied much during that time.
1204. Has this Society been in existence thirty years? More than that; it was registered in 1848, and there were branch Societies in existence before then.
1205. And it is within your knowledge that it has been necessary to make calls to supplement these contributions as not sufficient? It has occurred, I believe.
1206. In more than one Lodge? Yes, probably so.
1207. Is it a general thing that Lodges make levies to meet liabilities? Yes, but not because they are insolvent.
1208. But they have been driven to extraneous sources, such as a special levy for the purpose of putting themselves in funds? Well, not in that light exactly. Levies are made to meet current expenditure, and not because the Lodge has not sufficient funds to pay that levy, but simply to meet the demand without going on their funds.
1209. *Mr. Smith.*] Would that be an expenditure arising from unforeseen circumstances? Not necessarily.
1210. *Mr. Greville.*] Under the 7th clause, Part II of the Act, one of the conditions of registration is that the Society shall give a certificate under the hand of an actuary who has exercised his profession for at least five years as to the correctness of the tables—Do you know of any case where a Society has done that when it has applied for registration? Never such a case has occurred in our Society.
1211. Have you assisted at the registration of any Societies since November, 1873? I have assisted at several.
1212. Now, in any one instance have you lodged with the application a certificate by an actuary? There has been nothing for an actuary to compile in a newly formed district; they would have no funds, and the members would be all new.
1213. Does not your Society insure to every member thereof "a certain annuity or certain superannuation deferred or immediate on any sum or sums payable as endowment, or in case of sickness or death"? Yes, in case of sickness or death.
1214. Now, I ask again whether you have ever lodged the certificate of an actuary as laid down by this clause? I am not aware that it has ever been required.
1215. Then I would ask you whether, failing in doing so, did the Registrar point out your deficiency and ask you for it? I cannot see how it applies to the registration of a new Society; my attention never was so called.
1216. *Mr. Holdsworth.*] Do you send in the reports annually or do the branches? The annual returns as required by the Registrar.
1217. Did I understand that you compiled your statistics from these returns? Yes.
1218. Your Society has been working for a number of years? Yes.
1219. Have your funds proved sufficient—I do not mean in the case of an isolated Lodge, but as a general rule? If we may judge by the results, they have proved sufficient.
1220. You have paid all claims upon you? Yes.
1221. Do you lose members every year? Oh yes, occasionally.
1222. How? Some by death and others by default.
1223. Are those who die as a rule the older members? I have no means of ascertaining positively.
1224. The new members who join—are they under a certain age? Yes; we have a limit.
1225. What is that limit? We do not admit a member under any conditions at all over the age of forty—our laws will not allow us to do so.
1226. A great deal has been said about actuary's calculations—Do you not think that the experience of your Society for over thirty years is worth more than an actuary's theory? I have thought so. I have thought that it was sufficient to establish us as a solvent Society.
1227. Are you of opinion that a Society, having worked for thirty or forty years at a certain rate, paid all its demands and laid by a surplus, has a right to be considered solvent? I should say so.
1228. Do you consider that your Society, from its age, has reached what may be called a general average in insurance? I should consider that it has.
1229. *Mr. Davies.*] What number of subordinate Lodges have you in New South Wales in connection with your Society? The number of Lodges at the present time in existence is I think about ninety.
1230. What is the total number of financial members? About 5,000.
1231. What was your total income for last year? The receipts to the end of December, 1880, were £19,713 17s.
1232. The expenditure of the Sydney Lodges on account of sick pay? £3,061 4s. 3d.
1233. What was the amount paid on account of funeral donations? I cannot tell you positively about the amount paid on deaths, but the amount of funds subscribed for the purposes of that fund was £2,576 17s. 1d.
1234. What was the amount paid on behalf of these Sydney subordinate Lodges on account of medical attendance and medicines? The figures I have given you include all.
1235. Yes, but I want to know about the medical attendance now? The medical benefits, £3,867 11s. 7d.
1236. Does that include doctor's attendance? Yes, and medicines.
1237. Have you any means of furnishing the Commission with the death rate for the past ten years of your Society? I have, in books or papers in my possession, and could give you the number of deaths during that period.
1238. What I mean is the average of the death-rate? It could easily be obtained.
1239. Could you furnish it to the Commission? I could do so.
1240. And also with reference to the funeral donations for a like period? I could do so.
1241. And medical expenses? Yes.
1242. What has been the cost for the last year of management of these ninety Societies? £1,648 12s. 7d.

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1243. What is included under the head of Management? It includes rents and goods, all expenses outside medical benefits, and the Funeral Fund.
1244. Have you been in the habit of furnishing returns to the Registrar? Yes.
1245. In what form do you usually prepare them and send them in? I have handed the returns as received by me from the Districts and as made out by the Branches.
1246. Separate returns? Yes.
1247. Do I understand that you have sent in ninety separate returns to the Registrar? No, on the 31st December last there were not ninety Lodges.
1248. But what I mean is do you furnish a separate return for each of the subordinate Lodges? The returns have been sent in with a few exceptions; there are a few Lodges which have failed to send in their returns.
1249. You furnish the returns as you receive them? Yes.
1250. And in some instances there has been default on the part of subordinate Lodges? Yes.
1251. The rules you have put in show the general working of your Societies? Yes.
1252. And I gather from a question put—I think by Mr. Abigail—that you are under the impression that the Friendly Societies Act works pretty well? We cannot take any exception to any of its clauses.
1253. Is there any portion of it which you believe to be defective? No, with the exception of its failing to give us sufficient powers to deal with the internal government and management of the Order.
1254. And to what extent do you think the Act requires amending? Simply to give us the powers to deal entirely with our own matters in all cases of dispute and so on.
1255. Have you not the power to do that now? We can compel persons to pay contributions by taking them to Court.
1256. Do you think that a desirable thing? No, we do not like it; that is my own opinion, and, I believe, the opinion of several of the leading members of the Order.
1257. Would it be preferable to allow members to go? No, we would rather have some other means of obtaining the contributions.
1258. What means would you suggest? I should think that the appointment of a Board which would have power to act would answer the purpose.
1259. You have a power in your by-laws which provides for dealing with disputes by means of arbitration? We have.
1260. How does that work? From my recollection I am not aware that the arbitrators have been called on.
1261. There has been no case arising? No, no case that has been referred to arbitration.
1262. I observe from these rules that no Lodge can fix its contributions above a certain sum? They have usually ranged from 1s. to 1s. 3d., and in some instances 1s. 4d., but not beyond that.
1263. Do you think it necessary to have a uniform code of by-laws for all Societies? Well, I think that is a matter that should be left to the Societies themselves to deal with.
1264. Do not you think it would simplify the working of the Society if there was uniformity? I am scarcely prepared to answer that question, as I have not given the subject sufficient thought.
1265. I understand you to say that your Grand Lodge has never had cause to complain of the financial position of any one of the subordinate Lodges? There have been instances of Lodges which have been closed from the dispersion of their members.
1266. Would that arise from want of funds? Not always.
1267. Do you know of any case where a Lodge has been closed in consequence of the want of sufficient funds? No; Lodges have generally been closed on account of members leaving, and not sufficient being left to support the Lodge.
1268. You have found, then, that the financial basis has been sufficient to meet all engagements? Generally it is so.
1269. Is there any case of failure within your own recollection? Not within my personal knowledge, though I do know of a Lodge in the Manning River district that within the last few years became extinct, and I think it was partly through the exhaustion of its funds, some of which were misappropriated by one of the members.
1270. But generally you say the Societies under you have been able to meet their financial engagements? Generally it is so.
1271. And there is a large sum of money to your credit? Yes.
1272. Amounting to how much? £22,000.
1273. With ninety Lodges? Something less than ninety.
1274. And how many members? About 5,000.
1275. In the event of a Lodge being dissolved, what provision is made for its members—does the Grand Lodge afford them any protection? It is quite competent for the members to join other branches of the Society, and that has been the usual course for them to take—to draw their clearances and join other Lodges.
1276. But suppose a member does not do so, does the Grand Lodge provide him with the benefits? It does; we have instances at the present time.
1277. In by-law No. 35 there is a provision for unfinancial members being admitted; what is the meaning and intention of that provision? It may possibly occur that a member, through some cause or other, has failed to pay his contributions within the term required. We consider a member unfinancial if he owes 13s., and by some accident he might not be able to come to his branch on that night. The following night he would be unfinancial; but under this by-law he could be admitted by a vote of the Lodge.
1278. In reference to the Society at the Manning, where the funds became reduced by reason of misappropriation, was it by an officer or private member? It was by an officer.
1279. What officer? Either treasurer or trustee.
1280. Do not you take a bond from your treasurer? There is a law to that effect.
1281. Do you take it in every case? So far as I know it is done.
1282. Was it done in this case? I am not aware.
1283. *Mr. Rubie.*] You have a juvenile branch in connection with your Society? I know an instance of a juvenile branch in the Hunter River district, but am not aware of any in Sydney.
1284. I see that upon page 71 of your rules there is something in reference to this subject? There is a desire to establish juvenile branches, but it has not been very successful.

1285. Then you are not acquainted with the working of this branch? No, I am not.
1286. Relative to the amount charged to the Sick and Funeral Fund, 6d. a week, is that the minimum levy upon the fund? That is the minimum.
1287. Are there many Lodges contributing more than that? It is only required that they should contribute that amount.
1288. Yes, but are there any contributing more than that? I am not aware of any.
1289. Have you in your experience found it sufficient to meet all demands on the fund? I think 6d. a week is scarcely equal to the amount, but in some districts it is quite sufficient. In Sydney and the Hunter River districts, however, it would be advisable that a larger amount should be paid.
1290. Then how are the funds maintained? By making levies.
1291. That is, when the funds go down to a certain distance a levy is made? A levy is made of sufficient amount to meet the current charge on that fund. If there are a number of deaths in a district the district makes a levy round the branches to meet the amount.
1292. And is that also the case on the death of a member's wife? Levies are made to meet all deaths.
1293. I see also that you provide for the death of a child? Yes.
1294. Is that particular branch working in Sydney? There are frequent claims on it.
1295. Could you give us a return in reference to that? The district officers could.
1296. The amounts vary according to the length of time? Yes.
1297. There is no special contribution to that fund? It is given out of a fund provided for the purpose, the Sick and Funeral Fund.
1298. Is there a registration fee charged for every child for which it is intended to claim the funeral donation? There is.
1299. And that funeral donation comes out of the general fund without any levy? Out of the District Funds.
1300. There is no special levy for that? The district makes a levy to provide for these funds.
1301. I see you provide here for arbitration—Have you had many cases to arbitrate on latterly? I do not remember any cases, at all events recently.
1302. Then you could not give us any information as to the competency of the mode which you lay down in your rules as to its general working? I cannot instance any case that has come under the operation of that law.
1303. Do you know of any case in other districts outside of your jurisdiction? I have no knowledge of any case of the kind.
1304. How often is a levy made to the Sick and Funeral Fund? The district makes its levies usually quarterly.
1305. And in case of funds going low they make an extra levy? They make a levy to meet the requirements.
1306. Even though a quarter has not elapsed since the levy was made? Just so.
1307. Do you admit members arriving from England on the same terms as those joining here? There are special provisions in our laws.
1308. Are they received beyond the age of 40? It is optional with Lodges to receive any member beyond the age of 40, that is by clearance.
1309. If they bring their clearances with them is it optional? Oh yes, but it is very seldom they are refused.
1310. Has each of your Lodges trustees? Each Lodge.
1311. How many are appointed by each Lodge? Two.
1312. With a treasurer? Yes.
1313. Have they the payment of all moneys in connection with the Lodge? Yes, the trustees sign all the vouchers.
1314. For sick pay? Not always for that, but for the banking of the funds.
1315. *Mr. Newland.*] What constitutes an unfinancial member—how many weeks contribution in arrear? Thirteen weeks.
1316. If a member owes thirteen weeks' contributions and they are not paid, what does the Lodge do with him? He is suspended from all benefits until he has made himself financial, and then for a period after that.
1317. If he is unfinancial for the space of twelve months what transpires? The Lodge has power to erase his name from the books.
1318. And have you not received from the districts the names of members which have thus been erased from the books? Yes.
1319. How can a member under these circumstances owe eight or ten pounds to the Society? It is impossible that he should do so.
1320. When he owes fifty-two shillings he is no longer a member of the Society then? That is so.
1321. Unless he rejoins? Yes.
1322. And if he is over the age of 40? He cannot join again.
1323. Has the Society refused individuals over the age of 40? Oh yes, cases often occur.
1324. Was there not a branch of your Society called the "Sons of Perseverance"? Yes.
1325. Is it still a branch of the Society? No, it is no longer a branch.
1326. Has it been expelled? The suspension of the Lodge took place some few years ago by the Sub-Committee of Management.
1327. Why was it suspended? For non-payment of levies and refusing to comply with the law.
1328. Did they give any reason for refusing to pay their levies? One reason was that they did not agree with the laws that were passed at the meeting held at Newcastle some years ago.
1329. Has the parent Society no means of compelling Lodges to pay their levies? I suppose they have the power to sue in the Courts.
1330. Why did they not in this case sue the "Sons of Perseverance" Lodge? I think it was from a dislike to take our business and matters into the Courts.
1331. And are the "Sons of Perseverance" still working as a Friendly Benefit Society? They are still in existence.
1332. And how do they style themselves? The "Sons of Perseverance Benefit Society," I believe.
1333. Not "Sons of Perseverance Grand United Order of Oddfellows"? Not now, I believe.

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- Mr. A. L. Smith. 1334. When did that happen? I do not know officially; but I was told by Mr. Scott, of the Registrar's Office; that they purposed changing the name of their Society, and were going to register themselves under that name as soon as their laws were ready.
1335. But they have still the dispensation and rituals that were granted by your Grand Lodge? They have them still, although a demand has been made for them by our committee. We consider they belong to our Society, according to our law.
1336. And did they refuse to deliver them up? The demand was made, but it was not complied with.
1337. Are your benefits now the same as they were twenty years ago? I believe they are.
1338. You are not aware that they have been increased—I mean the funeral donations? There was an alteration, I believe, some few years ago.
1339. You are not certain whether they have been increased? Yes, I believe they have been altered.
1340. You have already stated that when Lodges dissolve through inability to carry on their business, the members can by clearance rejoin any other Lodge in connection with the Society? Yes.
1341. *Mr. Stade.*] Do you know of any instance in which the rates of entrance fee have been in any way different from what is laid down—in opening new Lodges particularly? I believe a special scale has been made for new branches in some instances.
1342. Do I understand that answer to imply that these rules have been set aside for these special occasions? We have not done more than the laws give us power to do.
1343. Do the laws give you power to set aside this scale? There is a discretionary power.
1344. Then this scale, which purports to be your scale of entrance fees, is only a scale so far as it suits the convenience of the Society? It is the scale usually adopted.
1345. Do I understand you to mean that it is not uniformly adopted? By existing branches it is, the usual rate of fees.
1346. What cases do you know of deviation from this scale? Only in the opening of some of the new branches.
1347. And could you tell the Commission to what extent these tables have been set aside and others substituted? Only as I have said, in the opening of two or three new Lodges.
1348. Do you make the same reply with regard to age? There is no deviation in the ages of members admitted.
1349. Are you aware of any cases in which the ages returned at which members have been admitted have been other than they actually were? No such instance has come under our notice; but if a member should by making a false statement gain admission, the law gives us power to expel him.
1350. Do you know of any cases in which members forming a new Lodge have been advised to give a lesser age than they really were? Certainly not.
1351. Have you ever taken the matter of graduated contributions into consideration? No, it has never come under any serious consideration; it has been talked about, but there have been no steps taken to have any such change made.
1352. In your own judgment do you think such a thing desirable? I should be prepared to admit the desirableness of considering the question.
1353. You mentioned just now that the minimum of subscription was 1s.; how much of that is available for sick pay? There is 6d. of that always placed to the Sick and Funeral Fund.
1354. Has it been hitherto sufficient to meet all liabilities? Yes.
1355. Do you know of any instances of repudiation? No, none have come under my knowledge.
1356. Do you know of any case in which less than the sum guaranteed has been given? No.
1357. You stated that you had some £22,000 in hand—Does that represent the value of halls and other property? Yes, it is the total available assets.
1358. Do you consider that this £4 9s. a head is a reasonable amount to meet any probable liabilities you may have? The average amount would have been higher, but we have made a large number of members during the past twelve months, which has had the effect of lowering the average.
1359. You gave an item, "doctors and medicine": what was the cost last year? £3,867 11s. 7d.
1360. What provisions do your laws make for the minority in the breaking up of a Lodge? There is a lot in that question.
1361. Is a person likely to be removed from the chance of continuing his benefits by any means other than his own action? No.
1362. So long as he complies with your laws he can belong to the Order? Yes.
1363. Does the District give the same amount of sick pay as the branch does? The sick pay and funeral donations are laid down by law, and he would be entitled to them from the District if the Lodge broke up.
1364. And how would he be supplied with medical attendance and medicines? The District would provide for this; the laws provide now.
1365. Are levies made at the death of a member, his wife, or child, or are they made in the usual way each quarter in advance? The workings of the Districts can be better explained by the District officers.
1366. I will simplify the question. Who fixes the levies for the Funeral Fund? The District officers, at the District meetings.
1367. The delegates voting at the time, or have they no power of voting on that? The District officers fix the amount of the levy, knowing what the expenditure for the quarter is.
1368. Are they not made for the probable deaths of the ensuing quarter? I could not state positively.
1369. Suppose the District officers have fixed the rate of levy, have the delegates power to alter it? Not that I am aware of.
1370. Then the levies are fixed by the officers without regard to any other power? They are made by the District officers to meet requirements.
1371. And are not made at the death of each member, or wife, or child? Oh no, not generally.
1372. The Widows' and Orphans' Fund, is that optional? It is optional, yes.
1373. Have you a separate Superannuation Fund to meet cases of permanent disability? No, nothing but the usual rate.
1374. In that case does the member continue to pay into the Lodge the same as any other person? No, he is not required to pay any further.

The Commission then adjourned until Monday, 9 January, 1882.

MONDAY

MONDAY, 9 JANUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RISBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.,

WILLIAM E. LANGLEY, Esq.

Examination of Mr. Alfred Lees Smith continued:—

1375. *President.*] Do you produce a return in answer to a question submitted at the last meeting? Yes, it is here. (*Appendix D.*)

1376. *Mr. Gelding.*] How long is it, Mr. Smith, since the Grand United Order of Oddfellows has adopted the cheap initiation scale on the institution of new Lodges? I could not tell you positively, but I think from my recollection it has not been in existence more than about two or three years.

1377. I may, I suppose, presume that the reason of the Grand United Order of Oddfellows adopting this scale was through the American Order of Oddfellows and the Protestant Alliance entering into active competition with them? I am not aware that it has been specially competing with them.

1378. But your Society adopted it immediately after these Societies? We have had the power to allow it for some time past.

1379. Do your laws also provide that after these cheap fees have ceased to exist, Lodges can have the power of returning to them at intervals to suit their own convenience? Yes, I think so; a Lodge, by making application to its District, may obtain permission; but it is necessary to obtain the permission of the District to adopt a lower scale of charges for a certain period, and even there is a restriction as regards age.

1380. You hardly catch the gist of my question, which is that a Lodge opening charges half-fees for a month, and then returns to the proper fees laid down in the rules for a certain time, and then again returns to the half-fees—do you allow them to do that? I have no recollection of any instance occurring of that kind.

1381. I presume no Lodge dare do anything contrary to your rules? It would have to be done with the permission of the District Secretary.

1382. What is your opinion as to the desirableness of allowing them to do this? I should not hold with it in the case of a new Lodge, but it might be necessary with an old-established Lodge that was wanting new and younger members.

1383. What is your opinion as to the justice of it to those who have joined in the interim, and who have paid the full fees? It would be by the voice of the Lodge and the majority of members; and if the majority of the members agreed I do not see that there could be any objection.

1384. Do you think that it is in any way proper to allow Lodges to have the power of doing it? I believe that in some instances it has been shown to be beneficial.

1385. I see in your returns that the Grand Division have the power of voting certain sums out of the Grand Lodge Funds to new Lodges to assist them; is that true? Our law gives us the power of contributing somewhat towards the expense of opening Lodges.

1386. You mean to say that you offer a premium to Lodges that wish to be opened in the shape of a money rate? No, not so.

1387. What Lodges in the Sydney District received the amount of £15 set out in your report as having been given? There has no such sum been given, except it be to some outside Lodge. It would not be to any particular Lodge, though there might be a number of Lodges. I do not remember the circumstance.

1388. But you are Grand Secretary; have you not command of the cash books? Yes, but I have not them here.

1389. *President.*] Are these amounts voted to the Districts generally? Yes.

1390. *Mr. Langley.*] Does that cover all the advances to the various Lodges, no matter how many have been opened in the District; it is not for any special Lodge in the District? No, certainly not; some Lodges are opened at a great distance, and we have to incur expense in opening them and paying officers' expenses.

1391. *Mr. Gelding.*] You mean to say that the Grand Lodge pays the cost of opening these new Lodges? No, not entirely.

1392. Are you aware of posters being distributed about the streets in Sydney offering very special advantages to members joining? Not except in the matter of half-fees at the institution of a new Lodge.

1393. I see you have some neutral Lodges in your district—how are they managed? They have the management of their affairs entirely in their own hands, excepting that they are attached to the Sub-Committee of Management.

1394. What amount do they pay to the Grand Lodge? They pay a levy for ordinary expenses, the same as the Districts or other Lodges.

1395. Are you aware that in some of these new Lodges instructions have been given to medical officers not to be particular in their examination? I am not aware of any such thing, and should decidedly say it was not the case.

1396. I see that in the Braidwood District there are 976 members, and their capital is £1,070.—How do you account for the smallness of that amount? That is simply in the Widows and Orphans' Fund; twelve months ago their funds were nearly £4,000, and they have improved since then.

1397. Can you inform the Commission what was the average per head last year? I think it was about £6; it was in one of the reports I put in evidence.

1398. How often do your Directors attend the Grand Committees? Every three months.

1399. How are they paid? The town members are paid 2s. 6d. for each meeting, and country members, of which we have only one on the Committee, get mileage and a rate per day.

1400. Do you not summons these others from the Manning River District and the Braidwood District? For the sake of economy they prefer to be represented by persons living in Sydney.

1401. *President.*] That is, they were represented by proxy? Yes; at the annual meeting those elected to represent (say) Braidwood District prefer to nominate some friend belonging to a Branch in Sydney to represent them, so that he is paid only as a city member.

Mr.
A. L. Smith.
9 Jan., 1882.

Mr. A. L. Smith. 1402. *Mr. Gelding.*] Does that have the effect of positively throwing the whole management of the Order into the hands of members of the Sydney District? No, not entirely, because we had recently two instances of members on the Board who were contributing to the Districts they represented though they were Sydney residents.

9 Jan., 1882.

1403. You have had some experience in Friendly Societies, I presume, considering the nature of the office you hold? I have gained some little knowledge.

1404. What is your opinion of the sliding scale system now adopted by the large Societies in Great Britain? My attention was called before to that point, and I then stated that I considered it was desirable that a system of that sort was worth all consideration. It has not come before our Board in any way.

1405. Are you of opinion that the system under which your Society is acting at present, that is, the half fees, and returning to them again, and offering these great advantages, which no doubt you are doing, tends to create a sound financial system? I cannot see that it has done our Society any injury.

1406. But do you consider two years' experience is sufficient for you to gain any experience of its value? I know that good has been derived from it in that time.

1407. Are you aware that in some of the Societies that have been working on the same system the Lodges are virtually insolvent? No, I have not heard that, but our half-fees are but little below the full fees of the Manchester Unity.

1408. *Mr. Langley.*] What is the proportion of the number of those leaving membership in your Order to that of initiations? I could not give you that information now.

1409. Could you supply us with a return giving the information? It could easily be ascertained from the returns.

1410. *President.*] Perhaps you will add that to your evidence when it is sent to you? Yes, with pleasure.

1411. *Mr. Gelding.*] I see that any Districts or neutral branches failing to send representatives is liable to be fined £5—do you ever put that rule into force? I do not know that it has ever been put in force.

1412. Do you think you could make them pay it if you wished to do so? I suppose we should have a difficulty in getting it.

1413. *President.*] You have handed in a return showing the ages of members at time of death and the amount of funeral donations, with other information; in the first column I see the word "Ages," what does that refer to? The age at time of death.

1414. But did we not ask you to furnish a return of the ages of persons when initiated into the Order—one is no use without the other? I am sorry I did not understand that.

1415. Will you kindly supply that information? Yes, I will do that.

1416. Is there anything you would like to say yourself to the Commission? No, I do not think there is at present.

1417. I believe you are of opinion that some amendment of the law is required? Yes, as far as I stated on the last occasion.

The Commission then adjourned until Friday, 13th January.

FRIDAY, 13 JANUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
EDWARD J. RUBIE, Esq.,
PHILIP RISBY HOLDSWORTH, Esq.,
WILLIAM E. LANGLEY, Esq.

Mr. Richard Cannon sworn and examined:—

Mr. R. Cannon. 1418. *President.*] What position do you occupy? I am Grand Secretary of the Independent Order of Oddfellows.

1419. How long has the Order of which you are a member been in existence here? Since January, 1877, so far as I am aware.

1420. How long have you been Grand Secretary? From last October twelve months—since the Grand Lodge was instituted.

1421. And has the Grand Lodge of New South Wales only been instituted within the last fifteen months? That is all.

1422. No Grand Lodge existed previously? No.

1423. Was there any central governing body in respect to Lodges? The Grand Lodge of Victoria.

1424. I suppose all the correspondence and business in connection with the Order goes through the governing body now in Sydney? Yes, sir.

1425. How many Lodges are there now in connection with the Order? Twenty-four.

1426. And about what number of members are there? 1,463.

1427. They are divided into how many Lodges? That was the result of twenty Lodges last September; since then we have had four additional Lodges instituted.

1428. Where are these Lodges held—what parts of the Colony? Sydney and suburbs, Newcastle, Goulburn, Mount Victoria, Penrith, South Creek, and Albury.

1429. Have you districts in connection with your Order? Yes.

1430. What are the districts? They are appointed by the Grand Master.

1431. Could you tell us where they are situated? I could not—it is a matter within the province of the Grand Master alone.

1432. I presume you keep records of all the proceedings? Yes.

1433. And when the Grand Master appoints a District? He appoints an officer for each separate District.

1434. And have you no record of that? I have a record of the officers appointed.

1435. But are the Districts divided? They are not subdivided distinctly.

1436. Have you any Districts at all? Yes, sir.

1437.

1437. Will you kindly name some of them ; is Sydney a District? No, sir ; there are various District Deputy Officers appointed over different Lodges ; one might be in the South Head Road and another at North Shore.

1438. Do these Lodges in different parts of the Colony communicate direct with you, or with some local body or person appointed by the Grand Master? As to the routine of clerical work they correspond direct with the Grand Secretary, but with regard to points of order they communicate with the District Deputy, and he communicates with the Grand Master.

1439. You have annual communications, have you not? Yes.

1440. Are they movable? No, not yet, for we have only had one.

1441. Are they always held in Sydney? The only one we have yet had was held in Sydney, but the majority may appoint the place of meeting—it may be movable.

1442. How are these subordinate Lodges represented at the Grand Lodge? By officers ; one officer who has filled the chair of Noble Grand, one officer for the Charter, and one for each fifty members, or major part of fifty members.

1443. Do these subordinate Lodges attached to your Order make their own rules and by-laws? Here is a copy of the Constitution, which is binding on all Lodges ; but, supplementary to this, a Lodge may make by-laws, sanctioned by the Grand Lodge, so that they will not conflict with the Constitution.

1444. Now, in these by-laws, do they fix the amount of contributions to the Sick Fund and the Funeral Fees? Yes, that is fixed in the Constitution.

1445. But what I want to know is whether the Lodges are permitted to fix these fees for themselves? No.

1446. They must adhere to the scale fixed by the Constitution? They must.

1447. Have you a book here of your Constitution? Yes, sir, I have. (*Constitution produced.*)

1448. Could you give this Commission any information as to the ages when the respective members have been admitted into the Order, and the ages when they died, if any have died? Yes ; I have not the returns with me, but I could supply all that.

1449. What we want to know is numerically the number of members who have been admitted, and their ages at the time of admission and at death ; could you furnish that? Yes.

1450. Is it within the knowledge of the Grand Secretary? Yes.

1451. I suppose that in all Lodges the parties have to make a declaration as to their ages? Yes, they are supposed to declare their ages when under examination by the medical officer.

1452. Then is that information furnished to the Grand Lodge? Yes.

1453. Then do not you also know the ages at which the members died? The ages are all sent in on the returns.

1454. Could you furnish the Commission with a return showing the respective ages of persons when they were initiated, and at which they died? I should have to send to Victoria for the information.

1455. Have you no record here in any of your books? I have a record of those since October, 1880.

1456. Would it be very much trouble for you to write to Victoria asking them to supply the information? No.

1457. I think you stated that your book of Constitutions would furnish information as to the amount of Contributions, Sick and Funeral Funds, and so on? Yes.

1458. These funds, I presume, are kept separate, are they not? Yes.

1459. Do you ever make any special levies in your Order? We have the power to do so, but we have not done so yet.

1460. You have found the contributions sufficient without resorting to special levies? Yes.

1461. Have you any sliding scale in connection with your Order? No.

1462. Could you tell the Commission what amount of money you have to the credit of the Order now? To the credit of the Funeral Fund, £814 3s. 4d. ; and Incidental Fund, £8 8s. 8d.

1463. *Mr. Holdsworth.*] You have a Sick Fund? We have no Sick Fund in the Grand Lodge. These are the funds received by the Grand Lodge on a capitation of 2s. per member per quarter for the Funeral Fund. The Sick Fund is managed by the subordinate Lodges, and there is about £1,900 to the credit of the Sick Fund ; but I have only the returns up to last June.

1464. *President.*] For greater accuracy it would be better that you should supply us with a return in reference to this ; will you do so? Yes.

1465. This Incidental Fund, what is that? It is for management expenses. Each Lodge pays 9d. per member, per quarter, to the Grand Lodge for management expenses, and 2s. per quarter to the Funeral Fund.

1466. Could you tell us what the expense of the management was during the year? I have in my books taken the time from which the Grand Lodge was instituted, October, 1880, to June, 1881, as the first half-year, and from July 1st till December, as the second half-year.

1467. What was the expenditure between these dates? £338 1s., and this includes some £150 for goods, and so on. I could give you the Management Fund of the Lodges ; for the six months ending June 30 it was £308 2s. 6d. ; that covers eighteen Lodges. The total income for these Lodges during the same period was £1,861 3s. 10d.

1468. I suppose you are acquainted with the Friendly Societies Act? Yes.

1469. You are aware that certain returns have to be sent in to the Registrar during each year? Yes.

1470. Have the subordinate Lodges and the Grand Lodges complied with this law? I have sent in the returns for the Grand Lodge.

1471. Do the returns from subordinate Lodges come through you, or are they sent direct to the Registrar? They ought to come through the Grand Secretary, but the Registrar of Friendly Societies seems to give an audience to all who will go to him.

1472. Then you do not know yourself whether that part of the law has been complied with in respect to your subordinate Lodges? No.

1473. Is there anything in your Constitution which makes it imperative on the subordinate Lodges to send returns through the Grand Lodge? Yes, there is a clause in our Constitution which says that the Grand Secretary shall be the medium of communication between the Registrar and the Lodges.

1474. Have you ever attempted to enforce that in regard to subordinate Lodges ; that is, to compel them to send returns through the Grand Lodge instead of direct to the Registrar? No. I have got the forms now, and have issued them to the Lodges, telling them that they should return them to me, to be sent in to the Registrar.

Mr.
R. Cannou,
13 Jan., 1882.

Mr.
R. Cannon.
13 Jan., 1882.

1475. Having made yourself acquainted with the law regulating Friendly Societies, is there any particular clause or portion of that law that you could suggest to the Commission requires amendment or alteration? Yes.

1476. Will you just state briefly the clauses you refer to? As regards the returns from the Friendly Societies, they are not specific enough. In the old forms of return—I have filled them in myself, and sent them in—Doctors' and Medical Benefits together were included in the Management Fund. Then, according to these new returns, entrance or initiation fees are in common; now, in our Order, we apportion a certain part of these to the Sick Fund and part to the Incidental Fund; but the returns only give the contributions to the Sick and Funeral Funds. I am showing you this to show how imperfect these returns are; you cannot possibly arrive at either the income or expenditure of the Lodges by them. Another great fault in them may be shown thus: in many Lodges we have a doctor who may be attending three or four or a dozen members belonging to other Lodges, and the expense thus incurred would appear under the head "Expenses for medical attendance." In Victoria I tried to make myself acquainted with the Societies there, and these beautiful forms which I produce (*Appendix E*) show the "amounts paid for attendance on and medicines for members of other Branches." By our form a false income is shown and a false expenditure.

1477. The forms you refer to were those which have been issued by Mr. Oliver? Yes, they are a great improvement, but they are capable of still further improvement. These I hold in my hand (the Victorian forms) would be well worthy of the consideration of the Commission.

1478. Is there any other suggestion you would like to make in reference to these forms? No, I consider that, were these to be adopted and compulsorily passed through the Lodges, it would save a great deal of possible swindling on the part of Secretaries and others. It is quite possible now for the Secretary to make a balance-sheet for his Lodge, and to send a fictitious one to the Grand Lodge.

1479. Do you know in any special or general way of any alteration you could suggest in the law as it now exists in the Friendly Societies Act; are there any particular clauses that you have paid special attention to that you think require amendment? No.

1480. Do you think the law is defective, or is it the practical working of the Registrar's Office under the law that is defective? I could not give an opinion.

1481. *Mr. Smith.*] How long have you been identified with the Order as Grand Secretary? Since the establishment of the Grand Lodge, in October, 1880.

1482. Your governing body is not situated in this Colony, is it? Our local governing body is.

1483. Your supreme governing body is not situated here? No.

1484. Where is it situated? There is one supreme body which is recognized by the delegates from all the Australian Colonies, called the Grand Lodge of Australasia.

1485. What part of the world is it situated in? It is composed of members of the various Grand Lodges of Australasia; but for ordinary intents and purposes the Grand Lodge of New South Wales is supreme in the Colony.

1486. I understood you to say that you would have to apply or write to Victoria, to a Lodge there, for some information; how does that arise? The Lodges here were subordinate to the Grand Lodge of Victoria till we found ourselves sufficiently strong to have a Grand Lodge of our own.

1487. Then your Grand Lodge is not paying contributions to any other Grand Lodge in any other part of the world? Yes, we pay an assessment of 1d. per member to the Grand Lodge of Australasia.

1488. That is situated where? It is movable, holding triennial sessions.

1489. In the event of a number of your subordinate Lodges having to collapse through a run upon their funds, what would be the position of its members towards the Grand Lodge? It is mentioned in the Constitution, but it is a question that I have not considered. Section 68 says that if a subordinate Lodge shall be expelled from or shall sever its connection with the Order —

1490. Yes, but that is not what I meant. If one or more of your subordinate Lodges collapses through a run upon its funds, and has to surrender to the Grand Lodge its warrant or charter, what is the position of the members left with reference to the Grand Lodge of New South Wales—how do you provide for them? Before a Lodge could come into that state the Grand Lodge would order levies to be made from the members.

1491. But in the event of having done so and all resources having failed, how would those members be protected by your Grand Lodge for the contributions they had paid? That is a question I cannot answer just now.

1492. *President.*] Does the Grand Lodge undertake the liabilities? Yes, we undertake the liabilities so far as it would be in our province and means as a Grand Lodge.

1493. *Mr. Smith.*] What are the advantages arising from being connected with the supreme Grand Lodge, for the maintenance of which connection a sort of fee is extracted from each member? It is for unity of government.

1494. Only that? Yes; and the fee is simply to pay for representation.

1495. You stated, in answer to the President, that your Grand Lodge fixes the contributions that are to be paid to all your subordinate Lodges? Yes, the Constitution provides for that.

1496. Provides that a certain standard of contribution shall be paid? Yes.

1497. Is it a uniform rate of contribution for the whole Colony of New South Wales? The rates are different—members on the doctor's list pay 1s. 3d.; those not on the doctor's list pay 1s.

1498. And that is the uniform rate adopted for subordinate Lodges in the Colony? Yes.

1499. Do you find that ample to meet all requirements in the country districts, where doctor's fees and medicines are very expensive? Yes.

1500. *Mr. Godding.*] You have told the Commission that, although you hold your position of Grand Secretary, the majority of documents never come through your hands? I did not state that.

1501. You said that a great quantity were sent to the Grand Master? I stated that matters of points of order and so on might be addressed to the District Deputy for the Grand Master.

1502. And do not they come through your hands first? No.

1503. You stated just now that the weekly rate of contributions is—for members on the medical list 1s. 3d., and non-medical 1s.; is that the fact? Yes.

1504. Are you aware of any Lodges that only pay 1s. for all these benefits? No.

1505. Are you aware that the Ashfield Lodge only pays 1s.? No.

1506. Are you aware that on account of the low rate of contribution paid to that Lodge they had to ask for money to pay sick allowances? From whom?

Mr.
R. Cannon.
13 Jan., 1882.

1507. From the Grand Lodge? They have never done so.
1508. Is this (*document produced*) your balance-sheet? For December, 1880; it is a statement of the Lodge Funds.
1509. I see by this that there is a majority of Lodges in the Order in debt to the Incidental Fund; is that correct? They were indebted then.
1510. How do they stand at the present time? I have not got the returns in yet for December.
1511. Have you them up to September? I have.
1512. Could you inform the Commission whether there is any improvement? Oh, there is a great improvement in them.
1513. Could you tell me the Lodges indebted to the Incidental Fund then? There is No. 1. In some of the Lodges the Funds are not divided.
1514. Then you cannot give the information I ask for? Not for the whole of them.
1515. You stated to the Commission that if the Victorian returns were brought into vogue here it would possibly do away with Secretaries compiling fictitious balance-sheets? Yes.
1516. Are your balance-sheets audited before being sent to the Registrar? They should be.
1517. But are they? The issued form requires that they should be.
1518. As Grand Secretary of this Order, are you not in a position to say they are duly audited? They are duly audited.
1519. Can you give us the average per head per member up to last December, of the total funds—or (say) last September? The Subordinate Lodges had in hand about £1,900 in June, and the Grand Lodge £822 12s. in December last.
1520. As to this Grand Lodge, to which a capitation tax has been remitted, has a session ever been held in New South Wales? Oh no; it has only lately been formed, and there has only been the one meeting.
1521. What Colony, since the Order has been in existence, has this money been remitted to? To Victoria, the one remittance.
1522. Are you aware that it is contrary to the Friendly Societies Act for Lodges here to have anything to do with Victoria, or to be in any way governed by the rules they may frame? I am not aware of it.
1523. Have you ever studied the Friendly Societies Act on that point? No, not on that point.
1524. I see that each member pays 2s. a quarter towards the Funeral Fund levy, and 9d. to the Incidental Fund levy; can you tell me the average most of the Lodges pay for medical benefits? The average is about 6s. 3d. a quarter.
1525. That, I presume, means more in Sydney than in the country districts? I am not aware of what every Lodge actually does pay; I know some pay more and some less; some pay 6s. 6d. and others only 5s. 9d.
1526. And in the country districts? I am not aware what they pay.
1527. Are you aware that they pay at least 7s. a quarter? I am not aware of it.
1528. Are you of opinion that your average per head is sufficient to meet all your liabilities; that is something like £3 a head of the total value of the funds? Well, if the members were all young and we were continually making Lodges I think it would be ample; but when a Society grows large and is not making new members, then I notice by statistics that were it not for the large amount of interest derivable from investments Lodges could not be continued. For instance, taking the returns from Victoria of the Manchester Unity, which there numbers about 13,000 members, and has about £180,000 in funds, I find their funeral and sick pay was £800 more than the amount of income; and were it not for the large amount of interest they received they could not have met their claims; but their interest amounted to about £9,000.
1529. *President.*] Do you mean the interest on capital invested by the Society? Yes.
1530. *Mr. Golding.*] You have taken an interest in the working of Friendly Societies in Victoria? No; but I have the returns with me. I was down in Melbourne a fortnight ago and got the information, as I thought it might be useful to the Commission.
1531. You look upon the forms and everything connected with the Societies in Victoria as being patterns to go by? I do certainly.
1532. What is your opinion of the general workings of the Orders in Victoria? I do not know much about them, but if I take these elaborate returns I see that they afford all the information necessary respecting members dying; and the ages are given. Every member in a Friendly Society there has a number, by turning to which every particular can be found, such as when he was married, and so on. These particulars can all be found by a simple reference to this number.
1533. Are you aware that the Registrar in Victoria thinks £10 a head is not more than sufficient? I do not know the gentleman, and I do not know what his opinions are.
1534. Have you studied the Act at present in existence in New South Wales? I have read it two or three times.
1535. Have you ever considered it advisable that a lot of the clauses should be altered? No.
1536. *Mr. Slade.*] You spoke of special levies: are they regulated by the will of the Grand Officers, or are they fixed by the delegates assembled? They are fixed by the desire of the Grand Lodge.
1537. Who fixes the amount of the levies? The Grand Lodge.
1538. The officers, or officers and delegates combined? The Grand Lodge; and when the Grand Lodge is not in session, the Standing Committee.
1539. What forms your Grand Lodge in this Colony? Representatives who have been through the Chairs in subordinate Lodges.
1540. Do these representatives have any voice in fixing these levies? No, unless when the Grand Lodge is in session.
1541. What levies do they fix then, not being in session? There has never been a levy made up to the present time; the two shilling levy for the Funeral Fund is fixed by the general rules.
1542. And is the ninepenny levy movable? Yes, it is movable, and is fixed annually by the representatives of the Grand Lodge.
1543. Then when you speak of special levies, you mean levies arising out of some sudden emergency which the officers have the power of fixing in the intervals between the sessions? Yes.
1544. Does your Order offer any special advantages to the founders or opening members of a new Lodge? No.
1545. Not in the amount of admission-fee or as to age? The scale is proportioned according to age.

- Mr.
R. Cannon.
15 Jan., 1882.
1546. Is there no advantage like half-fees extended to opening or founding members of your Lodges? Yes, there are half-fees when new Lodges are opened.
1547. Does the advantage extended to opening members or founding members extend to their ages? To all ages.
1548. I mean do you allow a greater limit for ages at that time than at any other time? No.
1549. Have any of your Lodges broken up since you have registered the Order in this Colony? No.
1550. Have your Lodges at any time repudiated the claims for sick pay made upon them? No, not that I am aware of.
1551. Does 25s. a year represent the average amount your Lodges pay the doctors? About 25s.
1552. And 11s. a year is the annual levy to the Grand Lodge? That is the levy.
1553. Do management expenses, salaries, other expenses, and things of that sort come to more than about 3d. per member? The management expense amounted to £308 for the half-year.
1554. Can you give us any information as to the amount it costs for management expenses per individual member in each Lodge; do you think 3d. per quarter would represent a fair average cost? It would not pay.
1555. Do you think 13s. 2d. a year per member would represent all the management expenses of a Lodge? Yes, that ought to pay for the working.
1556. You say your income is 65s. a year? Yes.
1557. Then, as these amounts represent 49s. 2d. a year out of the whole contributions, there is a balance of 15s. 10d. for sick pay; in your opinion is that sufficient? No, it is not sufficient. We pay 30s. to the Sick Fund and Funeral Fund, and, deducting from this the 8s. rent to the Grand Lodge for the Funeral Fund, there is 22s. left for the Sick Fund.
1558. Will you admit 25s. for the doctor and medicine, 11s. for levies, and 22s. for sick pay; this amounts to 58s., leaving 7s. as a balance—Is that sufficient to manage your Society per head? You are counting the 8s. twice over; it is included in the sick pay.
1559. Does your Grand Lodge provide sick pay for your members? No.
1560. Does not the Lodge itself pay its sick pay out of the balance of money after you have paid the levies and doctor? Yes.
1561. Then, how can the 8s. comprise your sick pay? I misunderstood your question.
1562. After you have paid your levies and management, doctors and medicine, is not the remainder devoted to claims for sick pay? No.
1563. To what other purpose? To the Incidental Fund. We put aside a certain fixed amount for each financial member per month for sick pay; we allow half-a-crown per month.
1564. *President.*] I suppose you have had balance-sheets; have you had them printed? Yes, we shall have them printed.
1565. When done will you send one here? Yes.
1566. That will show all the balances? Yes.
1567. And will you send copies of the rules, too? Yes.
1568. I want to ask you whether these contributions and rates to the Sick and Funeral Fund have been submitted to an actuary to decide as to whether they are sufficient? They have in Victoria.
1569. That is, their dues you have fixed here? Yes.
1570. And has he decided that they are sufficient? Yes.
1571. *Mr. Slade.*] Do you keep the Sick, Funeral, and Management Funds separately? The Sick and Funeral in one, with separate management.
1572. Have you any separate Pension or Superannuation Fund? No.
1573. *Mr. Gelding.*] Are you aware that the Government actuary in Victoria has refused to certify any Friendly Society's scales as being sufficient to meet the liabilities? I am not aware of it.
1574. Can you inform me what actuary there certified yours? No.
1575. *President.*] Was it Mr. Hayter (the Government Statist) or a private actuary? A private actuary.
1576. *Mr. Newland.*] Have you any other body of management above you besides the supreme Grand Lodge of Australasia; I see something about a Sovereign Grand Lodge? The Sovereign Grand Lodge we acknowledge is the supreme Grand Lodge of Australasia.
1577. And you really pay no capitation tax to any Grand Lodge other than this held in Australasia? No.
1578. What is the cost of regalia in your Order? I could not answer that question; some members buy the material and make the regalia themselves.
1579. I mean the regalia worn by the Lodge officers—the Lodge regalia? From £9 to £10.
1580. And are all the Lodges supposed to get a set of regalia? Yes.
1581. What is about the probable cost of opening a new Lodge, including regalia, books, ceremonial rituals, and everything complete? It might be done for about £25.
1582. That would include instructing officers' expenses, advertisements, printing, and everything else? Yes, it would include everything.
1583. And is this charged to the new Lodge? Yes.
1584. Are you in favour of a graduated scale of payment? Yes, I would be in favour of it.
1585. *Mr. Langley.*] Has the Grand Lodge of Australasia any other province as regards the Grand Lodge here, except that it is an appellate body? That is all.
1586. Are you aware whether, under your rules, it has ever been compulsory to institute a special levy to meet current expenses? I am not aware.
1587. In your position as Grand Secretary has it ever come within your knowledge? No.
1588. If it had been, would you have known it? Oh yes.
1589. Then, judging from the results so far, has the scale of charges been such as to induce you to say to this Commission that it works satisfactorily, and that the results as regards the future seem to be assured? Yes, that is my opinion.
1590. The Funeral Fund is guaranteed by the Grand Lodge, I understand? It is guaranteed by the Grand Lodge to the subordinate Lodges.
1591. Has the Grand Lodge anything to do with that fund except as custodians of it—does it form a part of the Grand Lodge Fund? No, it is a special fund.
1592. Do you know any case throughout the Colony in which any contribution rates have been made specially, or is it the case throughout the whole of the Colonies that one single rate prevails, without regard

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- to circumstances or persons? There are half-fees for initiations at the opening of new Lodges, but the contributions are always 1s. 3d. and 1s.
1593. Then is your scale of charges for initiations and contributions strictly adhered to throughout the Colony? I am not aware of any variation.
1594. Is there any Lodge that is allowed to charge less than another? No, that is not allowed.
1595. How do the Lodges generally manage with their balance-sheets? They are examined and signed by three auditors.
1596. Have you any other guarantee for their correctness? There is then an audit committee of the Grand Lodge who examine them again.
1597. Do you consider this a sufficient guarantee, or would you think it advisable to act as they do in Victoria and provide Government auditors? I certainly, from my own experience, state that it is not sufficient.
1598. Could you suggest to the Commission any better plan? The best plan would be to have such sheets as those of the Victorian Registrar.
1599. Could you suggest a better plan of auditing the accounts so as to see that they are kept correctly? Certainly, to have a Government auditor.
1600. What is your number of members? 1,463.
1601. Did you state the management expenses of the subordinate Lodges? £308 2s. 6d.
1602. And the income was £1,861 3s. 10d.? Yes, that is the returns for eighteen Lodges.
1603. *Mr. Holdsworth.*] I think you stated that your contributions were 1s. and 1s. 3d. per week? Yes.
1604. That is 52s. and 65s. per annum, is it not? Yes.
1605. Your Grand Lodge levies are? 3s.
1606. Did you say you paid for medical men and medicine about 25s.? Yes.
1607. And funeral levy 8s.? Yes.
1608. And you laid aside £1 2s. for sick pay? Yes.
1609. That makes £2 18s. altogether? Yes.
1610. And leaves 7s.? Yes.
1611. How, then, did you pay at the rate of 8s. or 8s. 6d. per member for working expenses? I cannot account for it, unless from the fact that in addition to the 65s. there are members initiated, and part of the initiation-fee goes to that fund. The expenses have been rather heavier than they should have been, because a lot of money has gone for regalia and the opening of new Lodges—expenses that will not occur again.
1612. But in the other case where members are not on the doctor's list you stated the receipts per head were 52s. a year? Yes.
1613. The levy is 3s. still? Yes.
1614. The funeral levy 8s. still? Yes.
1615. And sick pay £1 2s. still? Yes.
1616. That makes a total of £1 13s., leaving a balance of 19s. to be appropriated for expenses? Yes, that is the case.
1617. *Mr. Langley.*] And honorary members contribute to the funds of the Lodge, do they not? Yes.
1618. They get no benefits whatever? No.
1619. *Mr. Holdsworth.*] Do I understand that you are not satisfied with the system of audit at present? I am not.
1620. What would you think of having the whole of the returns made up through the Grand Secretaries, and a declaration being filed with them? That would be the proper procedure.
1621. *Mr. Gelding.*] How many members have you who do not avail themselves of the medical benefits? I could not tell you.
1622. *Mr. Greville.*] I presume the Grand Lodge has not any funds for investment? We invest the Funeral Funds.
1623. And how are these funds invested? Principally in the Savings Bank.
1624. Is there any regulation of your Order directing how they shall be invested? The Trustees invest the money.
1625. But I mean as to the nature of the security, or is that left entirely to them? It is in the hands of the Trustees, with the sanction of the Grand Lodge.
1626. And as a matter of fact, how are they invested? In the Savings Bank, and in other Banks in the Colony.
1627. *Mr. Smith.*] You stated just now that the two audits through which your accounts pass are not a sufficient guarantee as to their correctness? No, that is my opinion.
1628. Would you favour the Commission with what induces you to give that as an opinion, because I presume what will apply to your Order will apply to all others? I came to that conclusion from facts that have come under my notice. Balance-sheets have been prepared and submitted to me, and I have found on examination of the books that another balance-sheet was laid before the Lodge. I found that the one was audited and sent in as the correct one, when there were actually more funds than was stated.
1629. Was this through carelessness or the want of competency on the part of the persons who acted as auditors? Through the want, in my opinion, of proper returns—proper forms for giving information.
1630. Then this inaccuracy that occurred in the auditing was brought about from the fact that the returns supplied by the Registrar are not ample? Yes.
1631. And until they are remedied you will not look upon your auditors' reports as being perfectly correct? I do not think they are incorrect, but they may be.
1632. But you have known a case or two in which they were incorrect? I know of one.
1633. And you think that this has been brought about by the Act being faulty, and by the non-supply of proper returns? I do not say that; but if proper returns were prepared the difficulty would be obviated.

The Commission then adjourned until Monday, 16th January.

MONDAY, 16 JANUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,
PHILIP RISBY HOLDSWORTH, Esq.,

JAMES F. SMITH, Esq.,
JOHN DAVIES, Esq., C.M.G., M.P.,
FRANCIS ABIGAIL, Esq., M.P.,
EDWARD J. RUBIE, Esq.,
WILLIAM E. LANGLEY, Esq.

William Edward Langley, Grand Master of the Independent Order of Oddfellows, sworn and examined:—

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1634. *President.*] You are a member of the Independent Order of Oddfellows of New South Wales? I am.

1635. What position do you occupy in the Order? That of Grand Master.

1636. I presume you have Lodges in various parts of the Colony? Yes.

1637. And are they governed by a Grand Lodge in Sydney? They are governed by a Grand Lodge in Sydney, and by their rules and regulations, a copy of which you have got, and which are certified by the Registrar. I may correct an impression that seems to be abroad that this is an American Order. It is the oldest Friendly Society there is in the Colonies; it was established here much over forty years ago, and has been in existence in Victoria for nearly the same length of time. It was established here as under the authority of the Grand Lodge of England, and from Sydney they received in all the Colonies warrants to open Lodges, and subsequently Grand Lodges. I myself have been a member of the Order since 1855.

1638. How long is it since the Grand Lodge was established here? I think the first Grand Lodge session closed on November 1st, 1880; prior to that time all the Lodges worked under Charters from the Grand Lodge of Victoria.

1639. The Grand Lodge here is still subject, is it not, to the Grand Lodge of Victoria? It is not; we act quite independently of anybody, with the exception of the Grand Lodge of Australasia, to which any appeals may be taken for revision.

1640. What is the Constitution of the Grand Lodge of Australasia? It is formed by the representatives from each of the Grand Lodges of Victoria, South Australia, Tasmania, New Zealand, and New South Wales.

1641. Then do I understand that it is more a Court of Appeal than otherwise? Only that; and, in order to support it, a penny per member per annum is levied, that amount being more than repaid by the Grand Lodge paying the expenses of the delegates or supreme Grand Lodge representatives who attend. They are paid mileage and *per diem*.

1642. Have you any Districts attached to your Order? Not in the ordinary sense. As Grand Master I appoint Districts; that is to say, Districts consist of one, two, or more Lodges presided over by a Past Grand. He is in no way a member of either of the Lodges, but is there simply to see that the Constitution is carried out in its integrity, to give the passwords, and report to me, or to the Grand Master, any breach of the rules, or any breach of this Constitution. All the work in connection with the Lodges is done through the Head Office in Sydney; and to the Grand Lodge is sent the whole of the moneys for what is known as the Funeral Fund; and by the Executive Committee of the Grand Lodge that money is handed over for investment by the Grand Lodge Trustees, in such manner as they may direct in accordance with the Constitution.

1643. Then, as I understand it, the Lodges communicate direct with the Grand Lodge in Sydney? They do.

1644. And not through these District Past Grand Masters? No, except on questions of law or in an appeal against their decisions.

1645. Are there any geographical limits to these districts? None.

1646. These Lodges have power, I believe, to fix their own contributions? No.

1647. Then these contributions are fixed by the Grand Lodge? They were fixed by the Grand Lodge in session and submitted to the Registrar of Friendly Societies, and these terms are laid down in sections 110 and 111 of the Constitution.

1648. Then these subordinate Lodges have no power or discretion in fixing the amount of fees? None whatever; it is the act of their representatives in Grand Lodge session assembled.

1649. Now these fees, contributions, Sick and Funeral Funds, thus fixed by your regulations—could you inform the Commission from what data they were fixed, or whether it has been ascertained that they are ample to meet any demands there might be on the Order? Yes; some years ago, when I was Grand Master in Victoria in 1861, we had the opinion of a gentleman, a member of the Order—I think a Mr. Martin,—to go through the proposed scale and say what was the lowest scale upon which, under the circumstances and knowing the working, we could work, and I think that, as nearly as possible, this is the scale he then laid down as a minimum; at that time we were not under a Friendly Societies Act, and I was opposed to making the Order a mere Benefit Society.

1650. And this Mr. Martin, was he an actuary, or a man who understood these things? I am almost certain he was a professional—Mr. Montgomery Martin; he is, I believe, now dead.

1651. Do you know as a fact whether the ages of the members of the Order, and the deaths, and the amount of sickness, and so on, was furnished to him as data to go upon in making his calculations? No, I do not think they were; but I will tell you what was furnished, and that is—the workings of the various Lodges for a given time, the number of members, and the results taken from one period to another, without reference to ages; because, looking upon it from a question of age, you may take a young Lodge now, and that Lodge will be in a worse position actuarially than a Lodge of much older persons. Taking the ages would be fallacious, because that would imply that the Lodge was going to remain constantly in the same position as regards ages. Take a Lodge from one year's end to another, and you may get an idea of its workings on the whole, but the ages appear to me to have very little to do with the matter.

1652. But is not a young man more desirable as a member than an older man? Undoubtedly, but you cannot keep him young always; you have to allow for young men coming in and others getting old. In addition to this, old men take more interest in the working of the Order than the young men.

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1653. I suppose you have paid some attention to the Friendly Societies Act? I have; before I registered this Constitution I went through it very carefully.
1654. Do all the returns that are sent in to the Registrar from the Lodges under your Order come through the Grand Lodge? They should do so.
1655. But do they? Until I read Mr. Oliver's evidence I was under the impression that they came in regularly; and I have in one instance suspended the Charter of a Lodge for not sending them in.
1656. You are aware that Mr. Oliver considers it necessary that each separate Lodge should send in returns? I am aware of it.
1657. Are you not of opinion that it would be better that they should come through the Grand Lodge? Unquestionably, and they should be properly attested; and then the Registrar could deal with the Grand Lodge instead of with a number of individuals.
1658. Have you any "miscellaneous" Lodges attached to your Order? None; I think they are a mistake, as you cannot bind them by the Constitution, however they may be bound by the Friendly Societies Act.
1659. In your consideration of the Act, is there anything special or particular that you could point out that you think requires some remedy in the shape of legislation? I think if the Act was condensed, at least as regards Friendly Societies, it would meet all the requirements of the public. I should like to see the Act simply lay down the basis of things to be done, and not go into details in cases where there are grand bodies here; and these grand bodies should be made amenable directly to the law.
1660. You think it would be a wise thing to provide some machinery by which disputes amongst the various members might be settled amongst themselves, instead of appealing to the Courts of Law? I think you will find in our Constitution that it is provided for—that no member of our Order is allowed to go outside it.
1661. But is there anything in the law which justifies that? I do not know; but this Constitution is certified by the Registrar as in accordance with the law.
1662. But is there anything to prevent any member of your Order going to the Courts of Law if he chooses? There is in our Constitution.
1663. But do they override an Act of Parliament? No.
1664. Then that Act of Parliament would enable any member of your Order to resort to a Court of Law? Yes, but he would then be no longer a member of the Order.
1665. Would you expel him for doing so? Certainly.
1666. You thoroughly agree, then, that it would be a prudent thing that the shape of legislation should be that all these differences that affect their own local interests should be dealt with by the bodies themselves? Yes.
1667. And that there should be some such institution as a final Court of Appeal? I believe that each Order should have the right to govern itself in every respect, with one exception; and that is, the breaking of any fundamental principle of a short Friendly Societies Act.
1668. I suppose you are aware that there are a large number of the population that are involved in the interests of Friendly Societies and Benefit Societies? I am aware of it.
1669. That being the case, do you think the Government of the country would be justified in the establishment of a separate Department to deal with these matters? I do.
1670. And do you think that all the contributions and the rates of the Sick and Funeral Fund should be submitted to actuarial examination and inquiry? I believe that in connection with any properly-organised branch of the Service there should be a revising barrister, to whom any new laws or alteration of the Constitutions should be submitted; that there should be an auditor whom the Government might detach from the Auditor General's Office, to examine the half-yearly—or it might be yearly—accounts; that to him attested copies of the workings of each Lodge should be submitted; and that his report on these returns should be forwarded in each case to the Grand Lodge. The Grand Lodge should then take such steps—as the governing body of the Order—as would be best to correct anything that was, in the opinion of the Government officer, wrong. The Registrar might be an ordinary official to keep the returns; and at any time they were required the governing body should be allowed to see them by going to the place where they were kept, as this would save a great deal of trouble.
1671. Do you think the Registrar General could not register these Societies? He might.
1672. And then have a Department to deal with other matters? The Department of the Registrar General could, I think, do all there is.
1673. Is it your opinion that the importance of the Societies would justify the Government in creating a separate Department for these matters? I would not say a separate Department, but it would justify the Government in making it a Branch of some Department.
1674. What Department would you attach it to? Altogether I think the Registrar General's Department would be the best.
1675. I dare say you have seen by Mr. Oliver's evidence that the law, so far as laying the returns before Parliament is concerned, has not been complied with; and that the reason for that was that he had not sufficient clerical assistance? Yes.
1676. Have any of your Lodges been dissolved by mutual consent? None.
1677. *Mr. Smith.*] You stated, in reply to the President, that the fees and contributions were fixed by the Grand Lodge? They are.
1678. Of course that rule applies to opening of new Lodges? To all.
1679. We clearly understand that in your Order there is a uniform rate of 1s., with 3d. additional for the doctor? Yes.
1680. Has the fact ever been brought under your notice that a number of the Lodges have been initiating very old members at a very low rate? Never; our law provides that up to the night of opening they shall be admitted at half-fees.
1681. And has that law been violated? Not to my knowledge.
1682. Is there any provision in your law allowing a Lodge at any time to adopt the half-fee scale? No; but there is in Victoria, where, if fifteen candidates apply at once for initiation, they are admitted at half-fees.
1683. But has that been done here? Not that I am aware of. It is only within the last week that a member of the Commission mentioned a Lodge to me in which he had heard that it had been done, and I have instructed the Grand Secretary to make inquiries.

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1684. Have you the result of these inquiries? I have not.

1685. Could it not be done without your knowledge? It could be, but if so it is in direct violation of the obligations the officers have taken on themselves.

1686. These matters, I presume, would be properly brought under the notice of the Deputy Grand Master presiding over the District? It should be reported to him, and by him brought before me.

1687. And such a fact has never been brought under your notice? On no occasion.

1688. How long is it since these rates were adopted by your Order? Well, I could not tell you, but it is a number of years.

1689. I understood you to say that you were opposed to the scale of rates? I am in one sense; they are imperative, you cannot go above or below them. Now in some Lodges, such as there are in the United States, which are started simply for purposes of benevolence, and the members of which never expect to have any claim on the Society, they might be allowed to pay in such a sum as would suit their circumstances; but here, according to our Constitutions and the Friendly Societies Act, we cannot have anything of the kind.

1690. All your Lodges in the Colony have, I suppose, met their obligations under that scale of fees? They have; I have never yet known of a special levy in this Colony.

1691. In no instance? Not in this Colony; I think it is one of those things the law ought to put a stop to, because it is a mere sham to say to persons, "You can come in under these charges," and for them then to find that once a quarter or so there are special levies made.

1692. Then you are opposed to the system of making special levies? I am. It is fairer for candidates to know on their entrance what they have to pay than to find out afterwards that if they do not pay these special levies they are liable to suspension, expulsion, or to fine.

1693. Then, in order to do away with that, it would be necessary to increase the contribution fees? I do not know; we have been able on our fees to carry on without it, and I do not think it will be necessary to increase them.

1694. What would you suggest in the absence of a levy system? In very special cases it might be necessary to have a levy; but I should say that unless a Lodge got into such a position that it was unable to meet its claims there should be no levy, and that then it should be confined to the directions of the Grand Lodge. The Grand Lodge of the Independent Order of Oddfellows has the right in that case to order a special levy up to 5s. a member; after that the Grand Lodge takes upon itself the responsibilities. It has also the right to direct such Lodge or Lodges as are closest to accept as members those belonging to the Lodge that is in difficulties.

1695. Do you know of a system known as the sliding-scale system? I have heard of it.

1696. Have you ever attempted to work it in connection with any of your subordinate Lodges? No, amongst a rich community such as ours I do not think such a thing is called for; there are few working-men but are in a position to pay our ordinary contributions.

1697. Do any of your Lodges in Victoria work that system? No, they work exactly as we do.

1698. You have Lodges all over the world? We have.

1699. Is that the rate adopted by all the Lodges? It is as near as possible. Our Sovereign Grand Lodge met in September last; the total amount paid out in dollars was reported as \$1,714,805 for the year.

1700. That refers to the States alone? No, to the whole world. The revenue of the Lodges amounted to \$4,191,463, that is, over £800,000, as against £350,000. In fact, it would be a little more, because we have what are known as the Rebekah Lodges, and they are not included. The total revenue would be over £900,000—as near £920,000 as possible.

1701. How many Lodges would that represent? It will represent, as being financial and good upon the books, 456,942 members, or an increase on the year of 16,159.

1702. Then that would be the exact position of the Order financially and as to the number of members up to last September throughout the world? Throughout the world, including the three Supreme Grand Lodges.

1703. And these results have been brought about by a uniform and fixed system of contributions? Unless in those cases which I have mentioned; there is a minimum; the Grand Lodges fix that minimum.

1704. Do you have a report furnished at the triennial meeting of the Supreme Grand Lodge? Yes, triennially, through the subordinate Lodges to the Supreme Grand Lodge.

1705. That would also give the financial position of each member and of the amount per head? It will do so in future. I may state that the Supreme Grand Lodge of Australasia has been very recently established; prior to this each Grand Lodge worked its own business; but now that there has been this Supreme Grand Lodge established we have the government of the Order entirely in Australasia, and may make our laws, subject to the peculiarities of the country.

1706. And in future your Supreme Grand Lodge will issue these statistics and all information in regard to the Order in the Australasian Colonies? Yes, that is intended.

1707. Now, have you experienced any difficulties in working your Order in this Colony under the existing Friendly Societies law? I cannot call them difficulties; we have had to meet a good deal of competition, but we have been in a position that I for one, and most of our Grand Officers, have been able to say—"If you can find any other Society that offers equal advantages at a less cost, we do not wish to undercut them. Here is our scale." In Victoria we have found that another Society undercut us and took away a number of members.

1708. Then there has been a considerable amount of competition going on? There has recently; so much so that I have actually found in a railway-carriage going up the mountains a scale of charges so low that I could not believe it possible that it could be adopted. But I may say that, so far as the mere scale of initiations is concerned, that has very little to do with the position of a Society. If the Lodges are worked economically, and if it continues to get a certain number of additions to it yearly, and if the surgeons do duty, the scale of admission has but little to do with its prosperity.

1709. Has this competition in any instance caused you to relax your rules? Certainly not.

1710. Then you have always stood by your rules? On every occasion.

1711. Now, have you experienced any difficulties under the Act in working your Order? I cannot say that we have.

1712. Have you as a Friendly Society taken all the advantages it gives you? No, we have not; we have simply taken the Constitutions as a guide, and acted up to them as closely as possible.

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1713. Then, having your Constitution registered under the Act, you were satisfied to work under that, and not take cognizance of the Act at all? We were quite satisfied with that certificate.
1714. Of course you are aware that there is a provision in the Act which enables subordinate Lodges to summon persons who fall into arrears? Yes.
1715. Have you taken advantage of that? Never.
1716. Do you think it would be wise to retain such a provision in any new legislation? I do not; I am strongly opposed to the interference of the civil law in these Societies, unless the rules have been so negligently drawn up as to warrant it.
1717. Has it ever been in your province to authorize the expulsion of any member from your Order? It has.
1718. Would you give us the circumstances under which it took place? I would rather not.
1719. *President.*] I think you are bound to answer the question? Well, under the circumstances, I would rather not; it had nothing to do with any financial bearing.
1720. *Mr. Smith.*] That is sufficient. Then I understand you to say that in the whole of your experience, and in the history of the working of your Lodges, in no case have any of their internal disagreements been taken into a Court of Law? No. I was threatened once by a person, who, I understand, is to come before the Commission for examination, with a Court of Law, but there was nothing more heard about it; it was in connection with his suspension.
1721. Is it your opinion that in the passing of any new legislation greater care should be taken to protect the funds and the members by law apart from the governing laws of the Order itself? I think it would be advisable as a general question.
1722. *Mr. Abigail.*] Are there any members who have been expelled from your Order whom you object to have examined by the Commission? No.
1723. Are you aware of any influence having been used to prevent it? I have not heard of it.
1724. Have you thought out what amount of money per head should be held by Lodges to represent a good financial position? No, I have not; I do not think anything of the kind is necessary.
1725. Do you think that if a Lodge simply meets its annual expenses it is in a good financial position? No, I do not; but one that is working and leaving anything like moderate credit balances is in a good position, because it is also contributing to the Funeral Fund.
1726. Do you think that as the ages of the members increase the liabilities stand still? No, but as a Lodge goes on, young members come in, and that makes a fair average.
1727. What do the funds of your Order represent per head? I should think about 50s.
1728. Do you think that is a good sound financial position? I do for Lodges that have been only three years started.
1729. Irrespective of the ages? I simply mean as the Lodges are at present.
1730. You stated that you thought some action should be taken to admit men who would not take advantage of the law? I do not think I made any such remark. (*See question 1689.*)
1731. You said that in your experience you had no difficulty in working your Lodges under the Act? Yes, that is so.
1732. I presume you have carried out the Act? We have carried out our Constitution without reference to the Act.
1733. Then you have been working the Order on your Constitutions irrespective of what the Friendly Societies Act says? We have been working under this Constitution, which is certified as in conformity with the Friendly Societies Act.
1734. Have you carried out clause 6 of the Act, wherein it makes it penal for any Society or body to take money before registering their laws? Yes, we have carried that out and have registered our laws.
1735. But do not you register for every Lodge? No, every Lodge is governed by these.
1736. Can you explain why, according to the Registrar's * * return, there are only seventeen Lodges registered? I cannot say. That may be as true as the statement in reference to the expenses of management. I know there are twenty-four Lodges.
1737. How many Lodges have you opened this year? None.
1738. When did you open the last Lodge—can you give us the date? I really cannot say exactly.
1739. Now, the 7th clause on the same page, I wish to ask have you carried this out: "Provided always that it shall not be lawful for the said Registrar to grant any such certificate to a Society assuring to any member thereof a certain annuity or certain superannuation deferred or immediate or any sum or sums payable as endowment or in case of sickness or death or other object authorized by this Act which is susceptible of calculation by way of average unless the tables of contributions payable for such kinds of assurance shall have been certified under the hand of an actuary." Have your scales been thus certified? Not that I am aware of.
1740. Then you have not acted up to that clause of the Act? I am not aware that any Society in Australia has done so; but if you look back to that, you will see that if it has not been done it is a lapse of duty on the part of the Registrar, and not on the part of the Societies.
1741. Were you ever asked for an actuarial certificate? Certainly not.
1742. Have you acted up to the 8th clause: "Provided always that two copies of the proposed alterations or amendments and of such new rules signed by three members of such Society and such Secretary or other officer shall be transmitted to the Registrar to one of which shall be attached a statutory declaration by the Secretary or one of such officers that in making the same the rules of such Society respecting the making altering amending and rescinding rules or the directions of the Act or Acts under which such Society was established have been duly complied with"?—I may stop you there; there has never been any necessity, as we have made no amendments or alterations. We are in the act of revising them at the present time, in order to make them still more explicit.
1743. Have any of the officers misappropriated any of the funds in connection with any of your Lodges? No, I cannot say they have; there was one officer who was short, but he afterwards made up his accounts.
1744. Have you received any promissory-notes as payment for funds? I have heard of one Lodge doing so.
1745. Did the police take any part in that affair? No; the promissory-note, I remember now, was not taken by the Lodge, but by the Guaranteo Society.
1746. Do all the Treasurers give guarantees? Every one of them, from a Guarantee Society; and we have now decided to have guarantee bonds from our Secretaries.

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1747. What amount of your funds is expended in regalia? I could not tell you, but at the formation of every new Lodge they are expected to get a set of regalia, which will cost from £10 upwards.
1748. And from what fund is that paid? From the Incidental Fund.
1749. How does that fund get its money? So much a week is paid to the fund, and in all initiations when the amount exceeds £1, that sum of £1 is placed to the credit of the Incidental Fund.
1750. How are the contributions divided? To the Sick and Funeral Fund, and to the Incidental Fund.
1751. How much to each fund? You will see that from sections 115 and 116 of our Constitutions; 1s. 10d. per month to the Sick Fund, 8d. per month to the Funeral Fund, and the balance to the Incidental Fund.
1752. I understand the contribution is 1s. a week? 1s. a week for ordinary members who do not wish the benefit of doctor or medicine; if they require that they have to pay 3d. more.
1753. And that represents the amount that would go to the Medical Fund? It goes to the Incidental Fund, out of which the medical men and the ordinary expenses are paid.
1754. Are any of the officers of your Order paid? The Secretary of Subordinate Lodge is paid a small sum, the Treasurer a nominal sum in order to bring him under the law; and sometimes the outside guardian receives his contributions back in return for his services. Some Lodges do this, and some do not; but the law provides that it can be done.
1755. The promissory-note that was accepted by the Guarantee Society—you had nothing to do with that? No. It was not a case of any wilful misappropriation of funds; it occurred under very peculiar circumstances, to a tradesman who happened to get on the spree and was robbed. He made arrangements, giving ample security.
1756. I understood you to say you were opposed to making the Society a purely benefit Society; what do you mean? When the Order was established in Victoria we were not bound down; if a member or Lodge required assistance they could claim it; in one case for a single man £1 a week would be a handsome thing, especially if he were drawing out of several Societies; but what would be ample for him would not be sufficient for a man who had a wife and several children, and the Societies should claim the right to pay such a sum as the circumstances would warrant.
1757. Then you are opposed to the benefits being limited to a given amount? I am, but I would also have it that no person unless in need of the money should come on the Society.
1758. *Mr. Gelding.*] That would be a dangerous power to give to the Society, would it not? I cannot see it, if parties act up to their obligations.
1759. *Mr. Abigail.*] In reference to the question of arbitration, are you in favour of the arbitration being a final Court, and of it being confined to your own body? Most assuredly I am. Our law provides that a dispute should be referred to the Lodge, then to the District Deputy, then to the District Committee; then an appeal can be taken to the Grand Lodge, and the Committee on appeals deals with it; and if that is not satisfactory, an appeal can be made to the Supreme Grand Lodge of Australasia, and by that decision the parties are bound.
1760. You stated that you would expel a man for going to law to get what he conceives to be his rights? No; if a man goes outside the Lodge-room, having subscribed to this Constitution, it would be a breach of contract.
1761. Do you know that the Friendly Societies Act gives members of these Societies full power to go to law? I am aware of it.
1762. Then your law, as certified, is not in accordance with the Friendly Societies Act? Just so; but I can divest myself of any privilege allowed by that law by mutual agreement. If I say—"I will make an agreement with you and sign it," you should come to me and say—"You did this, and it is contrary to law."
1763. If you turn to section 15 of the Act, you will see in what cases the settlement of disputes is to be by the District Court when the rules do not provide for it; and then it follows on in section 16 —? But our law does provide for cases of dispute.
1764. Section 14 again provides that a member can go to law if he feels aggrieved—what I want to show is that the matter of a member being confined by your laws to accept your decision is not in accordance with the Friendly Societies Act? We do not ask a person to do it if he does not like.
1765. But having subscribed to those laws? He foregoes any other legal right that he has.
1766. You are aware of members of Friendly Societies taking their cases into Court and having them dealt with there? I have heard of it, but have never known of it in connection with our Order.
1767. *Mr. Greville.*] From evidence which has been given, it appears that new Lodges of certain Orders hold out as inducements for members to join sometimes reduced initiation fees and sometimes reduced subscriptions and other monetary advantages, but I understand there is no such thing in your Society? Nothing more than upon opening nights there are half-fees.
1768. What are the inducements offered by your Lodges? Well, the operations of the Order extend all over the world, and persons going from here to Victoria, or to the United States, can go from one end to the other, with nothing but a visiting card, in search of employment.
1769. But what are the inducements to start new Lodges in preference to joining old established Lodges? It is simply for persons to say whether they will join one Society or another; those who join us must believe that our Society is the best.
1770. No, it is not the Society. Perhaps there are two or three Lodges of your Order established in a township—what inducement is offered to start another? New Lodges are generally started in this way: a member of the Order living in Sydney (say) goes to Bathurst, and wanting to further the interests of the Order —
1771. But in the same locality? That is simply a question of local requirements.
1772. And you think local requirements, and perhaps dissatisfaction with the old Lodge, induces a new Lodge to be formed? It is very often the case that it has been dissatisfaction with the manner in which a Lodge has been conducted.
1773. But you are clear on the point that no financial inducements are held out? None whatever; in some cases I know it has been done by the Grand Lodge of Victoria; they paid £5 as part of the expenses of the founder of the Lodges, but that was simply to reimburse him for moneys expended.
1774. You spoke confidently of the solvency of the Society as a rule; did you found that opinion simply on the fact that it has been able to meet its past engagements? Not only that, but I have found that since 1855 our Lodges have progressed satisfactorily, and funds have increased.

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1775. But your grand ground of confidence is that you have always hitherto met your engagements and had a balance over? Yes, that and the fact that I find that our scale is such as to reasonably warrant me in saying that if that scale does not keep our Lodges solvent none of the other Societies can possibly be so.

1776. But have you from calculations made by yourselves or any actuarial calculations been able to calculate whether you will be able in the future to meet your engagements? No, nor do I believe that there is any actuarial investigation that will give it you.

1777. Does not that arise from the fact that your profits are made from retiring members? To some extent.

1778. Is not that the principal extent? No, but to a considerable extent.

1779. And if members continued till death as members of your Society, and drew all the benefits of the Society, the financial position would be very different from what it is? Most assuredly.

1780. Therefore your prosperity in the future may be calculated largely upon chances? Well I would hardly say that; the future prosperity of the Lodges or otherwise is to be based on the experience of the past; that is the safest guide to go upon, having in England upset all the calculations of Tidd Pratt and other actuaries. I think in any future calculations made there should be two scales of charges, because those Societies which are simply confined to this Colony do not offer the same advantages to members that those extending beyond the Colonies do.

1781. *Mr. Davies.*] From your experience as a member of your Society and an office-bearer in it, in what respect have you found the present Act defective? I explained one or two little matters before you came in.

1782. Can you explain what the defects are? A new Act should be much shorter.

1783. But what do you mean by that? An Act much more concise, not half the length of the present Act, leaving the governing bodies to work out the details of their own Orders, and submitting to a revising barrister their constitutions.

1784. But do you find that the existing Act has been deficient in affording protection to the members? No, I do not. I do not say the Act is deficient, there is rather too much of it—it goes too much into details.

1785. In what way? There are matters here which contradict the Constitution. If there were simply to be a skeleton Act, laying down certain principles which must be carried out by the Societies, and enacting that the by-laws should be submitted to a revising barrister, it would be sufficient.

1786. But does it not do that now? Yes, in one way it does, but not in another.

1787. Have your returns been sent in regularly? They have been sent in to the Grand Secretary.

1788. So far as your experience goes, there is no great defect so far as the Act is concerned? No, I do not see any great defect, but it might be more explicit; but I have not gone through the Act for the purpose of pointing out defects in that way.

1789. Can you point out then what you would suggest in any new legislation? I have already done so, in reply to the President.

1790. What is the total number of members in your Society under the Grand Lodge of New South Wales? I do not know exactly what it is now, but I suppose about 1,700.

1791. What was the total income for last year? Our Secretary gave the information for the first half of last year; but you will have some time next month an abstract of the whole of the returns, which will furnish the information you wish.

1792. *Mr. Holdsworth.*] I do not know whether I understood you to say in the beginning that your Order was the oldest in the Colonies, and that all charters granted to other Colonies had been issued from New South Wales? I said so.

1793. Then did I understand you also to say that Sydney was under Victoria until lately? I said that there was a resuscitation here.

1794. No, but that will explain it probably. I understood you rightly then? Yes; the Lodges here became defunct. I think Mr. John Williams, the present Crown Solicitor, was the last Grand Master; and he found the great competition militated against the interests of the Order.

1795. Of what value do you consider actuarial opinions? If based upon purely actuarial grounds, I consider them worth very little to us for the purposes of these Societies.

1796. On what principle do you think actuarial calculations should be based? I think upon a fair average of (say) one, two, or three years' working of the various Societies; after having carefully gone into the books and returns of the Societies.

1797. Then you would form tables of sickness for Benefit Societies on the same principle that Life Insurance Societies have formed their experience tables? Yes, exactly.

1798. There has been some evidence given that in your Societies you are in the habit of admitting members on opening nights at half initiation fees? It is true, and legal.

1799. Do you consider it of any importance what the initiation fee is in any Society? I have already stated that I do not to any great extent; you may make your initiation fee as high as you please, and if you do not work your Societies properly it is of very little service.

1800. You allow no other privileges? None whatever.

1801. You do not allow older members to go in than under the ordinary course? We admit all members between 18 and 45 at half-fees. We can accept members upon clearance up to 45 or 50 on certain payments.

1802. You have stated that you look upon special levies as a sham: what am I to understand by that? They are a sham, because you tell a person wishing to join the Order "Our scale is so and so." He joins and then finds that these levies are made; he never expected they would be made, and it is a sham to hold out to him your scale if on the other hand you make him pay by levies. I think it should be prevented by making the contribution rates sufficiently high.

1803. You have a provision I think in your Society to meet cases where from excess of sickness or other causes the Lodge cannot meet its engagements? Oh yes; a Lodge unable to meet its claims can apply to the Grand Lodge, and the Grand Lodge will protect its members.

1804. You do not use a sliding scale? No.

1805. You said that in a rich country like this everybody could afford to pay whatever the amount is? I should think so.

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1806. Do you think it just that a man of 18 years of age should pay the same as a man of 45? Yes, as a general thing and taking it all through. If you are going to make Lodges in which you will have no members above 18 you can afford to make the rates cheaper than if all the members are 40; but you must have a fair average payment for all.
1807. Yet you say it matters not what the initiation fee is? I said I did not think it mattered so much as the way in which the Lodge was worked afterwards.
1808. Are you aware that there is much more sickness at the age of 45 than at 18, according to all tables? It is so laid down.
1809. Then how do you make up for the extra sickness? You have to make an average. The man of 18 must expect to be a man of 45. You may say it is hard; but you very rarely find men of 45 coming into our Order. As a rule Lodges are very careful as to the ages.
1810. You spoke of a sovereign body in Toronto, what is that? It is the Sovereign Grand Lodge, which is a movable one; it met last year in Toronto; the next time it meets in Cincinnati, and may be held in any part of the world as decided by the representatives. It is composed of the representatives of the three Grand Lodges—the Grand Lodges of Europe, of Australasia, and of America.
1811. That is formed by delegates from these three Grand Lodges? Yes.
1812. Do you send any representatives? Our Grand Lodge sent one last year, I believe.
1813. It can meet anywhere, has it ever met anywhere? Yes.
1814. As a matter of fact, has it ever met anywhere except in the United States or Canada? No.
1815. I suppose the American division prevents it as in other Societies? If it could meet in Toronto last year, there is no reason why it should not meet in South America or Europe next year.
1816. There has been a great deal said of competition and rivalry between Societies—do you think it has done any harm? I do not.
1817. Do you not think it has induced a large number of members to join Societies that never would have joined otherwise? It has decidedly had that tendency.
1818. And consequently you believe, I suppose, that society has been benefited generally? Yes, and the working-classes more particularly.
1819. You spoke of your Constitutions having been registered under the Friendly Societies Act? Yes.
1820. And you act under them? Yes, directly.
1821. Have your subordinate Lodges codes of rules independently of these? There are two Lodges that have certain by-laws which had to be submitted to the Grand Lodge for approval, but for all working purposes these contain the rules of the Grand Lodge and of subordinate Lodges.
1822. Are your subordinate Lodges registered by name with these rules? I am not aware of it.
1823. Then I understand none of them are registered? All the Lodges that were in existence prior to the formation of the Grand Lodge of New South Wales were registered separately. When the Grand Lodge was formed, and this Constitution and the by-laws governing them all, we were told that the registration of this Constitution and of the sovereign body was sufficient—we are now informed that it is not.

The Commission then adjourned until 2 o'clock on Friday, 20 January.

FRIDAY, 20 JANUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
PHILIP RISBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.,
WILLIAM E. LANGLEY, Esq.

The examination of Mr. W. E. Langley was resumed:—

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1824. *Mr. Holdsworth.*] You have read the Friendly Societies Act? Yes.
1825. Do you remember that portion of it in clause 5 which says "Society shall mean and include every branch of a Society by whatever name the same may be designated"—do you understand that to mean every separate section or Lodge? No, I understand it to mean the whole body.
1826. Are you aware that the Registrar has decided that it means each separate branch? Recently I have been informed that he has decided that.
1827. Therefore each separate branch has to register its own laws? So it appears according to that decision.
1828. Then does it not strike you that if each Society has to register its own laws they may be superior to those you register? As regards our Society, it makes no difference; this is our Constitution, not merely for the Grand Lodge but for all our subordinate Lodges. If they like to make any by-laws for any detail work, they have to be submitted not to Mr. Oliver, but to the executive officers of the Grand Lodge, to be revised and to see that they do not in any way interfere with the Constitution and by-laws of the Grand Lodge.
1829. That is a matter of internal government, I take it? It is.
1830. But according to the Act, is it not set forth that certain things are to be done by each section of a Society? It is.
1831. Then again I ask you, if it does not appear that if each Society has to register its own laws it does not follow that they are superior to any that you may register? It certainly so seems.
1832. Are you aware that cases have been tried which have shown that Societies are subjected to great difficulties and expense through defects in this law? Yes, I remember very distinctly that case of Guest's.
1833. Never mind specifying cases; there are other cases similar to that one? So I believe.
1834. You were asked some questions about Part II of the Act, section 6, where it says: "Every person being a member of the Committee of Management of any Society hereafter to be formed for any purpose within the meaning of this Act who shall take any money in consideration of the allotment of shares or any interest in such Society until the same shall be registered under this Act shall incur a penalty for any such offence not exceeding £20." Do you notice that clause? Yes, I do.

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1835. Do you think such a clause is practicable? I think it is practicable.
1836. Can a Society exist without members? You can register the name of your Society in connection with a certain Friendly Society. When the Act was first passed there was nothing but what are known as the so-called Friendly Societies of the present day—Lodges under different superior bodies; and in these cases if the Act was intended to refer to them it would be very easily complied with.
1837. You have already stated that you believe the word "Society" means every branch; can there be a branch without members? No.
1838. Then without members can a branch register itself? The promoters of it can do so.
1839. There are no promoters here? I beg your pardon, in our Order at least five members belonging to a Lodge may apply to the Grand Master for a warrant to open a new Lodge; they are virtually the promoters, and they continue *ex officio* members of that Lodge until the end of the first term.
1840. That is a peculiarity of internal government with you? It is.
1841. But I want to know whether a body of members can consider themselves members of any Society without paying any fee of any kind? It does not follow that because you have a Society money must pass.
1842. You cannot have a Secretary without members to nominate the Secretary? I do not know.
1843. Then you consider this clause of the Act generally unworkable? I would scarcely say unworkable; but as the Act is now it is not a clause that is properly workable; a much better clause might be substituted.
1844. Have you had anything to do with Societies outside your own? Not with Friendly Societies.
1845. Have you uniform books in your Society for book-keeping? In the Grand Lodge of New South Wales we have now; we did not have them at first when working under the Grand Lodge of Victoria, but since Mr. Cannon and myself took office, we have discussed the matter, and the Executive Committee have recommended a certain way of keeping the books, and certain books to be kept by Lodges.
1846. Do you not think it desirable that the books should be uniform for all Lodges? Unmistakably.
1847. Do you think it would be desirable for this Commission to recommend a skeleton set, or get some qualified person to do so? Well, I consider uniformity in all Societies desirable, and if it is the intention of the Commission to go so far as that into the details of the working of the Societies, I should think it would be desirable to give a rough idea of it.
1848. You were asked whether 50s. per head was a good financial basis for a Society; will not that depend on circumstances? Certainly, I think I replied to that before; 50s. per head to a progressive Society might be a very good basis, while £10 to a retrograding one would be a bad one.
1849. But is it not a fact that 50s. is sufficient for a Society one or two years old, whereas four times that amount for an old Society would be bad? I think the answer I have given will cover that; £2 10s. per head to a progressive Society might be a very good basis, while £10 would hardly be enough for a retrogressive one.
1850. *Mr. Rubie.*] I see by section 57, page 18, of your rules you provide for the valuation and, if necessary, the alteration of your benefits and contributions at the end of each five years? Yes.
1851. It is there stated that there should be a valuation of the liabilities, and I presume of the assets also, at the end of every five years? Yes.
1852. Is that valuation made by an actuary? It will be made by an actuary.
1853. It has not yet been acted on here? Not here.
1854. And in case there was a deficit, what steps would be taken? If in connection with a Lodge, the Grand Lodge would have the power to make a special levy up to the extent of 5s. per member; and having exhausted that, the Grand Lodge funds would then be available to a certain extent to place the Lodge in a good position; or they would have the power to dissolve it, making good its deficiencies, and to give the different Lodges near instructions to admit as members those who were in good standing and known as financial members.
1855. That law has never been acted on to your knowledge either in Victoria or in this Colony? It has not; certainly not during my time in Victoria, or during the past twenty years here.
1856. But is your Order not established more than five years in Victoria? It was established in 1841 in Victoria, I believe; I know of it since 1852.
1857. And has that rule been carried out regularly in Victoria? It has not—I never knew circumstances to call for it; but this Constitution is not more than five or six years old.
1858. I ask because it says here at the end of every five years? Yes, this was adopted by the Grand Lodge of Victoria. It is a revised Constitution, and was revised two years ago, and this clause may only have been put into it then; and I think it has been to meet certain alterations which were made in the law in Victoria relating to Friendly Societies.
1859. Then, within your own knowledge, nothing of the sort has taken place? No, not amongst our Lodges here.
1860. Previous to your adopting a Grand Lodge here I suppose the various Lodges now under the Grand Lodge worked independently of themselves? No, I was the first District Deputy ever appointed here, and I had the first Lodge established here placed under my care to report thereon to the Grand Lodge of Victoria. It was worked by the District Deputy.
1861. And I suppose the experience of the various Lodges of your Order here is that the contribution which you pay in has been sufficient to meet all expenses? Yes, with the exception that in some cases for want of supervision the Incidental Fund has been insufficient, and the Lodges have had to leave it so for the time being and borrow from the other funds.
1862. But there has not been anything like a levy of 5s.? No, nothing of the kind has taken place.
1863. And you believe the contributions you pay are sufficient to meet all the benefits you propose to give? I do, if the Lodge is properly worked; the only case where it would be difficult is in the case of small Lodges. I myself have been an advocate for large Lodges.
1864. Have you a sort of subordinate Court to try evidence? Each Lodge has in itself the right of taking up any complaint; it is referred to a Committee, evidence is taken and copied and sent, if necessary, to the District Deputy, as an appeal to him can be made; his decision on the matter would then be taken; from his decision an appeal may be made to me or to whoever may occupy the Grand Master's Chair; from my decision an appeal may be made to the Grand Lodge in session. The Grand Lodge has a Committee on Appeals, and they go into the case and bring up their report to the Grand Lodge itself, and the Grand

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- Lodge adopts or refuses to receive the report as the case may be; it may either adopt it or object to it. But there is still another Court of Appeal—the Supreme Grand Lodge of Australasia—to which any aggrieved brother may appeal; beyond that our Order provides for no appeal—their decision is final.
1865. Would you be in favour of a Court of Appeal composed of the Heads of the various Friendly Societies? If the Societies themselves are not vested with the power to deal with all matters I would be in favour of a Court of Arbitration, consisting of one member of the Friendly Societies having a certain number of Lodges or members; but under no circumstances would I give an opinion in favour of an appeal to civil law, because one or two litigious men in a Lodge do more mischief than all the others put together; and if they cannot be dealt with by the Order itself they should not be able to put their fellow-members to trouble and expense by taking them to Court.
1866. Then you would make that a final Court of Appeal? Yes, a final Court of Appeal.
1867. *Mr. Newland.*] Are all the members of your Society supposed to wear regalia while in Lodge? Yes.
1868. Is that regalia supplied by the Lodge? Yes.
1869. And all the officers must be clothed in regalia? Yes; there may be some that are not supplied by the Lodge; there are certain officers who may choose to go to the expense of an elegant turn-out; but they must wear regalia of some kind.
1870. And the officers wear jewels in addition? That is not imperative.
1871. Section 76 of your rules says that every member shall wear the regalia proper to his office before being allowed to take a seat in his Lodge? They all wear regalia.
1872. What would be the cost of a full set of regalia for one of your Lodges? I think Mr. Cannon has given that information before; it depends altogether upon circumstances; a full set may be had for about £7, including members' collars, and it may cost £25; you can go to any extent you like. Up to the present we have not had what are known as jewels in any of our Lodges.
1873. *Mr. Slade.*] Has your Society any status in England? I believe so.
1874. Is it classed as one of the recognized Friendly Societies? I am not aware.
1875. Then where is its head quarters? I explained at the last examination that it is movable; the representatives of the three Supreme Grand Lodges have the right of fixing the next place of meeting at the annual session.
1876. How are the officers of this Grand Lodge appointed? By vote of the representatives in Grand Lodge assembled.
1877. How are they paid? Per diem and mileage.
1878. Were you in office when the Pymont Lodge was opened? I was, if I remember rightly, District Deputy. When it was opened it was opened under the jurisdiction of the Grand Lodge of Victoria.
1879. Have you any idea of the cost of opening that Lodge? Yes, I regret to say I have.
1880. Will you tell the Commission what the cost was? I could never arrive at it, but I believe it cost over £70.
1881. Did it cost as much as £90? I do not think so; but I must say that the matter was a most outrageous one, and taking the prominent part I did with regard to it I made for myself some enemies.
1882. Is it a fact that the new Lodge opened was billed with the cost of a banquet to the opening officers? No, I do not think that is true. There were a number of members of the Order who thought the party opening the Lodge was doing a good work in the interests of the Order, and they subscribed amongst themselves—not members of that Lodge alone—to make him a presentation; and sundry others got up a sort of little tea-fight which I think cost about 18d. a piece; but that Lodge was punished severely enough without that.
1883. Is the Commission to understand that this money was part of the money subscribed by the new members for the purpose of opening and carrying on the new Lodge? I believe every penny of it was. I say unmistakably that the expenditure of that money was a disgrace to the Order I belong to, or to any other Friendly Society.
1884. You admit such an expenditure is wrong in principle? Unmistakably.
1885. And that it was expended for purposes for which it should not have been expended? A good deal of it was; and a good deal of it was expended in posting bills to the effect that the Lodge was to be opened on a certain night, and there were more of these bills than would put a couple on every house in Pymont at the time.
1886. Is it the custom of the Order you are alluding to to spend large sums of money in posters for these purposes? It is not.
1887. And this then was a deviation from the usual practice? It was; I think the Marrickville Lodge opened recently did not cost more than £15.
1888. Have you a Lodge at Ashfield? There is a struggling Lodge at Ashfield.
1889. What is its condition? It is a Lodge that has never seemed to progress.
1890. Does not part of the disability arise from excessive expenditure at the opening? I do not think so.
1891. Have you read the remarks of the Finance Committee as embodied in the report and balance-sheet brought up by Mr. Cannon? Yes; I have attended every meeting of the Standing Committee.
1892. Did you notice one minute of the Finance Committee saying that the accounts of the auditors were untrustworthy? Yes; on several occasions the Finance Committee have expressed themselves fully and freely on all the balance-sheets submitted to them.
1893. Then there is another minute: "The whole auditors' report is a muddle,"—what does that mean? There is a division of the funds—Sick Fund, Funeral Fund, and Incidental Fund ———
1894. Will you furnish us with a copy of that report and balance-sheet? Mr. Cannon will do so.
1895. Have you had any evidence that the Secretaries have been in the habit of sending in false returns? I know of a case having occurred in Victoria; and a case worse than that occurred in South Australia. There is no use disguising the fact that in Friendly Societies there is no guarantee that all the Secretaries shall be honest.
1896. But have you any knowledge of it having been done in this Colony? I know of incorrect reports having been sent.
1897. Intentionally incorrect? I do not say that.
1898. In an appendix upon the table, the Order is shown to cost 67 per cent. of its income for management—is that a correct statement? It is absolutely untrue. When the statement was made in Parliament I went to the Grand Secretary's office and took the figures out roughly, and I found that 13 or 14 per cent. will pay all the cost of management. Of course if you mix up sick pay with doctors and medicine it is most unfair.

W. E.
Langley.
20 Jan., 1882.

1899. What is about the average cost of doctor and medicine in your Order? Well, it varies very much in the country, but about 7s. a quarter.
1900. Do you keep your Sick and Funeral Fund separate from the management? We keep our Sick Fund separate, and the Incidental Fund by itself, and the Funeral Fund is beyond the control of the Lodges. They forward a certain sum per quarter to the Grand Lodge, and the trustees invest that as the Funeral Fund of the Order.
1901. Now, do you still state, Mr. Langley, that all your members pay full entrance fees after the first night? Yes. Officially I have never heard that it has not been done, though I have heard from members of the Commission outside that two Lodges have not acted up to the law.
1902. Are you aware that at any time part of the entrance money has been furnished from any part of the funds of the Lodge to make the whole come up to the sum prescribed by law? I am not; and if such a thing was ever done, and it came under my notice, I should suspend the charter of the Lodge.
1903. Has any Lodge of your Order recurred to the principle of half-fees at any time after the opening? Not to my knowledge.
1904. *Mr. Gelding.*] Could you inform the Commission what is the cost of sending this delegate or these delegates to America annually? I could not tell you what it costs; the Sovereign Grand Lodge of America pays the expenses.
1905. You promised to produce, if you could, the total value of the Society to the Commission: are you in a position to do so? Not at present; but it is extremely probable that the returns will be received by the mail that is now in quarantine.
1906. Could you inform the Commission—you have stated the average cost of opening a Lodge is £15 —? I did not say that; I spoke of one Lodge—the Langley Lodge, at Marrickville.
1907. Could you say how the money was expended? £5 for the warrant or dispensation, and then there was certain Lodge regalia and Lodge furniture.
1908. No part of it goes towards refreshments? None—there is no such thing known in connection with our Order; nor will we allow a Lodge to be opened in a public-house if there is any way of having it outside one.
1909. Is it your opinion that this is one of the principal causes of the low average rate per head in your Order? I am not aware of it; it is not so much the starting of a Lodge which makes the low average as the way it is managed.
1910. Have you a Widows and Orphans' Fund in connection with your Order? No; we have a fund to which the widow of a member can subscribe and receive an allowance at death.
1911. What is your funeral donation? £20 and £10.
1912. £10 on the death of a wife, I presume? Yes, and £20 on the death of the member himself.
1913. Have you studied clause 41, which gives a member the right of willing away his funeral donation? Yes, I see that; it is one of those things which, as I said before, I regard as so much surplusage in connection with the Act.
1914. What is your opinion in reference to allowing a member to will away this money from the widow, provided she has conducted herself as she should do? I do not see why I should not be in the same position to will away that as well as any other asset of my estate. If I can will away the house she is living in, I do not see why I should not have the right to will this amount away.
1915. Is it not a fact that the wives are generally the ones who keep up the contributions in these Societies? Not in my experience.
1916. Have you studied sections 43, 44, 45, and 47 of the Act? I have read them all through.
1917. It states in them that the Trustees have the power of doing everything; is that acted up to? No, it is not; the duties of the Trustees in the Societies I know anything about are otherwise defined.
1918. Do you believe it possible they can be acted up to? They might be, but it would be prejudicial to the interests of the Society.
1919. Then you believe these clauses require altering? They may suit some Societies.
1920. Can you say why the Independent Order of Oddfellows has gone back 10s. per head this year? I am not aware of it.
1921. You stated the average per head was £3 last year, and now it is £2 10s.? I am not aware that such is the case, but if it is it may be because of the fact that seven Lodges have been formed since the return was made out. That may account partly for it, but I do not think it is the case.
1922. What is your opinion about persons belonging to two Societies and drawing sick pay from both, and other donations in the event of death? In one sense I think it is perfectly right for persons to be as provident as they can; in another, I am opposed to any member of our Order belonging to another branch of the Oddfellows, and *vice versa*.
1923. Does not allowing this privilege tend very much to cause malingering? I cannot say that; if you are determined to cheat, and the medical attendant of the Lodge does not do his duty, it is the fault of the medical attendant and not of the law. I do not think the law has anything to do with malingering.
1924. Coming to the question of the auditing of the books, do you not think it possible for Lodges to find intellect enough in the Order to audit the books? You may do so; but I have known Lodges in our Order that had not persons competent to audit the books.
1925. I mean in the Order, not the individual Lodge? Oh, decidedly you can find in our Order persons as competent to audit books as those outside of it.
1926. Do you not think that would be the best way of settling the question—that the Grand Officers should appoint officers to audit the books? That is done in our Order.
1927. What is your opinion of the Government framing an Act to appoint public auditors for the purpose of examining the Lodge books? I am not in favour of the Lodge books being audited by a public officer.
1928. As regards the returns, do you not think if they were sworn to before a J.P. or S.M. as correct, it would be sufficient to meet all circumstances? I think it would be far preferable to have the annual returns examined by a Government official, who should be paid by the Government.
1929. Have you any further suggestions to offer in reference to the matters before the Commission? If we are to have simply Benefit Societies as apart from what are known as Friendly Societies, my experience in connection with both would lead me to prefer seeing the Government establish in connection with the Post Office Provident Societies, by which you might be able to pay in anything from 1d. to 1s. a week, to secure at a certain time or at death the payment of a certain sum of money.

Philip James Newland sworn and examined :—

- P. J. Newland.
20 Jan., 1882.
1930. *President.*] What Order do you represent? The Grand United Order of Oddfellows.
1931. And what position do you occupy? I am a Trustee for the Sydney District.
1932. Have you had any length of experience in connection with the Order? I have.
1933. How long? I have been twenty-one years a member.
1934. Of the same Order? Of the same Order.
1935. I presume there are certain contributions and Funeral and Sick Funds attached to your Order similar to other Orders? Yes.
1936. Has the Order taken any means to ascertain whether the fees fixed, the contributions, and Sick and Funeral Fund fees are sufficient to meet any demands there might be upon the Society? At the general meetings held biennially these matters are always taken into consideration. They look at the past receipts and expenditure, and if they see that there is any cause to recommend Lodges to raise the contributions or otherwise, they do so; but if you mean have we taken any professional gentleman or actuary to look at the figures, we have not done so.
1937. Have your fees and contributions hitherto met the demands upon them? They have.
1938. And is it your opinion as a member of the Order that the data upon which they are fixed will be sufficient in future to meet any demands unless under some extraordinary or unforeseen epidemic, or something of that character? In answer to that question, the contributions paid in some of the Lodges, I believe, are not sufficient, but Lodges have the option with themselves of increasing their contributions above a certain rate, but they are not to pay less than a certain fixed sum per week. But these Lodges, which, in my opinion, would not be able to meet the demands upon them, are now taking steps to increase their contributions.
1939. Well, in the event of these Lodges not being able to meet demands upon them, does the Grand Lodge or District take upon themselves any responsibility? They would do so.
1940. But is it imperative? Yes, it is under the present rules and regulations; but I think when Lodges having been duly warned will not take time by the forelock and increase their contributions, the Grand Lodge should not be liable to them.
1941. Is this Order governed by an executive authority? Yes, by an executive authority which is elected biennially; it is called the Sub-Committee of Management.
1942. You have no Grand Lodge? There is a Grand Lodge in England.
1943. Then you are subject to them? In no matters whatever relating to the government of our Order; we only receive from them dispensations, rituals, and the secret working of our Order.
1944. And do you have to contribute to it? Nothing, except to pay for our dispensations, degree books, and rituals, which we get at cost price.
1945. Have you districts here, local districts? Yes.
1946. How many have you? I think there are six.
1947. And are they subject to the Sub-Committee in Sydney? Yes they are.
1948. Have you paid any attention to the Friendly Societies Act? I have.
1949. And how have your Societies worked generally under that Act? There are several features in connection with the Act that have not been strictly followed out, from the simple fact that it is almost impossible for the Lodges to carry them out.
1950. In what particular is the Act inoperative? Well in this matter of Trustees that has been alluded to; I do not think it is possible for Lodges to carry out the law that the Trustees shall pay the whole of the different moneys as required by the Act.
1951. But I do not quite understand you. You speak of the Trustees being required to pay money away; do you mean the money of the respective Lodges? Yes, the money belonging to the respective Lodges.
1952. That is after the money has been handed over to the Trustees? The invariable practice is that the money collected at the different meetings is handed over to a Treasurer, and, according to authorities given to him he disburses it, while any surplus is invested in the names of two Trustees; but the Act provides that the Trustees shall disburse all amounts. It would not be workable in the Lodges. And again I find that if a member of our Society should happen to get any of its funds into his hands, we have great inconvenience and loss in going to law to make him pay the money back after he has misappropriated it. One instance I know of, a member of one of our Societies, through the illness of the Treasurer, was made acting Treasurer, and he got a lot of money into his possession and converted it to his own use; and our solicitor told us that on account of his not being the authorized Treasurer there would be a difficulty in the way.
1953. Is there any difficulty in registering Trustees, as a rule? No, not generally.
1954. Is there any other part of the Act? Well the Act provides for cases of dispute being settled by arbitration; this has not been availed of by the members, as whenever they felt aggrieved they have gone to law without having the matter brought before arbitrators. I do not think this should be allowed.
1955. Are you favourable to the different Friendly Societies settling their differences amongst themselves? No, not exactly so; I think if a member feels that he has not got justice done in his Society he should be allowed to appeal to a Board of Arbitration outside of the Society, whose decision should be final.
1956. Is it your opinion that it would be better to leave this to be settled amongst the Societies themselves rather than to have recourse to the Courts of Law? I would have a Board distinct altogether from the Society.
1957. I think your Secretary has put in certain books and documents as to the rules of your Order, and as to the amount of contributions, sick pay, and the Funeral Fund? Yes, I believe so.
1958. And has given the amount of surplus capital to your credit? I believe so.
1959. *Mr. Rubie.*] I understand you to say that amongst your Lodges you have several rates of contribution? Yes, there are.
1960. There is not a general rate? No.
1961. But there is a minimum fixed? Yes.
1962. And you think it is in many cases not sufficient to cover the benefits? Not in many cases, but in a few cases.
1963. You think these Lodges are taking steps to amend that matter? In the Sydney District that I am speaking of.
1964. How do the lower rates work in the country—have they sufficient means to go on? I am only acquainted with the Lodges in the Sydney District, which are all metropolitan or suburban Lodges.
1965. You have a number of country branches though? Not in connection with the Sydney District. The country Lodges, I believe, pay more than 1s. a week.
- 1966.

P. J.
Newland.
20 Jan., 1882

1966. You have a Lodge in connection with the district in Orange and elsewhere? Yes.
1967. Have you not a district at Bathurst? Yes.
1968. This Lodge at Orange would not be amenable to that district? No; it has only lately been formed.
1969. Are the funds of the Lodge at Orange deposited with the Trustees in Sydney? No; they have the management of their own funds, simply contributing to the Sydney District the means necessary to carry on.
1970. Then has the Sydney District charge of the Funeral Fund separately? Yes, of all the Lodges in their district.
1971. So the Lodge at Orange contributes its proportion? Quite so.
1972. And if there was a death in Orange they would have to write to Sydney for the amount of the funeral donation? Quite so.
1973. Is not that felt to be rather awkward at times? Well, they get their money by return of post; there may have been cases in which inconvenience has been felt by the members of the Lodge, but there have also been cases in which the Treasurer of the local Lodge has advanced the necessary money.
1974. The Trustees of the district do not pay any of the funeral moneys? No, they are paid by the Sub-Committee; the Treasurer keeps money in hand to pay demands that may be made upon him, and the Trustees receive any surplus that there may be. If during the quarter it is found that the Treasurer has not enough money in hand there is a demand made upon the Trustees, and the money is handed over to the Treasurer.
1975. Does the Trustee keep an account of what the money is wanted for? Of course there is a check kept against the Bank; it is kept by the Secretary.
1976. Suppose your Lodge wanted £20 to-night, would you sign a cheque at once for it? No, not without some written document from the Secretary and District Council that the money was required, and stating the purposes for which it was required.
1977. Do your Treasurers give a bond? Yes.
1978. What amount of money is generally left in the Treasurer's hands? Speaking of the Treasurer of the Sydney District, last night he had nearly £400 in hand, but, as a rule, during the quarter I do not think he has less than about £60.
1979. *Mr. Gelding.*] The District Officers have power to order the Trustees to draw money out of the Bank when they require it, have they not? Just so.
1980. *Mr. Rubie.*] To whom are the District Officers responsible for the proper expenditure of the money? To the delegates of the various Lodges which meet and form the District Committee.
1981. And how often do they sit? Quarterly.
1982. Then the District Officers may expend five or six hundred pounds unknown to anybody? They may if the money is required for funeral donations; all other accounts have to stand over until the next quarterly meeting.
1983. Referring to the Friendly Societies Act, the money clauses alluded to have reference to the Trustees of Building Societies and are inoperative for Benefit Societies, is it not so? Quite so.
1984. It is your opinion then that some alteration is requisite? Most decidedly.
1985. By which the Trustees should not be made to pay the benefits of the Lodge or Society? Yes.
1986. In reference to the mode of arbitration, I infer that you are in favour of persons outside the Societies being appointed to act as arbitrators? Yes.
1987. And that they should be a final Court of Appeal for Friendly Societies in Sydney? I am.
1988. *Mr. Grenville.*] You spoke of levies being necessary at times for the purpose of meeting deficiencies? Our Lodges do resort to them.
1989. Do you not think it would be better that the contributions should be sufficiently large to defray all claims on the Society without having resort to levies? Yes, in a manner; but I find that Secretaries in the division of the funds when there is odd money in the contributions find a great difficulty in dividing it; but if there is a levy made and paid to one fund separately the Secretaries find less labour in keeping their accounts.
1990. In other words, the correct principle is abandoned in certain Societies for the convenience of the Secretaries? Yes.
1991. *Mr. Holdsworth.*] You say you have read the Friendly Societies Act; is it not there provided that, "Every dispute between any member of any Society established under this Act or any of the Acts hereby repealed or any person claiming through or under such member and the Trustees Treasurer or other officer or Committee of Management thereof shall be decided in manner directed by the rules of such Society and the decision so made shall be binding and conclusive on all parties without appeal"? Yes; but when we have pointed out that clause to our counsel, the member has still gone to law, and counsel has said it is not worth the paper it is written on.
1992. *Mr. Langley.*] If the Lodge at Orange which now sends its funeral money to your district subsequently joined the Bathurst District, what do you do with their past contributions to the Funeral Fund—do you refund the money they have so paid, less the amount that you have disbursed? We keep it, but hold ourselves liable for debts occurring for six months.
1993. Do you think that is fair towards the Lodge? It is their own act and deed, and consequently if they do not feel aggrieved there is no reason to complain.
1994. But do you think it is fair towards a country Lodge that you should retain money which you have no claim upon, and which they may require? I think it is fair, because as a district seeking to separate itself from its parent district the principle might be the other way if the thing was properly worked out, and they might owe the district money.
1995. But is it not much more likely that the money would be required in a young struggling district than in an old one? Our district funds are merely nominal, so that really the funds in the district are of no material value at all.
1996. But you have a substantial Funeral Fund of some kind or other? No, it is only levies made from one quarter to another to meet the probable liabilities.
1997. Then am I to understand you have not a Funeral Fund? Yes, we have a Funeral Fund.
1998. *Mr. Rubie.*] You have found for twenty-one years that that system has worked? Yes, for twenty-one years.
1999. And have you never had any occasion to make any extraordinary levies? Never; we have levies of 2s. 6d. and 3s. per quarter per member.

P. J.
Newland.
20 Jan., 1882.

2000. *Mr. Gelding.*] Have not you any reserve Funeral Fund in your district? Yes, we have; but it is not of any extent, as the delegates and Lodges do not believe in accumulating funds in the district. It is simply nominal.

2001. *Mr. Langley.*] Is it your opinion that it would be more advisable to have a complex Friendly Societies Act such as this rather than a skeleton Act laying down a basis upon which Friendly Societies should work, leaving them to make their own rules and regulations subject to the standard laid down? I do not believe the Act for the working of Friendly Societies should be mixed up with Building Societies or anything of that kind—it should be separate entirely from anything else.

2002. But would it be more desirable to have certain standard facts laid down as a basis upon which the Constitution and by-laws of the Lodges should be drawn up, or should the Act go into detail? I think certain rules ought to be defined and laid down, and not too much liberty given to the Society as to how they shall manage their internal affairs. There should be some definite rules laid down to work to.

2003. *President.*] Does the present Act enter too much into detail? There are some things in it that are not required, such as that matter with reference to Trustees.

2004. *Mr. Smith.*] Have you any Pension Fund or Superannuation Fund in connection with your Order? We have not at the present time.

2005. *Mr. Slade.*] Have you noticed the third page of the preface to the Act? Yes.

2006. Are you aware of any of your Societies or any other Society that have used that valuable skeleton code of rules prepared for the instruction of Societies by Mr. Oliver? I take it that all the Societies have used that skeleton more or less.

2007. Is that a similar skeleton to the one you referred to in your reply to Mr. Langley, when you said you thought one should be placed in any Act of Parliament? No, clauses 4, 5, and 6 I do not think are necessary at all.

2008. Is not the law imperfect as regards Trustees, inasmuch as it places duties on the Trustees which are unworkable? Quite so.

2009. And is it not your opinion that this arises from a misconception of the functions of the Trustees rather than from any fault in the Act? Yes.

2010. *Mr. Gelding.*] What is the cost of the dispensations your Society obtains from England? £1 2s. 6d., I think it is.

2011. Can you inform the Commission the average cost of opening new Lodges in the city district? The six Lodges that have been opened during the past two years have cost on the average £14 each—including dispensation, set of regalia, opening posters and advertisements, with books and seal of Lodge.

2012. Are the District Officers paid for their attendance for opening these Lodges? No, they are not.

The Commission then adjourned till Monday, 23 January.

MONDAY, 23 JANUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
FRANCIS ABIGAIL, Esq., M.P.
PHILIP R. HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. George Brettnall sworn and examined:—

Mr. G.
Brettnall.
23 Jan., 1882.

2013. *President.*] What position do you occupy in the Friendly Societies? District Secretary of the Sydney District of the Grand United Order of Oddfellows.

2014. How long have you been Secretary? Three years and a half, I think.

2015. Is the Grand United Order of Oddfellows governed by a central body in Sydney? Yes; the Sub-Committee of Management, holding authority through the Committee of Management in England.

2016. You have no Grand Lodge? That is the Grand Lodge here. The whole of the Lodges in New South Wales are under the control of the Sub-Committee here; we are only nominally under the Grand Lodge of England.

2017. You have a number of Lodges attached to your Order throughout the Colony, have you not? Yes.

2018. Now, do they act and work distinctly from the governing body? Yes, quite distinct from it, so far that they are at liberty to frame laws for their own internal government, subject to the Sub-Committee of Management.

2019. They fix their own contributions? Yes; so long as they keep above the lowest rate specified in the laws.

2020. Have they any voice in connection with the Sick and Funeral Fund? The whole of the members have a voice in that matter by their representatives.

2021. On the Grand Committee? On the Grand Committee.

2022. I suppose you could furnish the Commission with a return showing the number of Lodges in your Order? I have already a form to fill up.

2023. Then you have received a form asking you to supply certain information? Yes, for five years.

2024. Will you be enabled to do that? I hope so.

2025. Do you know upon what principle the contributions and other fees have been fixed? I am not aware, except upon experience. I may state that there has never been a case crop up yet where there has not been sufficient to meet the demands.

2026. Then they have not been fixed after actuarial examination? I think not.

2027. I suppose you are speaking now principally in reference to this Colony? Yes.

2028. I suppose you are aware that there has been some lengthy examination into Friendly Societies in England? Yes.

2029. Have you Districts attached to your Lodges? I am only Secretary of one District under the control of the Sub-Committee of Management; we have four or five others.

2030.

Mr. G.
Brotwell.

23 Jan., 1882.

2030. Then you are Secretary of the Sydney District? Yes.
2031. And do the other Districts act independently of each other? Yes.
2032. In the event of any subordinate Lodge becoming defunct or unable to meet its engagements, is there any means by which the members can fall back on the larger body? Yes; provision is made for Lodges breaking up, or through any division of opinion, for the minority to pay their money into the District or Grand Lodge; and they will then be entitled to all the benefits assured to them by the rules.
2033. Have there been or are there any Lodges under your Order that have not been able to meet their engagements? I think in one or two instances there has been a necessity for withholding sick pay for a short time, but it was at the option of the members.
2034. Is there power in your rules for making special levies? Yes, to the extent of 5s. per quarter.
2035. That is to meet an emergency when the ordinary income is not equal to the demand upon it? Just so.
2036. Do you send any returns to the Registrar? Indirectly; the Lodges forward them to me, and I forward them to the Sub-Committee of Management.
2037. Then do I understand that from each District the respective Lodges forward their returns through you to the Grand Secretary? Yes.
2038. Do you know of any Lodges that communicate direct with the Registrar? I am not aware that any have done so; in fact, I am sure the whole of the Lodges were registered through me shortly after I took office.
2039. Is it your opinion that it would be better that all the subordinate Lodges of a Society should communicate through the governing body, rather than that they should respectively deal with the Registrar? I think it is better that they should deal through some acknowledged head with the Registrar, to save confusion.
2040. Notwithstanding that these Lodges have power to make rules and regulations for their own local guidance, they have still to be governed by the rules of the Order? By the leading principles.
2041. Have you paid any attention to the Friendly Societies Act, so far as it relates to Benefit Societies? But very little; there has been no necessity for me paying attention to it, for we have not been called in question under it.
2042. Is there anything in the Act that has interfered with the good government and working of your Order? I think there are too many different Societies mixed up together in the Act for Friendly Societies to distinguish what relates to them and what to Building and other Societies.
2043. That is unless for a person learned in the law? Just so; and I do not think we should be compelled to engage a lawyer on every question.
2044. I suppose you are aware that there are certain things that are imperative to be done under the law by the Registrar? Yes.
2045. Do you know whether these duties have been performed? It is out of my province; the Grand Secretary could answer that question better than myself.
2046. From your experience, are you in favour of having a separate Department to deal with Friendly Societies? Most decidedly; I think the position that the Friendly Societies occupy demands something of the sort, so that the officers and members should have somewhere to go to ask advice.
2047. That is, you consider the interests involved are so great as to justify the Government in establishing a separate Department to deal with these matters? Yes sir, that is my opinion.
2048. Have you ever had recourse to law—as between the members? Once in my experience.
2049. Have you thought over the matter as to whether any means could be devised by which these disputes might be settled amongst the members themselves? We have already made laws to the effect that these matters should be settled by arbitration, and since the appointment of the arbitrators we have had nothing to do with the law.
2050. But there is nothing to prevent any member going before the Law Courts? The rules of the Society say that all cases shall be subject to arbitration; and these have been certified by the Registrar.
2051. Do you think it would be well to have some tribunal as a Court of Appeal? I have never thought of that, but it appears to me that the heads of the various Orders would form a proper tribunal.
2052. That is as a Court of Appeal from the governing bodies? Yes, I think so.
2053. Is there anything in the law that you could point out requires emendation? I should like to have a little time to look over it, as I have not studied the Act a great deal.
2054. So far as your experience goes, there is nothing in the Act that has interfered with the good government or working of the Order? No sir.
2055. *Mr. Smith.*] How long has your Society been established in the Colony? Between thirty and forty years.
2056. I understood you to say that during that period, or during your experience, no difficulties have arisen in any of your Lodges with respect to meeting their obligations to the members? I do not think I said so; I said we had been at law once, and that on one occasion one of the Lodges had suspended sick pay for a short time.
2057. Did you not state at the beginning of the inquiry that the fees were not based on any tables but on experience? I said that so far as I was aware they were based on past experience.
2058. And that during your experience all the Lodges had met their obligations to the members? I think you must have misunderstood me; we have met all our obligations, although we have been proceeded against at law, except in the case of one Lodge which suspended sick pay for a short period.
2059. Was that the result of going to law? No, not at all.
2060. You have had members of Lodges take the District into Court? Yes.
2061. What effect has that had on your Lodges? I cannot see that it had any effect.
2062. Have you any idea of the cost to that particular Lodge? It did not cost the Lodge a single penny; it was the District that had to bear the expenses, which amounted to £40.
2063. What was the amount of the funeral donation? £30.
2064. And had you to pay the donation? Yes.
2065. Then it actually cost you £70? We had to pay the £40 and also the £30.
2066. Did the member feeling aggrieved take the Society into Court? Yes; the exact circumstances were that a member of one of our Lodges died, and the doctor's certificate stated that he died from alcoholism, which was a complaint that we were not justified in paying the funeral donation for; and we thought this certificate was sufficient justification for withholding payment to the claimant; and the case was taken into Court.

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Court. The members or Lodge had the right of appealing to arbitration, but they preferred to take it to the District Court. In the witness-box the doctor was examined, and he gave then as the primary cause of death Bright's disease, and of course we had to pay the amount. I might state that previously the doctor had refused to alter his certificate or to modify it.

2067. Would the District have been willing to have the alteration? It would have been without their knowledge.

2068. But if they had been made aware of it? I do not know what course of action they would have taken; but as one of them I should have opposed any payment if the doctor had altered the certificate in this way.

2069. The £40, from what fund was it paid? The Contingent Fund.

2070. It is maintained by levy on members of subordinate Lodges? Yes.

2071. Did the fact of that money being spent increase the levy for the following quarter? To a very small amount; but of course it must have done so to a greater or less extent.

2072. You are identified with the Grand Lodge of England? Yes.

2073. Do you pay any levies to them? No.

2074. You are District Secretary for Sydney, I understand? Yes.

2075. How many Lodges have you under your control? Twenty-four.

2076. Have any of them failed to meet their fair and legitimate claims? None, with the exception of the case I have just pointed out.

2077. Have any of the officers improperly used the funds? On one occasion recently, and he was brought to book for it and expelled.

2078. Explain please how he misused the funds? The treasurer of the Lodge had to leave on business which took him away into the country, and this member was acting as president of the Lodge, and was appointed acting treasurer; when the regular treasurer was appointed he refused to hand over the money, as he considered he was not appointed legally; and in the meantime he used it and got into difficulties, but friends of his paid the money for him and he was expelled.

2079. What was the amount? I think about £12.

2080. Were the police called in in any way? I could not answer that question.

2081. You do not know what steps were taken? Only that a warrant was issued for his apprehension.

2082. What Lodge was that in connection with? The Lodge at the Glebe, the Glebe Union.

2083. None of the other officers have misappropriated the funds? Not that I am aware of.

2084. Of course your knowledge only applies to the Sydney District? Yes, to these twenty-four Lodges.

2085. *Mr. Greville.*] Do you know of more than one instance in which any of the Lodges have been unable to meet their claims? No, only the one.

2086. And in that case the sick pay was suspended for a short time? Yes.

2087. How was it that the members did not avail themselves of the privilege which you say they have when a Lodge is unable to meet its engagements, and throw themselves on the Grand Lodge? You see the Society did not break up; it is only in the case of a Lodge breaking up that they have that right.

2088. Then so long as the Lodge hobbles along the Grand Lodge does not interfere? No, so long as the laws are observed and kept.

2089. Had the members who were thus deprived of their sick pay any remedy? They were deprived by their own action—it was not the action of any outside body; they were at liberty to have raised their contributions if they liked, but they refused to do that, and chose rather to forego the sick pay.

2090. At that rate, then, a majority of the men who were not on the sick-list might refuse to raise the necessary levy, and the sick may thereby be deprived of their privileges? Not at all. I think I stated that members voting in the minority were allowed to pay their money in to the Committee of Management and draw their sick pay therefrom, provided in all cases that the action taken by the Lodge is not a legal one.

2091. In the case mentioned by you there were certain persons who, having contributed to the Society, were deprived of their sick pay because the majority of members would not make the necessary contribution? I will not admit that; I am not in a position to state whether there were any sick at that time.

2092. Then how could it be suspended? By a resolution of any Lodge sick pay may be withheld for any length of time.

2093. Then does the Lodge reserve to itself the privilege of suspending its sick pay whenever it likes? There must be good cause shown for it; they cannot take that action without the consent of the Sub-Committee of Management or of the District under whose control they are.

2094. Now, in the case referred to, was the approval of the District obtained? It was before my time; I cannot answer that question.

2095. Still, I want you to tell me what protection there is for a sick man receiving his sick pay? I take it that no action taken by any Lodge can be retrospective; a person who has already received sick pay has an established claim on the Society; you can only deal with prospective claims.

2096. Suppose a Lodge consisting of a majority of young healthy men with a few old ones who are likely to lay claim to the Sick Fund, and suppose these young men, the majority, were to suspend the Sick Fund, what protection would there be for those who were likely to come on the funds? I should not like to give an answer to such a question, as I think the question is too far-fetched. I have already stated that a member has his remedy if he votes in the minority in a Lodge, by appealing to the Sub-Committee of Management, and he would then have his sick pay, medicine, and funeral donation the same as if he were a member of the Lodge.

2097. And how would the Sub-Committee of Management recoup themselves? They would receive his contributions.

2098. Yes, but could he go to the Sub-Committee of Management at once? I presume that would be the course taken and the remedy applied; but such a case has never yet arisen.

2099. You speak of the remedy by one voting in the minority; but supposing one voting in the majority fell sick and wanted to make a claim, what then? You are supposing very curious cases; it has not occurred yet in the experience of thirty odd years.

2100. You desire the Commission to understand that when you speak of only one Lodge having failed to meet its engagements you intend your observations to apply simply to this Colony, and not to the working in England or elsewhere? Decidedly so.

2101. *Mr. Holdsworth.*] In reply to the question as to what your rate of contribution was based upon I understood you to say upon experience? Yes.

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2102. Do you consider experience the best guide? I think past experience is not a sufficient guide for the future, as the Friendly Societies here have only just arrived at maturity, and I consider that the claims that have been made upon the Societies up to the present time will be surpassed by the claims in the future.
2103. Are you aware that that has been the result of the experience in Great Britain? I am.
2104. Have you read the reports for 1846 in the House of Commons—the report on Friendly Societies? No.
2105. Are you aware that by the experience of the last ten years it is found that the sickness has been greater than in the preceding ten years in your Society? I cannot go so far back as that; my experience only extends for three years; but I cannot fail to see that those who joined the Society when it was first established are now on the verge of death, and consequently the claims must fall heavier.
2106. But have you not a number of young members to take their places? Oh, decidedly; the average age at which we have accepted members during the past three years will not go over twenty-six or twenty-seven.
2107. Yet you consider your risks greater now than when you were first called into existence? Yes.
2108. Are you aware that locality has a great deal to do with the amount of sickness? Yes.
2109. Have you observed that trades and callings have had a great deal to do with sickness? I know that it has.
2110. Do you lose a number of members each year for non-payment of dues? Oh yes, especially in the case of new Lodges.
2111. Then you would have an actuarial calculation based on the various experiences of the Societies? Yes; and not only upon those of the Societies of this Colony, but of older Societies. I think the experience of the Societies here is not sufficiently lengthy to give a correct table.
2112. Have you examined into the question as to the proportion of sickness here per member per year, and that of the old country? I have not.
2113. You told us the sick pay was suspended by a vote? Yes.
2114. You have read the Friendly Societies Act? Yes, casually.
2115. You are aware that there is a clause by which any existing claims must be provided for before you can suspend that? I think that in my explanation I made it clear that that was the case; we cannot stop it, but we can pass a resolution to withhold it in any prospective cases.
2116. But if sick pay was suspended for a certain period of time, and any one in the minority objected to it, he could throw himself on a fund that would protect him? Just so.
2117. Then no wrong could be done him without his sanction? No.
2118. You say there is a provision in your laws for settling disputes by arbitration? Yes.
2119. Are you aware that in the Act there is a provision that everything shall be settled by arbitration without appeal? I believe there is; but when you take a case to Court they go on with it just the same, and the Judges will try the case.
2120. You referred to a case in which you went to law on a constitutional point, and the doctor afterwards gave evidence that death had arisen from Bright's disease? Yes.
2121. If he had signed a certificate to that effect before, would you have paid the claim? Yes, immediately.
2122. *Mr. Langley.*] Mr. Holdsworth just asked you if the minority wished to claim from the District their sick pay they could do so, and you answered yes; where would the funds come from? From the members of the whole Order.
2123. Do you think that fair? I think it is fairer than that the member should go short of his legitimate claim.
2124. Yes; but do you think that if I belonged to a Lodge that had always paid its way, I and that Lodge should be called upon to pay for the default made by another? Well, strictly speaking, there might be some ground for complaint, but the levy would be so very small that it would not be felt.
2125. Admitting that, still, on equitable principles, do you believe it would be right? Well, there are two evils, and I cannot see the way out of the question. If a Lodge becomes virtually insolvent for the time being, should the member lose the rights he has paid for?
2126. Do you not think some steps should be taken to prevent it from becoming insolvent? We cannot account at all times for the position of a Lodge; it may be in a poor position from accidental causes. It is an exceptional case.
2127. Do you not think some supervision should be exercised to prevent a Lodge from falling into that position? That could not have applied in this case. A Lodge may have £150 to its credit, and yet if three members fall sick for a whole year, they would absorb the whole fund.
2128. You say your scales are so arranged that you can charge anything above a fixed minimum? Yes.
2129. Does that fixed minimum admit of half fees besides? Separate and distinct from all contributions?
2130. Are your initiation fees fixed at a minimum and maximum? No, the maximum is fixed.
2131. Then you can go as much below that as you like? No.
2132. Is the whole scale not fixed? No, because we can alter it.
2133. And make it as low as you like? No; it would be within the province of the District to allow a Lodge to initiate at a nominal rate; it has been done. There is a law which says that in the event of new Lodges being opened they may admit members at half-fees; the nominal entrance has not been charged for several years past, but it has been done.
2134. Is it your opinion that the scale of initiation is of any importance as compared with the rates of contribution and the careful management of the funds of the Lodge? I should be prepared to forego all the initiation fees with the exception of a nominal one to pay the expense of examination. I think the contributions should be sufficient to meet all claims.
2135. In cases of half-fees being charged, may I ask if within your knowledge the half-fee system has been allowed when the funds or position of the Lodge did not require it, and whether such has not been done as simply a competitive arrangement? There are too many questions there.
2136. Have the District officers allowed you to charge half-fees in Lodges where the financial position of the Lodges did not absolutely demand it? There is a difficulty in answering that question, because it may be your opinion that it may be necessary to admit at half-fees when a Lodge is unfinancial or where it is in a good position.
2137. Do you know of any case where a Lodge in a sound position has been allowed to admit members at half-fees? Oh yes.

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2138. Then in that case what were the necessities for departing from your rules? Simply a desire to increase the numbers of the Order, upon the principle that every member introduced to the Society is a source of income.
2139. Was it actually from a desire for competition with other Societies? Not in the slightest degree; in fact we have competed in this way with our own Lodges.
2140. Do you consider it fair to your own Order to allow one Lodge to initiate members at half-fees while another Lodge is charging full fees? I think so, setting as I do very little value upon the fees.
2141. Do you think that in the carrying on of Benefit Societies it would be advisable to lay down, by a Government actuary or otherwise, a certain basis upon which calculations should be made? What form are these calculations to take?
2142. That would be for the Government actuary. I mean, to lay down as a basis what payments would guarantee a certain result? I cannot say whether you would like a sliding scale or a fixed one.
2143. A fixed scale? I think it would be wise if such a thing were adopted.
2144. Below which do you think it would be inadvisable or advisable to go? It would be decidedly unwise to fall below it.
2145. *Mr. Rubie.*] Then, according to your rule, all members would pay alike, as you set no value on the entrance fees? Yes, if it is a fixed scale like we have at the present time.
2146. Have you a Reserve Fund? Yes, in the District.
2147. To what purposes is that applied? Only to the funeral donations.
2148. Does any portion of the entrance fees go to that? Yes, there is a registration or entrance fee to the District Funeral Fund.
2149. Does that materially help it? Oh yes.
2150. Then it might be necessary to change that? Not if the contributions were made equal to the demands upon them.
2151. Have you a Widow and Orphan Fund? Yes, separate from the District; it is optional with the members if they belong to it or not.
2152. How is it supported? Each member pays a small nominal entrance fee, and 1d. a week.
2153. What are the benefits to be got from it? Though I am a member of it, I can hardly tell you; it is from £5 to £20.
2154. Has that Widow and Orphan Fund been sufficient to meet all demands upon it? Yes, and they have £500 to their credit now.
2155. What portion of your contribution goes towards your Sick and Funeral Fund? The Funeral Fund is administered by the District, and the Sick Fund by the Lodges; not less than 6d. a week.
2156. And out of that 6d. a week a portion goes to the district? Yes; not less than 2s. 6d. or 3s. a quarter.
2157. What is your general contribution? Ranging from 13d. to 15d. There are one or two Lodges paying only a shilling, but they are now talking of raising it.
2158. The contributions can be raised to meet any demand? Yes.
2159. That is a sort of sliding scale? Well, it is open to the members to decide at any meeting what they shall pay, so long as it is not less than a certain amount.
2160. *Mr. Newland.*] Seeing that you state that the fees are not much in the takings of a Society, but that the contributions properly managed would be sufficient, would you be in favour of a graduated scale of payments? Under certain conditions I should; I think though that the constituent parts of a Friendly Society are not able for the work that would fall on the secretaries; it would be hard to find clerical skill sufficient to carry it out.
2161. I mean if a young man joins at a certain age he should pay that amount through life; do you think that would entail a great amount of labour? My experience of secretaries leads me to the opinion that they would find great difficulty in carrying it out. At the same time I believe it to be the most just system.
2162. What is the cost of opening new Lodges in your Order? The actual cost of opening a new Lodge, with just bare necessities for conducting the business, would be something under £5.
2163. What would be included in that £5? The Charter, books necessary, and Lodge seal.
2164. Is regalia necessary in the working of a Lodge? No.
2165. *Mr. Greville.*] If the contributions were calculated on such a scale as to pay a proper secretary, your objection would be done away with I suppose? Decidedly.
2166. *Mr. Slade.*] Regarding the sick pay, your rule 106 relates to it, and it being decided by law how much a week you shall pay, how can you without calling a meeting of your members alter that law or do anything which relates to the suspension of sick benefits for any period? I think the Friendly Societies Act gives power to the members by a specified majority.
2167. Does not the Friendly Societies Act state that no alteration of the laws can be made except at a summoned meeting, summoned for that purpose? But this is not an alteration—it is merely a suspension.
2168. If the law settles that, by what authority do you set aside the law? If the members are summoned to a certain meeting the business is noted on the summons, that is sufficient.
2169. Then do we understand that this alteration of your rules, or the suspension of your rules, has been duly forwarded to the Registrar and certified in the usual way? There are too many points there. In the first instance you say the rules are altered; they are not altered, but are simply suspended for the time being.
2170. Your 106th rule says the allowance for sick members shall be on a certain scale; that law contains no power to set aside or suspend that form of payment? Under the Friendly Societies Act it does.
2171. Then has it in every case been legally done and the alteration registered? There has been no alteration, but merely a suspension.
2172. Can you give the Commission any idea of how large a proportion of the weekly expense is available for sick pay? Not less than 6d. a week is paid into the Sick and Funeral Fund.
2173. Well, taking away the Funeral Fund, how much is left for sick pay? About 16s. a year.
2174. That is about 4d. a week; does it not require about sixty members to keep one sick member on the funds? As a matter of course it must.
2175. Does your experience teach you that the Lodges having met their sick liabilities hitherto, their rate of sickness must have been less than that? Most undoubtedly; if the money had not been sufficient we should have lost ground, which we have not done.
2176. To return to graduated payments: do you think that they would very materially increase the duties
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of the secretaries if they were arbitrarily fixed at entrance and not interfered with during the course of the members' attachment to his Lodge? It would take a tolerably fair clerk to keep a set of books on the graduated scale; it would not increase the duties, but it would increase the necessity for more ability.

2177. Are you of opinion that the management of the affairs of the Societies could be assisted if the Friendly Societies Act accorded that there should be an Arbitration Committee to assist them in the settlement of their disputes? I believe that a Board composed of the leading members of the various Friendly Societies would be a very good Board for such a purpose.

2178. I mean to meet the case of Societies that are single in their existence, and not for the larger Societies? There would be no objection to their being affiliated with the Friendly Societies for such a purpose.

2179. Have you a separate superannuation or pension fund attached to your Order? None.

2180. Do you consider such a fund advisable? No, decidedly not.

2181. *Mr. Gelding.*] Have you studied this question of arbitration well? No, I have not.

2182. Then I presume on that account you are not able to give a very good opinion on the affair? I think the matter is such a commonplace one that any one could give an opinion.

2183. Do you not think these arbitration affairs should be left entirely to the Societies to settle amongst themselves; would it not be injudicious, considering that one Society is pitted against another, to call in members of other Orders? I have yet to learn that the Societies are pitted against each other.

2184. Then you believe the arbitrators should be taken from the different bodies? I can see no objection to such a course, believing that there is sufficient honor and integrity amongst members everywhere to settle a matter of that kind.

2185. I presume you have had to send returns in to the Registrar? Not to the Registrar; I send them in to our General Secretary.

2186. And he, I presume, sends them to the Registrar? Yes.

2187. There has been a good deal of difference of opinion how this should be done; do not you think that in every case the returns should be sent in to the Grand Secretary certified by auditors sworn before a Justice of the Peace, and that these returns as compiled by the Grand Secretary should be sufficient for all purposes? I have seen in the possession of our Grand Secretary a tabulated statement which he sends in.

2188. But does he not send in the single forms? I believe so, but a tabulated statement as well.

2189. Would it not be sufficient to have the tabulated statement alone? I do not know; it would give room for cooking the returns.

2190. Are you aware of secretaries cooking these accounts? No, under present circumstances it is very hard to do it; but I think that is a question that could be better answered by the Registrar than by me.

2191. You have stated in answer to Mr. Newland that your Lodges are not required to have regalia: do not all your Lodges dispense with that law? We have no law.

2192. Do all your Lodges have regalia? I believe they have, with the exception of one to be opened next Thursday—they have none at all.

2193. In reference to the sliding scale, I understood you to say that you did not believe the secretaries have sufficient capabilities to carry it out in this Colony? —

2194. Are you aware that the Manchester Unity in Great Britain and the Channel Islands adopt this sliding scale? My experience does not extend to other parts of the world, but only to New South Wales.

2195. And yet you think it would be impossible to carry out such a thing? No, I said it would require a better class of secretary than we usually get.

2196. You tell us you would willingly do away with the initiation fees, and yet you would have a fixed scale of contribution putting members of all ages on a perfect equality? I said that on account of the difficulty of getting secretaries of sufficient ability I would be more in favour of a fixed scale than of a sliding scale.

2197. I was talking of initiation fees? I would do away with them altogether and admit members on a nominal entrance.

2198. Are you aware that to do that you would have to raise the subscriptions to about 1s. 6d. a week? I do not think they would come to that.

2199. Have you any idea of the amount you receive from initiation fees in the district for a single quarter? I am not prepared with figures at the present time, but I could furnish the information. In the last three months it might amount to £150.

2200. Do you think the present rate of contribution you pay in your Order, 1s. a week, sufficient to meet all your present and future liabilities? No, I am sure a shilling a week will not meet it.

2201. You are aware that posters are put about offering all sorts of advantages for a shilling a week? I am aware they have been printed, but in all cases the Lodges have been opened on a higher scale.

2202. And do you, as District Secretary, allow these posters to go about? Once having gone forth, we can take no action or do away with the impression produced on the people.

2203. Are you aware that the Rose of Petersham Lodge issued a poster to that effect? Yes, I am aware of it.

2204. Was it contrary to your rules? No; our rules say the minimum contribution shall be a shilling a week, and it was within the rules. When the Lodge was opened the fees were made higher.

2205. Do you think your Society, or any other Society, with the exception of the Temperance bodies, could withhold the funeral donation, provided a man died from alcoholism? You are asking for a legal opinion, and I should not like to give it. Our rules say we are not to pay in such cases.

2206. You say you have never studied the Friendly Societies Act? Not to any very great extent.

2207. Have you looked through all the clauses? No, because it is incomprehensible to me—there are so many Societies mixed up in it.

2208. *Mr. Newland.*] Have any of the officers of your Society informed intending candidates to understate their ages? Never.

2209. Have they ever gone to the medical officer and told him not to make too careful an examination of the candidates—have you ever heard of such a thing? I have never heard of such a thing, but have been one of a committee to wait on the doctor and urge a stricter examination.

2210. *Mr. Holdsworth.*] Is it the practice in your Society to examine into the health of the wives? Not in our Society.

2211. *Mr. Gelding.*] Then, considering she is insured as well as the man, do not you consider she should undergo some examination? If a member makes a false declaration with regard to the state of his wife's health he is liable to be expelled.

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2212. But you cannot prove it? We have proved it.
2213. Do you think it advisable, considering she is insured, that she should undergo an examination? I have voted against it.
2214. *Mr. Langley.*] If a medical examination is necessary in the case of the husband, are there not grounds why it should be equally so in the case of the wife? No, because she is not the recipient of sick pay, living, as she does, on the bounty her husband supplies.
2215. *Mr. Gelding.*] In the medical certificates that have come in to you of a wife's death have you not found the cause of death consumption or phthisis? Infants die of that.
2216. *Mr. Greville.*] Am I correct in supposing that your objection to initiation fees is simply because it is an unscientific way of providing funds? Yes, I believe they are not based on anything like correct principles.
2217. You think the table of payments should be so calculated as to secure the results independently of any initiation fees? Decidedly so.
2218. *Mr. Smith.*] Are all the Lodges working under your Grand Lodge registered? I think they are every one of them.

The Commission then adjourned until Friday, 27 January.

FRIDAY, 27 JANUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
FRANCIS ABIGAIL, Esq., M.P.,
EDWARD J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

Mr. William Barnett Smith sworn and examined:—

- Mr. W. B. Smith.
27 Jan., 1882.
2219. *President.*] What are you? An accountant.
2220. You reside at Wallerawang? At Wallerawang at present.
2221. You have expressed a desire to be examined by this Commission? That is so, sir.
2222. You are aware of the nature of the inquiry? I am; it is, I believe, into the working of the present Friendly Societies Act.
2223. Have you had a large experience in connection with Benefit Societies? For the last eight or nine years I have been closely connected with them.
2224. Have you held office in connection with any of the Societies? Yes, I have.
2225. Which one? The Protestant Alliance Friendly Society.
2226. What position did you occupy? I occupied the position of Grand Secretary or general Secretary of the Order for two years, and also Secretary and Chairman of subordinate Lodge.
2227. Is this Society registered under the Act? Yes.
2228. What is the nature of the Society—is it governed by any central body? It is; it is governed by one central body, which is termed the Grand Council, composed of representatives elected by each subordinate Lodge.
2229. Are there many subordinate Lodges in connection with it? There are, in all the Colonies. In New South Wales I think there are from twenty to thirty at the present time.
2230. Is it connected with Lodges in the other Colonies? Yes.
2231. And is this the head quarters of the whole? No, they are all on an equality; the Order originally existed in Victoria and New South Wales as separate bodies, but they amalgamated, agreeing to accept members from each other, and they now exist under one body called the High Court. It has spread to the other Colonies since the amalgamation.
2232. But has the Grand Council of New South Wales any jurisdiction over the other Lodges in Victoria? None at all.
2233. What are the principles upon which it is founded? The principles common to all Benefit Societies; it affords aid during periods of sickness, a sum of money payable on the death of a member or member's wife, and medical attendance and medicine to its members.
2234. And I presume the contributions and the sick and funeral benefits are somewhat similar to those of other Societies? Yes, much similar; they allow 21s. a week for the first period of sickness, then 15s., and then 5s.; £25 at the death of a member, and £15 at the death of a member's wife; and this donation is increased by £5 after five years' membership.
2235. What is the weekly amount of contributions? 1s. a week is the stated sum, but this is increased, varying in Lodges from 1s. to 1s. 3d. a week; it is generally a shilling, and then a levy each quarter.
2236. Do you know upon what data the Grand Council arrived at the fact that this contribution was sufficient to meet any demands that might be made on the Society? They had no data but the experience of other Societies in existence before themselves; they had no tables, and nothing to calculate a correct rate of contribution.
2237. So far as you are aware, has this Society been able to meet its financial engagements? It has, so far as I am aware, been able to meet all its engagements; it has only been in existence eight or nine years, and has progressed, though I think the Society is not in a sound financial condition.
2238. I think you said it was a Protestant Friendly Society? It is; that is, the members must belong to some Protestant denomination.
2239. I presume you have made yourself acquainted with the Friendly Societies Act? I have in a general way.
2240. Are you aware whether that law has been complied with in certain respects, such as laying the returns before Parliament and so on? I believe the annual returns have been furnished to the Registrar.
2241. That is the respective Lodges or Grand Council have furnished these returns to the Registrar? The custom is to furnish the General Secretary with duplicate returns, one copy of which is sent to the Registrar and the other kept by the Society.
- 2242.

2242. And do the Societies send their returns directly to the Registrar, or through the Grand Council?
Through the Grand Council.
2243. You are aware that under the law the respective Lodges can send them in to the Registrar? Yes, I am aware of that; but it is a matter of regulation of the Society that the Grand Secretary shall collect them first.
2244. Now do you not think it is best that they should come through the Grand Council or other governing body? I do.
2245. Do you know whether any of the Lodges under the Society have been dissolved? Yes, they have.
2246. Could you tell us for what reason? Probably because the members have fallen away.
2247. What becomes of the interests of the members who are left? Under the law they can transfer themselves to some other Lodge.
2248. And receive all the benefits they would have become entitled to under the Lodge that became defunct? Yes.
2249. Do you know anything about the working of any of the other Societies,—the Oddfellows, Druids? I know nothing of the working of the other Societies, with the exception of the experience gained by the Oddfellows in England; I have studied that, and the works of Mr. Ratcliffe and the tables he prepared; but as far as their actual working is concerned I know nothing.
2250. Do you know whether the Societies here have fixed their contributions and benefits on the basis of Mr. Ratcliffe's tables, or if tested by them would they be found sufficient? I do not believe there is a single Society in New South Wales that would show favourably if tested by these tables. I am certain the rates of contribution now paid are not sufficient to meet the benefits promised.
2251. That is, taking the ages at which persons join and the death rate? Yes, taking the English death rate.
2252. Do you think longevity is greater here than in England? I do not think it is.
2253. Who is Mr. Ratcliffe? He was Corresponding Secretary to the Manchester Unity in England for many years.
2254. Was he an actuary? No, he was not an actuary; but he gave a great deal of study to the question, and was able to get a great deal of valuable information; his tables have been taken as a basis by the Victorian Government in the tables they have prepared.
2255. How are disputes settled in your Society? They are settled by a majority of the subordinate Lodge, and there is a right of appeal to the Grand Council. If not satisfied with that, the matter can then be submitted to arbitration.
2256. But is there anything to prevent a litigious person going to the Law Courts? Our law says that disputes must be referred to arbitration, and that the result of the arbitration must be complied with.
2257. But is that not diametrically opposed to the statute law? The Act says that the rules must provide for the matter, and mentions arbitration as one of the modes. If not referred to arbitration, then an appeal may be made to the Law Courts.
2258. I want to get your opinion as to whether it would be wise to provide that all possible disputes that could arise internally amongst the Lodges should be determined amongst themselves, with the right of appeal to an appellent Court? Yes, with the right of appeal to a higher Court outside the Society.
2259. Is it your opinion that an appellent Court could and ought to be formed out of the respective institutions or governing bodies of the various Societies? I have never thought of that, but it strikes me as a very good idea; as men such as these would have a better knowledge of the working of the Societies than a District Court Judge, and they would be better able to render justice.
2260. Then you would have a Board of persons—say, for the sake of illustration, one from each Society—to act as a final appellent Court? Yes.
2261. Of course that does not refer to criminal cases? No.
2262. Have you ever known of any defalcations or malpractices by secretaries or treasurers? Not from actual knowledge; I have heard of several cases, but could not say whether they were correct.
2263. Now, is there any suggestion you could make to the Commission in reference to any emendation of the law; in what particular points do you think the law requires amendment? One important point is in fixing a minimum rate of contribution; and secondly, having all tables of rates certified to by a competent person independent of the Society.
2264. Is that all that strikes you at present? There is another provision that might be amended, and that is that which permits Societies to invest a certain portion of their capital in land or buildings. I think they should be compelled to have a certain reserve fund before locking up their capital. I think the great fault is in the administration of the Act rather than in the Act itself.
2265. Has it ever come to your knowledge that it was impossible to administer the Act in consequence of not having sufficient machinery? I believe that is the case; one person could not successfully administer the Act.
2266. You are aware that there are very large amounts of money involved in the administration of the Act, so far as it affects the individual members of the Lodges and their connections? Yes.
2267. Have you ever thought over the question as to whether it would be only an act of justice to these Societies that there should be a Department created specially to deal with this matter and to administer the Act? Yes, I certainly think there should be a Department.
2268. And you think any Government would be justified in creating such a Department? Most decidedly.
2269. And better security would thus be afforded to members and Lodges? Yes; and I believe Societies would also be formed on a sounder basis—there would be less uncertainty than at present.
2270. *Mr. Smith.*] Have you ever been a member of any other Society? Never.
2271. I understood you to say that you thought the Society of which you are a member is not in a good financial position? I did say so.
2272. You speak of it as a whole? As a whole, yes.
2273. How long has the Society existed here? About nine years.
2274. Where did it first have its origin? In Sydney.
2275. Only? Only. There were Societies of the same name in different Colonies, but in no way connected.
2276. You have no connection with any Society of the same name in any other part of the world? The Society extends throughout the whole of the Colonies; it did exist in Victoria before we were established here as an independent body.

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2277. How long is it since the connection took place between here and Victoria? Since 1874, I think.
2278. And your experience will justify you in saying that you believe the Society is not in a good financial position? Yes. I do not think it is worse than any others, perhaps better than many others; it is a fault common to all Societies—that is, taking an actuarial view of the matter.
2279. Have you any idea or could you give any opinion as to the average ages of your members? I should think the average age would be something over thirty; because the Society has been so lately formed that there cannot be a large proportion of members at the older ages.
2280. Is it not a fact that your Society, in order to get a footing in the Colony, has resorted to the principle of taking in a large percentage of old members? No, that is not the fact; it has resorted to one defect, and that is to admit members at a reduced entrance-fee. That is a matter that I was personally opposed to; still it has prevailed and often does prevail.
2281. Then it is a fact that your Lodges have resorted to the half initiation fees? Yes, principally in the Lodges just opened.
2282. Has it been done in more instances than one by any new Lodge? Not to my knowledge, but it may have been—it is possible.
2283. Do you not think that principle in itself would be very injurious to the successful working of a Lodge? I do, provided the rates of contribution are not sufficiently high. If they are sufficiently high I do not think it matters much what the rates of entrance-fee are.
2284. Could you give any idea as to the class of persons you get under the reduced entrance-fee? Principally young men; we do not take any members over forty.
2285. But is it not a great inducement for men from thirty to forty to become members of a Society where they can get in for half the amount? Of course it is.
2286. During the nine years this Order has been in existence in the Colony have you had many cases taken into the Law Courts? No, I do not think we have had more than one or two; I do not remember more than one.
2287. You did have one case? We had one; it was the Grand Master of the Order who retained some part of the regalia and was sued to recover it.
2288. What was the result? He was compelled to give it up.
2289. Did the Grand Lodge suffer by having to pay expenses? No, he had to pay the costs; they were given against him.
2290. In reply to the President, you said you thought the Act would meet all requirements if it were properly administered? With a few amendments that I suggested at the time.
2291. As Grand Secretary have you ever experienced any difficulty in working your Lodges under the Act? No. I only held the office of Grand Secretary for a short time after the Act came into force.
2292. Is it within your knowledge that any difficulties have been experienced by any of the officers under the Act? No, unless that clause relating to the purchase of land by Lodges is a case in point. A Lodge to which I belonged invested a portion of its surplus capital in land, and the matter was referred to the Registrar, and he gave his opinion against it as being an illegal act; but legal advice which we took indorsed what they had done, and the matter was left as it stood.
2293. And your Society acted on that legal advice? We had already acted.
2294. The land was purchased out of the surplus funds of that individual Lodge? Yes, of that individual Lodge.
2295. Have you any pension or superannuation fund in connection with your Lodge? No, we have not.
2296. *Mr. Abigail.*] You stated that though your Society had met all its engagements, you still consider it is not sound financially? I did.
2297. On what do you base that opinion? My principal reasons are: I took one of our Lodges, supposed to be one of the best, whose position appeared to be fair according to the laws. Well, I submitted the affairs of this Lodge to an investigation based on the tables published by the Registrar in Victoria which were taken from Mr. Ratcliffe's tables, and the result showed me that this Lodge had a deficit of nearly a thousand pounds; so I concluded from that that our Society in common with others was not really in a sound position, though it had £500 surplus and 150 members.
2298. So that Lodge, with £500 surplus and 150 members, you consider is not sound financially? I do not; and a large proportion of the members was under forty years of age.
2299. How is that brought out—is it by taking the accumulated liabilities? By means of the tables published by the Victorian Government; and taking the present value of the benefits promised, and of the future contributions, and present capital invested in all securities, cash in hand, and proportion of capital with the Grand Council, the balance shows whether it is debit or credit.
2300. I presume you made allowance for interest? Yes, interest on all moneys at 4 per cent.
2301. Do you think a Society charging a uniform rate of 1s. per week can safely give 20s. sick pay and £25 on a member's death? I do not. I have here a memo. showing the contributions towards all benefits of the Lodge whose position I valued, and I calculated that the contributions should be ranging from 8½d. to 3s. 8d. a week to secure the benefits. There is no provision made for withdrawals in the calculation.
2302. That is a graduated scale, then? It is, at periods of five years.
2303. Are you in favour of a graduated scale? I am, decidedly.
2304. That calculation is based on a graduated scale? Yes; a member at twenty should not pay as much as a member at forty. I compared them with the Australian Mutual Society's tables, and found that according to Mr. Hayter's tables in Melbourne the amount should be 5s. 7d. a year, for funeral donation of £25, and according to the Australian Mutual Provident, 6s. 9d.
2305. Do you think members should be permitted to join more than one Society for the purpose of obtaining sick benefits? I do. I cannot see why they should not, or why any clause in the Act should prevent them from obtaining the benefits.
2306. Do you think it is likely to make the Societies liable to be operated upon? It would make the members more careful to guard against imposition.
2307. Can you tell us what is the annual management expense of your Society? I could not say certainly, but about 10 per cent.; I should think, would cover it.
2308. Do you think that in any new-Friendly Societies Act it would be wise to incorporate a provision to allow a Society to lend to its members for the purpose of building? I do; I have long thought it would be wise to allow it. Societies are now allowed to lend on mortgage, and they might do it better if this was allowed.

2309. Do you think the present basis on which the large Societies are worked is fair to their members? I do not? I see nothing fair whatever in the composition of Friendly Societies. A member joins at twenty years of age and pays the same rate of contribution as one who joins at forty; and if he is in the Society for ten years and leaves, he receives nothing back. This, I believe, deters many from joining Friendly Societies.

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2310. How do you meet that? In various ways; one by the formation of a Superannuation Fund; then if there were a periodical valuation, profits could be divided and put away towards this fund.

2311. How could that affect members who left the Society? It could not affect them, but they would be less liable to leave.

2312. Are you of opinion that a valuation should be regularly made? Most certainly, on the same principle as a business man submits his affairs to investigation.

2313. Should that be done by a Government officer? By public valuers or a Government officer.

2314. Do you think that at present sufficient data could be obtained to base such a valuation on—do the returns enable Societies to supply sufficient data? The returns sent in to the Registrar are valueless, because they do not afford information as to each separate age. If it could be given for ten years, then the data would be available; but the data we could obtain from Ratcliffe would be sufficient.

2315. What, in your opinion, would be a fair average contribution to give benefits such as are generally given by Friendly Societies? I should say not less than 1s. 3d. a week.

2316. You do not think it could be done for a shilling? I am certain it could not.

2317. But supposing a Society meets its engagements, do you think its contingent liabilities increase faster than the funds can possibly increase by the payment of a shilling a week? Undoubtedly, for it is the experience of most Lodges that they go on accumulating funds though their contributions may be small; but there has been no drain upon them, although that time must ultimately come.

2318. Will not that be partially met by the withdrawals which benefit all Societies? They, to a large extent, do benefit Societies; and in England, up to the age of thirty, the rate of withdrawals is higher than the rate of mortality; but if the Societies were fair that would not occur.

2319. It is not the older members who withdraw, then? No; the younger members, decidedly.

2320. Do you spend much money in the matter of regalia? Very little, except for the regalia of the officers. My own opinion is that regalia is a thing that could be done without in all Friendly Societies.

2321. Are any of the officers paid? The secretaries in all the Lodges, and the treasurers merely a nominal sum.

2322. Have you any knowledge of any of your Lodges having failed through want of funds or funds running out? No, not beyond the case I have mentioned to the President.

2323. *Mr. Greville.*] Do you consider that the unscientific basis of calculations which is at present in operation acts very prejudicially to the Societies by causing young men to withdraw in consequence of not receiving a due return for their money? I do. It deters young men from joining, and when they have joined, deters them from remaining in the Society.

2324. According to the present scale, the elderly are sustained at the expense of the younger members? Exactly so; the only difference being that the older man pays a slightly increased entrance fee.

2325. And would you discard the idea of the strong helping the weak and the richer the poorer, and form these Societies upon purely commercial principles like Life Assurance Societies? I would, decidedly. My experience is that that feeling prevails to a very small extent.

2326. And if these commercial principles were adopted, do you consider that these Societies would largely increase their operations? Yes, I do think so.

2327. From previous answers you have given I glean that you are in favour of the Government laying down certain lines upon which these Societies can be formed, giving a maximum and minimum contribution, and leaving the Societies themselves to choose any line between? I should not attach so much importance to fixing the maximum, but I certainly would fix the minimum contribution for a certain benefit.

2328. If the withdrawals from the present Societies were to cease, you think a day of reckoning would speedily come by which it would be found that the Societies were unable to fulfil their engagements? I do; but there are other cases in which members join the Societies in poor circumstances and afterwards acquire wealth, so that they cease to require the benefits.

2329. But it is the fact that most of these Societies have been able to carry on without coming to a standstill in consequence of these withdrawals? In these Colonies it is so; but here they have not existed for a sufficient length of time to enable us to judge properly.

2330. At any rate you are satisfied that the benefits promised are greater than the rates of contribution justify? I am, certainly.

2331. *Mr. Langley.*] I understood you to tell the President that some of your Societies had stopped working? They have, yes.

2332. In this case what was done with the funds? They were retained by the Grand Lodge.

2333. Did the Grand Lodge make arrangements by which the members should receive the benefits to which they were entitled by your Constitution? Yes, they did; that is provided for by the rules.

2334. You have no cases in which the Lodge stopped for want of funds? Not for want of funds alone.

2335. You say you do not think a shilling a week is sufficient, and that you have been in the habit of making levies? That is the regular custom in the Society—to make levies quarterly.

2336. Has it been customary to inform intending candidates that you charged levies in addition to the ordinary contribution? I do not think it has been customary.

2337. The tables, I think, of which you speak are those laid down by Mr. Hayter in Victoria, and are more a basis for a Mutual Insurance Company? No, they are Friendly Societies' tables prepared especially to enable Societies to value their liabilities and assets.

2338. Did you say that if a graduated scale was adopted by a purely Benefit Society, that Society would progress much better than the Societies do at present? I believe it would—I believe it would be fairer to all.

2339. Then if you take a young man of twenty who is unmarried, what provision would you make for the extra expense incurred by the Lodge when he becomes a married man with a wife and family? That does not enter into the matter at all, for the only extra expense that would be incurred would be medical expenses, which is a matter of contract with the doctor, and in calculating the Society's condition an allowance is made for that; a certain portion of the contribution is put aside for that, and the remainder only is calculated upon.

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2340. Then you have not calculated that portion in? No; but I have allowed a certain portion of the contribution for that; I have allowed 25s. per annum as being his contribution for medical expenses. (*Vide Appendix.*)
2341. You admit there are Lodges which have to pay more? Undoubtedly.
2342. Then how can you make a hard-and-fast line of this kind? A hard-and-fast rule could not be made. If a Lodge had to pay more, its contributions should be more to meet it.
2343. You say you took the opinion of the Registrar as to some land, and he gave it as his opinion that it was illegal; did your Society act upon his instructions? We had purchased the land before we obtained the decision.
2344. But if you had done an illegal act you could have disposed of the land again? But we had committed an illegal act, and we took legal advice and let the matter rest there.
2345. Then you ignored the opinion of the Registrar? Yes.
2346. Do you think that if matters in connection with a Society, if they have to be submitted to the Registrar at all, should not be governed by his decision, if he is qualified for the position? In the majority of cases, yes; but the Registrar is not infallible.
2347. Who should be the authority? The Societies should have the right to appeal to a higher Court.
2348. Then you would leave the workings of the Societies to the civil law instead of to an appellate Board? In a matter like that, which is a matter of law, I should think that a Civil Court would be best able to decide.
2349. *Mr. Rubie.*] What are your rates of contribution? They vary from 1s. to as high as 1s. 3d.
2350. Have you a Widow and Orphan Fund? No, we have not.
2351. Do you keep the Risk and Funeral Funds separate? We do, yes.
2352. What proportion of the contributions is paid to them? We do not keep them separate in the subordinate Lodges now; though we did up to the present year. Then the proportion was 7d. to the Sick and Funeral Fund, and 5d. to the other funds. That we found was too much, and so we abolished them.
2353. In the scale you have made up, was it worked out by yourself? Yes.
2354. I see, at the age of twenty the amount fixed is 8½d.; what is included in that? Not doctors and medicine.
2355. But sick-pay and funeral donation? It is so stated.
2356. And that calculation is based on your tables? On those of Mr. Hayter, which are merely a revision of Ratcliffe's tables.
2357. You have a sliding scale of entrance? Yes, at entrance.
2358. How is that money disposed of? It was the custom to put it half to the Funeral and half to the Management and Expense Fund.
2359. Because most of the actuaries state that if it were put out to interest it would materially help the Funeral Funds? No doubt the entrance fees could be applied in reduction of the annual contribution.
2360. Then all your members pay the same contribution? Yes.
2361. You stated I believe just now that, more or less, the young members were paying for the older ones? Yes, that is my opinion.
2362. If you had a certain rate of entrance, calculated according to any actuarial scale, that would not occur? The entrance fee is a very small proportion of the amount paid.
2363. Then from your own experience you are of opinion that not less than 15d. would be required to meet the ordinary benefits? That is the lowest that could safely be accepted, but it could be calculated to the minutest fraction.
2364. *Mr. Newland.*] About how many members are there in the Society? About 2,700.
2365. I suppose they have general meetings of delegates? Yes.
2366. And how often are they held? The rule provides for annual meetings, but they meet more often.
2367. And how many delegates attend these meetings? I should think on an average forty.
2368. Are they held in the day or evening? In the day.
2369. And how much a day do these delegates receive? Twelve shillings per day and travelling expenses.
2370. Do any of them travel a long distance? I should think the average cost of the annual meeting in that way would be from £50 to £70.
2371. What is the greatest number of times they have met in the twelve months? Oh, twelve times, but the members are not paid; they are only paid at the annual meetings.
2372. How often do they receive this pay? Once a year.
2373. How often does your Executive meet? Once a month, or oftener if required.
2374. How many members are there on it? Nine or ten.
2375. And do they meet in the day or at night? In the evening.
2376. What pay do they receive? They receive no pay.
2377. And what is the cost of management of your Society? I should put it down at about 10 per cent.; but that is mere guess work—it is impossible to calculate it for want of data.
2378. That would be nearly 2d. per week per member? Ten per cent. on 35s. a year; nearly 1d.
2379. The medical expenses you say are about 25s. per annum? Yes.
2380. That is at the rate of 6d. a week? Yes.
2381. Then a young member joining at the age of twenty and paying 8½d. should pay 14½d. to include medical benefits? Yes, but in that table withdrawals are not included.
2382. If he joined at forty according to the same rule he would have to pay 1s. 9d., and still you say that an average of 15d. would be sufficient for members at all ages? Yes, because the rules say that no member can join over forty. The bulk of the members join at from twenty to thirty, and in the tables withdrawals not being considered, 15d. I think would be a fair amount.
2383. What are the qualifications necessary for a person joining? Only that he should belong to some Protestant denomination.
2384. But in the event of him afterwards leaving that form of faith, how would the Society deal with him? He forfeits his membership.
2385. *Mr. Greville.*] Has such a case occurred? Not to my knowledge.
2386. *President.*] Do you insist upon a member going to church? No.
2387. Not once a year, or something of that sort? No.
2388. *Mr. Newland.*] In your experience do Lodges expend more for sick pay to young members and their families than to older members? I should think not, but rather that it would be considerably higher in the older ages.

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- 2389. What position do you hold now in the Society? I have not held any position for the last nine months since I left Sydney.
- 2390. *Mr. Slade.*] Have you ever come across any instance of repudiation on the part of your Society? No.
- 2391. No cases in which they have had to suspend the paying of benefits for any time owing to want of funds to meet the claims? No, I have found them rather too ready to pay money away.
- 2392. How are your Grand Lodge officers appointed? They are elected by the representatives of the various Lodges.
- 2393. How are they paid? The Secretary and Treasurer are the only officers paid.
- 2394. The delegates I mean? They are paid by levy on the various Lodges.
- 2395. But by the Grand Lodge or the Branch that sends them? By the Grand Lodge, from the collective levies.
- 2396. Do these delegates, assembled in council, fix the rate of levy for sick and funeral benefits for the ensuing year? They fix the rate for the funeral levy and for management for the year.
- 2397. Can you give us the usual amount? About 6s. per annum for both funds, but the secretary will give you the information.
- 2398. What is about the cost of opening a new Lodge in your Society? I think the charter fee is £1 1s., if I remember rightly.
- 2399. And what would be the cost of the regalia they are obliged to wear? They are not obliged to have regalia at all—it is optional with them.
- 2400. Regarding the returns sent in by your various Branches, what is your opinion of their value? They are of no value at all, on account of being principally a statement of the balance in hand at the end of each year, and do not give the particulars of expenditure or the sick rate at the various ages.
- 2401. Have you any reason to doubt their correctness? I have every reason to doubt it, as I have had much to do with balancing them, and they do not supply the information required.
- 2402. Have you any reason to doubt their truthfulness? No, I have no reason to doubt that.
- 2403. In the Branches are the sick and funeral and management funds kept separate? Not now—they are amalgamated.
- 2404. Does your Society offer any special advantages at the opening of new Branches? Only admitting members at a reduced entrance fee.
- 2405. Are the members examined as carefully as at any other period of a Lodge's existence? Yes, they are examined, and sign a medical declaration.
- 2406. Then there are no other inducements? I believe when the Society was first formed other inducements were offered; but that was only the first few Lodges; and it was one of these whose position I investigated.
- 2407. Could you tell us what you have to the credit of the Sick and Funeral Fund at the present time? I could not at the present time, but I think it is about £7,000.
- 2408. Have you any idea what is to the credit of the Management Fund? No, I do not know.
- 2409. Will your secretary be able to furnish us with the average age of your members? He should be able to do so.
- 2410. Does the table of sliding scale you have submitted include the doctor and medicine? No, it does not.
- 2411. Then, in addition they would have to be billed with the cost of doctor and medicine and management? Yes. This table was not prepared for the purpose of being submitted to the Commission. If I were to do so, I should make allowance for withdrawals and load the premium with an amount for management expenses.
- 2412. Can you tell us from what fund the banners that we see floating in processions are provided? I do not think our Society has more than one banner, which I believe was provided for by subscription amongst the members.
- 2413. In a schedule here your Order is put down as costing 57 per cent. for management? That would include medicine and medical attendance.
- 2414. *Mr. Golding.*] You stated that if you took withdrawals into consideration, the average would be materially altered: have you ever considered the question that Lodges in most of such cases lose probably 10s. by each member, the amount they have to pay the medical attendant? In some instances no doubt they do.
- 2415. In the majority of instances? Probably they do; that is, withdrawals by members who are returned to the medical officer for one quarter.
- 2416. But supposing a member intends to leave the Society, and will not pay up his contributions for twelve weeks, and then leaves, has the Lodge to pay the medical officer? Yes, until he is fourteen weeks in arrears.
- 2417. And could you then frame a scale suitable to meet the Societies? Yes. I said before we do not consider the medical attendance at all; it is a matter of contract, the terms of which are tacked on afterwards.
- 2418. You say you have studied Ratcliffe's tables? Yes.
- 2419. Are you aware that according to the scale laid down by him, a person twenty years of age, to secure the present rate most members of Friendly Societies in New South Wales receive, would have to pay about twice the amount he has to pay now? They are based on a 3 per cent. valuation; those I used on a 4 per cent.
- 2420. Do you think that scale of yours would be a sufficient basis upon which to frame a sliding scale? No; it is only taken for periods of five years each.
- 2421. Do you think that if Societies could furnish forty years' experience it would be a good basis to go upon? Undoubtedly it would be the best that could be obtained.
- 2422. You said you would like to see the Societies made into a sort of Mutual Provident Association: would not that be contrary to the principles upon which they are framed? It may be contrary to the spirit of the original intentions, but the Societies have outgrown that, and, if managed on purely business principles, I think they would be sounder and that it would be better for the members.
- 2423. What would be a fair average rate per head for a Society to be solvent? It would be impossible to say, as you would have to consider so many cases. What would be sufficient in many cases would not be nearly sufficient in others.
- 2424. I understood you to say that, having studied the Act, you believed it to be all right in itself, but that it had been badly administered? I believe generally that it is sufficient.

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2425. Have you looked at clauses 41, 42, 43, 44? That I have mentioned; the Act says the trustees can only invest the moneys under the directions of the Society's officers.
2426. It says that the trustees shall pay away sick pay and all money disbursed: do you act up to that, or think it practicable to do so? No, we do not, and it is not practicable.
2427. Then the Act must be faulty in that respect? Certainly.
2428. You said that you had left out of your tables the management expense part of the arrangement, as the withdrawals would compensate for that: are you not aware that the management expenses of Friendly Societies take away the greater portion of the contributions? No, I do not consider they do, unless you include the medical expenses in the management expenses.
2429. They come under the head, do they not? Well, they do in the returns, but they should not.
2430. How much does your Grand Lodge devote to the Sick and Funeral Funds? They devote no sum at all; the Grand Council has no control over the Sick Fund, though it makes an annual levy for the Funeral Fund, the exact amount of which I could not say with certainty.
2431. Is there not a clause in the Act to the effect that the funds shall be kept distinct? I believe there is a clause in the Act which states that all funds shall be kept separate and distinct.
2432. You do not do so? The Act does not say they shall be kept separately, but if they are kept, they shall be kept distinct.
2433. Have you consulted Mr. Oliver on that? No, I have not required to do so.
2434. You are still a member of the Society? Yes.
2435. You believe that if some of the old Societies could give us forty years' experience of sickness and mortality, it would be a thoroughly good basis upon which to frame a sliding scale if the Commission deemed it necessary? Undoubtedly, it would be the best basis that could be obtained.
2436. *Mr. Greville.*] Better than 100 years' experience? No, for the length of time is everything, and the number of interests involved.
2437. *Mr. Gelding.*] Do not you think that the Societies should give in to the Registrar a list of charges and contributions and of all benefits proposed to be given before they are registered, so that he might see that they would be able in some measure to redeem their promises made to the members joining the Societies? Undoubtedly, and that they should also be submitted to examination.
2438. Do you think an actuary should be connected with the office? Yes.
2439. And paid by the Government or by the Societies? I think the Societies should contribute by fees.
2440. Do not you think that as these Societies relieve the Government from the cost of pauperism they should be entitled to registration free of expense? I think it is a duty the Societies owe to themselves to contribute towards the expenses.
2441. Do not you think the Registrar should register the rules free of cost? Well, every time a rule is altered I think it is vexatious to have a fee asked for, but when rules are first registered I think a fee should be paid.
2442. Have you seen any of the reports of the English Registrar of Friendly Societies? No, I have not.
2443. Are you of opinion that the Registrar should take it upon himself to materially alter the rules submitted to him should he deem them faulty? No.
2444. Do not you think it would be well if he did do so? No, it would be well if he pointed out anything wrong to the Societies, and compelled them to alter it.
2445. You are an actuary, I believe, are you not? No, I am not a professed actuary.
2446. Are you competent to draw out an actuarial statement? No; I can use a set of tables, but would not consider myself competent to prepare a set.
2447. You stated to the Commission that you considered that a member aggrieved at the decision of the governing Board should have the right to appeal to a Court of Law—Do you not think that would act very injuriously to the interests of the Societies? No; I look at it that, in a matter of dispute, both parties are interested, and one interested party is called upon to decide, and therefore it is right to give an appeal to a Court of Law that is not interested.
2448. But suppose it was a Board of Arbitration composed of representatives from the Societies, do you not think a man would be as likely to get as much natural justice there as in a Court of Law? If it was such a Court as suggested by the President, I think it would be sufficient.
2449. *Mr. Langley.*] May I ask if, in the whole of the answers that have been given by you, you have given them from the standpoint you have assumed that the Friendly Societies should be conducted on commercial principles? That is the attitude I have assumed all through.
2450. And not from the benevolent standpoint? No, I discard the benevolent idea altogether.
2451. *Mr. Slade.*] You have no idea how much your Society has paid in fees from the beginning of the Act? No, I have not.
2452. *Mr. Smith.*] Have any of your Lodges left your district or governing body? No; we have no districts, only the one central governing body.
2453. Then you would have jurisdiction over the whole of the territory of the Colony? Yes.
2454. What is your opinion as to the effect upon the Societies themselves where they leave the governing body? The effect would be slight; if a Lodge was strong in point of funds I do not think it would matter much, but where the liabilities are spread over a large number and a large area the risk is much less.
2455. But it is the case that when individual Lodges become very strong they will secede from the district and thus impoverish the others? I should think it rather an advantage, as they thus forfeit all they have paid in.
2456. Would it be wise for all bodies to have geographical limits? No, I think it would be rather injudicious.
2457. But the greater percentage of local Lodges are situated in the county of Cumberland; now, supposing half of them desire to sever themselves and form another governing body, would it not be injudicious? Not to any great extent.

The Commission then adjourned until 2 o'clock on Monday, 30 January.

MONDAY,

MONDAY, 30 JANUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,

JOHN DAVIES, Esq., C.M.G., M.P.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RISBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.,
WILLIAM E. LANGLEY, Esq.

Mr. Philip Risby Holdsworth sworn and examined:—

2458. *President.*] You are a member of the National Division of the Sons of Temperance? Yes.
2459. What position do you occupy? What is termed Most Worthy Scribe, or General Secretary for Australasia.
2460. And you are still occupying that position? Yes.
2461. Is your Society governed by a central body in the city of Sydney? Yes. It consists of representatives from the various Grand Divisions residing in the different Australian Colonies.
2462. Have you more than one Grand Division in New South Wales? Yes.
2463. And are the other Grand Divisions in the other Colonies subject to the jurisdiction of the Grand Division of New South Wales? No, to the National Division of Australasia, with the exception of Victoria and South Australia, which have a distinct National Division just now.
2464. Have any of the Grand Divisions in the other Colonies anything to do with the government of the Order here, financially or otherwise? No, except that they pay into the General Funeral Fund here. Each Grand Division has the entire government of its own district, and the National Division consists of representatives from the various Grand Divisions.
2465. Then it is only those who pay into your funds that are entitled to any benefits from them? That is all.
2466. How many Grand Divisions have you in New South Wales? Sydney East, Sydney West, Hunter River, South Coast, Goulburn, Bathurst, and Tumut.
2467. And are they locally governing bodies? Yes.
2468. And under these respective Grand Divisions are there a number of subordinate Lodges attached? Yes.
2469. I presume you could furnish a return as to the number of subordinate Lodges? Yes, a complete list.
2470. Does your Society, as a Benefit Society, independent of being a Temperance Society, differ in any wide respect or in any respect from the government of other Benefit Societies? I think not, except in that part that relates to temperance.
2471. Are the contributions and the benefits similar or nearly similar to those of other institutions of a kindred character? With one or two exceptions, where we have a sliding scale.
2472. You have a sliding scale for the initiation of members? Yes.
2473. And also for the payment of contributions? In one or two cases only.
2474. Do you mean by these cases particular Lodges? Yes.
2475. And not particular districts? Not districts: Lodges have established themselves on that principle.
2476. And your rules justify the establishment of Lodges on that principle? We permit every subordinate Lodge or Division to pass any code of by-laws that will suit their own convenience, subject always to the constitutional laws.
2477. Do all the subordinate Lodges in connection with the Institution contribute to the funeral fund? Not all—nearly all. It is optional with them, and there are some half-dozen who do not do so; they have funds of their own.
2478. But it is only those who contribute to the National Division who can participate in the Funeral or Sick Fund? No, it is only those Lodges which receive their money out of the Funeral Fund. It is a Re-insurance Fund, and most of the Lodges have availed themselves of the opportunity of joining.
2479. So none of these Lodges that do not contribute to the Funeral Fund participate in any of its benefits? No.
2480. Are the initiation fees paid into the General Funds of the Lodge? Into the General Fund of the Lodge; we have no division of funds in our Order, which I personally think a mistake.
2481. Then all your contributions form one fund? Yes, and out of that fund they pay into the Funeral Fund, which is a separate fund for re-insurance. I think a certain proportion should be set aside to meet funeral and sick money, and that is provided for in the Act if it had ever been carried out, but there has been no attempt made to carry it out.
2482. You have had a large experience in the working of Friendly Societies? It has been a favourite study of mine from early manhood—life insurance and sick rates.
2483. But is there anything in connection with these Benefit Societies at all similar to life insurance? Well, the funeral gift has to be based on tables of life assurance, and the sick tables run precisely in the same manner as the death tables would run if they could be scaled out accurately.
2484. I presume you can and will furnish the Commission with a return showing the respective ages of the persons who have been initiated, and the death rate of these persons? That is not a difficult question with us, for every year each division has to send in a return of this sort (*produced for inspection only*); but to go through three or four thousand names means a large expenditure of time and money.
2485. Then upon what principle have you fixed these contributions and the Sick and Funeral Fund? On the experience of other Societies, there being no other data known up to the present time on which you can frame tables for Benefit Societies. I do not know whether that is a fact, but it is so stated by all actuaries.
2486. Then your fees have been fixed on the experience of other Societies of a kindred character? Yes. In some cases where we have found them low we have raised them.
2487. What is the object of your having these details of initiations and ages of wives and death rate? To check any case of death and prove the identity of the individual, and to check our own books regularly.
2488. Then these returns are not compiled with the view of having any actuarial investigation? No, our experience has done all that is necessary. I may remark that our sick rate is much lower than that of any other Society.

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- Mr. P. R. Holdsworth. 2489. If that be the fact there must be some reason for it; in your opinion what is that reason? I presume it is on account of total abstinence, as other Societies give intemperance as a cause of sickness. Our sick rate very rarely exceeds four days per member per year.
- 30 Jan., 1882. 2490. Can you tell us what your percentage of the whole number is for sickness? I think about four days per year.
2491. How many members has your Society as a whole? In 1879 there were 4,200, and they paid £1,965 16s. 3d. for males. Our Society pays a pound a week for sick money.
2492. Could you tell us how many of these 4,200 are members of Lodges within the city of Sydney and the suburbs? That I could not do, because our Grand Divisions stretch so strangely. East Sydney District has Divisions scattered all over the Colony. I could get it if there is any desire for it, and have it taken out as an Appendix.
2493. Is the sickness in your Order confined more particularly to the city of Sydney and the suburbs than to the country districts? Decidedly not.
2494. Do you have as much in the country districts as in the city of Sydney? That is a difficult question, but my idea is that in the mining districts we have had more sickness than anywhere else.
2495. And how do you account for that? Working in the mines underground and the large number of accidents; and the uncertain employment tends to malingering.
2496. In your opinion the use of intoxicating liquors is detrimental to longevity? Most decidedly.
2497. And, as a whole, you give it as your opinion that your Society, being founded on principles of temperance, the sick rate is less than it is in other Societies? Yes; if necessary I could supply the statistical returns.
2498. Now as to the death rate of your Society, does that differ in any respect from that of any other Society? It is much lighter, taking a number of years through.
2499. Then you must either be fortunate in getting your members or there must be some cause? We take total abstinence to be the cause of the greater longevity of our members, and were it possible to obtain all members who had been temperate or abstainers from childhood we should have a greater longevity still; but we have a good many who have been reclaimed from intemperance.
2500. You have got a good many reformed drunkards? Yes, and have saved others from becoming drunken in their habits.
2501. Do not you know many persons who have been in the habit of drinking grog who have lived to an old age? Yes, but I have seen ninety-nine out of a hundred of their acquaintances die.
2502. Did you ever take steps in the Colony to ascertain the truth of this? I can get the information, and get full information. There are a number of Societies who will not take in publicans, and there are others which have divided the Society into two branches—a temperance and a general branch—and it is found that the mortality in the Temperance branch is much lighter than in the general branch. You will find that at Melbourne and in England.
2503. Are you aware of the fact that there are other diseases that affect the longevity of a human being much more than intemperance? It is quite possible, but I think these diseases are made more dangerous when a man indulges in intemperance.
2504. Do the respective Lodges under your National Division send in their returns direct to the Registrar, or are they sent through the governing bodies? Direct to the Registrar. I suggested to the Registrar that it would be much easier for me to send in the whole of the returns as I received them from the Grand Divisions, but he considered that the Act would not permit of such a thing.
2505. Do you not think it would be better, and more convenient and more reliable, if these returns were sent through the governing body? The only way reliable returns can ever be obtained is by sending them in through the Grand Secretaries, accompanied with a declaration.
2506. *Mr. Greville.*] Similar to that sent with Bank returns, I suppose? Yes, just the same.
2507. *President.*] I presume your Society has had no difficulty in meeting its financial engagements? There would be no difficulty in meeting them if the Divisions would carry out our laws, because under the laws it is impossible for them to suffer.
2508. Has there been any case in your Society where persons have died entitled to the funeral donation, where the Society has not been able to meet its engagements? I know of no such case officially; I never take *ex parte* statements.
2509. And you would know as Secretary, would you not? No, I might never hear of it, as it would only come under the notice of the Grand Secretaries of the Grand Divisions.
2510. Then who is the proper officer to deal with cases of that character? There has no case arisen in connection with the Funeral Fund. I can answer for that, as it comes through me.
2511. *Mr. Gelding.*] Then you are ignorant of the working of the Branches of your Order? I know nothing of them except what comes before me officially.
2512. *President.*] What amount have you to the credit of the Society as a whole? To the credit of the Sons, £23,452 4s. 1d., and the Daughters, £2,469 19s. 8d.
2513. What are these sums available for? For sick and funeral money—whatever claims naturally arise.
2514. Are these funds invested? The General Funeral Fund is invested, and I presume the funds belonging to the various Divisions are invested; the law says they shall be, but that is beyond me; the Grand Secretaries will inform you on that point.
2515. Have you found any difficulty in the carrying on of the business of your Society in connection with the Friendly Societies Act? We have found some difficulties, but I do not think they need have existed had the Act been worked with anything like spirit.
2516. What do you mean by that? We have been sued on several occasions, and have been run to considerable expense in Law Courts; yet the Friendly Societies Act says everything shall be settled by arbitration, and had the Registrar insisted on that we should not have been sued.
2517. Whom do you expect to carry out the law with spirit? The Registrar of Friendly Societies; but then I expect the Government to pay him, and not that he should do all the work for nothing.
2518. Is there anything special or particular in the Act that has met with your attention, and to which you think there ought to be any amendment? I think that the Act as it is now is too complex; it starts with generalisms, and mixes up Friendly Societies, Building Societies, and Co-operative Associations; I consider myself that we should have an Act as simple as possible. The present Act provides for registration, yet there is no power, the Registrar says, to compel the Lodges to register; there are no penalties properly provided

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provided that he can recover with readiness. Then the Act says that the Registrar shall have power to refuse registration unless he has an actuarial certificate that the rates are sufficient. I do not believe such a power has ever been exercised, though he has the power to send back the laws where he thinks the rates are too low. Personally I think the laws should be as simple as possible; that the Societies should be registered; that the rates should not be below those of the older Societies; that provision should be made for the proper investment of the funds, for the settlement of all disputes by arbitration, and for annual returns accompanied by a declaration similar to that made by Bank Managers; that these returns should be sent in by the Grand or District Secretaries, as they have better means of obtaining the information than subordinate Lodges, and are better able to get out the matters statistically.

2519. These are all the matters you wish to refer to in reference to the Friendly Societies Act? Yes. Another provision should be made that in the medical certificate the doctor should be compelled to certify to the age of the party.

2520. How could he certify to the age? He could certify to the best of his knowledge and belief. In most cases it could be supplied by a friend if it was asked for.

2521. Then, in your opinion, there should be a separate Act of Parliament to deal with the Friendly Societies? Decidedly, with a Registrar and proper officers.

2522. Is it your opinion that, taking into consideration the large amount of money and the large interests involved, the Government would be justified in establishing a Department to deal solely with Benefit Societies? I consider that they would be not only justified, but that it is their absolute duty to do so.

2523. That is, that they should provide machinery and officers for a particular Department dealing with this subject? Entirely so.

2524. As a whole these Societies are a great relief to the Government? An immense relief; I reckon they save the Government £20,000 a year at a most moderate calculation, and they create an amount of self-reliance which is of immense value to the community.

2525. And without these Societies do you think there would be a greater amount of pauperism than now exists? Undoubtedly. My reason for thinking so is that we find, in a large number of cases, that men when they are sick are quite dependent on the amounts they thus receive.

2526. In the country districts do you not have to depend a great deal on the opinion of the medical man? A great deal.

2527. Have you in any or in many cases been deceived by them? I could not give an opinion on that point.

2528. Are cases of dispute generally dealt with by arbitration? Generally, yes; by appeal to the superior powers, which should be imperative in the large Societies.

2529. What do you mean by "the superior powers"? The Executive Committees. There are Subordinate Divisions or Lodges, and there are Grand Lodges and movable Committees. Thus you have three appeals. Take the Sons of Temperance as an instance. A dispute arises in the subordinate division, a member is dissatisfied; he appeals to the Grand Lodge, which consists of representatives of the various subordinate Lodges; if still dissatisfied he may then appeal to the supreme power, that is the National Division, and there I think the decision ought to be final; but if that were not deemed sufficient I would have, with the Registrar as Chairman, two arbitrators appointed, one by either party, their decision to be absolutely final; but on no account should they be allowed to go to law and waste the substance of the Lodge. The other day, at Newcastle, a certain section thought to split up one of our Lodges, and the result of the dispute was that we had to pay £37 law costs on our side; and I do not know what they had to pay.

2530. Under the present Act a person can go to the ordinary Courts of Law for redress? Well, if properly carried out, I do not think he can; but they do do it.

2531. There is a provision, is there not, by which the fees and contributions can be recovered? I do not remember it.

2532. Have you not known of cases in which members have been summoned to the Courts and they have been recovered? Yes; but I have a strong opinion that if this were taken to the Supreme Court the case would be given against them.

2533. You do not think the law should provide for that? I think there should be a distinct law for that, because the Lodge pays for medical attendance for the member for six months as well as *per capita* tax, and then he goes away altogether. There could be a great deal said on both sides of the question.

2534. In your opinion all disputes in connection with these Societies should be settled amongst themselves by a final Court of Appeal fixed by themselves? Yes; not a penny should go in law costs.

2535. Do you have any movable Committees? We have the National Division, which can meet anywhere.

2536. Do you think there is any great advantage in movable Committees? My experience is that sessions that are held in Sydney, where we now generally hold them, are better attended than any other; but when you go where you can only take a limited number with you, then I do not think they are of much benefit.

2537. And are the expenses paid by the Lodge? We pay our own expenses.

2538. Would there be any difficulty in governing such a Society as yours from a central body in Sydney? None whatever.

2539. *Mr. Smith.*] You have been identified with these Societies since their establishment in the Colony? Very nearly; not from the beginning, but within a year or so afterwards.

2540. You have always held some important office in connection with it? Yes, I have always been in office nearly; the chief office I have held is my present one.

2541. And in that office you would of course know of all the Lodges working under the Order? I would only know once a year that they existed; that is, when I received the returns from the Grand Secretaries.

2542. You are then supplied with a return of the subordinate Lodges by the Grand Secretaries? They give me a schedule of them.

2543. Showing the number under your government? Yes.

2544. How many of your Lodges have ceased to exist since the commencement? I cannot say, but a great number.

2545. What are the principal causes that have caused them to collapse or die out of existence? A cause that will affect the Temperance bodies more than any others. Our Society was called into existence first to carry forward the great Temperance doctrines, as we call them; and, secondly, to make a Temperance Benefit Society. Our enthusiastic friends get up Lodges in scattered districts; gradually the members scatter and become sparse. That has been the chief cause. Another cause has been the introduction of

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Good Templary, because, when that was introduced, there was an outlet for Temperance men, and a number of them left our Societies and went to other Societies, because in ours they are heavily handicapped.

2546. Does your Order hold any freehold property? That I cannot speak of; I am aware that they do hold halls in various places, but it does not come within my knowledge officially.

2547. I suppose you can furnish a return showing the number of Lodges opened, and also those that have ceased to exist? Yes; but it simply becomes a matter of expense. I will try to make one as complete as I can.

2548. You issue a charter and all that sort of thing? Yes.

2549. When the Lodges cease to exist, what becomes of it? They surrender it, but formerly it would not come to me as a rule.

2550. And the surplus money and so on, what becomes of that? Under the present laws it would come to me with the charter, and would then be placed on the clearance fund, which is a fund, I believe, peculiar to our Order. We place so much a year—I think threepence a member—to it, and thus provide for sickness or death of all members who are travelling on clearance, or who belong to Lodges or Divisions that are breaking up where they have no funds. They can go into the nearest Divisions, but if they cannot do that they are thrown upon this fund. The provisions are fully set forth in rule 17, section 6.

2551. *Mr. Greville.*] You have given positive and most decisive opinions relative to the working of the Societies and the deficiencies of the Act; were those opinions formed on the practical knowledge derived from your long experience of the Societies? I give no opinions but what I have formed from the working of the Societies.

2552. They have not been derived from the evidence given before the Commission? I do not think I have read that evidence, but it has not affected me in the slightest degree; I do not go by what I hear.

2553. *Mr. Langley.*] What is the cost of carrying on the headquarters of your Society in Sydney? The total cost is £50 a year which is paid to the Most Worthy Scribe, and £8 or £10 a year postages.

2554. You stated in your evidence that the sick and death rates were based on life assurance rates? I was asked the question on what they were based, and I said the funeral money on life assurance rates, and the sick money could be calculated on a similar principle. I did not go into details.

2555. Then, if your sick and death rates were based on life assurance rates, do you consider your Society as at present is solvent? Yes, by the experience of the Society itself.

2556. But if you base your sick and death rates on life assurance rates I ask you if your Society is solvent? No; no Society in the world is solvent unless you reckon the loss of members who have run out.

2557. Then, do you think any present tabulated sick and death rate would work fairly as regards Friendly Societies? Certainly not.

2558. You stated also that your rates of sick pay were lower than those of any other Society? No, I said our rate of sickness was lower.

2559. Then, may I ask what you base that statement on? Simply on our returns year by year.

2560. What have you compared with them? The Oddfellows and Foresters.

2561. Have you ever compared the rates of sick pay with those of the Independent Order of Oddfellows? I have never seen their tables.

2562. Did you state positively your rates were lower than those of any other Society? Yes.

2563. How can you be so positive of that? Because I take the actuaries' tests. I go to the last returns of Victoria, and it was stated there that the rate of the Rechabites had been but little more than half that of other Societies, and the same report was made by the Registrar General in England.

2564. But I am simply taking New South Wales? As regards this Colony I have simply taken the returns as far as I have seen them.

2565. I understood you to say that you were in favour of a sliding scale? Assuredly.

2566. Then may I ask if in your experience you have not found that young men up to thirty-five have required a larger expenditure for sick pay and medical attendance than those between forty and forty-five? No, I cannot say I have; my reason for going in for a sliding scale is what I have read—the actuarial statements I have met with everywhere.

2567. I am speaking in regard to Australia? There are no data existing.

2568. Then, according to these, have you found members between thirty-five and forty-five require more sick pay than those between twenty and thirty-five? It would be very nearly equal between these two ages, but it becomes greater after that.

2569. How many actuaries do you know have advocated for Friendly Societies to establish a sliding scale? I think all the actuaries of England that have touched on this point come to the same conclusion, that it would be desirable and equitable to have a sliding scale if they had the data, but not having this they go for a fixed scale in order to get these data.

2570. But can you show any one actuary that advises that, as Friendly Societies are at the present time, with the limited knowledge we can get, it would be advisable to establish a sliding scale? No, only Tidd Pratt, who gave a scale; Neison advocates it, but says you have not sufficient knowledge; Archer, of Melbourne, says the same.

2571. On looking over one of these returns I find there is such a thing as a married man of sixteen years of age returned amongst the deaths, is that correct? I imagine it is quite possible it is incorrect.

2572. But if our Friendly Societies Act is carried out in the way laid down, that would go direct to the Registrar of Friendly Societies? No, that is only a return from the Funeral Fund, and would be checked directly.

2573. But that is sent in as a true and correct return? Yes.

2574. But if you have found in a simple matter such as this a mistake of that kind, how do you expect Secretaries can be found to carry out a sliding scale? I do not think that is anything; it has been done accidentally, but it may be correct.*

2575. In a new Act do you think it would be more advisable to have a few clauses embracing a general basis for Friendly Societies than a complex Act like we have at present? Assuredly.

2576. Then, so far as the present Act is concerned, you consider it defective? It is defective, though it might have been made available.

2577. Are you aware, or did you ever hear of a case in which the promoter or party who started a Lodge and who had no authority whatever to incur any expense, sued the Lodge and recovered? I never take

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* NOTE (on revision):—I have since examined the return referred to, and find the age referred to is date of initiation and marriage.

ex parte statements. I know nothing in my position of that; it is only hearsay, and I pay no attention to that.

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2578. *Mr. Rubie.*] At what ages do you admit members? Up to forty-five; from sixteen to forty-five.
2579. Then, presumably, the gentleman mentioned in this document could not have long joined? Oh, I imagine that was a mistake of the man who made it out.
2580. What is the experience of your Lodges as to the ages at which members generally withdraw? I think they are generally young men, but it does not come under my notice.
2581. Have you a Widow and Orphan Fund? No; we tried to establish one but failed.
2582. Have you a Pension Fund? No.
2583. What amount do you give as a funeral gift? £20 at the death of a member, and £10 on the death of a member's wife; £10 at the death of a Daughter of Temperance, if single, and £5 if married, and £10 on the death of her husband.
2584. Then in your examination you cannot give the details of the working of Lodges? No; I have to deal with Grand Lodges only.
2585. So that the working of the Order among the members we cannot expect you to give any evidence upon? No; I only know at second-hand, except where information reaches me in cases of appeal.
2586. Then can you say whether the working of the Order depends mostly on the old members or the young ones? I think the experience of all Societies is that the old hands have to do the work.
2587. *Mr. Gelding.*] I see, Mr. Holdsworth, that in your returns for the Sons you have £23,452 4s. 1d. as the total worth of the funds up to December, 1880? Yes.
2588. That will accord to your members an average of £5 15s. 1d. per head, will it not? Quite possibly.
2589. Could you inform the Commission how that great amount has been made up, whether by the contributions of the members or by the great number that have left your Order during the past few years? I could not possibly say that.
2590. Are you aware that the Sons of Temperance have been decreasing in numbers? Yes, I am quite aware of that.
2591. And that would raise your average, I presume? Yes.
2592. In the Daughters of Temperance I see the funds are £2,469, and the number of members 1,469? Yes.
2593. That would give an average of about £1 13s. 7d. per head? Yes.
2594. They, I see, have increased materially during the last few years? Yes, it is possible.
2595. And that increase, I presume, accounts for the low average per head at the present time? I do not admit it to be a low average per head for a Daughters' body. You must bear in mind that the Daughters only receive half the amount of benefits.
2596. But as the average of the Sons increased owing to the great number going out of the Order, with the Daughters the reverse would take place—the average would decrease? But I do not admit that there has been a great decrease in the Sons or a great increase in the Daughters. In 1878 there were 4,200 Sons, and in 1880, 4072. That is not a wonderful decrease.
2597. You have stated during your examination that the only fault of the Friendly Societies Act is in the working of it? I did not say that was the only fault, but that had it been well worked it might have been of service. The great fault I find is that such a number of things are mixed up in it that are foreign to each other.
2598. Do you not think that a great majority of the clauses might be done away with? Yes, no doubt about it; but had it been properly worked we could have made it of service.
2599. I believe you think that, as regards Temperance Societies, they should be totally distinct from Friendly Societies? I have never expressed such an opinion in my life; on the contrary, I think the Temperance bodies ought to have their own Benefit Societies, inasmuch as they have less sickness.
2600. Do you not think it unfair that a member who has paid his subscriptions for a number of years, on the doctor telling him he must take alcoholic drinks, should be deprived of the benefits he has been trying to secure? I think the case put is an impossible one. If the doctor tells him he must do it—it is taken medicinally, and the laws provide for that.
2601. *Mr. Langley.*] In case it should be thought desirable to substitute some other Friendly Societies Act for the present one, do you think there would be any persons more qualified to draw it up than the representatives of three or four of the leading Societies? I think they might give an idea of what was required, but I do not think they would be qualified to draw up an Act of Parliament.
2602. *Mr. Abigail.*] You referred to a case in which the law costs were £37, but you did not tell us who got the verdict? After sending witnesses from Sydney, the Judge dismissed the case, but at the request of counsel nonsuited the plaintiff, and said he could not give a decision, and that he thought it better that it should be referred to arbitration.
2603. Were you in connection with it? Not actively, but the National Division guaranteed the expenses to protect the Subordinate Division.
2604. Was there not a Grand Division? Yes; the Grand Division guaranteed the Subordinate, and we the Grand.
2605. Then you, as Secretary of the National Division, have no intimate connection with the Subordinate Divisions or members except through the Grand Divisions? No.
2606. If cases of misappropriation of funds occur in any of the Divisions for the Sons or Daughters, would the returns as furnished to you contain any record of it? No, none whatever.
2607. So you have no means of saying whether this has occurred or not? None whatever.
2608. The proper officers to give the information would be the Grand Secretaries of the Grand Divisions? Yes, and the Secretaries of the Subordinate Divisions themselves.
2609. Can you tell us the average cost of management of your Society? Well, I cannot say that without a lot of trouble. I cannot say exactly, but one of our Grand Scribes the other day ran it out, and said it was about 7½ per cent.
2610. That is on the receipts, I suppose? I do not know whether receipts or expenditure.
2611. Is the matter of regalia expensive? No, it is optional.
2612. If it is worn, does the Society provide it? It can if it likes.
2613. But in the National Division? It is provided by the members themselves.
2614. Now, if a statement in Parliament was made that the Daughters' Divisions for 6d. a week give as much

Mr. P. R. Holdsworth. much benefit as several of the male Lodges, would that be correct? The man that made such a statement did not know what he was talking about, that is all.

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2615. I suppose a great number of your members are dealt with for violation of Article II.? Not so many as is, I think, generally supposed; but I would have no knowledge of that except in cases of appeal. The total here gives, "Expelled for violation of Article II., 100." I do not think there are a very great number, but amongst Temperance bodies as a rule we reckon on 5 per cent. of violations.

2616. Then it does not matter how many years they have been paying their contributions, if they take a glass of grog they are liable to forfeit the whole of their benefits? Oh no; the penalty for the first offence may be a fine of from 2s. 6d. to 7s. 6d. and suspension for a month; for the second and third offences the penalty is increased; and for the fourth offence it is expulsion. At the same time this goes very heavily against Temperance Benefit Societies.

2617. Do you think from your own experience that it is just that when a man has been paying into a Society for many years, and for a time himself unable to pay, he should be deprived of all his benefits? Assuredly not; there should be a fund to provide for this; but it is a matter that must be dealt with by the members themselves.

2618. Do you think it the duty of the Government to protect the public from joining Societies that are not financially sound? It is difficult to say what is financially sound.

2619. Do you think that a certain number of members should be allowed to ask for an investigation, provided they guarantee the expense? I think they ought if there is any question of doubt.

2620. Are you of opinion that the auditing should be done by members of the Society or by a competent accountant outside? Well, I think it should be done as now; but there should be power, in case of dispute, to refer to an accountant.

2621. Have you any knowledge of the working of Perseverance Lodge or Division, or of the Princess Alice Lodge or Division? No; I have no knowledge of the working of any of the subordinate Divisions.

2622. Do you find your returns generally correct? I could not answer that, because they are always checked by one of the people in the office; but there could be no glaring mistakes.

2623. Do you ever have to send them back for correction? Oh yes.

2624. *Mr. Gelding.*] You do not admit any one at fourteen? Oh yes.

The Commission then adjourned until Friday, February 3.

FRIDAY, 3 FEBRUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,

JOHN DAVIES, Esq., C.M.G., M.P.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RISBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

Mr. Charles Thomas Peirce sworn and examined:—

Mr. C. T. Peirce.

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2625. *President.*] You are Secretary of the —? Grand Scribe of No. 1 Grand Division, Sons of Temperance.

2626. Does all the correspondence in connection with the Order pass through you? Only the correspondence from the Subordinate Divisions under our jurisdiction.

2627. How far does your jurisdiction extend? Our farthest lodge is situated at Wagga Wagga.

2628. Have you jurisdiction throughout New South Wales? Formerly there was only one Grand Division in the Colony—that is the one I represent; but some years ago the Colony was divided into Districts, and other Grand Divisions were formed; but No. 1 retained by far the largest number of Divisions.

2629. Then I understand from you that there are three Grand Divisions? No, sir; there are about six Grand Divisions in the Colony.

2630. And you represent the Sydney Grand Division? I represent Sydney East; there are two in Sydney—Sydney East and Sydney West. Sydney East is No. 1; Sydney West, No. 9.

2631. But I suppose all these Divisions work under the same principles? All under the same Constitution.

2632. Is there any executive or authoritative Board that comprehends the whole of these Divisions? I may say there are two; the first is the Grand Division; the supreme being the National Division.

2633. What is the National Division? The National Division. I had better commence from the ground-work; from the Subordinate Divisions the Chairmen or Worthy Patriarchs are eligible for election to the Grand Division; the Grand Division officers are elected from that body, and the National Division is composed only of the Grand Worthy Patriarchs, Past Grand Worthy Patriarchs, and Grand Scribes who have held that office two years consecutively; and they also are elected annually.

2634. What are the functions of the National Division? The National Division has supreme control over the Colonies of New South Wales, Queensland, and New Zealand.

2635. And does that body transact its business in Sydney? It does.

2636. Is it composed of persons elected or nominated from the Grand Divisions or Subordinate Lodges? I have already explained that it is composed only of Grand Worthy Patriarchs of Grand Divisions, Past Grand Worthy Patriarchs, Grand Scribes who have held the office for two consecutive years, and of Grand Worthy Associates.

2637. I presume you have had some papers furnished you with a view of furnishing a return? Yes, I received some forms last week.

2638. Can you furnish the Commission the respective ages at which persons have been admitted or initiated into the Order, and the ages at which persons have died who were members of the Order? I could get the information, but not for my own returns; I would have to get the information from the Subordinate Lodges.

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2639. But do you not already supply the Grand Division with these returns? Not giving the ages. This (*produced*) is a form of return that Subordinate Lodges have to send me quarterly; and from it I compile a return quarterly, and also annually.

2640. By the word "Divisions" you mean Lodges working directly under the National Division? No, under the immediate supervision of the Grand Division which grants them their charters.

2641. And they are bound by the Constitution of the Grand Divisions? They are.

2642. And have the rules of the Grand Division been approved of by the National Division? It is the National Division that forms the Constitution, and no by-laws must be framed antagonistic to that Constitution. This (*produced*) is a copy of the Constitution.

2643. What position does the Grand Division stand in relatively to these Subordinate Lodges or Divisions? Well, the Subordinate Divisions in case of dispute have the power to appeal to the Grand Divisions; if not satisfied with the decision of the Grand Division then they have power again to appeal to the National Division; the National Division's decision being final.

2644. What means have the Grand Divisions got of knowing whether the Subordinate Lodges are performing their functions properly and carefully in accordance with the Constitution? You will understand that the Grand Division is composed of the Worthy Patriarchs and Past Worthy Patriarchs of the Subordinate Lodges; the Grand Worthy Patriarch has power to appoint and does appoint Deputies to visit the Subordinate Lodges to see that they are working in accordance with the Constitution, and these Deputies visit the Divisions regularly.

2645. From this document that I have before me it does not appear that the Grand Division would be able to know whether the Constitution of the Division itself or of the National Division is strictly carried out—I mean in its details? Oh yes, the Deputies make quarterly reports to the Grand Worthy Patriarch, which come to me as Grand Scribe and are handed over to him.

2646. But it does not appear that you could possibly know if they were initiating persons under the minimum age or above the maximum age fixed by the Constitution? If they admit over or under the age fixed, the Funeral Fund Secretary would step in. He would receive more immediate information as the returns are forwarded to him.

2647. What office does he occupy—is it an office in the Grand Division? No, in the National Division.

2648. How does the National Division know what the subordinate Lodges are doing? They receive their reports from the Grand Scribes, and also returns annually.

2649. Who are the Grand Scribes? I am one.

2650. That is, Grand Secretaries? Yes.

2651. Are these returns of persons initiated and of deaths recorded? Only in the subordinate Lodges, and in the Funeral Fund Secretary's books; he keeps a record.

2652. Then the Grand Division of itself knows little or nothing of what is being done in the subordinate Lodges? Oh! I beg your pardon, we do.

2653. But you have informed the Commission that you do not know anything about this? That is true.

2654. Therefore the Grand Division does not know what is being done in subordinate Lodges? The Grand Division does know the workings of the subordinate Divisions, but we do not know the ages at which members are initiated.

2655. Is it not a necessary element to know the ages at which they are admitted and die? It would be desirable.

2656. Do you know whether any persons have been admitted below the minimum age or above the maximum? I do not. Some years ago there were members admitted above the age of forty-five, but now that is the limit, and now the Lodges cannot initiate above that age or below fourteen.

2657. You have contributions fixed for each member to pay, have you not? The subordinate Lodge fixes its own amount of contribution.

2658. Still under the Constitution there is a minimum, is there not? I believe there is.

2659. Then who fixes the Funeral Fund and Sick Fund? The Funeral Fund has a special Board of Management, and they fix the quarterly levies for the Funeral Fund.

2660. What is this Board of Management? It is elected from the members of the National Division.

2661. I presume that the contributions to the Sick and Funeral Funds are established on the same basis as in other Benefit Societies, are they not? Yes, generally.

2662. Could you inform the Commission whether these contributions and the sick and funeral benefits have been fixed from any known data or from the experience of other Benefit Societies? They are from the experience gained from other Societies.

2663. Are your funds kept separate? No.

2664. Are your accounts submitted to an independent audit, or are the auditors elected by the Society or the respective Lodges themselves? The Subordinate Divisions elect their own auditors, and the Grand and National Divisions the same. The Funeral Fund also has separate auditors.

2665. Does the registration of these Subordinate Divisions or Lodges come through the Grand Division, or do they respectively register themselves—I am speaking of the registration of the Division itself? You will understand that to enable a Lodge to get registered it must present a set of by-laws to the Registrar to register; I take it, from my experience, that it is not the Society he registers but its by-laws.

2666. Do you know whether any difficulties or impediments have arisen with respect to the registration of these Societies? Yes, within my own knowledge the Registrar has refused to register by-laws for what he termed certain irregularities. He refused to register by-laws in which the Societies wished to be allowed to sue for arrears of contributions, stating that this was opposed to the Friendly Societies Act.

2667. What did you do upon his refusal? I endeavoured to urge him to accept the by-laws as they stood, as he had previously registered other sets of by-laws with the same provisions in word for word; but he said that if he had done wrong once he was not going to do it again. He said if I wished to compel him to register these by-laws I would have to go to the Supreme Court and get a mandamus, which would cost £60 or £70.

2668. He refused to register the by-laws because he believed they would be *ultra vires*? Yes.

2669. And what you want the Commission to understand is that, in order to test whether he was right or you right, you would have to apply to the Supreme Court for a mandamus, and that would be expensive? Yes, it would.

2670. With respect to the Act itself, I suppose you have read it and made yourself acquainted with it? I have read the Act.

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2671. Have you, in your position, felt any difficulty in the working of your Order as regards the Act itself? No, I think the Act itself is a very good one with slight amendments, and also if the Registrar did his duty by compelling the secretaries to send in their annual returns. He has the power, but does not appear to use it.
2672. That is, he has the power of proceeding against persons who do not comply with the law? Yes.
2673. And you have told us that a number of your Divisions are scattered throughout the Colony? Yes.
2674. Would it not be expensive for him to attend in person throughout the Colony to prosecute them? It would.
2675. Then does not the law require some modification in that respect? Yes, it would stand amending there; but he has not done his duty as far as the metropolitan Lodges are concerned.
2676. Your objection is to the administration of the Act, and not to the law itself? Just so.
2677. Is there anything that you could suggest—any amendment of the law, supposing that some new legislation will take place? I could make suggestions, but not at the present moment.
2678. That is, you are not prepared to orally give suggestions? No, but I could furnish them in writing.
2679. Will you furnish, as an appendix to your evidence, any suggestions you may be desirous of giving to the Commission? I will.
2680. Have any of the Subordinate Divisions or Lodges under your Order ever been dissolved? Yes.
2681. Upon what grounds have they been dissolved? The last two Lodges that dissolved did so because they could not get a suitable medical man to attend their members; they were both country Lodges.
2682. Had they any funds in hand when they dissolved? One of them had equal to about £5 per head; the other was not so well off.
2683. What did they do with this £5 per head? They divided it.
2684. What position did they stand in relatively to the National and Grand Divisions to which they were subordinate? In both cases they ceased to be members of the Order, because they did not avail themselves of the advantages offered them by the Constitution.
2685. Then all the money paid in for sick and funeral pay by the members of the two Lodges you speak of, now, what became of that; did it go to the benefit of the surviving Lodges or Divisions? The contributions and sick and funeral money in subordinate Lodges form one common fund; so they divided the whole of the funds they had in hand.
2686. Do these subordinate Divisions keep to their own credit the sick and funeral pay? From their weekly contributions all goes to one common fund; the funeral fund levy is made by the Funeral Board, and this the subordinate Divisions have to send to the Funeral Fund Secretary.
2687. Then the levy upon the respective subordinate Lodges has to be paid quarterly into the National Division? Only the funeral money, not the sick benefits; they are paid by the subordinate Lodges themselves.
2688. Do they retain the money themselves? They do.
2689. Then they have no power of dealing with the Funeral Fund? None whatever.
2690. Then these persons who were members of a dissolved Lodge would lose that amount of money, and that would go to the general fund? They would lose it because they refused to remain members of the Order. Had any one or two members of these Lodges wished to retain membership, they could have applied to me as Grand Scribe for a clearance card, which would have been granted; these members would then have forwarded to me the amount of their share of the funds, which I would have forwarded on to the Most Worthy Scribe, as Secretary of the Clearance Fund.
2691. Then if there is a minority, that minority can by application to the Grand Scribe be enrolled in some other Lodge? Yes, but no Lodge can break up while there are eight members willing to carry on the business.
2692. How long have you had any experience in connection with these matters? I have held my present position four and a half years, and have been a member of a subordinate Lodge for twelve years.
2693. Have you ever thought whether it would be a wise thing to provide that all subordinate Lodges should have their communications with the Registrar conducted through the National Division, or the Executive or ruling board of the Order? Yes, they should all go through the Grand Division, and it would be better if the Grand Division were to supply the Registrar with the returns.
2694. How are complaints determined in your Order? When a dispute arises in a subordinate Lodge it is referred to the Grand Division, which has a standing Committee of Appeals to investigate these disputes. This Committee sends in its recommendation to the Grand Division, and the Grand Division either adopts or rejects that recommendation as they think fit; then that decision is sent to the subordinate Lodge. If the subordinate Division is not satisfied with the decision of the Grand Division, it is at liberty to appeal to the National Division through the Grand Division. All communications from a subordinate Division must go through the Grand Division—it cannot appeal direct to the National Division.
2695. The National Division is the last appellant Court? Yes.
2696. Are the members of your Order generally well-satisfied with that mode of determining their disputes? They are; I only know of one or two instances where they have appealed to the Courts.
2697. Do you think it would be wise, in any future legislation, to provide that these matters shall be determined amongst the bodies themselves instead of by the Law Courts? I would give them no power to appeal to the Law Courts at all, except in criminal matters, because it is a waste of the funds of the Societies.
2698. In reality, all these disputes or complaints that are likely to arise could be better dealt with amongst the Societies themselves? Decidedly.
2699. If there were some legal machinery substituted for the purpose? Yes; I see no other way of dealing with it, because no one knows better than the Society the routine and workings of that Society.
2700. Then, I understand, in order to get the information we require in reference to the respective ages of the persons initiated and those who have died we should have to apply to the Lodge themselves? Yes, or I could get it for the Commission.
2701. Well, I may inform you that we have sent out returns by which we expect to get the information, so you need not trouble about that? To aid the Commission I am prepared to assist your Secretary by supplying him with the names and addresses of all our Scribes.
2702. *Mr. Davies.*] Have you had a long experience in connection with the working of Friendly Societies? I have taken an interest since I joined, about twelve years ago.
2703. You have been an officer pretty well the whole of that time? Yes.

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2704. And you have acquired a good deal of knowledge? Yes.
2705. Have you found the present Act defective in its provisions for affording security to the members of the various Societies? I have not found the Act defective in any material way, the only cause of complaint I have being that the Registrar has not carried out the powers the Act confers upon him.
2706. You have no suggestions to make for amendments to the law? I will furnish them at the same time as the other things I have promised to forward.
2707. What is the total number of members under the jurisdiction of your Grand Division? I have prepared the annual return to the 31st October, 1881, which shows:—(a) Total number of members on our books on 31st October, 1880; (b) and also total number of members on 31st October, 1881; (c) contributions for the year; (d) working expenses for the year; (e) amounts paid to the doctors and chemists; (f) amounts paid for sick benefits, (g) amounts paid for funeral donations; (h) the capitation tax to the Grand Division; and (i) cash in hand for 1880 and 1881.
2708. What is the total sum for 1881? The twelve divisions of Daughters in No. 1 had £1,485 15s. 11d.
2709. What is the total number of members? 980.
2710. Their accumulated funds? £1,485 15s. 11d.
2711. And of Sons? The total number of benefit members is 1,604, honorary members, thirty-four.
2712. And the number of subordinate divisions? Twenty-five.
2713. What is the total amount of cash and accumulated funds, £7,838 4s. 6d.
2714. What was the total income for 1881? Sons, £4,634 3s. 10d.; Daughters, £1,673 14s. 6d.
2715. What was the amount paid for the working expenses of the Sons of Temperance? £600 9s. 10d.
2716. And of the Daughters? £233 2s. 11d.
2717. What amount was paid on account of sickness on behalf of the Daughters? £306 7s. 2d.
2718. And for the Sons? £1,269 8s. 2d.
2719. What was paid on account of medical attendance? For doctors and medicine for the Sons, £1,703 18s. 5d.
2720. And Daughters? £591 2s.
2721. What sum has been paid on behalf of the Daughters for funeral donations? £120.
2722. And Sons? £387 10s.
2723. What do you include in working expenses—what charges? Stationery, rent, and the small weekly payments to the Financial Scribe and Recording Scribe, and also a nominal sum to the Treasurer.
2724. Are these the only charges against working expenses? Yes.
2725. Have you, during your term of office, known of any Division being in such a bad state of finance as not to be able to meet its financial engagements? Never; I have heard of one case in which a Division did, by unanimous arrangement with the members, suspend sick pay for a certain time.
2726. You do not know anything about it of your own knowledge? No.
2727. But at all times since you have been Grand Scribe you have never known any case where the Division has been unable to meet its engagements? Never.
2728. I suppose you would not care to express an opinion as to the stability of the Societies under your control? No, that is a question that would require a lot of consideration, and it would almost require an actuary to go into it.
2729. What has been your practice in reference to furnishing the annual returns? I have sent out the returns to subordinate Lodges myself, and have sent a circular at the same time urging on the members the necessity of sending them in in proper time; some of these have been sent back, and many others have gone to the Registrar direct.
2730. Do you send one return covering all the Lodges in your jurisdiction, or a separate return for each? A separate return for each Lodge.
2731. Not a general return? No; I think it would be far better if the Grand Lodges were to supply the Registrar with the returns, but the Act says that each Lodge must send a return, and that has been our practice.
2732. Have the returns been complete, furnishing all the information sought by the forms? No, far from complete.
2733. Then the return itself would be of little service as a return? It is not so much the return as the difficulty of getting proper officers in the Divisions to make them out in a proper manner.
2734. And how do you deal with matters of dispute arising between a subordinate Lodge and its members? An appeal can be made to the Grand Lodge, where it is referred to the Appeal Committee, who report with the appeal sent in a recommendation to the Grand Lodge. The Grand Lodge either adopts or rejects the Appeal Committee's report as the case may be; and then the report or decision of the Grand Lodge is forwarded to the subordinate Lodge.
2735. Has a member any further Court of appeal in case of dissatisfaction? Yes, if the member or Division is not satisfied with the decision of the Grand Lodge an appeal may be taken to the National Division.
2736. And in case of dissatisfaction then, are there any other means of satisfaction? Well, I know one case in which one of the parties rushed off to the District Court, and the District Court Judge upheld the decision of the Grand Lodge.
2737. Do you think Divisions or Lodges should have the power to summon individual members who get into arrears? I do, and that is where I have come into collision with the Registrar on more than one occasion.
2738. You think a member should be summoned to a Court of Petty Sessions for arrears of contributions? Yes, I think it is only right for the protection of all members. It is not right to allow one man to go away at will, without sending in a written resignation, and have the privilege of coming back in six or nine months' time. I think if he has the right of coming back, the Lodge should have the right of suing him for his arrears.
2739. Have any cases come under your observation where members have been thus sued? I have not had it before me officially, but I have heard of cases where members of Lodges have been sued and have obtained a verdict.
2740. And you think it is desirable that this power to sue should be vested in the hands of the officers of each Lodge? Of the trustees.
2741. *President.*] The documents you have handed in only represent the transactions of the Grand Division of which you are Scribe? Merely the Divisions under the jurisdiction of No. 1 Grand Division, of which I am Grand Scribe.

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2742. How many Grand Divisions are there in New South Wales? I can only give you about the number; the Most Worthy Scribe can give you the exact number.
2743. *Mr. Greville.*] Under your present constitution, must all the new Divisions pay a funeral contribution to the National Division? The Constitution lays down a certain initiation fee, which includes the amount payable to the Funeral Fund.
2744. But each member pays a monthly contribution towards the Funeral Fund? That is met in the shape of a quarterly levy; the Lodge does it—not the member.
2745. They are compelled to pay that? Yes, they are compelled to pay it.
2746. At one time they were allowed to retain these sums themselves? Yes; there are now two Lodges under No. 1 Grand Division which are not connected with the Funeral Fund.
2747. The two Lodges or Divisions you spoke of as having disbanded and divided the funds among them, had they charge of their own Funeral Fund? They were connected with the general Funeral Fund, over which they had no power; they simply divided the amounts they had to their own credit in the hands of their trustees or treasurers—they had no Funeral Fund of their own.
2748. Therefore, when they left the general body the Funeral Fund was benefited? To the extent of what they had contributed.
2749. Has it come under the notice of your general body that attempts are sometimes made to enter the age erroneously? No, it has never come to my knowledge officially, nor have I ever heard of it.
2750. Upon a return which was exhibited by Mr. Holdsworth at the last meeting, one man is entered at fourteen, and another at sixteen, and yet they were both entered as married? I do not think that return could have been correct, because I do not believe that there is a member in our Society fourteen years of age who is married.
2751. Still the fact remains that such a return has been made; now, would it be taken as a matter of course, or would it be inquired into? Well, seeing that it is not in my province, I do not see how I could in any way interfere or deal with that return.
2752. The return was not made to the Division of which you are Secretary? No; they have to be sent to the Funeral Fund Secretary.
2753. I presume in your Society, as in most of the others, a number of members join, contribute for a longer or shorter time, and then withdraw without having partaken of any of the benefits of the Society? There may be a few.
2754. You think the proportion is very small? The proportion is small.
2755. Have you any idea what it is? No, I have no idea.
2756. In addition to that, your Society has an advantage over others that they are strengthened by men being put out of the Society by breaking certain laws? That is a fact.
2757. Have you any idea of the proportion thus circumstanced? The returns I have handed in will show.
2758. And do you find that that is injuring the progress of the Temperance Societies? No.
2759. Or that members go to the other Societies where these restrictions do not exist? There are some instances where members have left for that reason, but there are more who have left and joined other Temperance Societies where there were no benefits at all.
2760. And hence it is a fact that from these causes the Temperance Societies have received a temporary if not a permanent check? We have received a check on account of the number of members who have joined Temperance Societies that were non-beneficial.
2761. And do you think you are recovering from that now? I think so.
2762. *Mr. Holdsworth.*] You have seen the Funeral Fund returns? I have.
2763. Are you aware that once a year a full return has to be sent in giving the ages? I am.
2764. Is that the age of initiation? No, it should be the present age, though sometimes a mistake is made between them.
2765. If a member was entered as being initiated in 1870 at the age of fourteen, what age would he be in 1881? Why, twenty-five.
2766. Would there be any thing remarkable in a man of twenty-five being married? I was married myself at the age of twenty-one.
2767. Can you tell me the number of Sons of Temperance for 1881? 1,638, of which thirty-four were honorary.
2768. That is 1,604 benefit members? Yes.
2769. What amount do you pay per week for sick pay as a rule? Twenty shillings the first six months.
2770. What amount did you pay during that year for sick pay? To the Sons, £1,269.
2771. That is equal to about five days a week? No, 4½, that is for the Sons; the Daughters' average is not so great—only 3¾ days.
2772. Could you supply a list of these averages for the past five years? I could do so.
2773. Was the year 1881 a heavy year? Yes, an exceptionally heavy year with our Society, and I believe with all other Societies.
2774. *Mr. Langley.*] Was the year any more exceptional with your Society than any other? I can only speak positively with regard to my own Society.
2775. I think you said 1881 was heavy with your Society, but I presume not heavier as regards claims than any other? I should not think so.
2776. You speak of 4¾ days being the average; that is great is it? Yes.
2777. In your opinion is 4¾ days lower than other Societies? I have never studied the workings of other Societies, but I have been told that our Society's sick rate is lower than that of others; but I cannot speak of my own knowledge.
2778. There was one question asked you, but I fear you did not understand it; on the return which was given to us and presented to Parliament it is incorrect; it is reported that your expenditure for working expenses is extremely high, 29 per cent. —? It is stated so there, but I challenge the correctness of it.
2779. If by working expenses you simply mean stationary, postage, rents, and salaries, and capitation tax to the Grand Lodge, is it correct that it costs 29 per cent. of your income? No.
2780. Then this statement, which was made to Parliament, must be untrue? It is not correct; you will see that by the returns laid upon the table. My returns will show that the working expenses are just a little more than half that amount.
2781. You stated also in answer to another question that the Registrar refused to allow you to bring in a by-law in your Constitution to enable you to sue for arrears? Not in our Constitution, but in an amended set of by-laws for the subordinate Lodge.

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2782. And are you aware whether other Societies have or have not sued and recovered in the District Court in that way? They have; and Mr. Oliver has registered by-laws for me, giving the trustees power to sue; but latterly he has absolutely refused to register the same clause for other subordinate Divisions.

2783. Are you not aware that under this Friendly Societies Act you can do it without asking his permission at all? I do not know. I think I can give you these clauses, and if the members of the Commission will carefully read them they will see that the wording is ambiguous. They are clauses 34 and 78 of the Act. Mr. Oliver contends that clause 34 does not relate to contributions; he maintains that contributions are not property, neither, he says, are contributions a right or a claim.

2784. Do you not think that a portion of the property of any Friendly Society is the amount paid or which should be paid by the members as their contribution for the purposes of carrying on that Society? That, I may say, mainly constitutes the solvency of the Society altogether.

2785. In point of fact, that is its property? It is the property.

2786. If there were no contributions paid, what would your property consist of? There could be no Society without contributions.

2787. In your opinion, then, you consider that clause does give the Society the right to sue or be sued? Yes.

2788. I think you said you were aware of cases having been tried under the Act? Yes, I am.

2789. And the Society recovered? Yes.

2790. Do you consider it right that any such latitude should be given to the Registrar as to allow one Society to register a right to sue and to refuse it to another? No, I do not; I think the power should be given to all the Societies alike.

2791. Then, if under this Act Mr. Oliver has the right to do anything of that kind, do you think the Act is perfect or equitable? I think the Act itself requires amendment.

2792. If the Act allows the Registrar, whoever he may be, to permit one Society to sue for arrears of contributions and to refuse another Society an equal right, do you think the Act is an equitable one? No.

2793. Are there any other clauses in the Act to which you take exception? There are, and I have promised to supply the Commission with the particulars in the form of an Appendix.

2794. Are you of opinion that it would be desirable in drawing up a new Friendly Societies Act to confine it to Friendly Societies alone? Yes, I would confine it solely to Friendly Societies.

2795. Do you consider it advisable to go to any greater length than to lay down certain fundamental principles upon which the Friendly Societies should compile their constitution and rules; or would you leave to an Act of Parliament, as at present, the details of the working of the Society? I think every Society is fully competent to prepare its own constitution.

2796. Then you think it better that each Society should prepare its own constitution; but you would like to have a certain legal basis upon which the benefit portion of it should be calculated and arranged? I would leave the sole government of each body in the hands of its superior body.

2797. But I presume at the same time you consider it necessary that a Friendly Societies Act should lay down certain rules? Yes.

2798. Then if certain fundamental rules are laid down, and the constitution for the internal government is based upon these rules, you think it would be sufficient? Yes, I do.

2799. Are you of opinion or not that it would be advisable in all cases that there should be a revising barrister to look through the laws and see that they are in accordance with the fundamental principles laid down? No; I know a set of laws that went before a solicitor a few weeks ago, and he made a greater bungler of them than the Society itself.

2800. But must there not be some authority to which these Constitutions should be referred to show that they are in accordance with the law? Decidedly they should go before some properly-constituted officer for supervision and registration, but not for a barrister to cut and hack about the laws to suit himself.

2801. How would you protect the members of your Society if you had not some legal authority for saying your Constitution and by-laws were in accordance with the Act of Parliament? I presume the Registrar would be a legal authority.

2802. Do you think it is an advisable thing to have a Registrar such as we have at present, whose time is too fully occupied to give attention solely to Friendly Societies? No, I think the Registrar's whole time should be devoted to Friendly Societies.

2803. If it should suit the Government to appoint a Registrar specially for Friendly Societies, do you think it would be advisable to have it without a revising barrister or legal authority to whom should be referred these Constitutions? It would be better for the Registrar to have legal knowledge.

2804. But failing that, do you think it would not be absolutely necessary that there should be a revising barrister or revising legal authority of some kind? I consider the Registrar should have a legal knowledge.

2805. *Mr. Rubie.*] Has each of your Lodges a fixed scale of contributions? No; they vary.

2806. Then who has the power to fix the amount? The Division itself.

2807. Are these Divisions subject to some superior body? They are subject to the authority of the Grand and National Divisions.

2808. I understood you that there is a Funeral Fund: what does each member pay to that fund? They have been paying 1s. 4d. per head per quarter for Sons, and 8d. for Daughters; but that was increased last quarter to 1s. 6d. and 9d.

2809. Is there a large accumulated Funeral Fund? Well, speaking without having the figures before me, I should say about £500.

2810. How is it invested—or is it invested? It is deposited in the Banks—I believe in the Government Savings Bank.

2811. Have there ever been any calculations made to ascertain whether the amount laid aside would be sufficient to meet the liabilities? I am not aware of any.

2812. Would it not be judicious that such a thing should be done? That would involve a very heavy expenditure, and I believe the calculations can always be very fairly based upon past experience.

2813. And what is the number of years your Society has been in existence? About seventeen years.

2814. And you have always had a Funeral Fund during that time? Not always a general Funeral Fund—it has only been in existence a few years.

2815. Then your experience is not very great? It would be based on the records of the Subordinate Divisions.

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2816. Has each of your Lodges trustees? Three trustees.
2817. And the funds are vested in their names? Yes.
2818. And nothing can be drawn without their consent? No.
2819. Do the trustees pay all moneys? The treasurer makes the immediate payments such as for sick pay and the doctors' and chemists' bills.
2820. The current liabilities, I suppose? Yes.
2821. Have you ever observed the clauses in the Act which say that the trustees shall pay all moneys on behalf of the Society? No, I have not.
2822. Do you not think it inoperative? It is.
2823. And it would require altering in the new Act? It would.
2824. *Mr. Newland.*] Do I understand you to say that the Divisions do not divide their funds? No, they do not.
2825. Do not they sometimes vote a sum of money to a brother for meritorious conduct? No, they cannot do that; we do not contribute our funds for that purpose.
2826. But seeing that the Divisions have the control of their own funds, and that they are not divided, I take it they may vote these funds as they think proper? No, they cannot; the Constitution will not allow them for one thing, and the Friendly Societies Act will not for another.
2827. Are you not aware that the Act states that Lodges should divide their funds and keep them separate? The Act does state so, I believe.
2828. Then if Divisions break through the Act in one instance they might do it in another by voting money illegally? The members would not consent to it.
2829. You state that there is a Funeral Board for paying the funeral donations in the Sons of Temperance: are they distinct from the Grand Division? They are; they are elected from the members of the National Division.
2830. And what are the duties of the Grand Division? They have the immediate supervision of the subordinate Divisions; they are in immediate communication with all the subordinate Divisions, and they issue clearances to subordinate Divisions for members requiring them.
2831. And how are the Grand Divisions supported? By a small capitation tax.
2832. And how is the National Division supported? By a capitation tax from the Grand Divisions.
2833. How often does the National Division meet? Once a year.
2834. How many members attend there? I do not know.
2835. *Mr. Langley.*] Is it explained in your Constitution? Yes. I think last year there were something like forty or fifty representatives.
2836. *Mr. Newland.*] Were they working during one day? Yes, two days.
2837. How are they paid? They pay all their own expenses.
2838. *Mr. Stade.*] Speaking of minorities, do the minority on leaving a Lodge have to pay into the Lodge they join the amount they receive? I do not think you understood my answer; the question was—could a majority dissolve a Lodge; my answer was—not so long as there were eight prepared to carry it on; if there are less than eight then clearances are granted to the lesser number; these clearances are valid in these Colonies and all over the world.
2839. If that minority has received a certain portion of the funds of the breaking-up Lodge, do they have to return it to the Division that takes their clearance? No, they have to forward it to the Grand Scribe, from whom they receive their clearances, and it is put then into the Clearance Fund, which guarantees the Lodge or Lodges admitting the lesser number from all liability for sick pay and half the amount of the funeral donation for twelve months.
2840. Regarding suing for arrears, is the feeling in favour of it general in your Order? So far as I know it is.
2841. What is your opinion of graduated payments, Mr. Peirce; I mean that when a member joins at (say) eighteen, he shall pay (say) 8d. or 10d. through life; at twenty (say) 1s.; at thirty (say) 13d.; or something of that sort? It would be rather complicated that; the only graduated scale I would be in favour of would be a uniform contribution for single members, and an increased one for married members.
2842. *Mr. Gelding.*] I suppose you mean to say that this sharpness on the part of the Registrar has simply taken place since this Commission was sitting? No, before.
2843. How long is it since he refused to register these rules? It was on 14th July, 1881.
2844. That was after the deputation waited on the Colonial Secretary in reference to the working of the Act? It was about the time, though I do not know the exact date.
2845. You have had a good deal of experience, and have studied the question? Only so far as our own Society is concerned.
2846. Have you ever thought over the question of the small amount of sick pay that has heretofore been doled out by Societies being owing to the sparseness of the inhabitants of the Colony? Yes, we have experienced great difficulties in some of the country Lodges.
2847. My question is: do you not consider that it is owing to the small amount of the population up to the present time that the Societies have had such little call upon them in matters referring to sick pay? I do.
2848. Do you not think, as the Colony gets more populated, sick rates and death rates will become more prominent? They will increase undoubtedly.
2849. I presume you are aware that in Great Britain one of the chief reasons why the sliding scale of contributions has been carried into effect is entirely owing to the tremendous increase of population, and consequent sickness and mortality thereby engendered? I have heard so.
2850. Then, following that question, do you think that the present rates members pay to receive the benefits they are now receiving will be sufficient to meet future liabilities? Presuming that the contributions are 1s. a week, I do not think it will be sufficient; it may do for the present, but not for the future.
2851. What is your idea about a fair weekly contribution to secure these benefits? 15d. at the least.
2852. And do you think that will be sufficient to meet the supposed increased sick rates and death rates? I think it would meet all demands of our own Society.
2853. You say you have twenty-five Lodges in your Grand Division? Yes, of Sons.
2854. And I see that in 1880 you had £7,663 19s. 2d.—that is last year; £7,838 4s. 6d. this year? Yes.
2855. That leaves an average saving of about £7 for each Lodge in your district. Do you think that anything like sufficient for a Reserve Fund? No; but last year was an exceptionally heavy year for sick benefits.

2856. Yes, but you said you believe that the sick rate will still continue to increase? Yes, and it will be necessary for the contributions to be raised.

2857. And in the Daughters' in the previous year you had £1,415 8s., and last year £1,485 15s. 11d.—that is about £6 per Lodge saving in the year. What is your opinion of that saving for each Lodge? I think it is rather low, but it is owing to the very heavy sick rate for the year. Moreover, the Daughters' contributions are low, and the amounts they pay their doctors and chemists are proportionately just the same as those paid by the Sons.

2858. What do you think is a fair average that Societies should hold to guard against eventualities per head? I have never gone into the details from an actuarial point of view, but it would depend on the ages of the members.

2859. Do you not think these Sick and Funeral Funds should be kept separate from management expenses? I do.

2860. Are you at all conversant with the Act in Victoria? I know nothing whatever about it.

2861. I think you intend to give this Act a good overhauling and report your opinion of it to this Commission? I will devote what time I can to it, but my time is very fully occupied.

2862. You stated in some previous part of your evidence that you did not think there was much the matter with it: did you ever look at the 21st clause giving members power to go to the District Court? Yes.

2863. What is your opinion of that? I would not allow the Societies to go to the Law Courts at all.

2864. Do you not think that before Lodges—premising that the Government should appoint a proper Registrar—are allowed to have their rules certified, or to be opened, they should furnish a set of rules setting forth the proposed initiation fees, contributions, and benefits to be paid? Well, that opens up a new phase. If a new Division of the Sons of Temperance is about to be instituted the parties intending to organise are supplied with a copy of the Constitution, and there they will see the amount of the initiation fees they will have to pay, and also the fees to the Funeral Fund; but how a Society just starting is going to present the Registrar with a set of laws to register I do not see; unless they are in existence for some little time, and in possession of the necessary funds to bear the expense.

2865. I presume no Lodge in your Society can depart from the general rules set down in reference to the initiation charges, contributions, sick benefits, and funeral gifts? They are all bound to abide by the Constitution.

2866. You do not allow them to deviate from these rules? No.

2867. What is the cost of opening Divisions in your Order? Charter fee for Sons, two guineas; for Daughters, one guinea.

2868. What does the regalia cost? It is a mere nominal item. I do not think a set of officers' regalia would cost more than 25s. or 30s., and it is optional for the Lodge to procure regalia for the other members.

The Commission then adjourned until 2 p.m. on Monday, 6th February.

MONDAY, 6 FEBRUARY, 1882.

Present:—

JAMES SQUIRE FARNELL, Esq., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,

JOHN DAVIES, Esq., C.M.G., M.P.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RISBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

The examination of Mr. Charles Thomas Peirce was continued:—

2869. *Mr. Abigail.*] How many Divisions have you under your jurisdiction? Twenty-five Sons, twelve Daughters.

2870. Are they confined to Sydney and the suburbs? No, they are not confined to Sydney and the suburbs; I mentioned at the last meeting that the furthest Division under No. 1 was situated at Wagga Wagga.

2871. In fact some of the Divisions are spread pretty well all over the Colony? Yes, south and west of Sydney, and one to the north, at Richmond River.

2872. And if anything occurs in connection with them it comes under your supervision? Yes, all communications must come to me.

2873. Can you tell me how many books are kept in subordinate Divisions—books of account? They keep a minute book; the Financial Scribe has to keep a book in which to enter all receipts and disbursements; they have also to keep a book to enter all the contributions; the treasurer must keep a book, and also the trustees.

2874. The money is received by the Financial Scribe? Yes.

2875. Not by the treasurer? Not by the treasurer; it is received by the Financial Scribe and handed over to the treasurer, and if it exceeds a certain sum in his hands he must pay it over to the trustees, when it is paid into the Bank.

2876. Can you say if the books are kept in a clear and concise manner? In the majority of cases they are.

2877. Have there been any complaints made by members that they have paid contributions and not had credit for them? There have been some complaints made, and an investigation has taken place.

2878. In many cases has it been found that money has been received and not accounted for? There have not been many cases.

2879. Do you know of any cases of officers having used the moneys received for their own purposes? Yes, two instances in subordinate Lodges.

2880. And what steps have been taken? In one case the man was prosecuted, and I think he got nine months in gaol; in the other case the man absconded to Melbourne, and the Division not being registered did not prosecute.

2881. Was one of those cases in connection with a Division called the Perseverance? No.

2882.

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2882. Have you heard of such a case occurring with that Division? No.
2883. Do you know a Mr. Fowles? I do; he has been Secretary for some years.
2884. Have you heard from him of any such case? No, I have not.
2885. Can you state, Mr. Peirce, if any of the Divisions, either Sons or Daughters, have failed to meet their just liabilities through not having the funds? No, I have never known one single instance.
2886. Have you known any case in which sick pay due has been withheld for want of funds? I have never known it to be withheld, though I have known Lodges, by unanimous vote, to suspend sick pay for three or six months.
2887. For what purpose? When they found their funds getting below a certain amount.
2888. Do you think they are empowered to do that? I think so, if the Lodge at a summoned meeting carry it by unanimous vote.
2889. And I suppose to those who are on the sick funds it is discontinued? They have the privilege of voting by proxy if not present, and if they vote against it they receive their sick pay.
2890. Are the men usually appointed as auditors competent to examine and certify to the correctness of the accounts? I have generally found that the auditors have been chosen from amongst the most competent men in the Divisions.
2891. Do you find the returns sent in and certified by these auditors usually correct? So far as the funds are concerned they have been always correct.
2892. But the secretary's part has been incorrect? Yes, they have been incorrect; that I find has arisen mainly from a change of secretaries.
2893. Are the accounts always certified to by the number of auditors appointed? All the accounts that are sent to me must be audited before they are sent.
2894. And signed by one or more? Signed by the secretary and countersigned by the Worthy Patriarch.
2895. And auditors? They sign the balance-sheet presented to the Lodge.
2896. Are you in favour of a proper audit being conducted by a Government officer? No.
2897. You think the present system is sufficiently satisfactory? I think that if auditors are to be appointed they should be appointed by the Grand Lodges; I would favour that.
2898. Would you favour a simple uniform system of book-keeping for all subordinate Lodges? I would.
2899. Is it a portion of your balancing for the National, Grand, and Subordinate Divisions to make up their balances simultaneously? No; the Grand Division year ends in October, and I have to submit an annual balance to the Grand Divisions made up to 30th September. Then for the National Division I have to submit an annual statement made up from the Subordinate Division returns to 31st December.
2900. Does the Grand Lodge incur any expense that they have to make a claim on the National Division for? No, not the Grand Division.
2901. Does it have a claim on subordinate Lodges? No, it is all done by levy; the Grand Division makes a levy at the annual meeting in October, which the subordinate Lodges have to pay. The National Division makes a levy on the Divisions, which is fixed at the annual meeting of the National Division in March.
2902. Is your death rate increasing as age comes on the Society? It slightly increased, I believe, last year, which we regard as an exceptional year in our Order.
2903. Can you tell how many Divisions expended more than they received last year? No, I cannot.
2904. There were some, I presume? There have been some.
2905. You think last year was an exceptionally heavy year? I do.
2906. Is there any provision made in your Society by which you will relieve members who travel in search of work, or in case of shipwreck, or if he loses his tools by fire? Not for the latter, but when he wishes to travel to the other Colonies he is granted a travelling card which is recognised all through the Colonies.
2907. And this gets him relief if he requires it? Yes.
2908. Are you in favour of a compulsory quinquennial valuation of the Societies' liabilities and assets? Yes, to be made by the Societies themselves.
2909. Not by a Government officer? They would have to be sent on to a Government officer.
2910. Have you known of cases in which the trustees of the Divisions have acted independently of the majority of the Society by whom they were elected? No.
2911. Has your Society paid the Registrar much in fees? We have had to pay him a guinea for every set of by-laws he has registered, and 5s. for every alteration in each rule.
2912. Do you think these fees should be the private perquisites of the Registrar or go into the Government funds? I think they should go to the Government funds.
2913. Have you known any cases where members have gained admission into your Society through the laxity of the medical examination? Never.
2914. Never had any claims on the Sick Funds from sufferers from old chronic diseases? They have not come under my notice.
2915. Have you known any difficulty arise in getting a conviction against any offender through the information not being made by the proper officer? No; we had one instance where we had a little difficulty in recovering a Bank-book in our own Grand Lodge, but the matter was amicably arranged before coming on for a second hearing.
2916. Would you approve of a clause in a new Act providing for the summary conviction of an offender, with punishment by fine or imprisonment, on the complaint of any member authorized by the Society, the trustees, or the committee of management? I would.
2917. Have you ever known any members of your Society become charges on the public Charities of the Colony? No, never.
2918. Do I understand you to say that you think the State ought to interfere no further in the working of these Societies than by framing for their guidance a simple general law? That is it.
2919. Would you enforce in a new Act a regular annual audit under Government supervision? I would; in all new sets of by-laws that come before me I have to see that provision is made for an annual audit; and if not I forward to the Lodge a good rule for them to adopt to embrace that.
2920. Do the members of your Order exert any influence in dealing with members of your Society who may violate your laws; do you deal with them on purely commercial principles or from a philanthropic standpoint? Well, that is one of our fundamental principles, and if they break it a charge is made, and that charge is investigated.
2921. Do you allow for brotherhood? It is not allowed to interfere.

2922. You deal with it, then, simply from a business stand-point? Decidedly; it would not be fair to make flesh of one and fish of another.

2923. Are any of your funds expended in testimonials, picnics, or tea-meetings, or spent in any other way than those authorized by the law? No, they are all got up by subscription.

2924. Would you be in favour of Lodges being allowed to lend money to their own members on good security? I think the Government security is best, and I would prefer to see it invested in the Banks.

2925. Do you think that a Society that meets its liabilities in the year and carries forward a few pounds is doing well? Yes.

2926. Without calculation as to how liabilities increase during the year? We have had the experience of many years' working, and that shows that where they are always able to pay their way and carry forward a surplus they must be sound, although from an actuarial point of view they might not be so considered.

2927. *Mr. Smith.*] Could you give the Commission any idea of the number of Lodges that have been brought into existence under your jurisdiction since the establishment of the Society? It is doubtful whether I should be able to give a correct return, though I might possibly be able to do it; I will try.

2928. Also the number of Lodges that have ceased to exist? Yes, I think I could show that also. The difficulty with me is that ours was the first Grand Lodge started in the Colony; from it have sprung other Grand Lodges which took over some of our subordinate Lodges, and whether they exist now or not I could not say, because the record would be kept by other Grand Scribes, and not by me.

2929. Then I understand you are not in a position to supply the information that would be required in a return giving all the Lodges established since the organization existed in the Colony, and the number of Lodges that have ceased to exist up to the end of last year, the funds and property belonging to these distinct Lodges, and what became of it? That I am not in a position to supply.

2930. *Mr. Langley.*] Is there any one person or persons who could give the information? Well, that information could be supplied by each Grand Scribe for his own Grand Division.

2931. If the Most Worthy Scribe was requested to obtain the information for the Commission could he do so? Yes.

2932. *Mr. Smith.*] Have any of the officers in connection with your Society been guilty of tampering with the funds or misappropriating them? Mr. Abigail asked that.

2933. There is a Temperance Lodge at Newtown; is that under your jurisdiction? Yes.

2934. It was possessed of some property, was it not? It was.

2935. Do you know anything about the way in which they became possessed of that property? I believe they bought the ground in the first instance and built a small hall; they then pulled down the little hall and built a large one, for which they had to borrow something like half the cost.

2936. And the other half? I cannot say exactly how it was raised.

2937. Subscribed by the general public, was it not? Some of it I believe was, and some by the members of the Lodge.

2938. And you say they do not hold that property now? No.

2939. How was it vested? It was vested in the names of seven or eight trustees.

2940. Did they endeavour in any way to dispose of that property? The trustees appeared to be always quarrelling amongst themselves as to what should be done with the property. One died, and I believe the widow claimed her right under her husband's will; another went to Honolulu, and another to England. There were at the end only one or two remaining in Newtown.

2941. What became of them? I believe they are still living.

2942. Have they disposed of the property? Yes, I believe so.

2943. Was it sold by the trustees? No, by the mortgagee.

2944. Is it not a fact that the Lodge itself created a trust over and above the heads of the original trustees? That I cannot fully answer, because there used to be a great deal of talk about the trustees, and I used to get fogged about the matter; there was a separate trust for the hall.

2945. Did not the Lodge create a trust for the purpose of trying to dispose of the property at auction? They consented to the disposal of the property, but the mortgagee was the seller, with the consent of the remaining members of the Division.

2946. Was it not the fact that the Lodge was the seller, with the consent of the mortgagee? No.

2947. I am speaking of the first attempt at a sale? I am speaking of the actual sale.

2948. I believe the Lodge appointed trustees in order that they might give a title to the property, and they proceeded to sell with the consent of the mortgagee? I never knew of that.

2949. Is it within your knowledge that the property was put up for sale by Richardson & Wrench and not sold? It was sold by them. I may state that the same Lodge has a member in the Lunatic Asylum, and they have to pay his benefits to the Master in Lunacy.

2950. Is it a fact that the hall was sold? Yes.

2951. It was sold by the Lodge? The mortgagee sold, with the consent of the Lodge; they were in arrears with their interest.

2952. Did it realize any more than the amount of the mortgage? Yes.

2953. Much more? I cannot say how much more.

2954. *Mr. Abigail.*] Can you say whether the members' money subscribed for sick benefits was expended in the purchase or building of that hall? Some portion was paid out of the general funds.

2955. And for that have they had any return? They have had a return so far that they have been meeting in the hall for years without paying rent.

2956. *Mr. Smith.*] Are you aware of this officially? No, not officially, only as a visitor to the Lodge.

Mr. Nathaniel Pidgeon sworn and examined:—

2957. *President.*] Do you occupy a similar position to that of the gentleman just examined? Just the same, only in another part of the City—the Sydney West or No. 9 Grand Division.

2958. That is, you represent another Division? Yes, another Grand Division.

2959. Is there any difference as to rules between the Division you represent and that represented by Mr. Peirce? Not the slightest.

2960. You have the same rules, the same regulations, the same contributions, and the same sick and funeral funds? Yes.

- Mr. N. Pidgeon. 2961. Then you could give us no further information as to the principles or rules of the Order? No, not a bit.
- 6 Feb., 1882. 2962. Have you paid any attention to the working of the Act as far as it affects Benefit Societies? I have paid attention to it as a member of a Friendly Society for the last fifteen years.
2963. The more recent Act—have you paid any attention to that? I cannot say I have.
2964. Have you found any inconvenience in connection with the working of the Act? No, I cannot say that I have.
2965. Is there anything in the Act that you think requires amendment? The only thing I can see in the Act is that it is doubtful whether a Division can sue for arrears of contributions; in some cases these have been recovered and in others not.
2966. Do you think the law should provide that these contributions should be recoverable at a Court of Justice? Yes.
2967. Do you know whether the present Act militates against the working of the Friendly Societies? No, I am not aware that it does; I do not know of anything.
2968. You know of nothing in the law where any amendment is required? No. I think as far as the Act itself is concerned a great deal less of it would do for Friendly Societies, and it would be better if the Societies were left more to themselves.
2969. Thus it would be better if there were an Act of Parliament referring to Benefit Societies only, without mixing them up with Building and other Societies? Just so.
2970. You have a Grand Lodge attached to these Divisions? Yes.
2971. That is the executive government of the whole body? Yes.
2972. All these Grand Divisions are subject and subservient to the National Division? Yes.
2973. That is the executive government? Yes.
2974. And there is no distinction between yours and that of Mr. Peirce? No, it is just the same thing.
2975. *Mr. Smith.*] You have been fifteen years identified with the Order? Yes.
2976. And during a great portion of that time you have held office? Yes.
2977. Can you give an opinion as to the financial standing of your Order at present? I think the financial standing of the Order is very good—I do not see that there is anything bad with it.
2978. Do you think the amount of contributions paid by your members for the benefits you propose to give them is ample? I think so, quite.
2979. *Mr. Davies.*] Can you tell the total number of members you have under your jurisdiction? Yes; 444 Sons and 363 Daughters.
2980. Up to what date is that? December, 1881.
2981. What are the total receipts for the year 1881 for the Sons? £1,256 7s. 1d.
2982. And for the Daughters? £491 9s. 0½d.
2983. What has been paid on account of sick pay for the Sons? £275 9s. 3d.
2984. And on behalf of the Daughters? £96 10s.
2985. What has been paid on account of medical attendance? For Daughters, £221 16s. 6d.; for Sons, £485 19s. 2d.
2986. What amount of money has been paid on account of working expenses? For Sons, £151 8s. 6d.; Daughters, £18 12s. 8d.
2987. What do you include in working expenses? Salaries, rent, and the usual working, such as postage and stationery.
2988. What amount of capitation fees have you paid? £17 4s. 2d. for the Daughters, £46 5s. 9d. for the Sons.
2989. What amount have you paid on behalf of the Sons for funeral donations? £122 10s. 4d.
2990. And Daughters? £46 8s. 2d.
2991. During the time you have been Grand Scribe have you experienced any difficulty in meeting your financial engagements? No, except in one case, when a Division has collapsed; no other difficulty. All the Divisions I know of are able to meet their engagements.
2992. And they have always been able to do so? Yes.
2993. Has it at any time come under your observation that the contributions or initiation fees have not been equal to the amount of demand likely to be made on these Divisions to meet their obligations? No, it has not.
2994. What are the accumulated funds of the Divisions under your jurisdiction? £926 for Daughters, and £2,031 17s. 4d. for Sons.
2995. What number of new members have you admitted? Forty-one Sons and sixty-nine Daughters.
2996. What number have ceased to be members during the year? Forty-eight Daughters expelled for non-payment of dues, and thirty-four Sons.
2997. Have any been re-admitted? Yes, four Sons.
2998. I gathered from what you stated that you did not know of any defect in the Act except in the particulars you have referred to? No, not that I am aware of.
2999. Is there anything you would suggest in any future legislation? Well, there is one thing, about members joining Friendly Societies and shirking their obligations by allowing themselves to run out. For instance, a member will join, paying an initiation fee of 10s., and will perhaps require the services of a doctor, which he gets directly, and after he has received these services, say for an accouchement, he can then leave the Lodge altogether; in fact, he could just join for the purpose of receiving this benefit. I know we have suffered through that.
3000. In your Lodges do you have a uniform initiation fee? Yes.
3001. And uniform contributions? Yes.
3002. And uniform benefits? Yes.
3003. What allowance do you make in case of sickness or accident? A guinea for Sons, and 11s. for Daughters.
3004. And what funeral donation in the case of Sons? £20. In some Divisions £25, and the sliding scale goes up as high as £30.
3005. And are you in favour of a uniform initiation fee? Yes.
3006. And of uniform rates and benefits? Yes.
3007. What is your opinion as to deciding disputes between members and the Division; are you in favour of an Arbitration Board? Yes, I am, decidedly.

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3008. That all matters of dispute shall be settled by arbitration rather than by going to a Court of law? I am.
3009. *Mr. Langley.*] You have informed the President that there is not much alteration as you think required in the present Friendly Societies Act: do you think it has been carried out by yourself or any other officer connected with your Society? It has been carried out as far as I am concerned; I can speak for myself, but as to the other officers of subordinate Lodges I cannot say.
3010. Have you been an officer of subordinate Lodge? I have, yes.
3011. Do you think the present Act is workable in these clauses with regard to trustees? Well, I do not see that there is any great difficulty about the working of the Act.
3012. Did you, when an officer of subordinate Lodge, ever attempt to carry them out? Yes, I believe we did do so.
3013. Did you ever, as an officer of subordinate Lodge, see that no moneys were disbursed but through the trustees? The ordinary working expenses, no; the other money must come through the trustees; but there is always a current amount kept to meet medical charges and so on.
3014. But the trustees have no dealing with that? No.
3015. Then they do not carry out the requirements of the Act? Well, they have no power over the money in the treasurer's hands.
3016. Then do you think it advisable to have an Act the provisions of which will be overridden and neglected in this way? Oh no.
3017. Would it not be wise to have an alteration in that? I think, so far as that is concerned, it would be wise to have an alteration.
3018. *Mr. Rubie.*] Is it within your knowledge that any of your Divisions have suspended sick pay? Yes, they have.
3019. And should a man get sick during that time, how is he paid? He is not paid at all; but I think in the case in which it was done they endeavoured to make it up by private subscription.
3020. The funds of the Lodge were not sufficient? No.
3021. In the opening of new Lodges, is there any remission made of the entrance fee? No.
3022. The full fees are always charged? Yes.
3023. Does the Grand Lodge bear any part of the expense of opening new Lodges? They do, a little; but a charter fee is paid by the applicants, and other expenses incurred might be met partly out of the Grand Division funds.
3024. Are your funds invested? Yes, I believe they are.
3025. In the names of trustees? Yes.
3026. How are they invested? In the Savings' Bank, as a rule.
3027. Not otherwise? I believe there is one instance where there is some money invested in a hall at Balmain.
3028. Does that belong to a Division? Yes, to the Division that lent the funds.
3029. Do your officers give security? I think not, as a rule.
3030. You are not aware of any defalcations by any officer? Well, I have heard of a defalcation, but I know nothing of it officially. But there was a defalcation before the Society was registered; it has been registered since.
3031. You do not know of it officially? I know it by receiving the books of the Division which has collapsed.
3032. Was that defalcation made good? No, I believe not; it was to the amount of £9.
3033. You stated just now that all your contributions were the same, but they are not in all Divisions? All under my control.
3034. There are certain Divisions that have a sliding scale? Yes.
3035. Are you acquainted with the working of that sliding scale? No, I never paid much attention to it.
3036. Then you would not be in a position to offer any opinion as to the amounts charged being sufficient to meet the obligations? No.
3037. Are you of opinion that it would be necessary to have an actuary to make calculations for proper payments to Benefit Societies? I think it would be a benefit.
3038. Do you think any Society should be registered that would not adopt some actuarial calculation? I think they should not be registered or allowed to be in existence unless they were considered sound.
3039. *Mr. Slade.*] You spoke of one of your Divisions suspending benefits for a time;—did they suspend the law relating to sick pay for a time, or simply let it lie dormant? Just so, they suspended it for a fixed time.
3040. They were registered at the time, were they? I am not in a position to say; they have been registered since.
3041. You are aware that the Act provides that in all alterations of laws the members shall be summoned? Yes.
3042. Do you not consider that this was altering a law? No.
3043. Then it was not done in the way of an alteration of the law, but was allowed to stand aside? Yes; it was just suspended, and not altered in any way.
3044. *Mr. Gelding.*] Is this (*produced*) a specimen of your book-keeping? It is an abstract of the quarterly returns.
3045. *President.*] Do you wish to add anything to your evidence or make any suggestion or statement in reference to this matter? No, I do not think there is anything.
3046. If you think of anything that strikes you, will you add it as an appendix to your evidence? I will, with pleasure.

The Commission then adjourned until Friday, 10 February.

FRIDAY,

FRIDAY, 10 FEBRUARY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., CHAIRMAN.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. William Owen Fox sworn and examined:—

- Mr. W. O. Fox.
10 Feb., 1882.
3047. *Chairman.*] What office do you hold? District Secretary of the Ancient Order of Foresters.
3048. How long have you held the office? Nearly twenty-four years—since 1858.
3049. How many subordinate Lodges are under your District? Twenty-one now; there is one under suspension.
3050. What is the gross number of members under your District or Grand Lodge? 1,480 I think, by the last returns.
3051. What is the total amount of the accumulated funds of the several Lodges? You mean with the District as well?
3052. Yes, the total value of the funds? £8,870 17s. 10d.
3053. How are these funds invested? Mainly in the Savings' Bank, with the exception of the District funds, which are invested in freehold property; it is an investment of the Society in the hall.
3054. What was the total expenditure on account of sick pay and medical attendance during last year? I have not the returns in for last year.
3055. Could you tell us what it was for the previous year, 1880? I could not tell now—I have not the books necessary to show it here.
3056. I suppose you would not be able to tell the Commission what the expenditure for management was during that year? Not for all, but I could for the District and the Lodge I am a member of. Until lately it has never been forwarded from the subordinate Branches or Courts.
3057. They did not make returns then? I am not positive; I believe there was a return last year, but some of them filled them up so badly and incorrectly that they were not published.
3058. Could you tell the amount paid on account of funeral donations last year? Yes, £510.
3059. Could you tell the amount paid on account of sick pay? I have not the returns in, and they will not be in for another month.
3060. Would you have any objection to provide the information for the Commission? Not the slightest.
3061. If you could do so in writing it could be appended to your evidence? Yes.
3062. You have had a large experience in the working of Friendly Societies? Yes, I think I know something about them.
3063. In connection with your Order, has it at any time come under your notice that any of the subordinate Lodges were in a position unable to meet their financial obligations? I think there is one now, but never before.
3064. How does that arise? I cannot say for a certainty, until I have seen the officers of the Branch; their idea is to wind up, as they have had so much bad luck and sickness.
3065. In connection with your Order, do you have uniform initiation fees in all the subordinate Lodges? Yes, all the same.
3066. And contributions? No, I think each Branch has power to fix its own.
3067. Then they vary? I believe they do.
3068. What are the contributions paid? The one I belong to pays 12½d. a week, and there is a shilling superannuation levy each quarter.
3069. What is it applied to? When a member meets with an accident, or otherwise incapacitates himself from doing his usual labour he gets 6s. a week from this fund, and his contributions cease, while the Branch furnishes him with medical attendance.
3070. From this fund? No, from their own funds.
3071. In the long experience you have had, have you found any difficulty or defect in the present Friendly Societies Act? No, I do not know that I have.
3072. You have not found any inconvenience in any way? No.
3073. And you have not found it defective in affording protection to the members of your Order? It has never come to my knowledge.
3074. Do you know of any particular in which the Act might be amended in order to make it more useful? Yes, I think it should provide means for all Societies to pay an amount that would keep them perfectly solvent, so as to give them the benefits they are promised. I think until the Act compels them to do that they will not do it. In referring to graduated contributions, I think persons will go where they can get the best benefits, and if it were compulsory to charge graduated payments, there would be no fear of Societies not meeting their engagements.
3075. Then you are in favour of graduated payments? Yes, it is the only safe basis for a Society.
3076. Would you apply the same rule to initiation fees, or make them uniform? That would not so much matter if the contributions were graduated.
3077. And what would be a fair contribution for a young man of twenty-one or twenty-two joining a Lodge? Not less than 8d. nor more than 10d.
3078. And a man of thirty? 13½d. or 14d.
3079. And at the age of forty? From the age of thirty-six I think they should rise to 1s. 6d., but I would not admit members over forty on any account. It has come under my notice that when Societies have graduated contributions that their funds are in a most flourishing condition.
3080. Can you tell me the number of members initiated into the Order during last year? 291 admitted during the year.
3081. How many have been suspended or expelled during that time for non-payment of dues? Ninety.
3082. Any others expelled? There has been one expelled in one of the country Branches. There have been twenty deaths of members, and nine of members' wives during the year.

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3083. You do not know the average per member sick pay? I could not tell now, but I will forward it to the Commission as soon as I get it.
3084. And in any other particular can you suggest an amendment of the Act? I cannot call it to mind just now.
3085. In reference to dealing with matters of dispute what arrangements have you? We have an Arbitration Committee of twelve, appointed yearly.
3086. Do they settle all matters of dispute? Yes; but each of the Subordinate Courts has an Appeal Committee of its own.
3087. Then you do not resort to the Law Courts to decide disputes? No.
3088. How do you find this act? Extremely well.
3089. Have you or any of your Secretaries or office-bearers had occasion to summon any of your members for nonpayment of contributions? No, not in the Branch to which I belong.
3090. *Mr. Greville.*] You spoke of a Society which was unable to meet its financial engagements? Yes, I did.
3091. Under the rules of your Order, what protection is there to the members who have been contributing? Well, there is a rule that members can apply, by clearance, to be admitted into other Branches, and should they fail to gain admittance there is a provision that they can fall on the District.
3092. Will the nonfulfilment of its financial obligations cause any injury to its members? I cannot say exactly until I see the books; I only know of it by word of mouth now.
3093. Does the fact of a Lodge not being able to fulfil its financial obligations cause hardship to the members? It would, of course, if any of them fell sick.
3094. Will the Grand Lodge step in and protect these members? They would have to apply to be admitted into others first, and if they could not gain admittance the District would take them. The only hardship there would be is that members might be sick at the time and the Lodge be unable to pay them.
3095. Will the Grand Lodge or any other body find the contributions for these sick members? Oh yes; but there is a contribution to be paid to the District as well.*
3096. What I want to arrive at is whether the members of the Lodges are protected in case of a Lodge being unable to meet its financial engagements? As I said before, they are, by getting clearances to be admitted to other Branches, and in case they cannot get admitted they can fall back on the District. They do not suffer, as a matter of course.
3097. Can the District Lodge refuse to take these members? No.
3098. *Mr. Langley.*] Following up that question—suppose a Lodge breaks up, who is to grant the clearances? The members apply for clearances beforehand.
3099. But I speak of a member who is a distance away; is there any way in which he can come on the Grand Lodge or District? As a matter of course every member would know of the business to be transacted.
3100. I am sure you must know that that is impossible in one sense. I am speaking of a man up in the country, while often in town there are numbers of members who do not know what goes on? We have never had a case of this kind; Branches that could not manage before have amalgamated with those that could. The only answer I can give is what the rule says.
3101. I simply ask, if a member is up the country and cannot get a clearance, what protection would he get? He would have equal rights with other members; those out of town are protected just as much as those in it, the main fact being that we would not debar him from his rights.
3102. Are you acquainted with the Friendly Societies Act? Partly. I am not particularly acquainted with it.
3103. Do you carry on your business under the Act? Yes.
3104. Do you carry out the provisions of that Act? I do.
3105. Would you be kind enough to look at the provisions referring to Trustees, and say if it is possible to carry them out, or whether you carry them out? I do not see what you mean. I believe they are carried out, from what I see.
3106. Do all the moneys of your Order pass through the hands of the Trustees? No; only the surplus funds.
3107. If the Act says that all moneys must pass through the hands of the Trustees, do you carry that out? Decidedly not, because it is impossible.
3108. Then in that case if the law provides that it should be done — ? It is wrong—you could not possibly do it.
3109. If that is the case, do you think the Act requires amendment? Oh yes, that provision cannot be carried out; at least it could, I suppose, but it would cost a deal of time, trouble, and expense.
3110. Do you think it advisable to have a lengthy Act such as this, or a short Act laying down broad principles, on which the Societies should be formed? It is too long; a person sitting down to it would not know what was being done when he got half through.
3111. Then do you think it would be advisable, if your idea were carried out, that the Societies should make up their own details of working? I believe they do that now.
3112. But they are subject to a certain extent to this Act, which is said to override them? But I take the Act as regards the investment of funds and the appointment of Trustees; for the little details I think myself Societies should be competent to appoint officers to carry on the ordinary affairs.
3113. Then you are in favour of all the details, with the exception of the broad principles regarding contributions, &c., being left in the hands of the Societies themselves? Yes; provided the Act laid down fixed contributions and benefits, so that the contributions shall meet the benefits.
3114. Then do you think that if a new Act should provide for the financial security, and leave the details of working out to the Societies themselves, it would be sufficient? I think it would be a great benefit to the Societies.
3115. Would it be advisable to have a revising barrister or some authority outside the Lodges to examine the constitutions or by-laws—the rules under which you work? Well, I have been in Court and heard cases being tried in which the Judge got hold of the rules and said he never saw such a pack of rubbish in his life; now if they are understood like that, I think it would be advisable to have them revised by a barrister.

3116.

* NOTE (on revision) :—The District finds the sick pay for all who become District members, on paying the contributions pursuant to the rules.

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3116. As far as you are aware, do you think as at present situated the Friendly Societies as a whole are in a sound financial position? No, I do not; of course I cannot speak from absolute knowledge, but that is my opinion. As far as I know, I believe a great many of them are not.
3117. Do you know of any reason why it should be so? Yes, from the ridiculous way in which they were started, taking men in at any age and without passing the doctor.
3118. May I ask if you know of a case such as you mention in which any Friendly Society has taken members without passing the doctor? I can only speak from hearsay.
3119. *Mr. Rubie.*] Have you a fixed scale of weekly payments? No, each Branch settles its own rate of contributions.
3120. You are not the Secretary of a working Court? I am of the District, and of one of the Branches.
3121. What does that Branch pay per week? 12½d., and 1s. a quarter to the Superannuation Fund.
3122. Has that Superannuation money accumulated to any large amount? To something like £1,470 at the close of last year.
3123. Is that in the hands of trustees? Yes.
3124. Bearing interest? Yes.
3125. And what is that money applied for? The payment of members who become disabled through accident from following their usual occupation.
3126. That is, he gets this money as long as he lives? Yes.
3127. And when he dies he gets the funeral donation? Yes.
3128. And medicine and medical attendance? Yes, from the Branch to which he belongs.
3129. And have you found this fund sufficient to carry out this benefit? Up to the present time it has been sufficient.
3130. And what number of members have you taking benefit from it? We paid £344 16s. last year from that fund.
3131. You said that you thought that in any amendment of the present Act there should be a scale of contributions; that would of course necessitate an actuarial calculation as to the ages, &c., of the members? Yes.
3132. Are you in a position to supply the Commission with the ages of all the members belonging to your Order at their initiation? Oh yes.
3133. And you think a graduated scale would work well? It is bound to work well. I believe all Branches in the old country that have adopted it are very prosperous.
3134. You think there would be little difficulty in finding members capable of carrying out the system? Well, of course it requires some little knowledge of figures, but they would soon get into it.
3135. Then you are of opinion that in any new Act there should be a minimum scale of contributions and benefits, so that any body of men adopting that scale would be almost certain to keep solvent? Yes, but I would not have a graduated scale of benefits as well as of contributions.
3136. Do not you think a graduated scale of payments could be made without any initiation fees? No, I think there should be something paid for initiation, because there are certain expenses attending the initiation of a member.
3137. In opening new Lodges how are the expenses borne? The expenses in Sydney are very light—the members all do the work free. All they have to pay for is the books, and if they require regalia they wait a bit until they can get it.
3138. How much would that be? If they get the set, from £4 to £5.
3139. Is it compulsory on your members to get regalia afterwards? No, it is not compulsory, but they do do it. I have never known one Branch to hurt the funds through buying regalia.
3140. Do they not take the cost out of the funds? They do, but a subscription is sometimes made up to pay for it.
3141. Are your funds kept separate for each benefit? Yes.
3142. During your experience have there been many lawsuits in your body? Not amongst the members; I do not know of one case. There was one a little time ago, but not amongst us.
3143. You have settled all disputes in your own body? Yes.
3144. And you think it would be judicious to allow it in future? Yes.
3145. Without any appeal to law? Without any appeal to law.
3146. *Mr. Newland.*] How many Districts are there in your Society in the Colony? One.
3147. And how many Lodges? Twenty-two, one of which is under suspension.
3148. How are the District Officers elected? Annually.
3149. At the Annual Meeting? Yes, from the representatives of the various Courts.
3150. And how many representatives attend this Annual Meeting? Two for every fifty members in a Branch.
3151. What would be the probable expense of that Annual Meeting? Well, the Branches pay their own Deputies; I do not know what they pay.
3152. How are the meetings held, in the evening or in the day? In the evening, about half-past 7.
3153. Have you any idea what is the management expense of your Society? I could not tell you per member; I made a rough calculation this week, and made it a little over 9 per cent. of the income; I could not say however that that is correct, as I have not checked it.
3154. You have included in that only the actual management expenses? That is all.
3155. In making the calculations I presume you took the management expenses of the Lodges as well as of the District? No, that is for the District alone.
3156. Then the management expenses of the Lodges would come in again? Yes.
3157. Do you know what they would be? I know the one to which I belong; I think it is about 6½ per cent.
3158. *Chairman.*] What Lodge is that? Court Robin Hood.
3159. *Mr. Newland.*] Could we accept of that Lodge as a fair sample of the rest of your Lodges? I could not say, but would be able to say if I got the returns in for last year.
3160. What does your Society pay the doctor and chemist per annum per member? 28s. at the present time.
3161. How did you arrive at the conclusion that a member joining at the age of twenty-one should pay 8d., seeing that you pay nearly 7d. for medical expenses alone? The young men are not so liable to sickness as the older members.

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3162. Do any of your Societies have quarterly levies for their members? Not that I am aware of.
3163. They have a fixed scale of contributions and no levies? Yes.
3164. You stated that a person had pointed out to you a Society that was admitting members without being examined; did you put any faith in that statement? No, I said a man was pointed out to me who it was said had been admitted without medical examination.
3165. Did you think it possible that any Society was admitting members without examination, unless they were honorary members? I do not know; a few years ago the thought struck me that some Societies were very anxious to get members for the sake of numbers.
3166. In your experience have any of the officers of your Societies misappropriated any of the Lodge funds? No, not to my own knowledge.
3167. *Mr. Slade.*] Does the Society you belong to very largely favour the scheme of graduated payments? I do not know; I have heard the officers of several Branches advocating it very strongly.
3168. I mean the Order as a whole, in Great Britain; what is the practice there? It is not compulsory, but the Executive Committee advocate it very strongly.
3169. There is a return before me which bears on its face the statement that the Order to which you belong expends as much as 51 per cent. of its income for management. As far as you know is that correct? No it is not.
3170. In addition to the other advantages of superannuated members, do they not receive the money without supervision; they are not subject to the usual overlooking of sick visitors? Oh no.
3171. They are at liberty to do what they like, without any supervision? Yes.
3172. Up to the time a member is superannuated he is subject to all the supervision of a member on the sick fund? Yes.
3173. What is the practice up to the time he becomes superannuated? If he is on the funds, there are certain rules he must be guided by; for instance, he must not be out after a certain hour at night, or do anything to retard his recovery.
3174. With regard to an Arbitration Committee, are you in favour of any superior Arbitration Board as a Court of Final Appeal, to prevent litigation? That might be a benefit, but it would cause a deal of time and unnecessary trouble, because the members composing the Board would not be aware of the other Societies' rules.
3175. Do you think the powers possessed by the Societies are sufficient to meet all cases? I think so.
3176. And their decisions should be made final? I think so.
3177. *Mr. Gelding.*] You are District Secretary of the Ancient Order of Foresters? Yes.
3178. You have stated in your evidence that the subordinate Lodges during the past year have not made returns to you? Not yet; they are not due until March 1st.
3179. Did you not as District Secretary have the power to fine all these Lodges? Yes.
3180. Did you fine them? Yes, they were fined.
3181. Have you a Widow and Orphan Fund attached to your Society? Not financially attached, although none may join it unless they belong to the Order; there is a separate Widow and Orphan Fund.
3182. Does your Society admit members at half-fees when new Lodges are opened? Yes.
3183. Is it a universal practice for new Lodges to avail themselves of that rule? I know nothing to the contrary.
3184. What is your opinion of the justice of the rule? I think it is radically wrong.
3185. What sick pay do your Lodges grant for the first twenty-six weeks? 10s. after six months' membership, and after twelve months a pound or a guinea a week.
3186. What sick pay does the District allow sick members who become District members? 15s.
3187. No matter how long they may be members of the Society? No, we have nothing to limit that.
3188. Then virtually a member, when a Lodge breaks up and he has to join the District, loses 5s. a week? Precisely; it would not do for the District to hold out a premium to a Court to break up.
3189. I presume your answer in reference to Societies having a graduated scale had no reference to Societies in New South Wales? One of our Societies—Court Sydney—adopts it with new members.
3190. How is it found to act in that case? There is a rule in the District giving the Societies power to fix the rate of contribution.
3191. Could you furnish the Commission with the experience of that particular Lodge on these graduated contributions, or get the Lodge to do so, for five years past? I think they have not had it for that length of time.
3192. How long have they been in existence? Since the year 1843 or 1845.
3193. You are not prepared to give us any information as to the valuableness of the sliding scale, as adopted by this Lodge? No.
3194. Is this sliding scale adopted generally by the Branches of your Order in Great Britain? I think not; it is not compulsory, unless there is a late rule to that effect.
3195. In fixing these rates, have you based your calculation on what would be a proper estimate for New South Wales, or from the estimate adopted in Great Britain? As a matter of course the contributions in the old country are never so great as 13½d. The reason I named that is that one of the Melbourne Courts belonging to the Order pays about these rates and the funds of that Lodge are in a very flourishing condition, having nearly £12 per member.
3196. I presume you have seen the English tables of sliding scales? Yes.
3197. And are you aware that to secure the same benefits as we receive here a man who was thirty years of age would have to pay 2s. 6d. a week—have you tested that question? No, I have not.
3198. I presume you are aware that in Great Britain the medical attendance is simply given to the member himself, and not to his wife and family; and hence that a medical man there is able to attend much more cheaply than here? Yes.
3199. And that naturally would lower the contribution rate? Yes.
3200. Has the Registrar ever called you to account for not sending in proper returns? No, never.
3201. Have you ever studied the question of the sickness and death rate in New South Wales, why it has been so low? No, I have not.
3202. Is it within your experience that where a population is very small the sickness and mortality is much less than in great cities? No doubt it is, but I could not say.
3203. Then supposing the present rate of contribution met present liabilities, as the country becomes more populated would not increased rates of contribution be wanted to meet the increasing amount of sickness? Possibly.
- 3204.

Mr.
W. O. Fox.
10 Feb., 1882.

3204. When members are paid from the superannuation fund you stated that the Lodges have to supply medical benefits. Do you think that the Lodges ought to pay 7s. a quarter for a member without receiving any contributions from him? Before this fund was in existence the Lodges had a rule by which they were compelled to pay 5s. or 6s. as long as a member's illness lasted; but now they save this money, although it certainly does not seem just on the face of it. I think some provision ought to be made to meet that case.

3205. Do you not think that, considering the importance of the Friendly Societies in New South Wales at the present time, a special Departmental Branch should be instituted by the Government to conduct them and to take cognizance of all matters relating to the Societies? I hardly know, but I do not think there should be any interfering with the internal management of the Societies.

3206. I presume you are aware that ever since the present Registrar has been in office an annual return has been submitted to Parliament? I do not know whether it has or not; I believe it is a matter of importance that the Registrar should compile a proper return from the forms furnished by the Government to the Societies.

3207. Then you believe a vast improvement may be made in the form of these annual returns? Yes, I believe the Branch Lodges should be responsible to their officers and those officers responsible to the Registrar for the correctness of the returns.

3208. Then in order to carry out these things efficiently do you not think a Registrar should be specially appointed to superintend these affairs? Yes, I think it would be a benefit.

3209. And do you not think, considering the importance of Friendly Societies, that their rules should be registered free of charge? Yes.

3210. How much have you paid during the past year for registration fees? I could not say for the Branches. I believe about three Branches have been formed.

3211. Each of your Lodges has separate rules for its local government? Yes.

3212. Do you certify them? No.

3213. You know nothing of them then? I generally have a copy.

3214. Do you not certify that they are in conformity with the general rules? No.

3215. How do you know that they are in conformity? I take it that that is part of the Registrar's duty.

3216. Has the Registrar never refused to certify by-laws without your signature? No, I am not aware that he has ever done anything of the sort for any Society.

3217. *Mr. Abigail.*] How are the returns sent in from your Subordinate Lodges—to you or to the Registrar direct? Well, I am not responsible. Sometimes they come to me, but they should go direct from the Secretaries to the Registrar.

3218. When they come to you what do you do with them? Simply put a cover on and forward them to the Registrar.

3219. You have seen some of them, I suppose? Yes.

3220. Do you find them as a rule correct in the various particulars? Well the balances generally tally, but I could not state whether they are right or wrong.

3221. Would you favour one central person receiving these returns and being held responsible for their correctness? Yes, I believe they should come to the District Officers.

3222. You have in funds something like £8,870 for 1,480 members; that is representing sick allowance and all benefits? That is the total amount of the funds.

3223. Is that amount available for all the benefits of all the members represented in that 1,480? Yes, if they comply with the rules.

3224. Is that amount in the hands of the District? No, of trustees; the Branches have of course their own funds.

3225. This amount represents the accumulated funds of all the Branches; is that so? Yes, that is something over £6,000.

3226. Then if one Lodge fails to meet its liabilities, can it go on the next Lodge? No.

3227. Then this money is not available for all the members? Only just so far as it belongs to the various Branches; some Lodges are stronger than others.

3228. What I want to ascertain is, whether the funds of a prosperous Lodge are available for sick benefits for a Lodge with poor funds? Most decidedly not.

3229. Have some of your Lodges seceded? Yes, two have seceded during the last three years.

3230. Were their funds low or flourishing? One was very flourishing—the one in Parramatta.

3231. They took their funds with them? Yes, their own funds.

3232. Have you known any injury result to any of the Lodges by the Treasurer paying the various amounts instead of the trustees? No.

3233. Do you attach much importance to the trustees paying the amounts instead of the Treasurer? No, I think not.

3234. Do you take bonds from all your Treasurers? Yes.

3235. Would you favour an annual audit by a public officer of the accounts of the various Societies? Well, I do not know whether that would come in the category of the Registrar's duties.

3236. But would you favour it? Yes, I think it would be a very good thing.

3237. You would favour a penalty for not sending in correct returns? Oh yes.

3238. You attach some importance to them? Yes, without being correct they are of no value whatever.

3239. Are the Lodges under your control making a fair advance in the accumulation of funds? Yes, I think so.

3240. Have you worked out in any way what you consider the accumulation of liabilities? No, I have not—it is a very hard thing to work out.

3241. Supposing a Lodge is flourishing, having about 180 or 190 members, and that it should meet all its liabilities for the year, and add (say) £100 to its funds, do you think that would be sufficient to meet all accumulated liability? I think it is very good where a Society has been established a generation and has a good fund at its back. I think it is perfectly solvent. Some of them have been established over thirty years and have over a thousand pounds; I think that is very good.

3242. Could you state how many members have been suspended or expelled during the last five years? I could not tell.

3243. I understood you to say that you know of no cases in which the funds have been misappropriated? I know of no case.

3244.

3244. *Mr. Holdsworth.*] You stated your members to be 1,480, and the deaths 20 during the past year; that is just equal to about fourteen in the thousand; was that exceptional as far as the death rate is concerned? Yes, during the last two years it was the heaviest amount we ever paid.

3245. *Mr. Gelding.*] What has been the cause of the exceptionally heavy rate? I do not know, it is not the aged members.

3246. *Mr. Abigail.*] Out of the 290 admitted during last year, are a large proportion young members? Yes.

3247. *Mr. Langley.*] May I ask if, in your experience, you have found that there is a larger outlay for sick benefits and medical attendance for members between thirty-five and forty-five than between twenty-five and thirty-five? No, my opinion is that a man is not set well until he is twenty-five.

3248. Do you find you pay more for medicine and medical attendance for members between thirty-five and forty-five than for those between twenty-five and thirty-five? I could not tell, but I could get the information, but I know that during the last two years the deaths have not been those of the old members.

3249. *President.*] Have you any suggestions to offer to the Commission before you leave? No, nothing beyond what I have already said.

The Commission then adjourned until Tuesday, 14 February.

TUESDAY, 14 FEBRUARY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. John Hampton sworn and examined:—

3250. *President.*] What Society do you represent? The Royal Foresters.

3251. What office do you hold? District Secretary.

3252. How long have you held the office? Fifteen years on and off.

3253. Have you held any other office? Treasurer.

3254. How long? Only one year.

3255. Before or since? Before.

3256. Then you have acquired a large knowledge and experience of the working of Friendly Societies? With my own Society.

3257. What number of members have you? 1,400.

3258. What is the total amount of reserve funds? I cannot tell what belongs to the different Branches—of this I have no knowledge, because each Branch is separate to itself; but the amount of funds and property in cash belonging to the district of which I am Secretary amounts to nearly £9,000.

3259. That does not include any of the moneys in the private Lodges? Certainly not.

3260. How is that sum invested? At the last balance in December there was cash in the Savings' Bank to the amount of £1,193 13s. 11d.; in the Treasurer's hands, £132 17s. 7d.; that was belonging to one fund. Then we have recently started a Widow and Orphan Fund, in which we have £165 16s. 10d., having just started it two years.

3261. And how do you make up the balance of the £9,000? There is the land and buildings; the land is valued by Richardson & Wrench at £7,500, and the stock in hand and property amounts to £120.

3262. Where is the property? In Castlercagh-street.

3263. And is this fund available for the subordinate Lodges? For every one of them in case of deaths.

3264. For deaths only? We have one or two members we have to pay sick pay to.

3265. And what do your subordinate Lodges contribute to this general fund? 2s. a quarter for each financial member.

3266. Have they to pay any other contributions besides that? Yes; they have to contribute towards those members I have referred to who have received this pay, sometimes as high as 3d. or 4d. a year. Once a year I make a levy to pay these members who are those who have fallen out of Courts that have broken up.

3267. This 8s. a year is the contribution towards the Funeral Fund? Yes.

3268. Do you know the total amount paid for medical attendance and medicine? They average 5s. 6d. and 6s. a quarter. I do not know the total amount.

3269. Could you tell me what was paid during the previous year? No.

3270. Could you tell me the amount paid on account of sick pay? I could not. Mr. Oliver has a return of this; he has them all in for last year; I am only Secretary as far as the funerals go.

3271. What number of deaths were there last year? The amount paid on nine deaths of women and nine men was £360 3s. 7d. In the previous year we had a much higher rate; we had sixteen women and fourteen men, the total paid being £573 10s. 6d.

3272. What number of members were initiated during last year? I can tell you the number we had clear at the end of the year. At the close of 1880 we had 1,308, and at the close of 1881 we had 1,400 members; there was a clear increase of ninety-two members.

3273. How long has your Society been in existence in this Colony? I know it was registered first in about 1864, but it had been in existence ten or twelve years then.

3274. What is the largest number of members you have had at any time? This is the largest number; at the close of 1879 we had only 1,200 members.

3275. I suppose you have paid a good deal of attention to the Friendly Societies Act? No, not much.

3276. As District Secretary you have had to make up the returns? Only my own returns; the subordinate Lodges send in their own returns.

- Mr. J. Hampton. 3277. Are the moneys that have accrued invested in the hands of trustees? Yes.
3278. For the Funeral Fund? For the Funeral Fund that is.
- 14 Feb., 1882. 3279. Have you experienced any inconvenience in carrying out your duties, or any defect in the Act? Not the least.
3280. Do you think the Act affords sufficient protection to the members of the different Friendly Societies? I have never found any complaint against it.
3281. Have you ever had any subordinate Lodge in connection with your District in such a position as not to pay its demands to the members? Yes.
3282. How long ago? The last occasion was about three years ago.
3283. What was the nature of the circumstances? Badly looked after by the officers.
3284. And was it dissolved? So far that all the members in the Court getting defunct are allowed to belong to other Lodges and throw their clearances into that.
3285. Then the Lodge became defunct? The Lodge became defunct and were drafted into other Lodges; the sick members came upon the District.
3286. Do you know of your own knowledge the particulars that brought about the dissolution of the Lodge? Merely the neglect of the officers in keeping the members together.
3287. What is the amount of contributions paid? A shilling a week, and a shilling a quarter—the shilling a quarter being for funeral money.
3288. Have you a uniform contribution? No; if the members find the funds decreasing, the rules allow them to increase it.
3289. There is a discretionary power then? Yes.
3290. The initiation fees, are they of a similar character? Oh yes, they are fixed by the District; they have been broken on several occasions by resolution.
3291. But are they fixed by the District as a uniform scale? Yes.
3292. No subordinate Lodge can alter them? No, except on the opening of new Branches; though country Lodges have been allowed the privilege of taking them in at less than the fees set down here.
3293. Have you found this uniform scale to work satisfactorily? Yes, it is according to age.
3294. Do you approve of a uniform scale of contributions? Oh certainly.
3295. And you approve of that system? Yes.
3296. Your District Lodge does not issue by-laws to every Lodge? Every one of them—they are formed by a Committee for each Branch.
3297. Then you have a uniform code of rules? Yes, a uniform code of rules. We have altogether twenty-two Branches—twenty-one in this Colony, and one in Brisbane; and we have the same rules for each of the Branches issued by the Supreme Lodge.
3298. And that is found to work well? Found to work well.
3299. And in each case does the subordinate Lodge, without wishing to register their rules, present a copy of these rules for registration? Yes.
3300. Then you know of no case in which the Act has been found to be defective? Not in any case; the Registrar objected to one rule very lately, but I found he had registered eighteen Branches with these rules; that was in reference to summoning members who have left their arrears behind them. He objected to register these rules. According to these rules, as they are here, it is enacted that "Any member being in arrears, either for contributions, fines, or property (and not paying the same within twelve months after having been suspended by his Branch), the Trustees shall take legal proceedings against him for the recovery of the amount due up to date of suspension."
3301. Do you approve of this power being vested in the officers? Most certainly, we need a certain liability for every member; we have to pay for doctors and medicine during the quarter, and we have to pay the levy for funerals. I think it would be unjust to disallow it, just for the quarter though.
3302. How do you deal with disputes? The member aggrieved can bring the matter before his own Branch, and then before the District—their decision being final.
3303. You have no Board of Arbitration? It is put, first of all, before a Committee, which we call the Committee of Control, and they report to the Districts.
3304. Then you do not go to the Courts to settle disputes? No, we settle all our own disputes.
3305. *Mr. Abigail.*] I understood you to say that you could not say anything as to the working of the subordinate Lodges, as to the details? Oh, I belong to a subordinate Lodge.
3306. Can you give information as to the working of any number of subordinate Lodges under your jurisdiction? If I knew what you meant I could answer you.
3307. Are you in a position to say if in any of the Lodges the funds have been misappropriated by any of the officers? I do not think they ever have.
3308. Neither Trustees nor Treasurers? No.
3309. Do not the returns from subordinate Lodges come to you? They have lately; previous to that they have been sent to me, and I have sent them to Mr. Oliver.
3310. And when they fail to send any returns do you punish them? The law says they shall be punished, but they never have been.
3311. Could you tell me how many Lodges have made default in sending in returns? Last year not one, but some of them did not come in until December.
3312. In 1879? They did not get them till as late as November.
3313. Mr. Oliver states that eight made default in 1879? He simply states what is wrong.
3314. Are the returns when sent in substantially correct? Yes, I make them so, or have them made so, before sending them to Mr. Oliver.
3315. Are you called upon to make many corrections? Sometimes.
3316. Are they audited? Yes.
3317. And yet you find them incorrect? Yes, sometimes.
3318. Do you think it would be well to have a Government Audit? I should have no objection; my opinion is that the fault lies in the want of efficient officers.
3319. You are in favour of a uniform contribution? I am.
3320. That is for a man at eighteen to pay the same as a man at forty? Just the same, because he gets the same amount.
3321. Does the Society incur the same liabilities? Except in the death of the wife.
3322. Do you find the sickness in connection with your Courts as much with the younger members as the aged? More so as a rule.
- 3323.

Mr.
J. Hampton.
14 Feb., 1882.

3323. This £9,000 you have in hand as a District Fund, that is only available for the deaths of these 1,400 members? And of their wives.

3324. In the case of any Lodge seceding or breaking up, is it possible for any of the members to suffer the loss of the benefits they have paid for? If they secede they lose all their benefits; but if a Branch breaks up we take care of them.

3325. Have you had any Courts secede? Yes, one.

3326. Was it a prosperous one? It was, and is.

3327. They took their funds with them? They did not properly secede—they were suspended; they did not get back any sum they had paid to the District.

3328. In any case where a Lodge falls through for want of funds, can its members fail? No, in no case whatever; they have the privilege of electing which Branch they think proper, and that Branch must take them in.

3329. Who pays the moneys in connection with your Courts to the sick members or doctors? There are men appointed.

3330. What are their titles? Woodward's; the Treasurer pays it to them.

3331. You have Trustees? Yes.

3332. They do not pay? No.

3333. Are you aware that the Act makes provision for the Trustees to pay all these amounts? It may be there, but I do not know it.

3334. Do you take bonds from these men who disburse the funds? Sometimes, if we can get them.

3335. Have you known any case where any wrong has been done by misusing this fund by these parties? I wish to recall one word. I know that one of the Secretaries had been receiving moneys which he never paid in; he had received money on behalf of country members which he kept to his own use, and he was expelled.

3336. Were the police employed? No, he was let off, as he had thirteen children, and the Court thought expulsion was a sufficient penalty.

3337. That is the only case you know of? No others.

3338. Have you had any inconvenience from these parties disbursing the moneys? No.

3339. Do you know of any case where members have paid contributions and not had them entered on the pence card? No, except in this case, and in it the money was sometimes sent by post office order, or the member met the Secretary in the street.

3340. And in this case he lost that? Yes.

3341. What is your opinion as to the general prosperity of your Courts? Some of them are doing very well, and some are in a very poor state.

3342. Can you give us the money per head per member of any of those that are in a poor state? Not just now, I could not; I should say there were half a dozen not very rich in funds out of the twenty-two.

3343. You could do that in a return and give the names? I could for last year, not for this.

3344. *Mr. Holdsworth.*] In 1880 I think you said there were sixteen wives died? Yes.

3345. Have you any idea what the proportion of married people is in your Order? About three-quarters I should think.

3346. You have not a large proportion of young members then? No, not now.

3347. That I take to be a very exceptional rate? Yes, it was.

3348. You say you have some Lodges in a poor state; is there any special reason for this? Yes, old members, when they get too old to work, go on the sick funds, and I have known there to be two or three all the time, who receive a guinea a week for twenty-six weeks and then reduced pay.

3349. Have you given any consideration to the question of superannuating old members? Yes, I intend to bring it forward this year.

3350. You are in favour of it? Yes, I am determined to have it carried if possible.

3351. *Mr. Langley.*] What is your opinion as to the advisability of sending in the returns separately from the subordinate Lodges to the Registrar; do you think it would be better to have the whole of them go through the central body? Yes, but the Branches being separate, I think it is advisable they should send in a separate return; but if you could get them in in proper time, it is only right that the Corresponding Secretary should make a collective return from these.

3352. If the law compels each Court to separately register their by-laws, and those by-laws and constitution are all the same, do you not think it a waste of time and money? Well, I think so, because we worked well enough without that—the District used to register the old laws, and all acted by them.

3353. And you think it would be better to have one registration only? Yes.

3354. And one set of returns sent in? Yes.

3355. Would you be in favour of having these returns properly tested? Yes, but the difficulty is to get them tested.

3356. But the laws of your Society say it shall be done? Yes, but the Secretaries in some cases have not the ability to do it.

3357. If the law compels this separate registration and separate returns, you think in that it requires amendment? Yes.

3358. *Mr. Rubie.*] You hold land to the value of £7,000; is that part of the gross total of £9,000? Yes.

3359. Has that been accumulated by the pence of the members, or is it simply the increased value of the land? Partly each.

3360. How much of the £9,000 has been put to the reserve fund by the increased value of the land? I think the property has cost us altogether about £2,500.

3361. So you have a profit of £5,000? We have a profit of £5,000; I may say the first year I was appointed Secretary we had only about £94 in funds altogether; we have now got in actual funds without this property nearly £1,500 in actual cash, besides the £2,500 the property has cost.

3362. You said you were in favour of a uniform rate of payments and a sliding scale of initiation fees; have you ever paid any attention to the fact that in the old country Societies are working with a sliding scale of payments? I have heard so.

3363. How do you think it would work here? I do not believe in it.

3364.

- Mr. J. Hampton. 3364. Considering the immense amount at stake, do you think it would be judicious for the Government to have a Department specially to take cognizance of these Societies? It might be.
- 14 Feb., 1882. 3365. Would it not keep them within bounds? In a measure.
3366. The mode of arbitration, if I understand you aright, is simply if a member has a complaint he refers it ———? To his own Branch first, and if dissatisfied with that he can bring it before this Committee, and then it is referred to the District, and that is final.
3367. Would you be in favour of a Court of Arbitration formed of delegates from the various Friendly Societies? I would rather that every dispute should be decided within its own constitution.
3368. Mr. Newland.] I see in the balance sheet here there is an item of £34 13s. paid for sick pay; how does that appear in the District accounts? I explained to the Chairman just now—that where a Court ceased to exist for want of funds the members were placed on the District.
3369. What are the payments in your Branches? A shilling a week and a shilling a quarter.
3370. And do you find that sufficient to pay all expenses and have a reserve fund? No, most decidedly; but we have power to raise it by the Constitution.
3371. Mr. Slade.] When did I understand you to say Richardson & Wrench made this valuation? At the end of last year.
3372. In your balance sheet for 1880 the same land is valued at £3,000? That was our own valuation; in fact prior to that being made out we had been offered £4,000 for it, and we put the amount down at £1,000 less than we had been offered.
3373. You made a remark that you seldom had any misappropriation of your funds—was that man H— belonging to your Order? Yes.
3374. How was that settled? You cannot say the funds belonged to the Society; they were not received on behalf of the sick and funeral fees.
3375. Do you keep your funds separate in your Courts? There is no distinction; it is all put into one fund except the Widow and Orphan Fund.
3376. And from that is any stated quota taken for management expenses, or do you pay them out of the general fund without distinction? Out of the general fund without distinction.
3377. Are you aware that the Act says you shall keep them separate? Mr. Oliver never told me it was positive, but asked me the question as you have done, and I gave him the same answer.
3378. Does your experience dictate the necessity of keeping them separate? I do not see under our present working how we could do it.
3379. In your connection with your Society under the administration of the Act, do you see any very glaring shortcomings in the measure? No, I have heard no complaint whatever.
3380. Is it, as far as your practice extends, a satisfactory and useful Act? It is.
3381. You see no reason to have it amended? No, except as I have before stated.
3382. Mr. Gelding.] Are you the only District Secretary connected with the Royal Foresters? At present. We are elected annually.
3383. Then this 2s. levy that is paid in to you covers the management expenses, the expenses connected with the Funeral Fund and the Orphan Fund? Yes, except the Widow and Orphan Fund; that is a penny a week, but is not compulsory on old members.
3384. I understand you that the present great average per head per member chiefly arises from the increased value of the property you hold at the present time? Partly, not wholly.
3385. You have a property valued at £7,500, and your assets amount to £9,000 altogether; this is virtually £1,500 in cash; the property has run up from £4,000 to £7,000, is it not so? Yes.
3386. Then were it not for this greatly increased value of the property your funds would show considerably less than they do? No doubt of it.
3387. It is not the members' contributions that keep the funds at the present state? Well, the surplus funds have risen from £94 to £5,000 without any increase in value of property.
3388. About these old men in the six Lodges which you say are very poor in funds, could you tell us how long they have belonged to your Order? Some of them from twenty to thirty years.
3389. And you think, considering the time they have been in your Order, they should be paid out of a superannuation fund of 7s. a week? You must understand that from the beginning of a member joining the Society, part of his subscriptions have been expended on himself and his family.
3390. Then a member after paying in for twenty or thirty years, when he requires this full amount of benefit should be paid out of the superannuation fund? I stated to Mr. Holdsworth that these men who were complained of are not sick men but healthy men, who have got too old for work, and they go to the doctor and he puts them on the funds.
3391. Do you not think if the sliding scale were adopted with the Societies here, as in the old country, it would tend much to do away with this superannuating old members who had belonged to the Societies for many years? I do not think you would get elderly members or men of middle age to join at all.
3392. Have you ever given the subject any material study? We have had it discussed amongst us.
3393. Are you aware that in Great Britain the Societies that have it are successful? I am not sure of it.
3394. There is no Society in New South Wales that carries it on, is there? I do not know that there is.
3395. I see that you have the privilege of admitting members up to forty years of age? Yes.
3396. Do you believe it is judicious on the part of any Society to admit members at that age for such a sum? It is very seldom they come in as high as forty, but I have found that they have been as good members and have remained as long as those who have joined at a less age.
3397. Have you examined the Friendly Societies Act? I have read it through simply.
3398. Do you not think, considering the importance of Friendly Societies and the amount at stake, the Government should certify to the rules free of cost? I am of opinion that the expenses have no right to be charged, and that if the Government give help to any one it should be to Friendly Societies.
3399. Do you not think, in the event of the Government appointing a qualified person to attend to the Friendly Societies, he should thoroughly examine both the Supreme Branch and District laws before they were passed by him? Certainly.
3400. I presume Mr. Oliver's objection to your wanting to summon members has only taken place lately? It was last November, but he has given way on certain conditions, which were to the effect that all the prior rules had been complied with.

3401. Is it your opinion that arbitration between members and Societies should be submitted to a Board outside of the Society itself? I have answered that already in the negative.

3402. Then you believe it is quite possible for the Societies to find men who would arbitrate between members and the Society in what might be termed a fearless way, and in conformity with natural justice? Yes; I consider it would be best to do it amongst ourselves.

3403. Are you under any other government besides your own District here? No.

3404. The government of the Society is solely in the hands of the Executive in Sydney? Yes.

3405. What salary does the Secretary get? I get £1 for each Court.

3406. Is the Treasurer paid? Four pounds a year.

3407. I presume they are the only paid officers? No, we pay the outside guardian and property-keeper, and the auditors.

3408. *Mr. Smith.*] I wish to know from you if you think the amount of rates paid is ample to meet all requirements, taking all the circumstances of the Society into consideration? I have already answered that under favourable circumstances it is sufficient; it is only in exceptional circumstances that it is not sufficient.

3409. And these exceptional circumstances are simply with Courts that exist in the country? No more there than in the town; I find that men take upon themselves this going on the funds more in town than in the country.

3410. Have you a large percentage of old members in connection with your Order? Not particularly so; I dare say there is 10 per cent. old members, from fifty to seventy.

3411. *President.*] Have you anything further to suggest to the Commission beyond your evidence? No; I can only reiterate my statement and experience that the Friendly Societies would progress much more favourably if we could get efficient officers. It is the fault of the internal arrangement of the Societies themselves; the simple duty of making an annual return, you cannot put it into their heads what they have to do.

3412. Any further information you can supplement your evidence with we should be glad to have? I do not think the expenses of management of the Royal Foresters exceeds 12½ per cent.; I could to a very great extent give it you for last year.

3413. *Mr. Gelding.*] What is the cost of opening one of your Courts? Very little; nothing in the Sydney District except 10s. 6d. for the dispensation, and the country expense is simply that of the party travelling to open the Lodge. We opened a Lodge last year at Richmond River, and the whole cost was £10 7s. 6d.

3414. *Mr. Rubie.*] Are these old men you speak of very old, and would they only get sick pay for six months? So much for six months, and then a reduced rate of pay; but they had at a previous time taken a like benefit.

3415. How often would you permit a man to come on your funds? He must be twelve months off before he can come on again on full pay.

The Committee then adjourned until Friday, February 17.

FRIDAY, 17 FEBRUARY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,

E. GREVILLE, Esq.,

P. J. NEWLAND, Esq.,

JOHN SLADE, Esq.,

J. F. SMITH, Esq.,

F. ABIGAIL, Esq., M.P.,

P. R. HOLDSWORTH, Esq.,

E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. John Mitchell was sworn and examined:—

3416. *President.*] What Society are you connected with? The United Ancient Order of Druids, Sydney District.

3417. What office do you hold? District Grand Secretary.

3418. How long have you held that office? Eight years.

3419. Have you previously been connected with any other Society? Never.

3420. That is the only Friendly Society that you have any knowledge of the workings of? Yes.

3421. Have you held any other office in connection with the Druids? I have been through the Chairs in subordinate Lodge; I have filled the several offices which qualify me for taking office in Grand Lodge.

3422. What number of members have you in the District? We have 1,673.

3423. Is that the whole number of members in connection with your Branch of the Order? With the Sydney District; we have a District in Newcastle.

3424. Do you know the number of members in the Newcastle District? I could not say from memory, I should say there were about 700.

3425. How many Districts have you in the Colony? Two, Sydney and Newcastle.

3426. Have you any Grand Lodge? We have a Grand Lodge in Victoria.

3427. Not in New South Wales? Not in New South Wales.

3428. What is the total amount of accumulated funds in the Sydney District? £3,771 2s. 3d.

3429. Can you tell the amount at Newcastle? I could not tell, but could let you know in the course of a couple of days; it would not be out of the way if you sent to Newcastle for the Secretary there; he could give you anything you wish to know.

3430. What is the total amount of contributions received in the Sydney District during last year—does that return show? It is only a return of the list of subordinate Lodges, place of meeting, and the funds, which each Lodge sends us every quarter when they make up their balance-sheets; one is sent to me and one is kept for the Lodge. This is only a copy of what they sent up to me. These balance-sheets I have all classed together, and it has only been done during the last two or three years, because we wanted in the District to know how they were going on.

3431.

Mr.
J. Hampton.
14 Feb., 1882.

Mr.
J. Mitchell.
17 Feb., 1882.

- Mr. J. Mitchell.
17 Feb., 1882.
3431. You cannot tell us to-day? Not to-day, but I could get it.
3432. Will you kindly do that? Yes; I have the returns sent in now, asking for the information.
3433. Can you tell the amount of money paid on account of sick pay for all the members in your District? Not to-day; it would be easy to do had I had any idea what was required.
3434. Then you cannot say what has been paid on account of medical attendance and medicines? I could not say from memory.
3435. Have you found any difficulty in carrying out the duties of your office as District Secretary, or any defect existing in the present Friendly Societies Act? No; the only defect I see is, that I am sorry to say that any member has the power to bring another member before the Court and put him in gaol without consulting his superior officers.
3436. You think that is improper? Yes, because a man may have some animosity against another, who may leave the Society and be liable to be brought up before the Magistrates. I think the Act should specify that if members are to be brought before the Court, the Secretary should be compelled to lay the case before his superior officers and ask their opinion whether it is justice to do so; they might inquire into the position of the individual, and let him go if he found it was not fair to him.
3437. You have experienced no difficulty or inconvenience? Not in any form.
3438. How do the Societies make out the returns for the Registrar—do they send them to you or direct to the Registrar? There is no fixed rule; some send them to me, and I forward them on, but the majority send them on direct. Most of the Secretaries know Mr. Oliver very well, and know his ways.
3439. Do not your rules provide that they should be sent to you? It says—"he shall send to the D. G. S. all returns required by the Friendly Societies Act."
3440. You say that provision in your by-laws is not obeyed? Many of them make out the returns and send them on to the Registrar; some of them send them to me.
3441. Are the contributions to subordinate Lodges uniform? Yes, all the same.
3442. Have the subordinate Lodges power to alter their contributions? I never knew any of them to alter them, though they have the power to do so, but not to make them less than a shilling. We pay 13d. a week right through the Sydney District.
3443. With regard to initiation fees, are they uniform? There is a scale, so much according to age.
3444. Do the subordinate Lodges adopt the one scale for all the Lodges? Yes.
3445. It settling matters of dispute that may arise between members and Lodges, how are they dealt with? Exactly the same as laid down in the Friendly Societies Act.
3446. And how have you found that work? We have had very little to do with it; our people as a rule have been pretty amicable, and we have had no disputes.
3447. Have any of your members at any time had cause to go to the Law Courts to settle matters of dispute between private Lodges and themselves? Not that I am aware of.
3448. And how have your Lodges been able to meet their engagements during the number of years you have been District Secretary? We have never had to assist them in any shape or form.
3449. Their income has always been equal to the expenditure? Yes, though some of them have got very low down.
3450. Have there been any Lodges dissolved on account of want of funds? No.
3451. Does the District Lodge assist the subordinate Lodges with the accumulated funds when they have any case of necessity? We have never had any case arise.
3452. Does the amount of funds given in your balance-sheet include the whole value of the funds of the twenty-one Lodges? That is the twenty-one Lodges and the District together; we have a stock of £160, that belongs to the District.
3453. That is the total value of the funds of the Lodges? And the District. We have £1,139 11s. 3d. included in the amount already stated—£3,771 2s. 3d.
3454. You cannot tell us how much has been paid on account of funeral donations during the last year? During the last six months we paid £175.
3455. Is there anything in connection with the Act that you think would require alteration or amendment, from your experience as an old officer? Not so far as I know; from my experience we work the Society in the most simple manner possible, and the laws seem to suit us very well. I have read the Act through a few times, and there is nothing that I see, so far as we are concerned, that we wish to have any alteration in.
3456. You have no suggestions to make in the shape of alterations or amendments that you would like to see embodied in any future legislation? No, not particularly.
3457. How is your Funeral Fund arranged—is it separate in each Lodge, or is it a general Funeral Fund? Our District pays all the Funeral Fund; the Lodges get a bill, so much per quarter, to support the Funeral Fund; the Grand Lodge meets every half-year, and a statement is made, and the levy is fixed at that time. What we have paid the last two or three years is 1s. 6d. per member per quarter, and 6d. per member for the Management Fund.
3458. That is 2s. a quarter for each member? Yes, for each financial member.
3459. And are you of opinion that the contributions levied at the present time by your subordinate Lodges are sufficient for all purposes to meet your financial obligations? Well, I can only say yes, because we never had a Lodge that was not able to pay. It is sufficient if a Lodge is worked with proper economy. As far as we are concerned, all our Lodges have prospered; some of them are down in funds, some are one quarter down and another up, on account of having men who get sick when the Lodge funds are flourishing.
3460. What is the youngest age at which you admit members to your Order? Fourteen.
3461. And the oldest? Thirty-nine.
3462. And have you members in your Order over forty? Yes.
3463. Many? A good many.
3464. Fifty years of age? There may be a few that age.
3465. Can you tell the average age of the members in your District? I could not tell you to-day.
3466. Mr. Smith.] How long has your Society been established in this Colony? About fourteen years.
3467. What number of Lodges do you say you have now in connection with your District? Twenty-one.
3468. Have you any Lodges seceded from the District? One.
3469. Is that still in existence? Yes.
3470. Working alone? It has joined another Society—the Grand United Order of Oddfellows.

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3471. Have you had any Lodges in the country districts or city go defunct? No; we have only lost that one.
3472. Have you had many of your members go into the Law Courts to settle disputes? Not any.
3473. Do you hold any property in connection with your Order? No freehold or landed property.
3474. This £3,771 2s. 3d. is cash? Hard cash.
3475. What proportion of that belongs to the District Fund? £1,139 11s. 3d.; that is the funeral money and Management Fund.
3476. The District Management Fund and Funeral Fund are both represented there? Yes.
3477. What is the amount of the District Management Fund? £64 6s.
3478. Has it come under your notice that prosecutions have been instituted for non-payment of arrears? Yes.
3479. Has that been generally adopted by your Society? Our Society is much averse to it; and I may say that when the notice appeared in the paper I went to the D. G. President. I ascertained that one man, named Joseph Smith, who was imprisoned, was a hard-working labouring man. The President came to me and asked who the man was, and I made inquiries and found he was working for the builder of the new Infirmary, that he had three children and a wife. The President asked me to send an order for £5, in order to get him out of gaol. I went up on Tuesday and paid £10 to get the other man out of gaol. The Society did put the man in gaol through the indiscreet action of the Secretary.
3480. This Lodge is situated at Ryde, is it not? Yes.
3481. Is it under your jurisdiction? Yes.
3482. Was the District consulted in this matter? No.
3483. Do I understand you to say that this action was taken on the sole responsibility of the Secretary himself of that Lodge? I would not put it all on his shoulders, but I think he should not have attempted to put men into gaol without taking the opinion of the Board of Directors or Executive Officers.
3484. You say that the Grand Lodge has released the men from prison? Not the Grand Lodge. I mentioned it in my Lodge on Monday last, and the money was paid down in order to release them.
3485. No portion of the amount paid by you was drawn from any of the funds? Not in any shape or form.
3486. And it was simply voluntary contributions given by the members of the Lodges? Yes, that is what it will be. Our Lodge took the matter up, and one of our officers advanced the money.
3487. Are these men now to be reinstated and to have the rights and privileges of members? The man Smith, the first that was got out of gaol, said to me—"Now what am I to do?" and I advised him to send in his resignation if he wanted to have no more to do with the Society; but I also advised him not to do so, and then he will be transferred to Sydney.
3488. Then they will be transferred to Sydney? Yes, that is, the one; I cannot say for the other.
3489. Are you cognizant of the cause that brought about this large amount of money being owed to the Lodge? I must say it is a mistake; one man owed £8 14s. and the other £4 16s.
3490. Could you tell the Commission the cause of them falling into arrears? The whole thing was a mistake. I should imagine you cannot summon a man after he owes twelve months' money. I would not let them put me in for £8 14s. It was for arrears of contributions for four or five years.
3491. *Mr. Abigail.*] Does the Friendly Societies Act prescribe how much a man shall be liable for before he is expelled? I should imagine twelve months' subscriptions.
3492. But does the Act say so, or leave it an open question? I think it is left an open question.
3493. Then under the Act the law would be fairly dispensed? Yes.
3494. You said your Lodges have all met their financial obligations up to the present time: have you made any estimate of what liabilities have accrued each year to each member? No, I never went into that.
3495. It is part of your duty as D.G.S. to make out annual and quinquennial returns from the District, for the Registrar of Friendly Societies, have you done that? The annual returns I have made out, but when I went to Mr. Oliver for the quinquennial return forms he said it was not required here.
3496. Do you know the Act makes it penal? Yes; and I went to him for the forms, but could not get them.
3497. In this case of these members at Ryde and the money paid by you to release them from gaol, what became of that? I gave it to the gaoler.
3498. Is it carried to their credit in the books of the Lodge? I do not know how that would be done. I do not know if the Government would claim it or would refund it to the Lodge.
3499. Do you know what the judgment of the Bench was? I only read it in the *Evening News*, and do not remember the terms.
3500. You stated that you have advised these men to transfer to Sydney: supposing they do that, will the Lodge in Sydney get any portion of the money they paid to the Ryde Lodge? I should think not.
3501. So the Lodge they have transferred to will take all the liabilities without getting any benefit? Yes; our laws say that members may transfer from one Lodge to another, but the Lodge from which they transfer are responsible for sick pay.
3502. I understood you to say you were not in favour of that portion of the law which enabled a Lodge to take action against a member for more than twelve months' dues, but you would give the power to sue for contributions up to twelve months? If I were a law-maker, I would say that if a member is away from the Society for three months, at the end of that time he should be knocked off the doctor and chemist. In our Lodge we pay 2s. 4d. to the doctor and chemist, and 2s. to the District. If he were allowed on the books for three months, at the end he would be owing 13s., out of which they would have paid 4s. 4d. to the Lodge chemist and doctor and to the District. You might then strike his name off and only lose 4s. 4d. by it.
3503. So you would lose the 4s. 4d. to get quit of the member? I believe that would be the best thing to do.
3504. Do you mean that you would then strike his name off all the books or give him the privilege to pay up? I would allow him to pay up any time within twelve months.
3505. Your laws give the District Grand Lodge power to appoint special auditors to audit the books of any

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- any Lodge, or Lodge that there may be some difficulty about; have you ever had a case in which that has been necessary? No.
3506. Do the subordinate Lodges send in returns? Yes, every three months.
3507. Have you examined them? The District Officers do that.
3508. Are they not audited by members of the Lodge? Yes.
3509. And again by the District Auditors? Yes.
3510. Can you say whether they find the balances always correct? As a rule, yes; the only mistake they ever found was that the Treasurer was charged with a pound too much.
3511. So in your experience the Lodge Auditors are generally correct? Very fair, yes.
3512. Now, in the matter of arbitration, are you in favour of arbitration as a final settlement of any question of dispute? I think it is a very fair way.
3513. Not to give them the power at all to go to law? I think it is a bad thing to go to law with Societies.
3514. Is there anything of a friendly nature in connection with your Societies; what I mean is, is any of its money spent in convivialities or other than in benefits? No.
3515. If any of the members are unfinancial, do you give them the benefits? No, but I have known a man who was likely to become unfinancial to be paid for by members who were there.
3516. Then he did not become unfinancial; but if he does? I have seen it done, but not out of the funds.
3517. But out of the funds of the Lodge? They could not; there are too many members who would object.
3518. Then you act on purely business principles? So far as the Lodge is concerned.
3519. Is there any drinking carried on? Our Lodges are not allowed any drink in the room.
3520. *Mr. Smith.*] It is discouraged, is it not, by one of your regulations? Yes.
3521. *Mr. Abigail.*] In the matter of regalia, is it compulsory? The Lodge has a set of regalia, we have seven beards and gowns and collars which cost 5s. each. During initiations they wear beards and gowns, which cost about £8 the lot.
3522. That comes out of the funds? Yes, they are provided by the District at the opening of each new Lodge.
3523. Is much money spent in testimonials or other purposes of that kind? The only testimonial I ever saw given was to Mr. Slade when the laws were revised.
3524. *President.*] You did not touch the funds for that? No, it was done by the members.
3525. *Mr. Abigail.*] When I asked you if much money was expended in testimonials, I meant inside or outside the Society and taken out of the contributions of the members? You may see some "jewels" down there. Our Society wishes to get on in the world, and if a member takes up the starting of a Lodge our Grand Lodge has passed a resolution that any member who shall apply for a prospectus and form a Lodge should receive £5 for the outlay; instead of giving this £5 in cash, they gave it in two jewels. It was not a presentation, but money earned according to law.
3526. What money was it taken from? The management fund.
3527. Does "Medals, £5" come under the same heading? Yes; it should read "Expenses for forming the Harmony Lodge at Glebe, £5."
3528. I see from one of your annual reports dated the 21st of last month, that a resolution was moved that a Past President's collar be presented to the outgoing President? That is an officer of the Society who has performed his duties for twelve months, and he gets a collar given to him.
3529. Then there is another resolution that Treasurers having twice officiated as D.G. Presidents shall have a Past President's collar; was that carried? I suppose so; that is Mr. J. H. Davics, who has been Treasurer some time.
3530. An amendment was moved that all Past Presidents in Sydney receive collars; that was not seconded? Yes.
3531. How many would there be? Fourteen.
3532. And what is the cost of each regalia? About £2.
3533. Do you think the objects of Benefit Societies to be of such a character as to require special legislation? Yes.
3534. Your Society you say is considered prosperous? Yes, I think so.
3535. Have you any notion of what is prosperous in a Society—how much per head they should have in accumulated funds? Well, a Society is like a lot of other things—it is carried on on credit. If a Lodge is started to-morrow with sixty men, and the average of them pay 10s. each, there is £30 to start the Lodge with. And if they pay 24s. to each for a month, where is the money to come from? The only redemption for a Society is that all the members are examined by a doctor, and are supposed to go a reasonable time without getting sick.
3536. Have you known any cases in which members have been admitted suffering from chronic disease, through a bad examination by a doctor? I cannot specially refer to any case, but I believe such things do occur.
3537. You have not made any calculation as to how much a Society should have to place it in a fairly solvent position? No.
3538. Have you had any communication with members interested in Friendly Societies in Victoria? No; we are under the supervision of the Grand Lodge of Victoria to a certain extent.
3539. John Henry Curtis is connected with your Society in Victoria? Yes, we had him here a short time ago.
3540. Do you know what is the average of funds per member of Societies in Victoria? No, I could not say.
3541. Do you know what the Druids have? I do not know.
3542. Is it £9 per head? I said I did not know. I have read Curtis's evidence, but it is some time ago, and I do not remember what it is.
3543. Are the funds of your Society one common property for the benefit of the whole of the members? No, each Lodge sticks to its own.
3544. In the return I suppose it will show the state of the individual Lodges? Yes, you have it there.
3545. I see there is one Lodge with forty-one members, with £29 19s. 11d.; you would not consider that favourable? No, but there is one with 138 members and £814. 3546.

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3546. That I suppose you consider fairly good? Yes, I should think so.
3547. I see there are ten Lodges in this list with less than £1 per head accumulated funds; what condition would you call them in? Not at all solvent.
3548. Would you be in favour of, or do you think a periodical investigation of the condition of Benefit Societies should be carried out? Yes, I think it would be a very good thing indeed.
3549. And at what intervals do you think it should be done? Every five years.
3550. Do you think it should be made by Government officers? Well, if it is to be done it ought to be done well, and might be done by Government officers.
3551. Supposing an investigation should show that a Society was going back, would you provide power to compel them to raise their contributions to a safe basis? Yes.
3552. In preference to reducing the benefits? Most decidedly.
3553. Do you think the expenses of managing these Societies are excessive? As far as our Society is concerned, I think not.
3554. Have you known any members defraud the Society by misappropriating the funds? I know one man who did so, and he was brought to account and refunded the money; and he lost a very good position.
3555. Were the police brought into the question? No; he was summoned before the Lodge, and admitted it, and paid it all back again.
3556. *Mr. Greville.*] I understand you to say there are a few of your members who have turned fifty? Not very many of them.
3557. And that is to be accounted for by the Society having been in existence only fourteen years? Yes.
3558. When the Society comes to be double its present age, do you think the same rate of contribution made now will be sufficient then? So long as the managing part is kept down, I do not think the death rate will increase much.
3559. Not with the increase of age of the Society, and members daily approaching death? Well, they keep paying towards their liability; every six months each man pays something towards his death money, and with increasing age you have increasing funds coming in.
3560. In other words, you believe it will not be necessary to increase the rate? Well, it may be of course; I believe if they could be induced to pay another 2d. it would not be much more out of their pockets.
3561. But what I want to arrive at is whether your present contribution will be sufficient as your young members get old? Well, as they get old they are more likely to get sick.
3562. Then what is your answer to my question as to whether you think the rate will have to be raised or not? I am hardly prepared to answer. "Sufficient unto the day is the evil thereof."
3563. Are you of opinion that instead of having a contribution similar for all ages it would be better to have one apportioned to the age—in other words, a sliding scale? No, I do not think so.
3564. You approve of the fixed scale? If you make the admission money according to age it is sufficient. There would be a great amount of bother attached to the sliding scale in Lodges.
3565. Then you recognize the fact that there should be some extra payment, but think it should be obtained through the initiation fee, and not through the contributions? That is what I think would be best.
3566. When you adopted the contribution of 13d. per week, from what did you get the idea? That was started before I joined the Society.
3567. Was it from Victoria or England? I suppose from England; that is where the Society emanated from.
3568. I want to know how you came to fix it at 13d.; are there any tables or authority? Not that I know of; it was that when I joined the Society.
3569. *Mr. Holdsworth.*] Can you tell me the age of the Prince Alfred Lodge here? About twelve years.
3570. I see it has forty-one members, and £29 19s. 11d. reserve? Yes.
3571. Are the members dependent entirely upon the funds of the Lodge to which they belong? Yes.
3572. Is any provision made for members if a Lodge should break up? I think there is some provision made in our laws to the effect that the District will take them over.
3573. Then if a Lodge breaks up, no injury can really be sustained by the members? Not at all.
3574. I think you said you were in favour of uniform rates? Yes.
3575. You think if the initiation fee is made according to age it is sufficient? Yes.
3576. How often do you pay an initiation fee? Only once.
3577. Then the only benefit the Lodge can derive from that is the difference in the interest between the different amounts paid? Yes.
3578. Do you think that would be sufficient to meet the differences in the ages? Well, as a rule, a man getting on for thirty-six is more healthy than a man of twenty-five. Our experience is that it is the young men who take all the money.
3579. *Mr. Langley.*] May I ask if your Society is in connection with the Druid Society in England? Yes, with the United Ancient Order of Druids in England.
3580. Are your members acknowledged by that body as members, in case they leave this Colony? Yes.
3581. In case that the law laid down a fixed scale of contributions, do you think any difference should be made between the contributions to a Lodge which affords its members no benefits should they leave this Colony, and to a Society the members of which can take their clearances with them and be received into Lodges at a nominal sum in other parts of the world? No; if I were a man that wanted to join a Society, I would look out for one that had relations in some other part of the world.
3582. Then do you think the two Societies should have equal benefits? It is worth the risk for a man to pay 1s. 1d. and 1s. 2d. a week.
3583. But I speak of the abstract question—do you think the two Societies offer equal benefits? No, of course a local Society would not have equal benefits to that which has branches all over the world.
3584. Then why would you compel me to pay the same in the one as in the other? Because you had the opportunity of joining the other.
3585. In the case of these men at Ryde, you say I think that twelve months was all they could be sued for? Oh, I did not say anything of the kind.
3586. Is it a fact that they could not be sued for more than twelve months? That is for lawyers to decide.

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3587. But in your opinion was it legal to claim more than fifty-two weeks? I would not like to give such an opinion.
3588. If that were the case, would not the donors of this money be entitled to claim all but the twelve months from the Lodge that received it? The question comes whether the Lodge will get it or not. Will the police authorities pay the money to the Lodge?
3589. If the present Friendly Societies Act permits such a thing as that, do you not think it is time it was altered? Yes, as soon as possible.
3590. Have you seen this Act? Yes.
3591. Are you of opinion that it would be more advisable to have a short Act laying down certain bases upon which Societies should frame their own laws, rather than this Act we have at present? I think there is a lot of stuff in the present Act that nobody can understand, and it might be abbreviated a lot.
3592. But do you think if it were abbreviated it would be a benefit? What is in it would not do any harm.
3593. Then do you think a shorter Act would not be more beneficial? I think the Commission could make a more applicable Act in many ways.
3594. I presume you know there is a lot in it that might very well be left out? There is not the slightest doubt it might be made more simple.
3595. *Mr. Rubie.*] Have you a Widow and Orphan Fund in connection with your Society? No.
3596. How are your funds invested? In the Savings Bank.
3597. In the name of Trustees? Yes; three Trustees.
3598. Has each Lodge Trustees? Yes.
3599. You said the whole of the funds to the credit of the Order were about £900? No; £3,771.
3600. That is divided between the Lodges and the District? Yes.
3601. There are some of the Lodges have a very small sum to their credit: suppose three or four deaths were to occur, how would they meet that? It does not affect them in any way; it would come from the funds we have in the District.
3602. Well, there are some of these with very few members: suppose three or four were taken ill, how would they be provided for? That is where the trouble comes. If a Lodge has forty members it has an income of £2 a week, and could this pay for them? If Societies took in men who were liable to consumption and other complaints these Societies would not last very long.
3603. In opening new Lodges do you take in members at half-fees? Yes.
3604. You just stated that any increase in contributions would, you thought, be more beneficial by way of initiation fees? I said I thought it would answer better. It is difficult now to carry on books; and if you had books with one paying 15d. and another 10d. and so on, you would have to pay your Secretary perhaps £50 a year to keep the accounts.
3605. Have you found any difficulty in providing Secretaries for the Lodges? Yes, a good deal; men do not like to take a job like that for £4 a year.
3606. As a rule, do you find the Secretaries efficient for the work they undertake? Yes; I never saw any that were not efficient.
3607. How are your Auditors appointed? They are appointed every six months, one retiring every three months.
3608. I think, in answer to a previous question, you said you had a system of arbitration in your Order which you consider quite satisfactory? We never had anything to do with it.
3609. Have you never had any complaints to refer to arbitration? No.
3610. What would you think of a Court of Arbitration being formed out of the various Friendly Societies—do you think it would act well? Yes; it would be best for them all to join together and form one body.
3611. Do you think that in any new system there should be a uniform code of rules with a minimum rate of payment put down and certified by an actuary, so that any Society not adopting that should not get the benefit of the law? It would be a good thing if we could get an idea like that.
3612. *Mr. Newland.*] Do I understand you are under the supervision of a Grand Lodge in Victoria? Only in so far that we get the password from them and they issue dispensations to us.
3613. You pay no capitation tax to them? No.
3614. Could you give any idea of what is the management expense of your District per member? I do not know; in the last report for the past six months there was an average of about 10 per cent.; but in that there is an item for funeral regalia—£37 10s., and there are several other matters of goods that we have sent to Lodges.
3615. Do you think such an amount as £37 10s. should be spent in funeral regalia for a Society numbering only 1,600 members? Yes, I think so.
3616. Do you think all this show and pomp is necessary? No, I am strongly opposed to it.
3617. I do not thoroughly understand your explanation in reference to a Lodge not being able to pay its sick members, and would like some further explanation; that is, if a Lodge for want of funds is not able to pay its sick members, what course they adopt? Such a thing has never come under our notice, but the District would assist them; the rule is laid down.
3618. You have some monster demonstrations in connection with your Society at different periods? We have had two.
3619. Have they been successful in a pecuniary sense? Yes.
3620. Had there been a loss, how would it have been met? It was got up for the benefit of the District, and any loss would have been met by the Management Fund of the District.
3621. *Mr. Gelding.*] How do you account for the very great expense of opening Lodges in the country Districts, say at Goulburn—£18 5s.? You must reckon that to open a Lodge people have to start from Sydney and go up in the train; four have to go, and if they go on Monday they arrive on Monday evening; they open the Lodge on Tuesday and arrive in Sydney on Wednesday, and I think £18 is not too much expense; the Lodge pays half, and the District pays the other half.
3622. I presume the District officers who travel to open the Lodges are paid full expenses for the time and labour performed? I do not know about full expenses; when train and other expenses are taken out there is 10s. allowed for each man. We were up there for two days.
3623. Has your District got the power to raise the quarterly levies to the Funeral Fund if they think fit? Yes.
- 3624.

3624. Have you had occasion to do it? We have been down to 1s., but never above 1s. 6d.
3625. You have stated that if the sliding scale were adopted it would be a very troublesome affair—Are you aware that in Great Britain there are some two or three thousand Lodges with ordinary Secretaries carrying out these duties? No. Mr.
J. Mitchell.
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3626. Then you have never studied the question of a sliding scale? No.
3627. How long have these Branches of yours been in existence? The last was opened the other day, one three months ago, and others six months since.
3628. Then you account for those that show a decent average that they have only been recently opened? Some of these have been opened a long time.
3629. Have you given the question of whether this 13d. a week is sufficient to meet your liabilities, even as they at present stand, mature consideration? As far as our Order is concerned, I think so.
3630. Then how do you account for half of your Lodges only holding a little bit of money like this? They have been exceedingly unfortunate in sickness.
3631. I see in your District, taking the whole of the funds of the Druids into consideration, that the average per head is somewhat under £2 2s.: do you think that is an average that would meet any unforeseen draw upon it, or that it is sufficient to meet present liabilities? The average is as good as ever we had, and we have carried on the last ten or twelve years.
3632. Have you formed any opinion as to what would be a fair average? I think they should not have under £5 a head.
3633. Are you aware that the Registrar in Victoria deems £11 as not too much for a Society to hold? Oh, there is no doubt they go into the matter more as a matter of business there than here.
3634. Do you not think there is a greater probability of sickness and death arising in the future than in the past, owing to the increased rate of population and frequent connection between here and other countries? No doubt the more we mix up with others the more liable we are to disease, and doctors should take greater precautions in taking in people.
3635. And I presume your sick pay, the amount paid out of the funds, has been greater the last two or three years than heretofore? Yes.
3636. And the probability is that the draws on the fund will increase more in the future than they have been in the past? They may be so.
3637. Do you not think if a sliding scale was introduced whereby members paid a fair quota weekly to assure certain benefits, it would be far better than working on what may be termed a hand to mouth principle? No doubt it would be far better, but I think it would be a means of closing up Friendly Societies.
3638. Do you not think each Society should settle its own grievances in its own governing body, without going to other Societies? As far as a matter of law and justice is concerned one man can tell what is right and wrong; but if there is a dispute amongst members every one has his friends.
3639. Where do your arbitrators come from? Anybody in the Order.
3640. Do you not think, considering the importance of Friendly Societies, that the Government should appoint a gentleman to specially attend to this particular business? I think so.
3641. Do I understand you to say that any of your members who may take the trouble to get together sufficient members to open a Lodge is presented with a testimonial of £5? Yes.
3642. That is holding out a bonus to any of your members to open Lodges? Yes.
3643. Who pays the £5? The Management Fund of the District.
3644. *Mr. Abigail.*] I understood you to say that you went to the Registrar of Friendly Societies' Office for the quinquennial return forms, and he told you it was not necessary to send in any? Yes.
3645. *Mr. Smith.*] You give it as your opinion, that a Society not having £5 a member is not in a good financial position? I think they ought to have it in order to have any standing.
3646. And your Society cannot show that average in this Colony? No.
3647. *Mr. Abigail.*] You stated just now that there was £5 bonus paid to any one who opened a Lodge? Yes.
3648. How many Lodges have been opened during the past year? I could not tell you at present; three or four. Three, I think.
3649. *President.*] Is there anything further you would like to suggest to the Commission, or have you any further evidence to give? No, I can only say that I trust the other Societies that come here will do as I have done, and give as full particulars respecting themselves.

The Commission then adjourned until Monday, 20th February.

MONDAY, 20 FEBRUARY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDW. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. Thomas Joseph Murray sworn and examined:—

3650. *President.*] What Society do you represent? The Australian Holy Catholic Guild of St. Mary and St. Joseph. Mr.
T. J. Murray.
20 Feb., 1882.
3651. What office do you hold? I held the office of Secretary, and now I am Past Secretary; I hold no office.
3652. How long did you hold that office? I was elected in 1876, I think in December, and I resigned about a week ago.
3653. Did you hold any office prior to that? No, I only joined them about that time, a few months before I was appointed Secretary. 3654.

- Mr. T. J. Murray.
20 Feb., 1882.
3654. What number of members have you in your Lodges—the gross number? In Sydney we have seven Branches; there are country Branches under their own control.
3655. But under your District? About 1,000, I should think.
3656. What number of members have you initiated during last year? I could only say roughly, about fifty I should think; there were about twenty-five last half-year.
3657. What number of members have been expelled during a like period for non-payment of dues? I am not aware of any; we expelled one during that period.
3658. Have any been suspended for non-payment of dues? Yes, one or two.
3659. What was the total amount of accumulated funds in connection with the subordinate Lodges? We set down our assets at £6,590 7s.; that includes the Guild Hall, furniture and things of that kind, and stock.
3660. That is the property of the Sydney District? Yes; we have no connection with the other Branches except transferring members.
3661. And how is that money and property secured to the members of the Society? We have the Guild Hall, which we set down at £7,597 14s. 2d.; there is a mortgage on that of £2,000; we have furniture, £283 7s. 5d.; rule books, £54 6s. 6d.; scarfs, stock, &c., £269 18s. 5d.; funeral regalia, £114 9s. 1d.; and medal, £15 15s.
3662. Are these regalia and medals purchased from the funds of the Societies? Yes.
3663. That is, the funds made up from the contributions of members? Yes, from the ordinary fund; all our moneys go into one fund, out of which everything is purchased. There are also drugs and fittings, valued at £141 4s. 8d.; and a cash balance of £179 1s. 11d.
3664. What was the total amount paid on account of funeral donations during the year? I find I have not the report of the preceding half-year; the amount last half-year was £190, but the preceding half-year was much more; I do not remember the exact amount, but it was between £200 and £300.
3665. What is the donation in case of death paid to each of your members? The highest amount is £40 at the death of a brother; £20 mortuary, and £20 widow and orphan donation; it varies according to the time a member has been in the Society.
3666. Will you state the graduated payments? This is the death and funeral rule:—"The Guild mortuary donation for a brother shall be £20, less the funeral expenses and any debts due by deceased to the Society; the balance, on production and delivery to the Warden of the certificate required by the Friendly Societies Act, 1873, shall forthwith be paid to the representative of the deceased as follows:—To the wife, eldest son or daughter, father or mother, eldest brother or sister, in the discretion of the Council; and if there be no such relatives, the balance aforesaid shall revert to the Guild, unless the deceased brother shall have otherwise bequeathed it by a written document." The Widow and Orphan Fund donation is given according to the following rule:—"At the death of a brother the Council shall cause strict inquiry to be made into the moral character and temporal circumstances of the widow, the number of children, with the name and age of each; and if such inquiry be satisfactory to the Council, they shall vote a sum of money, not exceeding £10 for the first five years the brother was a subscribing member to this Fund; £15 if over five and under ten years; and £20 if above ten years, as the case requires; such sum to be applied for the benefit of the widow and children in such proportions and in such manner as the Council in their discretion may think best."
3667. Then I see from your rules you pay sums of money to unmarried brothers and in case of death of a widowed mother? Yes.
3668. What amount do you pay? In the case of a brother's wife—I will go through them all:—"On the death of a brother's wife," the rule says, "the sum of £12 shall be paid to the brother, if a full member of less than five years on the books; and the sum of £15 if a full member of more than five years standing; and at the death of an unmarried brother's mother, she being a widow, residing with and supported by him, the sum of £10 will be paid to the unmarried brother (provided in each case that they are full members and not in arrears according to Rule 119), upon production and delivery to the Warden of the certificate required by the Friendly Societies Act."
3669. What amount of contributions do the members pay? 2s. 4d. every fortnight, or 1s. 2d. per week.
3670. Are the contributions uniform? Yes.
3671. Every member pays alike? Yes, all alike; there are a few cases in which there are associate members; these pay 6d. a week, but they do not receive benefits.
3672. And are the initiation fees uniform? They vary according to age; the rates will be found on pages 18 and 19 of the Constitution; they vary from 2s. 6d. at from 18 to 20, to £10 10s. at the age of forty.
3673. And do you take members beyond forty years of age? Yes; they have to pay the full entrance fee; it is very rarely a member joins over forty—I have never known it.
3674. And do all the members who are initiated and are financial participate in the advantages you have named? Yes.
3675. That is, they get a certain donation at death? Yes, and besides that we have a sick allowance, which is a guinea a week; during the first twelve months he gets a guinea a week; the next twelve months, 10s. 6d.; and then 5s. a week for the remainder of the time he is ill, unless a final payment is made.
3676. As agreed between the member and the Society? Yes, if a brother wishes he can take a final payment of £20 instead of the 5s. a week.
3677. I understand you to say that all the contributions go into one fund? Yes, all go into one fund.
3678. You have no separate funds? No.
3679. But I notice you provide for the registration of the wives of members? Yes, that is in the case of a second wife. Every member joining has to pay 5s. to the fund, and unless he pays it he would have no benefit; but in case of the death of a member's wife and he marries again he has to register his second wife and pay an entrance fee.
3680. And how do you settle disputes between members of your Lodges and the Lodges themselves? We have a Council consisting of the representatives of each Branch, and the disputes are brought before this Council, evidence is taken, and it is settled by vote.
3681. Is the decision final? It is not final; we have three arbitrators to whom it can be referred.
3682. Have you had any cause to defend actions in any of our Law Courts? Yes, we have.

3683. In consequence of members being dissatisfied with the decisions? Yes, one or two. Lately a brother brought an action against us for sick pay, and it was overruled that he should first appeal to the arbitrators; he did so, and they granted the allowance. There may have been other cases; I do not remember.

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3684. During your term of office have there been other cases that you know of? I do not remember having any other for benefits; we have had cases in connection with other things, but not for that. We have had cases in connection with the hall, and so on.

3685. What was the nature of these? We had some case in the District Court, but it escapes my memory what it was about; it was in connection with some one who rented the hall from us.

3686. You have no cases now pending? There is a case now before the Council in which a brother claims sick pay, being bad on the books.

3687. You say that the whole of your funds are vested in Trustees for the benefit of the Society? Yes, we have three Trustees.

3688. And the whole of the property is vested in them? All our funds are invested in the building.

3689. Have there been any defalcations? Not since I was elected to office.

3690. Has there during your term of office been any Society that has not been in a position to meet its financial obligations? There was one Branch at North Shore which was not considered to be paying, and it was dissolved and the members were attached to the District in Sydney as country members. A rule was passed and the Branch was dissolved.

3691. Had they any funds? All the moneys come to the one fund; they surrendered their warrant and broke up the whole thing, and they are living there as country members now.

3692. Has there been any other Lodge suffer inconvenience for want of funds? I think not—I have not heard of any; but no matter whether a Lodge is paying or not the money goes to one fund—one Treasurer at the Guild Hall, and the seven Branches are paid out of that.

3693. And are you of opinion that 14d. a week is sufficiently large an amount of contribution to meet all engagements? Yes, I think it has proved itself to be so. The Society has been established for thirty-eight years, or since 1845.

3694. And during that long time—not within your knowledge—none of the Societies have failed to meet their obligations? No, none have failed.

3695. And you think the amount is sufficient to meet all the engagements of the Society? Yes, so far as I am able to judge, unless some unprecedented epidemic or something of that sort should come in. During the last two or three half-years we have had a very heavy death rate on account of so many old members being in the Society. We paid one half-year £427 for sick pay and £266 for mortuary and widow and orphan donations. That was the half-year ending June, 1880.

3696. Can you tell the average number of days, taking the whole of your members, that have been paid for sick pay? We paid £475 for last half-year for a thousand members; that is about seven days per member. These are mostly the same people who have been ill all the time.

3697. Have you experienced any inconvenience in the working of the Act as Secretary of the Grand Lodge? No.

3698. What is your opinion as to the working of the Act—do you think it sufficient in every way to afford protection to the members? I have never received much benefit from the Act; it seems to me very cumbrous and very difficult to understand, and I think the way the returns are to be sent in is almost a farce. It is impossible for the Branches to supply the information according to the Branch returns, because so many Branches differ in the way they keep their funds.

3699. But you have experienced no inconvenience? None whatever.

3700. What was the practice with you in furnishing these returns? I think the Act says that the returns are to be furnished every five years.

3701. But is there not an annual return to be furnished? I always send my printed reports to the Registrar.

3702. And has it been the practice of subordinate Lodges to send in separate returns? They come in to me, and I send in a return embracing the whole of them.

3703. Do you know the Act requires separate and distinct returns from each Lodge? Yes, I believe it does.

3704. Has the Registrar at any time demurred to your sending in a gross return? No.

3705. Have you anything that you could suggest that would be an improvement on the present legislation? No, I have not thought the matter over; I do not know of anything except that the forms for sending in the returns should be more simple, so as to suit each Lodge.

3706. Have you or any of your subordinate Lodges proceeded against any of your members to recover arrears of contributions? No.

3707. What is your opinion in reference to that principle as embodied in the present Act? I do not approve of suing for arrears for over twelve months.

3708. What course does your Society take when a member gets twelve months in arrears? We let him fall out, the rule saying that after that time he loses all benefits, and he cannot commence his payments again without getting a doctor's certificate.

3709. You have no claim on members after twelve months? I do not think so, in the face of this rule.

3710. If a member is three months in arrears, what do you do? He does not get any benefits, and we endeavour to get him to pay up before posting his name up.

3711. Are there many old men in your Society? Yes, there are a good few, in consequence of the age of the Society.

3712. Is there a fair proportion of young men? Yes, those who join are generally young men.

3713. What would be the average of the ages of the members, taking young and old together? I should think about forty years, but I cannot state accurately, and I may be a great way out in saying that. There are members from eighteen to sixty.

3714. Have you many from eighteen to twenty-five? There are more between thirty and forty, I should think.

3715. What proportion would you have from eighteen to twenty-five? I should think there would be more than one-twentieth, as we have now juvenile Guilds established, from which at eighteen years they are drafted into the older Societies. I should think probably the proportion is nearer one-tenth than one-twentieth. That is of course given simply from memory.

3716.

- Mr. T. J. Murray.
20 Feb., 1882.
3716. What has been the cost of management during the past year, apart from sick allowance and medical attendance? The only expense, apart from these—if you take the report, every item is given—the only salary paid was the Secretary's salary.
3717. You do not seem to separate working expenses from general expenditure? No, we put all the moneys into one fund. The working expenses would be very light; £100 for the year would include everything, and be the very outside; and the receipts would be in all about £3,000.
3718. What were the total receipts for the year? A little over £3,000.
3719. And how is that made up? Members' contributions and rent.
3720. How much for contributions? In round numbers £2,300.
3721. And how do you make up the other? We have rent for this half-year, £260; that would be £520 for the year; and there are transfers and other small items, making up a total of a little over £3,000 for the year.
3722. And what has been the expenditure—taking sick pay, medical attendance, and all together? About £1,400 for the half-year; that would be about £2,800. During the last few years there has been a very heavy death-rate. I have simply taken the last half-year's accounts as a basis.
3723. *Mr. Gelding.*] Do you give every member joining your Society a copy of the rules before he becomes a member? We expect him to buy it on becoming a member.
3724. I ask you that because I see that unless he acts very strictly up to certain rules laid down he is liable to be suspended or expelled. I refer to rule 125? Yes, they are all made thoroughly acquainted with that rule.
3725. Did you ever have occasion to expel a member for breaking that rule? Only one young member.
3726. Referring to the Widow and Orphan rules—I see that the Council have the power of withholding the Widow and Orphan donation if they think that her position warrants them in doing so? Usually a Committee is appointed to inquire into the character of the woman, and if she were of bad character she would not get the money; but I do not remember such a case.
3727. Then if they deem she is sufficiently wealthy they could withhold the money? I do not think it has ever been done.
3728. I see under the 107th rule you can withhold sick benefits from any one engaged in military or naval service; can you explain the cause of that? I think there is a rule elsewhere that prohibits the Lodges from taking soldiers.
3729. Do you remember any member committing suicide? I do not remember any.
3730. Would the Council in such a case withhold the Widow and Orphan donation? I think they would, according to the rule.
3731. No matter from what cause the suicide might be committed? If they saw their way clear to pay it they would do it.
3732. As a matter of opinion, do you think it is just to do so? I do not think it would be just to the woman; still I see it is in the rule. It has never been brought under my notice before.
3733. What was the original amount paid for the land in Castlereagh-street? I was not in the Society at the time; I think it was something like £1,400 or £1,500, or perhaps it might have been £1,800.
3734. The original cost of the building before being altered, do you know that? The value is set down at £7,597—that is the original cost; I am sure it is worth considerably more than that.
3735. Did the Registrar of Friendly Societies ever take exception to registering the medical rules of your Society? Not that I am aware of.
3736. Are you aware that by having these special rules certified to, in the event of your not being able to supply a medical man, your Society would be liable for any expense incurred? Oh yes, we are aware of that; and there are two doctors, and if one is not in they can call on the other.
3737. What is the average amount you pay for medical levies? We pay a lump sum to the doctors in Sydney, £200 each doctor; in Balmain and Newtown they pay something like 16s. a head.
3738. Have you any juvenile Branches in your Society? Yes, we have.
3739. How do they work—are they a success? They are not a very great success; in one District, the St. Patrick's District, they are doing better; if worked and kept up they would be a success. I had nothing to do with them. Financially they work very well, and are a great feeder to the other Societies.
3740. What benefits do they give to their members when they are sick? I said before I had nothing to do with them, but I think they pay them something like £3 in case of death; there is no sick pay. I think it varies from 20s. to £3, according to the length of time they have been in the Society. They pay a small entrance fee and 2d. or 1d. a week; and at the age of eighteen they are admitted, free of charge, into the other Society.
3741. Do they have to undergo medical examination? Yes, they undergo another examination.
3742. Are you in favour of a Board of arbitrators outside your own Society, composed of members of various Friendly Societies, to arbitrate on any disputes that may occur amongst your members, or do you think they should be settled solely by the Council of your own Society? We have arbitrators beyond the Council, and I think it would be much better to have arbitrators of this kind than going to the Law Courts. It would be less expensive, and probably more satisfactory.
3743. *Mr. Slade.*] How is your Society managed—what is the name of the ruling body? The ruling body we call the Council.
3744. And who forms that? From each of four Branches four members are returned, and two from three others; we have three Trustees. The Warden is the highest lay officer, and there is a Bursar or Treasurer, and a Chaplain, Father Mahony.
3745. How often are they elected? They are elected every half-year, and every year the Warden and Bursar are elected.
3746. Has the governing body any separate fund for the purpose of meeting the deaths? No, all the moneys of the Society go into one fund.
3747. And who administers that fund? The Council.
3748. Do they administer the sick pay likewise? Yes, all accounts, whether of death or any other kind, are passed by the Council before being paid. Four of the Branches meet in the Guild Hall, and the money goes into the hand of the General Bursar; the others meet in their own schoolrooms, and they bring in the money themselves. All the money comes in to the General Bursar, who pays all expenses out of that.

3749. And does this Council fix the amount of levies? We never have had any levies made.
3750. There is no separation for management or anything? No; all the money has gone into one fund.
3751. Did you state to the President what provision you made for minorities? Yes; they merge into the general body and join any Branch they wish.
3752. What is your opinion of graduated payments according to the age of a member who joins? It has never been suggested before, and I could not give any opinion on it; it is a difficult question to answer.
3753. At the present time your members pay one fixed sum, without regard to age? Yes, except in the case of the entrance fee, which varies from 2s. 6d. to £10 10s.
3754. Have you any superannuation fund connected with your Order separate from the other funds? No, we have no such fund. There was at one time a fund they called the "Totally Destitute Orphan Fund," but there is now no other fund but the one, as will be seen from our last balance-sheet.
3755. Does your Society give testimonials to your members in any way? No, they could not vote a sixpence.
3756. If any are given, it is by voluntary subscription? Yes.
3757. The up-country Branches disburse their own sick pay? They have no connection with us more than that they bear the same name and are Branches of the same Society, and there is an interchange of members. They have the sole control of their funds, and they meet all payments themselves.
3758. Do you offer any special advantages to members founding a Branch? No, there is no concession made.
3759. What is the cost of opening a Branch? If a Branch were being opened now in Windsor or Parramatta or any other place, no part of the cost would be borne by the Sydney Council.
3760. Can you tell us the probable cost of opening a Branch in Sydney, with books, certificate, regalia, and everything like that? The cost would be a mere nothing—a few books, costing a few shillings, and so on; the scarfs, each member buys his own and pays for it.
3761. Are there any fees to the opening officer? No.
3762. In the 13th rule there is mention of some regalia which it is compulsory for each member to wear; what is about the probable cost of that? The cost of the regalia is 19s. 6d. For officers of course it is more; the Council's scarfs cost 30s.
3763. That is borne by yourselves or the Society? By ourselves.
3764. The copies of rules, it also says, shall be paid for by the members? Yes, we charge them 6d.
3765. There is a clause in the Friendly Societies Act which says that every member joining a Society shall be informed of the cost of joining, and no more shall be demanded? Yes, every member is told that he has to buy a scarf and rule book, and he has to make a declaration.
3766. What is the name of your presiding officer? The Warden is the highest lay officer; but if the Chaplain comes to a meeting he takes the Chair.
3767. Is that power given to the clergyman to take the Chair at any time he chooses exercised? Sometimes he comes pretty regularly to the meetings.
3768. And in all cases he has the right to take the Chair? Yes.
3769. In reply to Mr. Gelding, you said none of your members had been sued for arrears; I think there was a case of two members being sued, did you forget that? I do not remember it. That was very much my reason for resigning, that I objected to sue them for arrears.
3770. In confirmation of your answer to Mr. Gelding, you are in favour of an Arbitration Board as an ultimate tribunal, rather than to have recourse to the Courts? I think it would be preferable, as it gives such scandal going before the Courts, and I think more justice would be obtained.
3771. Are you aware that there are many Societies that have only one Branch; for them do you not consider a Board of Arbitration like this would be very useful? I think it would be a very useful Board to appeal to, but I have given the question no thought.
3772. *Mr. Rubie.*] When you took office were the funds all amalgamated? I believe they were, but I am not quite sure, as immediately after my coming into office the new rules were brought in.
3773. Was there not a separate ledger account kept for each fund? No.
3774. Are you aware that such was in existence? Some time previously there was, but since then they have all been kept in one fund. I kept the accounts in the way my predecessor did, though I believe some years previously to that they were kept differently.
3775. You stated a little while ago that there was a "Totally Destitute Orphan Fund," is that in existence now? No, there is no such fund.
3776. What was done with the money belonging to it? I could not say. I presume it must have been put in with the other funds. It was prior to my taking office.
3777. Then you have no knowledge of the amalgamation of the accounts? No; the first balance sheet shows they were then amalgamated. I have only the balance sheets for two years before, in which it appears there is the half-yearly statement of receipts and expenditure; then the Liverpool-street property; the general fund, including sickness, the amount received by the fund, subscriptions, and so on; then there is the Widow and Orphan Fund.
3778. What was to the credit then of the General Fund? £4,254 in 1874, and Widow and Orphan Fund, £1,826 11s. 11d., and Totally Destitute Orphan Fund, £67 7s. 5d.
3779. So that at that time there were three distinct funds kept? Yes; the capital at this date was £6,148 7s. 10d. Then there is a statement showing how the capital was invested at the time.
3780. *President.*] What number of members had you then? It does not give the total number, but the number admitted was thirty-five. My predecessor had merged these accounts into one fund; and a rule passed since then says there shall be one fund. The rule says that the objects of the Guild shall be "to raise a fund by entrance fees, subscriptions of the members, fines, donations, rent, and interest on capital, from which shall be paid on death of a member or a member's wife, to his widow, himself, or children, the administrators, executors, or assigns of such member, or his widow, or for the defraying of the expenses of the burial of a member, a sum of money to which he or they may be entitled by the rules of the Society."
3781. *Mr. Rubie.*] Was the hall built since you took office? No, before.
3782. Have you any knowledge of what it cost? I think there is some statement giving the cost.
3783. I suppose all the outlays and repairs have been added to that? Yes.
3784. That is the actual cost at present? Yes.
3785. What is the whole fetching a year now? It is let now for a theatre for £10 a week, less of course the usual charges for insurance and so on.

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3786. Taking these matters into consideration, would it pay 5 per cent. on the outlay? Yes, I think it would, because we have to take into consideration that we have our own meetings there.
3787. Is there not some lawsuit pending about the hall? I believe it has been settled within the last few evenings.
3788. What amount has that suit cost the Society? There was £10 10s. paid to the architect, and £3 or or £4 to the solicitors, and Dr. Donovan's opinion, the bill for which has not yet come in, say £10 10s.
3789. By whose authority was that undertaken? Principally by the Warden and Trustees.
3790. Without the sanction of the Council? I think originally they did it without the sanction of the Council, though I could not say for certain.
3791. Has the dispute with the St. Leonards Branch been settled? Yes, it has been settled.
3792. Were not these men trying to get some justice done them? There has been no move lately made by them; they appealed to the Court.
3793. What amount of money was expended in that? I do not remember, though there was a good deal of expense. There is one item (December 31, 1879) of £20 12s. 4d. for law expenses.
3794. I understood it cost something like £150? I know it cost a great deal, and the Society has always been put to great expense from time to time for law expenses.
3795. *Mr. Langley.*] Will you inform the Commission what that dispute at St. Leonards was? I really could not say exactly how it arose, but shortly after the election of a Warden he took an idea into his head that they were not paying over there.
3796. Was there not an application from St. Leonards to be allowed to separate from the District? Yes, they wished to be separated to another Society called the Catholic Guild, but which we did not recognize, because they were established without our authority. Authority had been given to start a Branch at Lane Cove.
3797. And is not Lane Cove the same as North Shore? We would not have given them the right to open a Branch there.
3798. Did you or did you not refuse to give the Society at North Shore a portion of the funds to which they were entitled? Yes, I believe it was refused.
3799. And that is partly the reason why the lawsuit was commenced? Yes.
3800. Your first rule allows you to have a common fund? Yes.
3801. Are you aware that clause 40 of the Friendly Societies Act says most distinctly that the contributions payable "shall be entered in a separate account distinct from the moneys received and paid on account of any other benefit or fund; and also that a contribution shall be made to defray the necessary expenses of management, and a separate account shall be kept of such contributions and expenses"? I have not gone by that, but by our own rules.
3802. If the Act says so, does it not clash with your first rule? Yes.
3803. Then how is it possible for the Registrar to certify that the rules are in conformity with law? I cannot answer that question; I have carried out my instructions from the Council.
3804. If you look at the accounts for December 31, 1876, you will see there is an amount £1,495 1s. 4d. loss; is that the loss for the half-year? I do not know what that refers to.
3805. If you look you will find it is a debit balance? I do not know what it means.
3806. Was it during your term of office? I was elected at the very close of that year.
3807. You were in office when it was brought in, I suppose? Yes.
3808. Then will you explain it to the Commission? The balance-sheet was made out by my predecessor, but was submitted in my time. It appears that here is set down the amount of funds. It must have been in connection with the hall if anything.
3809. But it there appears there was a loss of £1,495? It appears so there, but unless it is explained in the report I do not understand it myself.
3810. Now on the opposite side you will see a large amount of money in the hands of your officers, £205 15s. 11d.? That is the time I speak of that there were some defalcations in the Society, a short time before I joined it.
3811. Was that made good? It was made good afterwards. I do not know that the full amount was made good, but it was settled somehow.
3812. Is there anything in your next balance-sheet made good? It is mentioned in the next, £164 6s. 6d. received towards that.
3813. Then it was compromised? Yes.
3814. Was any action taken to protect your members as provided by law for the balance? There was an action instituted against these parties, and it was settled by the solicitors by this amount being paid in. I think it was settled before I came into office.
3815. Was the whole of the amount made good to your knowledge? According to this, £164 6s. 6d.
3816. Then there was actually a loss of about £40? It would appear so.
3817. And on the opposite side, are there any law expenses in connection with that? I do not see anything on the other side.
3818. You are not aware that any other action was taken to make good the whole of that money as might have been? No, I am not aware; there was some settlement of the case that I do not remember exactly.
3819. You are aware that the Friendly Societies Act provides for criminal proceedings being taken? I believe they were instituted, but I do not remember how they resulted.
3820. Have there been any recent charges of defalcations against your Secretaries or Bursar? No.
3821. Do you think it is fair that the members who reside at North Shore should be deprived of all benefits because they wished to amalgamate with another Society of the same kind? The case was decided in the Courts against them.
3822. On a technical ground, was it not? Yes, I think so.
3823. They did not go into the merits of it, did they? Yes, I think so, but I really do not remember—it is some time ago.
3824. From that time has that Society ever received any portion of the funds to which they contributed? No, but they are still members of the body as country members. They wanted to join a Society out of ourselves, away from ours altogether.
3825. But it is called the Catholic Guild? Yes, but they are not in connection with us—we did not give them any authority.

3826. Your cash balance you say is £179: is that all you had in hand then to meet sickness and death? Yes; that is all.
3827. Then if there were five deaths at £40 each it would consume the whole of your cash? Yes, but we have a Bank overdraft.
3828. Yes, but in point of fact that is all the money you had? Yes; but of course we have property and so on, on which we could raise £5,000 if we required it. I may say that the reason that was so low was that we had always over a thousand pounds in hand, and the late Warden paid £1,000 off the mortgage.
3829. In 1874 you have informed us you had a credit balance of over £6,100. From that time to this, though you had money on mortgage and rents coming in, yet at the end of last year we find your total balance £6,590 7s.? Yes; that is roughly set down as the cost of the building.
3830. Do you consider that £450 or £500 as the result of seven years work is keeping your Society in a good position? It certainly would not be, but that is hardly a fair statement of it; the building of the hall and so on ran the Society into a good deal of expense.
3831. But you take credit for that? Just about this time we were thirty years established, and a great amount of death money had to be paid for old members.
3832. In 1877 your credit had dwindled down to £5,782, is that correct? That is correct; there must have been some loss in connection with the hall.
3833. Could you furnish us with particulars? As stated before, there were some books lost in connection with these defalcations.
3834. Then that £1,495 was probably just put in to balance matters? I do not know; I could make some further inquiries.
3835. Your laws provide that any person who shall be guilty of any defalcation or misappropriation of the funds shall be expelled, even if he repays it, and shall never afterwards be admitted or recognized; is that carried out? Yes.
3836. And has been in all cases? Yes.
3837. Are any moneys paid out of your funds for benevolent purposes? No, none.
3838. None for dinners or anything of that sort? No; there were some dinners lately went before the Court.
3839. Then do I understand that the amount set down for the hall in your balance sheet is the actual cost? Yes, up to the present time.

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The Commission then adjourned until Friday, 24th February.

FRIDAY, 24 FEBRUARY, 1882.

Present:—

JOHN DAVIES, Esq., M.P., C.M.G., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

The examination of Mr. Thos. Joseph Murray was resumed:—

3840. The witness said:—In reply to Mr. Rubie on the last day of meeting I was not certain about the amount of law expenses in a certain case. I said I would say yes to the question that they were about £150 or £200; I found afterwards that the amount was only £35 6s. 9d., which was paid to Messrs. Ellis & Makinson. I also make this explanation of the £1,495 that was set down as loss in the balance sheet for the half-year ending 31 December, 1876. I explained before that I had just taken the secretaryship at this time and did not myself make out this balance sheet. I wrote to the person who assisted me to make it, and he says "The amount of funds for December,* 1876, was wrongly set down as £6,967 11s. 1d., whereas it should be £5,480 4s., a difference equal to the amount you want to account for." I presume this was made out from probably a wrong report being taken up. This would in no way affect the funds of the Society. Instead of stating £5,480 4s., the amount is £6,967 11s. 1d.; and this made us appear as if we had a loss instead of a credit, as it was £1,487 7s. 1d. greater than it ought to have been. Previous to this time there were some defalcations and books and reports were missing, so that probably the wrong balance sheet was taken. He says "You took the assets of the Society for the half-year ending 30 June, 1876, instead of the amount of funds." It is a clerical error.
3841. *Mr. Langley.*] Would you kindly refer to that and see if it is signed by the Auditors or not? Yes, it is signed by the Auditors.
3842. As correct? Yes.
3843. And you say they signed a balance sheet totally incorrect? It was a clerical error.
3844. But how can it be that when you put down £1,400 as loss, and you get two gentlemen to certify to it as correct? I presume they must have taken it for granted.
3845. Would you kindly mention the names of the Auditors? Thomas S. O'Connor and Mark T. Ronan. At this time some of the books were missing, and probably the balance sheet was made out by taking the report; and the gross amount was taken instead of the balance.
3846. Your assets here are £6,967? Thus there would have been no loss.
3847. What is the amount of assets you should have carried forward? That was the amount of funds on hand in June, £5,480 4s.
3848. In that report under any circumstances there must be some mistake, for the Guild Hall is represented as a portion of your funds, £4,950; and you had on mortgage £1,075; there was an amount due of £205 15s. 11d. by the Past Bursar and Secretary, which I presume you call funds, as it was repaid afterwards;

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afterwards; and £80 15s. 5d. in the Savings' Bank; £2 5s. 5d. cash in hand, besides a lot of goods which I presume represent money, and which you would take as a portion of your balance? I think the balance is perfectly correct otherwise, and feel certain it is, with the exception of putting that down. This was a mistake against the credit of the Society, for we showed we had a loss, whereas we had not a loss. The whole thing is explained in this way, that this amount was put down instead of the £5,480 4s. It could have been put down with no object to defraud the public, but was simply a clerical error.

3849. But it is certified to by your Auditors? Well, they would have to answer for that.

3850. *Mr. Smith.*] I suppose that balance sheet after being received from the Auditors was submitted to the Council for approval? Yes, and submitted to the members.

3851. And they have overlooked this? Yes, as far as I remember.

3852. If that sort of thing has been done in the past, under the working of the present Friendly Societies Act, is it not possible it can be done again? I do not think it would be possible for it to occur now, in the present state of management of the funds; and I do not think it would have occurred at this time, but for want of knowledge. There was a kind of hiatus, owing to the books having been taken away.

3853. Is it not a fact that some of your books were missing? Yes.

3854. Then is there not a difference as between the amount claimed and the amount credited to the Society of some £50—how does that come about? I do not know, I presume it was left in the hands of the solicitors to settle. I feel certain at the time there was a desire to press this amount with the utmost rigour of the law, and they would not have accepted any settlement unless it was satisfactory to the Guild.

3855. You have stated in the report that it cost the Society in a law case £35 6s. 9d. when they were nonsuited? Yes.

3856. Do you know anything about law costs in a case of nonsuit; in such a case the party nonsuited has to pay the costs? Indeed.

3857. It must have cost the North Shore Lodge of your Society the same? No, it did not; it was not a Branch of our Society at all.

3858. Your own costs were £35 6s. 9d.? Yes.

3859. Then it must have cost them as much? I do not know; this Branch was not a Branch of our Society.

3860. But had it not been at one time? No.

3861. Then it was not in connection with the funds of the North Shore Branch of your Society? It was another Society that sued us.

3862. But was it not with regard to a portion of the funds of a Branch at North Shore which was connected with yours? Yes; but this Branch bore no expense.

3863. Did that Branch at North Shore which started as the Lane Cove Branch not receive from the proper authorities a warrant or dispensation to open over there? They did not receive a warrant to open at North Shore.

3864. Did that Branch of the Society which you say was the Lane Cove Branch receive a warrant to open over there? Where is over there?

3865. At North Shore, Lane Cove is North Shore? They received a warrant to open at Lane Cove, but instead of doing that they opened in the same room as an already existing Branch of the Society.

3866. *Mr. Holdsworth.*] This is a balance sheet or statement of accounts for December, 1881? That is the last one.

3867. In it I see you estimate the Guild Hall at £7,597 14s. 2d.? Yes.

3868. That is the amount that you really paid for it? Yes.

3869. You have a Savings' Bank mortgage for £2,000? Yes.

3870. Then £5,597 14s. 2d. has been paid, I take it, out of the funds belonging to the different Guilds? Certainly it must have been.

3871. You keep your accounts, I think, altogether? Yes.

3872. Then the Guild accounts are kept along with the ordinary accounts? Everything is kept in one fund.

3873. Have any of your members analysed them to see what sort of an investment this is for your Society; is there any properly appointed party to watch over this? I do not understand what sort of a person you mean.

3874. Is there any one who does this? I presume the same as any other Society.

3875. Is there any separate account kept by which you can see what the income and expenditure of the building is? No; all the accounts are kept together.

3876. The income last half-year was £260 rental? Yes.

3877. The expenditure would be, taking them out, insurance, interest, law expenses, were they on that? I do not know.

3878. The architect's fees were on that? Yes.

3879. And plumber £3 11s. 6d., was that on the building? Yes.

3880. And rates, £24 13s. 2d.? Yes.

3881. Making an expenditure of £230 against £260 rental, and leaving an interest of £30 on £5,597—Is that a good investment for the Society? You must calculate that we have saved rent amounting to £4 a week.

3882. And there is independently of that I see insurance (say £63) for the half-year in addition, so that would be nearly £100 on the £5,000 as interest? To this must be added the rent we save for meetings for four Lodges, and rent saved for Secretary's residence, as he lives in the building. I think the amount of £4 a week was paid previously for a room which was totally inadequate.

3883. Your sick pay I find was £475 6s. 6d., the Mortuary and Widow and Orphan Fund, £190? Yes.

3884. And chemist and doctor, £475 15s. 5d.? Yes, that is correct.

3885. What was paid to your Secretary? £47 10s.

3886. What was your total expenditure? £1,188 11s. 11d.

3887. Can you tell me what was your income proper for contributions, accouchement fees, entrances, and subscriptions? £1,202 11s.

3888. Then the income proper was £1,202 11s., and the expenditure £1,188 11s. 11d., and you say your rent was £200 a year which you saved; then had you had to pay rent you would have been £80 behind-hand that half-year? Yes.

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3889. Do you not think then it would be better to have these accounts kept separately, so that every member could have a bird's-eye view of the actual position of things? Everything is put down, and any one wishing as you have done could find out all particulars from the balance sheet.

3890. Do you think half-a-dozen of your members have done that? I am sure they have.

3891. Among the general body of your members? There are many who go in for calculating.

3892. Are you aware that the Friendly Societies Act makes special provision that you shall keep separate accounts? It was pointed out to me the other day; but our rules say we shall keep them in one fund. I do not think there would be much difficulty in keeping separate accounts.

3893. Do you think it would be advisable in future that the accounts should be kept separate? I do not know. I do not see any advantage in keeping the Widow and Orphan Fund and these things separate.

3894. But I mean keeping the Guild accounts separate from the benefit funds? I believe the clearer you keep the accounts the better, and have always thought we gave a clear statement of accounts myself.

3895. I think you said you had given no consideration to the question of having a graduated scale? No, I do not pretend to know anything of the question.

3896. Are you aware that a man of twenty is likely to live longer than one of forty? I should think so.

3897. Are you aware that an Insurance Company will charge you more at fifty than at twenty for life insurance? Yes, I am aware of that.

3898. Do you not think it would be more equitable if you were to carry out something of this principle? If it were shown to me that it was a benefit I should be glad to adopt it, but I have given no attention to it.

3899. *Mr. Greville.*] Speaking only from the experience of your own Societies, do you not think it would be a good thing that all Societies' accounts should be audited by an independent auditor? Yes, I do think so.

3900. And that that Auditor should be a Government officer? I think it would be an excellent thing. In connection with this subject, I may say it is very difficult to get men to keep and audit accounts, and sometimes you do not get very intelligent men.

3901. You gave just now as the cost of the hall and ground, £7,597 14s. 2d.? Yes.

3902. Your answer would lead the Commission to believe that that was the total cash cost? Yes, that is the total cash cost of the building and purchase of land.

3903. Are you clear on that point; have there been no deductions; is not the sum you have stated the ledger balance? I have not looked back, but since I have been in office everything has been put down, and that has been stated as the cost. I noticed some small deduction for the sale of old timber, but there were no deductions except that.

3904. And there have been no credits that have been paid to it? There has been nothing but this old timber.

3905. Then you cannot say for certain whether the sum mentioned is the cost or the sum at which the building now stands in the books? I think it is the first cost.

3906. Did you give the amount as it stands in the ledger? Yes.

3907. You do not take into consideration the present value? I do not. I believe it is considerably more.

3908. Do you not believe that if, like another Society, you had brought the present value of it, the account would show a considerable increase? Yes; the land cost something like £1,700, and it is now worth £100 a foot, and there are 45 feet, which would make it worth £4,500 for the land alone. Land further down the street has brought more.

3909. Do your rules require you to place all the money received into one general fund? I take it that the first rule says that.

3910. And did the Registrar pass that rule? He passed a rule without any comment that I remember.

3911. You therefore consider the Society justified in keeping only one account? Yes, it was commenced before I took office, and I continued it on.

3912. Much reference has been made to a mistake which was made in the balance sheet a few years ago, in which a large sum was put down for loss. Was that mistake likely to make the Society appear to its members in a more favourable position than it really was? No, it would appear in a worse position.

3913. Then the mistake could not have been inserted for the purpose of bolstering up the appearance of the Society? Certainly not.

3914. *Mr. Abigail.*] Your Society is a religious society? A religious benefit society.

3915. Does it dispense anything for charity apart from legitimate benefits? No, we give nothing for charity. I am speaking of course of my own time.

3916. If you will follow me—I am quoting from the preface—it speaks of the wide usefulness and success of your Society; had it been a success up to that time? That was the preface to a previous edition of the rules. I was not in the city at the time.

3917. If you turn to the next page you will read, "The constitution of the Society, in that it relates to subscriptions, payments to the scale of relief, &c., was established on the tables of eminent actuaries"; is that so? I must make the same answer to that as to the others. I was not a member at the time it was written.

3918. Does it apply to your Society? Yes.

3919. Now, can you tell us what was the contribution at that time certified by these actuaries? I may make a mistake in stating it I do not know whether there was any difference between the contribution then and now. It is fifteen years ago; since my time the contribution has been always the same.

3920. Then lower down it says, "The funds, as compared with the number of members, are unprecedentedly large." Can you say if that was so? I cannot. I should imagine it was true, or it would not be put there.

3921. Would these remarks apply to your Society in its present condition? They are not intended to apply to it in its present condition.

3922. Are you working under this code of rules? Yes, but that is a preface to a previous edition.

3923. Are your funds at the present time, "as compared with the number of your members and taken in consideration with your liabilities, unprecedentedly large"? It would take an actuary to answer that question. I do not know the funds of any other Society to compare them with.

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3924. Do the members of your Guild, in your opinion, reap greater advantages than other Benefit Societies? I believe they receive as great benefits as any other Societies; there are the temporal benefits, and they have the spiritual benefits, which we think others would not consider a benefit.
3925. On page 6 of the preface it says, "And once again, it is an open Society. The secret Societies, to belong to which puts a man at once out of Christian Communion, are day by day, by the crimes of which they are the means or the cause——." Have you in your experience any knowledge of Friendly Societies that would apply to? I have no knowledge of any Society beyond the Guild. I know nothing of that; it is an old preface, as I said before.
3926. Can any number of men following your religion establish a Branch without the authority of the Church or Chaplain? The rules somewhere state that twenty or twenty-five members applying for a Lodge to be established in any place, with the consent of the Council, should have it established.
3927. Do you think your Societies have relieved the State from burdens which would have come on it if such provision had not been made by the members? I believe itself it has relieved hundreds of families.
3928. Are you of opinion that the State should exercise a careful supervision over benefit Societies? I am.
3929. Would you favour annual audits by Government Auditors? I would.
3930. Were your accounts ever submitted to a Mr. Bass, a public accountant? Not to my knowledge.
3931. Are you of opinion that a periodical valuation of assets and liabilities of all Benefit Societies should take place? I should think it would be a very good thing.
3932. Do you think such should be done by members of the Societies or by Government officers? I think it would be more satisfactory and less liable to any mistake if there was a properly constituted Government officer.
3933. In your experience, are the men appointed to audit the balance-sheets fit to do so; is the work performed in a satisfactory and safe manner? Yes; since I have taken office there has been a most strict scrutiny at every audit.
3934. Do you attach much importance to correct annual returns being forced on the Societies? I think they are certainly very necessary.
3935. Are the returns sent in to you from your Branches, and from you to the Registrar, or do they go direct to the Registrar? I have had charge of the Sydney Branches, and have posted him a copy of our report.
3936. But the Act makes provision that annual returns of Branches shall be sent to the Registrar, setting forth their rate of sickness and death rate, and the manner in which their funds have been expended? I am not certain that I have sent them in always. I have sent in returns, and have always sent our annual reports to the Registrar.
3937. Do you examine the returns when they are sent in? The Sydney ones I do; but I have nothing to do with the country Branches.
3938. Do you find them correct? Yes, I have always found them correct.
3939. By whom are they audited? By the members of the Society.
3940. Does your experience favour Friendly Societies being allowed to sink moneys subscribed for sick and funeral benefits in building halls? I do not know how to answer that; it is a question I have not considered, and I really could not give a definite answer to the question.
3941. Following that up, I will ask can you state whether the Guild Hall has been a source of profit to your Society, taking all things into consideration? I do not think it has been a very great profit or any loss. If it were set down at the marketable value, there would be no loss on it.
3942. I see in one of your balance-sheets dated 1880 there is a separate account called the Scarf Account and Picnic Account? That was merely published to show the members how the funds of the picnic were appropriated.
3943. Have you thought sufficiently of the subject to state what in your opinion is a satisfactory amount per head to make the assets perfectly sound? I have not thought of that.
3944. What amount does your Society show? The number of members is 979, but I have not calculated it.
3945. How much of this is available for present requirements; that is, what is the amount you have in hand? £351 14s. 6d.; that was the amount of funds in the Bank on February 18.
3946. That includes calls upon it for deaths, sick pay, medicines, and other expenses? All that might arise; we have an overdraft at the Bank if necessary.
3947. So if more were required you would have to borrow it at interest? Yes.
3948. How many meetings do you hold? Sometimes one a week.
3949. And what would it cost if you rented a room to hold the meetings in per night? That is a calculation I should have to go into. Every second Monday and Tuesday are Lodge nights; every Friday night is sick pay night; and the Council meetings are held once a week. £4 a week was paid some time ago.
3950. Are some of your Lodges now not in a sound financial position? There are only seven Lodges in Sydney, and all the money from these goes into one fund. The Lodges in the country I have no knowledge of their accounts, because we have nothing to do with their funds.
3951. Have you provision in your laws for making levies to meet any extraordinary amount of sickness or mortality? I do not think there is, but am not certain on the point.
3952. Does your Council make it a portion of their business to consider the financial condition of any of the Branches? There are no Branches; the money all goes into one fund.
3953. Are you acquainted with James Bennet Hickey, of Victoria? No, I am not.
3954. He is chief of the Hibernian Catholic Society in Victoria? I do not know him.
3955. Do you think the liabilities of a Society increase as the ages of its members increase? Well, I have always understood that when a Society has been established about thirty years there is a greater drain on its funds than at the beginning.
3956. I think you said that you thought 1s. a week subscription was sufficient? 1s. 2d.; I fancy that would be enough.
3957. Is there any amount paid for any religious observances in connection with your Society? Yes, there is an amount paid to the Chaplain.
3958. How much? It is not a fixed sum; he gets 10s. for saying the funeral service over each member who dies, and for masses.

3959. Were you connected with the Society before 1876? I was elected on 29th November, 1876.
3960. Do you know if you have had any great differences with retiring officers of your Society in settling up their affairs? Never, since I have been in office.
3961. You were a member of the Society before you took office? Not very long.
3962. I see this report, dated 30 June, 1876, states that "the books were sent to the office of Mr. Bass, but he would have nothing to do with them. Mr. Joseph Carroll, special auditor, was then engaged, and he, after weeks of labour investigating the accounts, has furnished reports, which will be read to you, their publication at present being deemed inadvisable"? Anything I know is from hearsay, and I know nothing personally of the matter.
3963. You do not know whether Mr. Carroll's reports were ever published? No, I do not think they were ever published; there is a mention made of the matter in the report dated December, 1876.
3964. Then this report (for June, 1876) states:—"Your Council has met weekly since February; and but for the warm interest shown by all its members, but more especially the Warden, Bursar, Trustee Fitzgerald, and Councillor Costello, who procured an overdraft from the City Bank, the affairs of the Society would have been in a bad state ere this, and the erection of the Hall would have been stopped." Can you say anything of the reasons which brought the Society to such a state? I have no knowledge of the matter myself, and at the time I do not know that I was even in Sydney.
3965. William Brady is here set down as Warden; I suppose he could tell us? He was Warden at the time.
3966. Who pays the money in your Society? The Bursar.
3967. You have a guarantee, I suppose? Yes, there is a guarantee given.
3968. Is it given by a Guarantee Society or individual members? Individual members go security, I believe.
3969. What is the amount? I think it is fixed at £150.
3970. When you take members as security, do you take any means of ascertaining whether the member giving the security is able to pay? It has always been the rule to do so.
3971. Do you not think it would be better to insist upon a guarantee bond from a Society? If the Society were to pay it, but it would not be fair for the Bursar to pay for the bond, as he receives no salary.
3972. You do not pay him? No.
3973. Then, if he misappropriated the funds, you could not proceed against him? I do not know; he does not get any salary.
3974. Would you favour, in any new law, a provision making it compulsory to take a guarantee? Yes, I would.
3975. *Mr. Smith.*] You were not a member of the Guild when the land for building the hall was purchased? No, I was not.
3976. You know nothing about it? No.
3977. And nothing about the cost of the building? It was nearly erected when I joined.
3978. Do you know of your own knowledge that there was a report submitted? I could not say; it was pretty well all settled when I came in as Secretary, but I believe I did see the report at the time the law proceedings were going on. I do not think I ever read it.
3979. If it was not printed, of course the manuscript copy would be in your office? I presume it would be somewhere.
3980. In looking over this report (for June, 1876) there are two items under the head of assets, "Due by past Bursar and ex-Secretary, per special audit, £205 15s. 11d.," and "Subscriptions to be accounted for, £3 13s. 8d.?" Yes.
3981. Is it not a fact that they repudiated any liability? I do not know from my own knowledge.
3982. Could you name persons who would be likely to supply the information? Mr. Brady was Warden at the time they were suing these people, and it was he who pushed and pressed the matter.
3983. *Mr. Abigail.*] Were you in office at the time of Mr. McEugrove having some dispute with the Society? He has been making applications during my time, but the claim did not arise during my time.
3984. *President.*] I asked you on the last occasion for certain information in reference to the total amount of money paid on behalf of your District for sick pay and funeral donations? Yes; the following table will give the information:—

Year.	Mortuary.			Sickness.		
	£	s.	d.	£	s.	d.
1876	566	3	4	998	0	6
1877	337	0	0	649	17	9
1878	609	19	0	670	0	6
1879	560	0	0	782	4	0
1880	726	0	0	843	0	10
1881	405	0	0	866	3	6

3985. And what amount has been paid on behalf of medical attendance and chemists? I will supply that to the Secretary; I have not got it here.
3986. *Mr. Greville.*] I think you said your mortuary rate for the last three half-years was exceptionally high? The mortuary for all these six years appears to be very high.
3987. But you said in your evidence at the last sitting that the rate for the last three half-years had been exceptionally high? Yes.
3988. Exceptionally high as compared with previous experience? I simply stated that from what I had heard other members say.
3989. Then what do you mean by exceptionally high? That a greater number have died than in previous years.
3990. Have you any reason for believing that it will be exceptionally high as compared with future experience? I do not think we ought to have any higher death rate than we have had; all the old members have died out.
3991. Then may it not be presumed that the rate of the last three half-years will no longer be exceptionally high? I do not think it will be so high for future years.

- Mr. T. J. Murray. 3992. And do you found that upon any calculation? I have made no calculation.
 3993. *President.*] Will you kindly furnish, as an appendix, the total amount of money expended on medical attendance and medicines, with the total receipts from all sources, extending over the last five years? Yes.
 3994. Have you any suggestions to make that might be embodied in any future legislation? I do not think of anything at present; I have not given the thing a great deal of consideration.
 3995. *Mr. Rubie.*] In answer to Mr. Greville, you said you found in looking over the hall accounts some credits? I said one credit.
 3996. How much was it? I could not say exactly—it was just for the sale of some old materials. It may have been £300 or £400, but I could not say.

The Commission then adjourned until Monday, 27 February.

MONDAY, 27 FEBRUARY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
 E. GREVILLE, Esq., J.P.,
 P. J. NEWLAND, Esq.,
 JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
 F. ABIGAIL, Esq., M.P.,
 P. R. HOLDSWORTH, Esq.,
 E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. Jeremiah Crowley was sworn and examined:—

- Mr. J. Crowley. 3997. *President.*] You are a member of the Australian Holy Catholic Guild? Yes, I joined it in 1869.
 3998. You are a very old member, then? I am not a member of the Guild now; I was a member some time ago, but am not now.
 3999. When did you cease to be a member? Twelve months since.
 4000. Why did you cease to be a member? I will tell you by-and-by; or, if you like, I will answer it now.
 4001. Answer it now? The District of St. Leonards, to which I belonged, was abolished, and the members there felt themselves put to a lot of inconvenience to come into Sydney to pay their subscriptions, and several of us sent in our resignations.
 4002. Did you hold office? I held office in the District, and in the parent Guild I was acting Secretary for a short time.
 4003. Was that in connection with the District? I held office in the District for some time, but in connection with the parent Guild I held office also.
 4004. Were you a member of the Guild when land was purchased for the hall in Castlereagh-street? Yes.
 4005. Who were the purchasers, do you remember? Mr. M'Mahon, of the Macquarie Bond, was one.
 4006. Mr. Brady, was he one? I do not think he was, but am not sure.
 4007. Do you know what was given for the land in Castlereagh-street? I only received notice to attend here on Saturday afternoon; and I do not know exactly, but I think it was £1,700 or £1,800.
 4008. Do you know who sold it? No.
 4009. Do you know that a larger amount might have been received for it than was received? I do not know that it was sold.
 4010. It is the Liverpool-street property? Oh, I do not know anything about that property; I thought you referred to the Castlereagh-street property.
 4011. Did you ever hear that a larger sum might have been received for it than was received? I cannot say that I ever did.
 4012. Can you tell what was the number of members in the Society during the time you were Secretary? When I joined the Society in 1869, I was induced to join it because I looked about me and thought there was no other Society like it in New South Wales. I saw the rules were certified by Mr. Robert Thomson, of the Australian Mutual Provident Society, and I had sufficient confidence in him as an actuary, so that I joined it in preference to any other. The funds then averaged something like £9 or £10 a member. He certified the tables, and the number of members was about six or seven hundred.
 4013. Have you any idea of the expenditure of the Branch during any one of these years? I have not, but it was very slight; it was managed in the parish schools, and if it was continued to be so managed it would be the most prosperous Society in New South Wales; but when the Districts were amalgamated it increased the expenditure and lessened the interest of members.
 4014. Can you tell me what was the expenditure of the Guild? No, I cannot, as I handed over all the documents to my successor when I ceased to be Secretary.
 4015. Were you a member in 1875 and 1876? Yes, I was a member from 1869 until last year.
 4016. Have you any knowledge of a defalcation that was alleged to have taken place in 1875 or 1876? Yes, there was something of that kind; there were some errors in the making up of the accounts, and the previous Secretary said he would make good any deficiency as soon as it was made known.
 4017. Did he do so? He did.
 4018. Under pressure or voluntarily? He wrote to say he would make good anything, and there was more than he anticipated; but until he was satisfied that all these errors were established he was unwilling to pay until obliged to do so.
 4019. Were any proceedings taken against the Secretary? I believe he was threatened with a lawsuit, and the matter was referred to the Guild solicitors.
 4020. Was a writ issued? I do not know whether it went to that extent or not.
 4021. But the money was made good? The money was made good.
 4022. Have you any knowledge of a deficiency upon the receipts—a difference of some £1,400 between the receipts and expenditure? There was no such difference. Mr. Murray wrote to me the other day, and I showed him where he made the mistake in bringing forward the total amount of assets instead of the total amount of funds.

4023.

Mr.
J. Crowley.
27 Feb., 1892.

4023. Do you remember that the auditors audited the accounts and passed that balance sheet and certified to it as being correct? I have seen auditors do worse things than that, considering the kind of auditors there are.

4024. You remember that such was the case? Yes, but that does not substantiate the falsity of the accounts.

4025. You think, then, it was simply a want of knowledge or qualification for auditing accounts? Nothing else.

4026. Do you remember that in 1876 there was a special audit by Mr. Carroll? Yes.

4027. Have you a copy of that? No, I left everything with my successor.

4028. Then who has got a copy of that report? The solicitors I suppose would be the parties who would have it; the matter was referred to them, and they would have the report to go upon.

4029. Do you know the substance of the report—could you tell it from memory? I cannot, except that the ex-Secretary and Bursar were held to be responsible for some money, and both of them promised to make good any moneys that they were alleged to be deficient of in their accounts. In our Society the widow and orphan are concerned, and the highest officer, if guilty of any malpractice would be exposed, for the Society is as open as Port Jackson.

4030. You are not in a position to inform the Commission in reference to the Society since you left it? No.

4031. Do you believe the present Act is sufficient? If the Societies were worked according to the Act, and compelled to make annual and quinquennial returns, I believe half the Societies would be unable to go on; for within twelve months two Societies went over to North Shore and advertised that they would take members for 30s. and 35s., whereas if they came into the Guild they would be required to pay £10.

4032. What Societies do you refer to? One was I believe a Branch of the Oddfellows, and the other a Society I never heard of before, the Square Gardeners or something of that sort.

4033. Free Gardeners? Yes, that is it.

4034. Can you tell the Commission what, in your opinion, is the position of the Guild at the present time, and its financial position regarding its obligations to its members? Well, I have been for a long time thinking that the Guild, if it were localized instead of being one large Society, and divided into parishes or districts, and made self-supporting, would be in a better position in a few years.

4035. But what is your opinion in reference to them at the present time? Well, since I left the Society I have taken no interest in them, but I know they are poorer by two or three pounds a head, than they were when I joined them. But if the increased value of the hall, the great advance in the price of land in Sydney for the last few years, be taken into account, the Guild is now more prosperous than ever it was. An appraiser would now value it at more than double the Society's estimate.

4036. I understood you to say that the Guild, when you joined it, was worth about £8 or £9 per head? Yes.

4037. Do you know the value of the funds now? You have a return there.

4038. Would you think if it showed they were worth £4 a head, that their position was as good as when you joined? Why no, by no means, as the old members' claims become greater every year.

4039. Would you think it a good position if there were a loss on the half-year of £100, that is supposing they had to pay rent? Well, the hall is letting so well now that it will tend to raise the Guild to its former position, as it used to suffer a good deal for want of its being let.

4040. But supposing the expenditure has been £3,100, and the receipts £3,000, what would their position be? Of course if they did not increase their members they would soon go to the wall.

4041. The Guilds have a fixed contribution, have they not? A uniform contribution.

4042. Are you in favour of that, or do you prefer a graduated scale? I would prefer a fixed scale of contributions, and a large entrance fee according to age. The Guilds take members for twelve months, and if they are not sound at the end of that time they return them the money paid, less the expenses. There are certain guarantees in the Guild, one, the examination to which a candidate is subjected, that nobody but strong, healthy people are allowed into it, and without such guarantee no Society can be safe.

4043. Did you separate the accounts or keep them in one? At the time I was Secretary, all the funds of the Society were used and turned into bricks and mortar for the hall. The accounts had been kept separate, but when they wanted money to build the hall, all the available money was used for that purpose and the funds were turned into one.

4044. You approve of the practice of keeping the accounts separate? I do, because, if one fund fails, I do not see why the other funds should be saddled with it.

4045. You would keep the funds separate? Yes, I would. The original rules of the Guild were grand rules, but they have been modified over and over again by men who knew nothing about them.

4046. You do not regard the present rules as the same? The principle is the same, but there have been so many modifications.

4047. You are aware that the funds are kept in one account? Just now they are.

4048. And you disapprove of that? I do.

4049. And during the time you were holding the office of Secretary, did you find the Act in any way deficient in affording proper security to members of your Order? I know there was a large Committee or Council, and they thought that if they passed a resolution of any kind the majorities should rule.

4050. What was the contribution of the Guild? 14d. per member per week.

4051. Is that sufficient do you think to secure the benefits? Quite sufficient if they were in small Districts and there was a careful vigilance exercised. There would be no expense if they were in Districts. In the early days all the officers were honorary, and there were no expenses.

4052. Then 14d. in your opinion is sufficient for all purposes? Yes, considering the entrance fees that are charged, which are very large, in some cases being as high as £12.

4053. How old would that be? About forty years old.

4054. And you are quite sure that 14d. a week is quite sufficient to ensure all the benefits your Society provides for? Yes, if it is managed properly. The Society was established in 1845, and at the age of twenty-five was as profitable as at any period of its existence.

4055. Are you aware that the whole of the assets of the Guild at the present time are in the building? Yes, I believe they are.

4056. Do you think that is a proper state of things? I was not in favour of building it with Guild money.

4057.

- Mr. J. Crowley.
27 Feb., 1882.
4057. Do you think that is a proper state of things for a Society to be in? I should like to have the money otherwise invested.
4058. Have you anything to suggest for future legislation? I have had very little time to think about it. I have nothing to suggest.
4059. *Mr. Smith.*] You stated to the Commission that your connection with the Society dates from 1869? Yes.
4060. The Society then was in a good and flourishing condition? Yes.
4061. And with a credit of £8 or £9 a member? Yes.
4062. The number of members at that time? Was 600 or 700, I believe.
4063. How many Districts were there? Four or five.
4064. And each District managed its own affairs? Yes.
4065. But the whole of these Districts were managed by a Council, were they not? Yes.
4066. And the funds of the various Districts were kept separate, were they not? No, the Districts all paid their own expenses, and contributed so much besides to the general fund.
4067. Do I understand that each Society formed a District in itself? Yes.
4068. Each Lodge managed its own affairs? It managed its own affairs in its own District, and sent delegates to the Council.
4069. Then that was a subordinate Lodge? It was a District Lodge.
4070. And it sent delegates who formed the Guild Council? Yes.
4071. And that Council managed the whole affairs of the Guild? Yes.
4072. Then what proportion did the subordinate Lodges contribute to the Council? All their savings.
4073. After paying doctors and chemists, and so on, was the balance paid over to the Council? Yes.
4074. And at this particular time did these Societies make a balance as a rule? When I joined the Society there was a District called the St. Leonards District; we used to pay our savings, which went to the general fund, we have contributed to the Widow and Orphan Fund, and to the general fund; and whatever we had over and above our expenditure was contributed to these funds. We believe that from the St. Leonards District, from the time of its erection into a District in 1869 to its abolition in 1879, £160 of our money clear of all expenditure had gone into the funds of the Central Guild, and at the time we were abolished we had fifteen members, so that would give us £10 13s. 4d. per head. We were abolished on the ostensible ground that we were not paying, but these figures will show that we were paying as well as any Society in the country, small as we were.
4075. The list of Societies given here is that of the Districts? No, I do not know anything about Mount Carmel.
4076. Well the others, each of them formed a District within itself? Yes.
4077. And they formed the Council? Yes.
4078. And this Council abolished the District at St. Leonards? Yes.
4079. And you claim that you were entitled to some amount? We were entitled to £160.
4080. What was the fate of the other fourteen members? I know there are very few of them members now; all may have left for all I know.
4081. And did the Council provide for them in any way? Yes, by making them join St. Patrick's District.
4082. And if they did not choose to do that? They had to leave the Society.
4083. Then all these fifteen suffered in this way? I regard it as suffering, though perhaps some of them do not.
4084. Were any additional charges made on these members for joining St. Patrick's? No.
4085. We clearly understand that up to 1869 the Guild was in a flourishing position? Yes.
4086. And with an average sum of £8 or £9 per member? Yes, and I believe still it only requires management to make it what it was.
4087. Will you tell the Commission what has brought about the condition of the Society as it now stands, with reference to its funds and general management? I think with the way the Guild Hall is paying now it will be equal to what it was.
4088. But we simply want to know what has brought about the present condition of the Society? Well, I do not think I can answer that.
4089. Because you have admitted that it has been brought about by bad management and the direction of the funds into channels other than those for which it was subscribed? All I can say is that if it was managed as it was in the early days it would be as prosperous now as it was then.
4090. Well, you have shown that it was managed according to the principles laid down in the Act: now, during your connection with the Society that principle has been departed from, and you state that since then it has fallen into disrepute because it was badly managed, and we want you to state what the bad management consists of? Well, I could not really swear; I may think something is the matter, but I could not really swear what it may be.
4091. Well, to the best of your opinion; that is all we want? You have already said that I have said it was bad management. Having left the Society, I do not think the Commission would expect me to give full details. If the Guild were obliged to adhere to the workings of a Society under the Act there would be no necessity for the Commission. They did many things not in accordance with the Act, and one departure from the rules led to another, and so the management became generally loose.
4092. And it is your opinion that the Act is ample in itself to regulate the workings of these Friendly Societies? I believe if the Registrar, instead of doing as he does—take a guinea for every rule—provided that every Society should bring a certificate from an actuary that the contributions would ensure the benefits, it would be sufficient; and if these and the reports were laid annually before Parliament, the public would be cautioned as to the Societies that were not in a good financial position.
4093. Then you think if the Act had been fairly administered the position of the Society would have been better? Yes, I believe it would.
4094. Then, through the whole of your experience in connection with the Society, you have come to the opinion that if the Act had been fairly administered this particular Society would have occupied a better position financially? I have.
4095. Then you attribute the position it now occupies to the fact that the Act has not been fairly administered? Yes.

The witness retired and the Commission deliberated.

The

The examination of the witness was resumed:—

Mr.
J. Crowley,
27 Feb., 1882.

4096. *Mr. Abigail.*] Have you been a member of any other Society? No, I have not.
4097. Have you had anything to do with the returns of your Society for the Registrar? No.
4098. How are they compiled—by the various Branches? Each District sends in its returns for the year, and from these returns a balance-sheet and statement of income and expenditure are prepared for the whole Society and sent in to the Registrar.
4099. Then there is only one balance-sheet? Only one, representing the whole District.
4100. From your experience of the Auditors, do you think that the work should be performed by a Government officer? Well, I do not like to impose everything upon the Government, but would rather suggest that the Government should supply a form of account to each Society, and that this form, filled in annually, should be sent in to the Registrar. Then the accounts would be uniform, and the Registrar would see any defects in the Society.
4101. Then you think that the Registrar should examine the accounts and certify that they are correct? No. If from the Government forms of account were supplied to all Societies, these would be filled in and sent in to the Registrar, and he would be able to see whether these were solvent Societies or not.
4102. Yes, but what about examining the different accounts in the balance-sheet, who should do that, in your opinion? If these forms were sent in, he would see at a glance whether the Society was solvent or not.
4103. Now I want to know whether your experience of auditing has been sufficient to enable you to say that the Society should do it or a Government officer? Well, no doubt a Government officer would do it more efficiently.
4104. Do I understand you to be in favour of an actuarial certificate in the establishment of new Societies? Certainly.
4105. Would you favour a provision in any new Act for a periodical investigation into the affairs of Societies? I would; as it is provided for in the Companies' Act.
4106. Do you think the contingent liabilities of Societies increase as they get older? Well, there is an offset against this in the accession of new members.
4107. Have you thought it out what addition of new members is necessary to meet that? No, I have not.
4108. I see in your book you state the scale of tables of your Society in its early days was certified to; by whom? By Mr. Robert Thomson of the Mutual Provident Society.
4109. Were the contributions then the same as now? No, there have been modifications made by the Council, but I do not know the tendency of these alterations.
4110. That paragraph in this preface exercised an influence in inducing you to join the Society? I think that is one of the most modern codes of rules. No, it never influenced me.
4111. But the fact that Mr. Thomson had certified? That was the principal thing that influenced me. Of course I preferred a Society based upon religion if the benefits were the same.
4112. The Friendly Societies Act makes provision for dealing with any person who misappropriates the funds of a Society—are you aware of that? I am quite aware of it.
4113. And your laws also deal with the matter, making provision that any member misappropriating or using any funds, the third rule says:—"All moneys received on account of contributions, donations, entrance, fines, or otherwise, shall be applied towards carrying out the objects of the Society, and paying the expenses of management according to the rules thereof. Any officer misapplying the funds shall repay the same and be expelled, and shall never after be readmitted or reinstated." Can you say whether that law was enforced in the cases you referred to? Yes, they made ample amends for their fault.
4114. *Mr. Langley.*] You have just stated that these gentlemen made ample atonement: if the accounts show that they paid something less than £50 less than the special audit showed was due, do you believe they made ample atonement? I would not if there was £50 deficient, but I do not believe there was fifty pence.
4115. If it is stated in this account here that such was the case, you would not consider that making ample atonement? I would make them pay the last farthing.
4116. You stated that, over and above your working expenses or actual expenses, your profits were sent in for religious purposes or for the working of the Guild? It was sent in for the widow and orphan, and to provide mortuary expenses and sick benefits; not for religious purposes.*
4117. That is, the money was actually sent in for the widow and orphan and mortuary expenses? Yes.
4118. That money which you say was paid in by the St. Leonards District was amalgamated with the general fund of the Guild? Yes. St. Leonards was a Branch as much as St. Mary's or St. Benedict's.
4119. Were you one of the persons who took action against the Guild for the purpose of obtaining your due proportion of the money due? I took no action except protesting against the action of the Council.
4120. Did you take legal proceedings? No; it was a matter for Equity, and we could not afford it.
4121. Do you think that if the provisions of the Act had been carried out with due regard to the arrangement of your funds and the workings of your Society as you joined it, the money could have been taken from St. Leonards Branch and kept from them? It was not taken away from us.
4122. But it was kept from you? It was in the hands of the parent Guild. Every year we had to send the savings of our District to meet the Insurance Fund, and to make a reserve fund for anything that might be required.
4123. Were the members of your Society in any way consulted as to their wishes whether they were to be abolished or not? I am sure every one of us was opposed to abolition.
4124. I simply ask were you consulted? No.
4125. Then, without the consent of the subscribing parties to that fund, their rights as a separate District were abolished and you were attached to some other portion in Sydney? The Council resolved to abolish the District, and called a general meeting at which we were represented; and though we protested they abolished it.
4126. Had your District any voice in the management of your funds? We were represented in the Committee of Management or Council.
4127. But you stated that several alterations were made in your laws: when you joined, did your rules give you any right to a voice in the management of your funds? We were represented on the Council.

4128.

NOTE (on revision):—On Mr. Langley insinuating that the surplus funds of the Guild were devoted to religious purposes, I said when Catholics contributed to religion they did so above board: they never supported religion by robbing the widow and orphan. The managers of the Guild held the funds as sacred as he held the apple of his eye.

Mr.
J. Crowley.
27 Feb., 1882.

4128. You volunteered some evidence as to Lodges starting at North Shore; have you any personal knowledge of the facts? No.
4129. Then if the Constitution of one Order shows that the fees are higher than those of the Catholic Guild, how could you inform the Commission that they were taking less? I have my knowledge on the instability of Societies opened when they are paying fees equal to the Guild.
4130. But suppose one of the Societies charges higher? Then that will be so much to their advantage.
4131. Then how can you make that coincide with the answer you have given to the Commission that the Societies that have been established over there could not possibly carry out their obligations? Well, that was if they gave the same benefits as the Guild. They advertised to establish on half-fees.
4132. If the Registrar certifies such a rule? He never looks as to whether the contributions are sufficient to guarantee the benefits, provided you put your guinea down.*
4133. *Mr. Rubie.*] You have had a good deal of expense in the Guild in lawsuits for some time? The reports will show that.
4134. Do you know of your own knowledge? Yes, there were some law expenses.
4135. Do you think in any new Act these expenses might be done away with, by having a Court of Appeal composed of members of various Societies? I know one case in which the judgment of a Court of Arbitration was given against the Chairman of a Society, and the report was never acted upon.
4136. But I am referring to one in which the members of the Court should be composed of members of different Societies? Not unless the rules were uniform, as they would know nothing about the workings of the Societies.
4137. But would they not know more than a Judge, who knows nothing? Probably they would.
4138. *Mr. Gelding.*] Are you aware on what basis Mr. Thomson has certified that the scales laid down were correct? I should think upon the principle of actuarial science.
4139. Do you know whence he gained that knowledge? I know he was a Fellow of the Institute of Actuaries.
4140. Are you aware that other actuaries one and all certify that the tables of Friendly Societies as at present worked are thoroughly valueless? No, I am not aware of that.
4141. Then I presume if you saw a person who wrote himself actuary certify to tables you would believe they were quite correct? Actuarial science can be so demonstrated that they could come to the calculation.
4142. Do you believe he ever went into the question of the actuarial position? I think he did, and that he was paid for it.
4143. What amount was he paid? I am not aware.
4144. You are not acquainted with Friendly Societies in Great Britain? Except what I have read about them.
4145. Did you ever see the tables of the M.U. in Great Britain, the sliding scale? No, I have not.
4146. Are you aware that to insure the same rate of benefits we are receiving here, we should have to pay something about 2s. a week on an actuarial basis by even an actuary belonging to a Friendly Society? We are in a healthier country, and get more for our investments.
4147. Do you think there is such a great difference between the mortality in Great Britain and that in New South Wales as to warrant a man —? Well, in some parts of England it is very great, reaching as high as fifty in the thousand, while it is only fifteen a thousand at North Shore.
4148. What is it in Sydney? I do not know.
4149. Is it not equal to that of large towns in Great Britain? Unfortunately it is the last few years I believe.
4150. Have you paid any attention to the Friendly Societies Act; you said it would be perfect if it were properly worked? No; I said if its provisions had been enforced many of the Societies would be in a better position than they are now.
4151. That is in reference to —? The annual and quinquennial returns.
4152. Do you not think, in framing a new Act, before a Lodge was allowed to be opened it should send in its proposed rules, scales of payment, and benefits to be given to the members? I go thoroughly with you in that, and think it is quite indispensable to the working of a Society.
4153. *President.*] Have you any desire to supplement your evidence by any statement, or any suggestions to make? No; I might make a few suggestions. At one time I paid a good deal of attention to the working of the Societies, and I think they ought to be assisted by the Government; and that it is a pity that there should be such laxity in carrying out the Act.
4154. You highly approve of the principle of the Mutual Provident Society? Yes.
4155. And do you think the A.H.C. Guild is able to pay £40 on the death of a member for 14d. a week? But they do not die at once.
4156. But in case of death? A member joins sound and in good health, and the mortality amongst them is only three in a hundred, I think.
4157. Then in reference to the initiation fees, I understood you to say you were opposed to a graduated scale? I would have levies by means of which a prosperous Branch would help a weaker Branch.
4158. Then you have nothing further to add to the evidence you have given? No.
4159. If there is anything subsequently, you may write it out and give the Commission the benefit of it, and they will append it to your evidence? I will in a week or two.
4160. *Mr. Gelding.*] Did I understand you to say that your Society's sick pay was refused to a member if he was ill of a chronic complaint? We pay nothing for the first twelve months.
4161. He has to be in your Society twelve months before he is submitted to the test of a medical gentleman? No; he is submitted twice—on joining, and at the end of twelve months.
4162. Supposing that during that time he contracts any disease likely to be chronic, do you think it fair, considering he joined as a sound member, that he should be debarred from his benefits? Justice to the other members requires it. We must keep the law in all cases.
4163. But I ask you about the justice of it? The good of the many must be attended to.

* NOTE (on revision):—The Registrar's certificate is no guarantee of safety. He certifies to the legality, not to the soundness of the constitution of a new Society or the alteration of rules of an old Society.

William Brady sworn and examined:—

Mr.
W. Brady.

27 Feb., 1882.

4164. *President.*] Are you a member of the Australian Holy Catholic Guild? Yes.
4165. How long have you been connected with it? Over twenty years.
4166. What offices have you held? The Councillorship and Wardenship.
4167. In the District? Yes.
4168. What office do you hold now? None; only a member.
4169. Can you tell the Commission what number of members you have in connection with the District? I could not be exact, but about a thousand.
4170. Could you tell the amount of money paid last year for sick pay? I cannot.
4171. Could you tell us anything about the sale of the land in Liverpool-street? That was sold by auction.
4172. Was there not an offer made privately for fully £500 more than it fetched? Not that I am aware of.
4173. Was there a profit on the transaction? No, there was a loss.
4174. Do you remember what the amount of loss was? I think £1,400 was paid first, and a good deal of money was laid out, and I think it was sold for £1,300 or £1,500.
4175. During the time you were a member of the Society do you remember some defalcations occurring in connection with its management? Yes.
4176. Do you remember to what extent they were, and to what amount? I could not give any information except the audit. We could not tell what the defalcations were, but I think it was Mr. Carroll who discovered them.
4177. Have you a copy of his report? No.
4178. Do you know who has? I think the solicitors.
4179. Can you state the substance of it? No, not from memory.
4180. The officers took action to recover the amount? Yes.
4181. Was the amount recovered? The affair was handed over to the solicitors; the officers knew nothing about it.
4182. But was the whole amount recovered? I think so.
4183. Was not the amount over £200? No it was not.
4184. Does the balance-sheet show it was over £200? Not that I am aware of.
4185. Does this balance-sheet, of 31 December, 1876, show that? Yes, whatever the auditor put in it was put down. It was left in the solicitors' hands—at all events I had nothing to do with it except to bring the men to justice.
4186. Do you know anything about the balance-sheet of 1876, showing a deficiency of £1,495? That was a mistake.
4187. Can you explain that mistake? Of course I cannot, but the Secretary did.
4188. Are you aware that the same balance-sheet was submitted to auditors and approved of by them? I am not; I know nothing about the thing, because it was all in the hands of the Secretary.
4189. But as a matter of fact, as a member of the Society, and a leading member, were you not aware that the accounts were audited by Mr. Thomas O'Connor and Mr. Mark T. Ronan, and certified as correct? I never took the slightest notice of it, and if it was loss we should know it; but it must be a mistake in putting down the figures.
4190. But I suppose the report and balance-sheet were read to the meeting? Yes, but if I remember aright it was explained to the brethren.
4191. Are you aware that at the present time the whole of your funds go into one fund? I believe so.
4192. How long has that been the practice? I never knew it to be any other way.
4193. But were the accounts never kept separate and distinct? The accounts, when the report was brought up, were separated, showing the different amounts put away for various accounts, but I think it was always one General Fund.
4194. But were not different accounts kept? I do not think so.
4195. Then am I to understand that there was always one General Fund? Yes; but in the dividing of money there would be so much put down for General Fund, and so much for Widow and Orphan; but it all went into one General Fund.
4196. In your opinion, is the financial position of your Society as good now as it was ten years ago? I think so.
4197. Do you know what the accumulated funds are now? I do not, except from the report. I believe the hall now is worth double the money it was when it was put up.
4198. You take the assets of the Society at the present time——? To be better now than ever. If the hall was sold off it would bring double what is down there.
4199. Are you aware that the whole of the assets are in the hall itself? Yes.
4200. Do you know there is a very small sum of money available for general purposes? I do not know anything about that; I never go near them now.
4201. And do you believe the Society is as well managed now as when you were an officer? Well, there are always differences in a Society, but I think so.
4202. Are you aware of the contributions being uniform in connection with your Guild? Yes.
4203. And do you approve of that system? I think so long as it pays it is well enough.
4204. Do you believe 14d. a week is sufficient to secure the donation to 5-year old members of the sum of £40? I do not think it would stand the test at present if all the members did pay in; but there are a great many that are admitted but do not keep themselves good on the books.
4205. But they would not be entitled to the funeral donation, would they? A man may owe 14s., and if he dies he would be entitled to the benefit if he pays. When he is 14s. bad, 2s. 6d. would keep him good on the books.
4206. Then you think 14d. is sufficient to insure to all your members in case of death £40, £20 from the Widow and Orphan Fund, and £20 from the General Fund, and also a guinea a week in case of sickness? Yes, it has done so now.
4207. You believe it is sufficient? I think so.
4208. Have you had much to do with the Friendly Societies Act during the time you have been an office-bearer? No, not much.
4209. Have you any knowledge of its provisions? I have read part of it.
4210. Have you found any inconvenience from it? Not the slightest.
- 4211.

- Mr. W. Brady.
27 Feb., 1882.
4211. Have you found it afford all the support and relief your members would expect to find it afford a well regulated Society? I think so; it has seemed to work well.
4212. Have you anything to suggest for any future legislation that might be embodied in a new measure? No.
4213. Have you ever been connected with any other Society? I was in the Oddfellows.
4214. Many years ago? Yes, twenty years ago.
4215. You are not a member now? No.
4216. *Mr. Abigail.*] Are you master of the facts of Mr. M'Engrove, a member of your Society, having made some claim upon you? Yes.
4217. What were these claims? He was paid off like any other member; he was two years in the Society and he took 5s. a week, and then took his £20 as a final settlement. I do not see what claim he could have on us.

Mr. Edward Joseph Rubie sworn and examined:—

- Mr. E. J. Rubie.
27 Feb., 1882.
4218. *President.*] Are you a member of any Friendly Society? Of the A.H.C. Guild of St. Mary and St. Joseph.
4219. How long have you been a member? Since 1848.
4220. What offices have you held? I have been Chief Officer or Warden for about twenty-one years.
4221. Have you ever been a member of any other Society? Yes, I was a member of the Australian Benefit Society, and also of some Teetotal Society.
4222. And during the time you have been a member of the Holy Catholic Guild and an office-bearer you have acquired a great deal of knowledge and experience in the working of Societies? I have paid a good deal of attention to the workings of the Society, in order to work out a perfect Society if I could.
4223. And what is your opinion of the present general management of this Society? The management I believe for some years has been very lax.
4224. In what particular? In not carrying out the rules properly.
4225. Do the Societies fail to conform to the Friendly Societies Act? They might conform to the Act and yet not carry out their own rules.
4226. Are their rules not in accord with the Friendly Societies Act? Yes.
4227. Do you approve of the system of keeping the accounts as disclosed in the balance-sheets? I do not. I may state it is a deviation from that which I instituted, and which was carried on while I held office.
4228. What was the practice then? To keep the accounts separate in separate funds.
4229. What is your opinion with reference to the financial position of the Society at the present time, as compared with it during the time you held office? It is in a deplorable condition at the present time, and were it not for the great asset of the Guild Hall there would be scarcely anything.
4230. Do you approve of a Society providing so large a donation as £40 for members in case of death, when they have been five years members? I do not think the Guild provides for that; it is ten years I think.
4231. Do you think 1s. 2d. a week sufficient to secure the payment to a member at death of £40? No, I do not. I may state that the original tables of the Guild were formed by actuarial calculation on the Guild in Victoria by Dr. Gillies—just the same as going into an Insurance Office; they could insure their lives for five, ten, fifteen, or twenty pounds, and could have 5s., 10s., or 20s. a week benefits. Then a member only got benefits up to the age of sixty-five, at the end of which time he came on the Super-annuation Fund, and got so much a week.
4232. And would you prefer a graduated system such as you have indicated to that made in these rules? Yes, I prefer it, and the only reason it was deviated from was that the majority of members then did not like it; they wished for a uniform system and adopted it, rather against the wish of those who had paid any attention to the matter.
4233. Then I understand you are opposed to a uniform system of contributions? Yes.
4234. With reference to initiation fees, do you approve of a graduated system? Yes. I think a former witness stated that we had the opinion of Mr. Thomson. He was of opinion that we might initiate members up to thirty years of age for nothing. I assisted him in making out his scale.
4235. That is to say, that the younger members up to thirty years of age might be admitted free? I think so.
4236. Have you a copy of the scale? Yes, but not here; I can furnish it.
4237. Also Mr. Thomson's report? I think I have that, but I am not certain; but I think I can get it.
4238. What is your general opinion with reference to the present Friendly Societies Act—do you think it affords sufficient security to the members of the different Friendly Societies, and protection to the members? I think if an Act were passed simply for Friendly and Benefit Societies, giving the Registrar more ample powers to reject Societies that would not produce an actuarial calculation, such an Act would work admirably.
4239. Have you during your long term of office in connection with the Society found any inconvenience from the present Act? No.
4240. Do you think the Act is fully and justly administered? Not fully administered, because evidently the Registrar has not carried out some of the clauses in it; for instance, that of making the Secretaries furnish their reports—he has never carried that out, which I think is a most important thing to have carried out, and Societies which do not do it should be struck off.
4241. Then you think the fault has been in the administration of the Act? In a great measure.
4242. You are not at all satisfied with the present management, I gather? No.
4243. Nor with the way in which the rules are enforced? No.
4244. Nor with the way in which the funds are kept? No.
4245. *Mr. Smith.*] With reference to what the balance-sheet discloses—a loss on the half-year's business of some £1,495—do you know anything of that? No, it has occurred since I left office, and I have taken very little interest in the matter since.
4246. You have no personal knowledge of that? No, I did not know it existed until I saw it here.
4247. Do you think it possible for it to exist and pass auditors, and to be told afterwards it was a mistake? It seems to me most unaccountable that it should pass; I know both of them.

4248. Mr. O'Connor was a smart man? Yes.

4249. Do you think he was likely to pass an account like that? I have every reason to believe that it was a clerical blunder.

4250. Has it come to your knowledge that some of the Guild books are missing? I heard so, but I do not know it of my own knowledge.

4251. Then in the absence of these books it would be almost impossible to make a correct record of the proceedings of the Society? It would. What I understood was that there was a District book missing, but I have no knowledge myself of it.

4252. *Mr. Abigail.*] Are you in favour, in a new Act, of Government officers being appointed to audit accounts? Not if auditors of sufficient ability can be found by each Society.

4253. Would you favour a periodical valuation of the assets and liabilities? Yes, by all means.

4254. When members are expelled they forfeit the whole of their benefits? Yes.

4255. No matter how long they have been paying in? Yes, but of course in a new system of insurance I think such might not be the case.

4256. You are not of opinion that that is the fairest mode that could be adopted? No, I think in any new system we might take into consideration the desirability of having a certain proportion of the benefits refunded; in fact in our former mode of governing the Society such refunds were common.

4257. *Mr. Greville.*] Do you consider the Society was originally upon a sure foundation when passed by Mr. Thomson? At that time I did; but the light that has since come in, and the knowledge of working, and more especially of Insurance Societies, convinces me that they were not, though if the whole of Mr. Thomson's recommendations were carried out no doubt they would be so.

4258. Then they were not? Not the whole.

4259. And subsequently further deviations were made and the method of contribution was completely altered? No, not completely altered; the benefits, I believe, have been altered.

4260. And altered to the detriment of the Society? Yes.

4261. *Mr. Langley.*] In this balance signed by Mr. O'Connor and Mr. Ronan I see "It is impossible to make a proper audit"? I have never seen it.

4262. If that is true, do you not think it is a duty that the Government owe to the Friendly Societies, considering their importance, to prevent such a thing in future? I consider it no audit at all.

4263. If these special auditors could truly make this statement, do you not think it is the duty of the Government, considering the importance of the Friendly Societies, to try and prevent such a thing in future? Yes; no doubt when these gentlemen find a difficulty in getting the accounts into proper shape, it would be then the duty of the Government to step in, precisely the same as in Municipalities.

4264. *Mr. Gelding.*] Do you belong to any other Society? No.

4265. You still belong to the Guild? Yes.

4266. I see something there about secret Societies: can any one gain admission to the Guild other than members? No.

4267. How do they gain admission, by a sign? No; anybody can walk in, whether a member or not.

4268. *Mr. Abigail.*] Is nobody at the door? No.

4269. *Mr. Gelding.*] Nobody ever demands admission? Yes, I remember myself at meetings there were persons.

4270. Are you aware that in all other Friendly Societies the secrecy merely consists of a password and sign, so as to prevent strangers from gaining admission? I cannot say from my own knowledge, because I do not belong to any of them.

4271. *Mr. Abigail.*] Have you thought out the rate at which liability accrues as age gets on a Society? Yes, I have; I have worked the whole, and have tables of my own working, but they would be rather tiresome for gentlemen not acquainted with the matter to go through.

4272. What amount should Societies have in hand? At one time I thought £10 per head would be a fair average, and I think so still; that is at an interest of 7 or 8 per cent., but it has gone down and is perhaps not likely to rise again.

4273. And your experience would say that a Society with £2 or under per head was not fairly solvent? Decidedly.

The Commission then adjourned until Friday, 3rd March.

FRIDAY, 3 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. John Andrew Kean, President of the United Ancient Order of Druids, sworn and examined:—

4274. *President.*] What is your name? John Andrew Kean.

4275. Are you a member of any Friendly Society? I am.

4276. What Friendly Society? At present I am the President of the United Ancient Order of Druids.

4277. How long have you held office? This is the second term—the second year.

4278. Did you previously hold any other office? I have passed all the offices in the Order.

4279. And how long have you been a member? About seven years.

4280. Do you know the total number of members in your District? That is a matter concerning which the Secretary could better furnish you with particulars. I was not aware that you would ask me as to the actual number of members we have got. I should suppose we have about 2,000, but the Secretary could furnish you with that information better than I. The working of the Society I would, no doubt, be better able to enlighten you upon.

Mr.
J. A. Kean.
27 Feb., 1882.

4281.

- Mr. J. A. Kean. 4281. What is the amount of accumulated funds that you have? I must also leave that to the Secretary. You have had him here, and my evidence may conflict with his. He is virtually a man of figures, and if he has not satisfied you I should think you should invite him here again.
- 3 Mar., 1882. 4282. Of course I do not want you to tell us anything but what you know of your own knowledge—you are supposed to speak only of what you know. If you have not the information we require, you cannot give it to us; but you are bound under your oath to give us what information you can truthfully give. Can you tell me the amount of money paid on account of sick pay during the last year? That also is in the same position.
4283. What information have you that you can furnish to the Commission? I thought I was invited here to show you how Friendly Societies were working in Sydney. I have been a Forester and an Odd-fellow, and I must say from my knowledge of Societies that the Druids are all that can be expected of them; their funds are protected, and brotherly love is encouraged among the members.
4284. And is their financial position substantial? Yes.
4285. What is the amount of accumulated funds per head? I have already told you that the Secretary could inform you.
4286. But is it £5 or £3 a head? That matter belongs to the Secretary.
4287. How can you speak of the financial position of the Society unless you know something about its funds? I did know when I was there.
4288. We are asking you as a witness to tell us now? I know our Secretary is summoned to come here, and will give you all this information.
4289. You have made a statement that the Druids are a good Society and have a good financial position, but you tell the Commission you do not know the amount of the funds. Has the Society £10,000, or £5,000, or £3,000, or £1,000 to its credit? What is the use of my telling you what belongs to the Secretary?
4290. You said the Druids' Society was one of the best in New South Wales? I say it is managed on a substantial basis.
4291. And we want to know what you can tell us about its substantial basis—you are here to tell us, if you know anything; if you do not know anything, we will not ask you anything about it? I say the Secretary is the proper person to tell you.
4292. Have you any information at all to give to the Commission as to the management of the Society of the Druids? I have nothing further than I have said.
4293. You know nothing at all about its financial position? When I am placed at its head I particularly examine all matters, and sign what I am required to sign.
4294. Are we to understand that you know virtually nothing, but that you preside at its meetings? Yes.
4295. And the Secretary or other officers know about its financial position? Yes.
4296. Have you any reports or balance-sheets showing the financial position of the Society? I have not brought any with me. I was not summoned here as a Druid. This (*showing the summons requiring his attendance before the Commission*) does not touch on Druidism.
4297. You are summoned here as the head of the Druids? It does not say that here.
4298. There is no occasion for that. Your Secretary gave your name in. Can you give us any information with reference to the general working of the Society of Druids? I can give you information with regard to its general working, but not as to its financial working.
4299. Can you give us the number of members initiated during the last five years? If I had been summoned here as a Druid I would have come with Druidic documents.
4300. We shall have to summon you again. You must give us the information if you have got it in your possession. How long have the Druids been established in New South Wales? To the best of my belief seventeen years in Sydney.
4301. Do you know the amount of benefits paid by the Druids' Society to its members in cases of sickness? All these questions are for the Secretary.
4302. I must have you give me an answer to my questions. You are on your oath, the same as you would be in a Court. What is the amount paid into the Society? 13d. a week.
4303. What is the benefit? A pound a week, less subscription; in case of death, £25 to the widow of a deceased member, or £15 to a member in the event of the death of his wife.
4304. And are your contributions uniform in all your Lodges? Yes.
4305. Do you approve of uniform contributions? Yes.
4306. For all Benefit Societies? I must only speak for this one.
4307. But you have been a member of other Societies? I have.
4308. And do you approve of uniform contributions? I approve of this contribution as a uniform contribution.
4309. Do you believe that 13d. a week is sufficient to insure all the benefits you mentioned? When I speak for my own Society, I do. It is sufficient with careful management.
4310. How long is a person required to be a member of your Society before he is entitled to benefits? Twelve months.
4311. Does he receive medical attendance, medicine, and such like, before twelve months have expired, or soon after his initiation? Immediately after he is initiated.
4312. And the funeral expenses and sick pay are given twelve months afterwards? Yes.
4313. What scale of initiation fees have you? A graduated scale according to age.
4314. What is the limit of age admitted? Forty years.
4315. Have you many members in your District beyond the age of forty? The institution has advanced in years, and there are members in accordance with the age of the institution.
4316. Have you many beyond the age of forty? Yes, we have a considerable number.
4317. Do you know what proportion? I could not answer that exactly.
4318. As a matter of opinion, do you believe the Society to be thoroughly solvent? I do.
4319. And well managed? And well managed.
4320. Have you any idea of the cost of management apart from funeral and sick pay and medical attendance? That is a matter that belongs to the Secretary.
4321. And you cannot answer it? I cannot answer it—not very well, not satisfactorily.
4322. Do your officers summon members who are more than twelve months in arrears? When they are thirteen months in arrears,

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4323. Do you summon them to the Police Court? There have been instances.
4324. Do you as an officer approve of that course? No.
4325. What method have you of deciding cases of dispute between the members in your Lodges? There is a Committee of investigation, in accordance with the laws of the Order, to deal with matters of dispute.
4326. How do you find that to work? Well, we have not had many disputes, but in those we have had it has proved satisfactory.
4327. Have any of your members had occasion to resort to the Law Courts to settle matters of dispute between the Lodges and themselves? Not to my knowledge.
4328. The arrangement contained in your rules and Constitution for dealing with matters of dispute has worked well? It has worked satisfactorily. We are about revising the rules of the Order as they are now.
4329. What is the object of your revising the rules? Because the last five or six years have brought about a considerable change with the additional members we have got, and from past experience there are matters—many matters—which the officers and the members consider it is advisable to have altered.
4330. In what way do you propose to make this revision or alteration? There is a General Committee of members of the Order—from each Lodge of the Order—summoned.
4331. What is the nature of the amendments you propose? We have not determined yet; the matter is in contemplation.
4332. Is it to increase the contribution or the benefits? No, not to touch on the financial working of the Order at all.
4333. You are clearly of opinion that the sum of 13d. a week is sufficient to insure all the benefits that your Society at present pays? I have every reason to believe it is.
4334. Does your Society send in the annual returns to the Registrar as from separate Lodges, or do they go from the District? Well, I do not think that matter has been enforced by Mr. Oliver; it has been done, but I do not think it has been done lately.
4335. That is to say, separate returns have been sent in by the Lodges and then sent on to the Registrar? That has been done, but I do not think it has been done lately.
4336. Do you know the reason why it has not been done? I do not, further than I consider the Registrar of Friendly Societies has not enforced the power that belongs to him.
4337. How are your funds invested? Invested in Management and Funeral Fund.
4338. But how are they secured? They are deposited in the names of the trustees in the Savings Bank.
4339. You have no freehold property—no hall property nor anything of that kind? No.
4340. Have you, as an old officer of the Druids' Society, or have any of your officers, experienced any inconvenience arising from the present Friendly Societies Act in the working and government of the Druids' Society, or in the working and government of any of the various Societies with which you have been connected? We have never yet been brought to clash with it.
4341. Do you think it affords sufficient protection to the members of the various Friendly Societies, and insures to their members the benefits enjoined under the various rules of the Societies? I do not think it answers the purpose at all; one section of it will clash with the other, as far as my humble opinion goes.
4342. Can you point out the portions you believe to be defective? It would take me some some time to peruse it; but I have perused it, and in connection with other Societies I have had occasion to deal with it. I have been brought into contact with Mr. Oliver twice in connection with the Oddfellows.
4343. But during the time you have been an office-bearer in the Druids' Society have you found anything defective in the Act? I have found nothing.
4344. Do you believe the Act provides you with all the protection that you require for a Friendly Society? I do not believe it does.
4345. Do you think the Act has been properly administered? I do not believe the Act is what it was intended to be.
4346. Are you in a position to point out any defects in the Act? Not at present.
4347. I understood you to say you have no reports nor balance-sheets with you? Not in connection with the Druids.
4348. *Mr. Abigail.*] You are President of the Druids, Mr. Kean? I am.
4349. How long have you been a member of that Society? About seven years.
4350. How long have you been an officer of it? I have filled all the offices in connection with the Lodges, and this is the second term of my office as President.
4351. Were you President in 1880? In 1881 and 1882.
4352. Did you hold any office in 1880? Not in the District.
4353. Were you a member in 1880? Not of the same Lodge.
4354. Have you any doubt of that being a correct report issued by your Society (*report handed to witness*)? This is one of the reports issued.
4355. This is the report of an annual meeting of the Druids held in the Acorn Lodge-room, Parra-matta, on Wednesday, 21st January, 1880;—you were present at that meeting? I was. I represented my Lodge; I have done so for the last six years.
4356. I understand you have stated to the President of the Commission that the Druids are a well-managed Society? I do state so.
4357. And that their finances are satisfactory? Satisfactory.
4358. I find in this report an account of the names of the Lodges, the number of members, and the amount of their funds. I should like you now to follow me as I go down the list. There is one Lodge, called the Prince Alfred Lodge, with forty-two members; their funds are £6 Os. 3d.; that represents between 2s. and 3s. of an accumulated fund. Do you think that is a sound financial position? But the District Grand Lodge fully provides for a Lodge in that position. In the event of a member dying the District pays its liability.
4359. But suppose that Lodge had ten members who fell sick, does the District Lodge pay their sick pay? In the event of this Lodge being crippled the District Lodge comes to its assistance.
4360. But while the Lodge is in existence, and before it breaks up, does the District Lodge come to its assistance by voting sums of money to meet its liabilities? Lodges are like individuals—they may be weak this year and healthy the next.

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4361. There is a Lodge called the Belmore Lodge, with 147 members and £409;—is that sum of £409 of the Belmore Lodge available for the sick benefits of the Prince Alfred Lodge? Not at all.
4362. The £409 is the property of the Belmore Lodge, and used only for the benefit of its members? Exclusively for that Lodge, and vested in the hands of trustees.
4363. Take the Stonchenge Lodge, with sixty-one members and £46 8s.;—how long has that Lodge been in existence? That was in existence before my time; I have been a member for seven years.
4364. That Lodge has been in existence for seven years, and that is the amount of its Accumulated Fund? No; that Lodge has had its ups and downs; that was its condition for that year.
4365. This is the amount of its Accumulated Fund? But there have been some years when they have had more sick than in others, and this with members leaving may have placed them in that position that year.
4366. Then there is the Rose of Australia Lodge, with forty-five members; they have got £38 14s. 7d., or less than 18s. per member. I can find in this list nine Lodges that have less than £1. per head of an Accumulated Fund. This report is, I suppose, a correct report? Yes, of that year.
4367. And this shows that the total number of members in that year was 1,237, with a fund of £2,511 13s. 7½d.; that, you think, is a sound financial position? I do.
4368. Have you ever considered at what rate these Societies accumulate contingent liabilities? No, I have never given it a thought; I am not prepared to answer that.
4369. Do you think that a Society which pays its way annually is sound? I do.
4370. Without taking into consideration the accumulated liability? I do, because I attribute that to careful management. I said before that Lodges are like individuals—they have their ups and downs.
4371. In your experience, is the sickness in connection with these Lodges heavier with the older than with the younger members? It must be heavier with the older.
4372. So the older the Society is the greater is the drain upon its funds? I do not speak of the age of the Society; I speak of the members of the Lodge. The older members are more liable to be visited with sickness.
4373. From what fund does the District make provision for cases where Lodges fail in meeting their own engagements? There is a Management Fund.
4374. How is that Management Fund made up? There is a levy set apart for a Funeral Fund, and a levy set apart for a Management Fund.
4375. So much per head? Yes.
4376. Suppose these nine Lodges were to fail, and the whole of their members be cast upon the District, do you think the District could satisfactorily discharge all the responsibilities attaching to the position? If those Lodges were to close, the District would have to take them under its control, and place them under the working of the other Lodges, if they would receive them.
4377. Suppose they would not receive them? Then the Lodges would have to be responsible for them.
4378. What is the Accumulated Fund in the District? You have just stated it.
4379. This (*referring to return dated 21st January, 1880*) represents the total amount of the funds—has the District any fund of its own apart from that belonging to the Lodges? The District can have no General Fund but what belongs to the General Fund of the Order.
4380. Will you explain how the District would provide for those members? If a member joins our Order, there are rules and regulations for his guidance. He is told that he is entitled to these benefits, and that, in the event of his Lodge closing, the District would impose a levy on every member, per head, to meet its liabilities.
4381. Your laws give you power to make special levies to meet any claim or contingencies that may arise? It says any reasonable amount.
4382. What do you think a reasonable amount—have you ever discussed what is a reasonable amount in connection with the District—have you ever had under consideration the financial condition of any of these Lodges, and thought what may arise in this question of levying? It is a matter that has never been brought before me, and therefore I have not discussed it. If a Lodge was going to close, the matter would come before the officers of the District and would be dealt with. It has not come under my notice.
4383. Here is a Lodge—the Acorn Lodge—with thirty-three members and only £3 15s. in funds. You have had extensive experience of Friendly Societies? I have.
4384. Would your experience justify you in saying that this Lodge was in a satisfactory state? I say it may be that way one month and different the next. There may be liabilities out, which are not shown there, and which may have come in after that report was made up.
4385. But if that Lodge had any liabilities to come in, where would they have found the means to meet them? There may be thirty or forty members who fall in arrear, and when this matter is brought before their notice—that these liabilities must be paid—I mean to say that there are often members who through carelessness or through removing into the country have got into arrear, and immediately they are notified they pay up their liabilities, and this places the Lodge in a strong financial position. It may show to-day a considerable set-off, and a month hence it may be quite another thing.
4386. Are you aware that the annual report of 1881 sets forth the same facts as are disclosed in this report of 1880? I am not aware of it.
4387. Have you had anything to do with auditing accounts, or seeing accounts audited in connection with your Society? I was auditor of the Golden Gate Lodge one time.
4388. Is the work performed by the auditors generally satisfactory and reliable? Generally speaking.
4389. Would you favour, in any new Act, Government appointed auditors to examine into the accounts of Friendly Societies? I would. I maintain that Friendly Societies cannot be too carefully watched over.
4390. Does your Society send its returns in regularly? I have said before, that latterly the returns have not been sent in regularly, and that this is in consequence of the carelessness of the Registrar of Friendly Societies in not enforcing them.
4391. Do you think that in any new Act there should be a clause inflicting a penalty for non-compliance? I think there should be a general Inspector of Friendly Societies through the country, to watch and protect their members and funds.
4392. Are your Lodges very regular in sending in their balance-sheets? They must be produced every quarter.
4393. Was there anything said at that meeting I have referred to at Parramatta, about a Lodge not having sent in any balance-sheet? I do not remember; every Lodge has to send in its returns to the annual or semi-annual meeting.

4394. I find this report states that the Prince Alfred Lodge sent no balance-sheet in, and that last quarter's balance-sheet was signed by only one auditor. Have you any knowledge of that? I have no knowledge of that.

4395. In connection with your Lodges is it compulsory on the members to purchase and wear regalia? No.

4396. The officers, I suppose, wear regalia? Only the officers.

4397. Is that regalia expensive? Not very.

4398. Can you tell us what a set of officer's regalia costs? About £2 10s.

4399. Are the delegates paid at the annual meeting? Their Lodges pay them. The Lodge that sends them pays their expenses.

4400. At what rate? A very trivial rate—10s. per member.

4401. Per day? Per day.

4402. You stated that the laws of your Society have been sufficient to settle your disputes—did you take any part lately in instituting proceedings that resulted in two of the members of your Society being sent to gaol for their dues? Those proceedings were taken without our consent; some individual—the Secretary of the Lodge—took them. It did not meet with the approval of the Order.

4403. You are opposed to that power being given by any Society? Thoroughly opposed to it, because it breaks the principles of the Order, where there is any pretension to brotherly love and friendship.

4404. Are you of opinion that when a member gets so much into arrear the Lodge should have power to strike him off the books? The law fully provides for that. After a specified time he is suspended from all payments, and then he is suspended from the Order.

4405. Do the officers of the District propose taking any action against the Lodge that initiated these proceedings without their authority? We have no power to do so. Each Lodge governs itself. There is a Court of Appeal, and if they are dissatisfied they appeal to the Board of Arbitrators.

4406. But is it not competent to discuss and settle a question at a District meeting in such a manner as will control the Lodges on that question? There is a Board of Directors.

4407. And has that Board decided that a Lodge should not proceed at law for the recovery of dues? That is one of the things which are to be revised.

4408. Suppose the matter is sent on by a Lodge? If it is sent in a legal manner and discussed they will entertain it.

4409. And if it is entertained, and it is decided that they shall sue the members, that will have the force of law with the Lodges? Yes, because it goes to the various Lodges.

4410. Has anything been done with reference to a Druids' Hall? Some four years ago I was one who advocated the purchase of a piece of ground and the erection of a building for that purpose. That fell through after being twelve months in hand.

4411. No money collected was set aside for that purpose? No.

4412. Are you in favour of Benefit Societies investing in building halls? I look upon a Society as upon individuals; they have a right to have their own home if they can.

4413. But the funds are subscribed for sick benefits and funeral donations, and do you think that funds so subscribed, unless they are very large, should be invested in that way? If the institution is based on a substantial basis, I do not see why they should not invest their money to bring in a safe return in a safe investment.

4414. Do you spend any of the funds of the District or Lodges in testimonials, suppers, picnics, or so forth? No, those things come out of the individual pockets of the members.

4415. What arrangement have you in connection with clearances? Any member in the Colony of New South Wales can throw in his clearance free; a member coming from Victoria or South Australia has to pay 5s. Our Order is now established throughout the universe, and we hold relationship with each Branch of the Order wherever it may be—in America, England, Germany, or elsewhere.

4416. Are there any forms or ceremonies conveying penalties besides those that appear in your printed rules? None.

4417. If any of your members occupy public positions, do you in any way control their actions? As far as Druidism is concerned, when they come within the Lodge we have a perfect right to control their actions.

4418. Only in the Lodge? Only in the Lodge. When a member goes outside we have nothing to do with him so long as he pays his contributions.

4419. *President.*] You have nothing further to suggest to the Commission before you withdraw? I have nothing further to suggest except to say that the time has arrived when men and families with their little contributions at stake have a perfect right to be protected. I consider that there should be a Government Inspector, who should, by virtue of his office, be *ex officio* a member of every Friendly Society.

Mr. Henry Massey Makinson, solicitor, sworn and examined:—

4420. *President.*] Your name is—? Henry Massey Makinson.

4421. You are a solicitor? Yes; a member of the firm of Ellis & Makinson.

4422. And your firm were the solicitors in 1876 for the Friendly Society known as the Holy Catholic Guild of St. Mary and St. Joseph? Yes.

4423. And are still, I suppose? Yes.

4424. Do you produce any documents? I produce a special audit report; there are two reports, marked "A" and "B." There was an action brought by the Guild against Mr. Callachor, who was then Secretary, for neglecting his duties as Secretary—keeping the books—and to recover a sum of money the Guild had lost.

4425. Do you remember what the amount was? I do not think the action was brought for any special amount; it was an action for damages for neglecting his duties in book-keeping, whereby the Guild had lost money. The action was brought in consequence of these audit accounts, made by Mr. Carroll. When the action was brought Mr. Callachor paid into our hands the sum of £150 odd, which appeared in the final report of the auditor. It appeared that there was a sum of £159 mentioned there, which Callachor paid into our hands. Mr. Carroll made these two audit reports, and on these reports an action was brought

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Makinson.
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by the Guild against Mr. Callachor, who then came and paid £150 odd into our hands to await the result of a further investigation. A further investigation was made by Mr. W. P. Manning, accountant, and the result of that was that Mr. Callachor authorized us to pay over to the Guild the £150 odd, which was the result arrived at as the amount of deficiency, and then the action was stopped.

4426. Did you not receive also a sum of money from another gentleman, who was also a defaulter? There were proceedings with which Mr. Winkle was connected, but the particulars I do not remember.

4427. Do you know whether there did not still remain a deficiency of some £41 9s. 5d. after the payment by Mr. Callachor? I do not remember now; but I remember there was an action to which we were a party, and if my attention had been directed to it I might have looked up the papers and told you. I see Mr. Rubie here; he was the Warden of the Guild at the time, and I dare say he could give me a reference that would set me on the track.

4428. You produce these two special audits, "A" and "B," made by Mr. Carroll? Yes. These I got in the action which was subsequently settled.

The documents were put in evidence and read. They were as follows:—

A.

To the Warden and Councillors of the Australasian Holy Catholic Guild.
Gentlemen,

I beg to lay before you my report upon the books and accounts of your institution, examined by me, for the two years ending 31 December, 1875, in pursuance of your instructions, and which is as follows, viz. :—

Cash-book.

From December, 1872, to December, 1875, I found that, with the exception of the six months from January to June, 1873, the additions were made in pencil, and the balances when struck appear in like manner. In the half-year ending 30 June, 1874, neither the receipts or payments were cast up, nor was any balance struck, although a balance of £103 19s. 2d. was carried forward to the debit of cash, which, however, should apparently properly be £113 19s. 2d., in consequence of an amount of £10 being added to the payments under the heading of "Sickness," but which is without any explanation, and is entered in pencil.

For half-year ending 31st December, 1874, the additions are in pencil, and in the following half-year the totals of receipts and payments are not shown, nor has any balance been struck, although an amount of £37 2s. 10d. is carried forward in pencil as being the balance of cash on hand at that period—this I find to be incorrect, and should properly be £41 13s. 1d.

The following items are entered in the ledger to credit of the several accounts here indicated, but do not appear in the cash-book, and will therefore be chargeable to the party liable for such receipts :—

June 27, 1874, credit in cash-book to T. Callachor, for interest, £7; but posted in ledger to his credit at £14. Difference	7	0	0
June, 1874, in ledger, credit of J. J. Daly	2	0	0
March, 1875, Michael M'Quirk	4	0	0
June, 1875, do.	4	0	0
June 1, 1874, Bega Branch	0	18	8
June 9, 1874, do.	0	9	4
December 31, 1874, Parramatta Guild.....	5	0	10
	£23	8	10

To the above will have to be added improper debit in cash-book, 30 June, 1874, as shown in second paragraph, page 1	10	0	0
Balance of cash short carried forward 30 June, 1875, viz., balance entered, £37 2s. 10d., should be as shown above, £41 13s. 1d. Difference	4	10	3
Total	£37	19	1

From my investigation into the various books of the District Secretaries and District Bursars, I discovered numerous discrepancies between the amount of subscriptions, &c., received, as shown in the subscription and novices books, and the amounts for which the District Bursars give credit in their books, and will thus appear :—

	Short credit by Bursars. £ s. d.	Over credit by Bursars £ s. d.
Balmain, in seven instances	4 2 0	0 2 6
Newtown, in twelve instances	5 8 10	7 2 8
St. Patrick's, in twenty-five instances.....	11 19 10	4 8 2
Sacred Heart, in nineteen instances	6 17 0	4 4 0
St. Benedict's, in thirty-five instances	12 12 5	4 12 2
	£41 0 1	£20 9 6
	20 9 6	

Balance 20 10 7 appearing to be short credited by Bursars.

I found the District Bursar's books wrongly cast up in thirty-five instances, and in many cases did not agree with the amounts entered in the cash-book as they should do. I infer from my examination that the practice of the Secretary has been to take for granted the amounts appearing in the District Bursar's books, without any attempt at checking the additions, but it appears to me to have been clearly his duty to have summed up both the District Secretary's and Bursar's books, and make them correspond, which would have rendered unnecessary the tedious examination of them in detail that has been gone through by me.

I notice an entry in the cash-book, under date 7 May, 1875, crediting Heydon with £7, but that name has been obliterated and the name T. Callachor, written in red ink, substituted, and the amount posted to the credit of Callachor's interest account, whilst the interest for six months on Heydon's account for half-year to 7 May, 1875, £7, has not been charged, and thus his account appears to be closed.

T. Callachor would appear to be indebted for principal £400, and for interest to December, 1875, £42. Thos. Winkle's account stands thus :—

Principal.....	£75	0	0
Interest to 25 December, 1875	6	2	6

There have been several incorrect postings into the ledger, amongst which will be found 30 June, 1875, to Savings Bank, £1,064 11s. 8d., instead of £1,064 8s., which arbitrarily reconciles a difference of 3s. 8d. existing between the Savings Bank book and the cash-book at that time, and this wrong posting was evidently made in order that the Guild ledger and the Savings Bank book should agree.

Sums of £25 on account of principal, and £2 10s. 6d. for interest, appear to have been paid by Thos. Winkle and posted to his credit in the ledger 20 July, 1874, but never appeared in the cash-book until 22 January, 1875.

The balance of cash appearing to be on hand 31 December, 1875, per cash-book, was £134 6s. 10d. to which will require to be added the amounts received but not entered in the cash-book and other sums as shown in page 2 of this report.

The following books are not forthcoming, viz. :—

St. Mary's District Bursar's book.
St. Joseph's (Newtown), Bursar's book.
Sacred Heart novice book, prior to 8 June, 1874.

Mr. H. M.
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I would add, in concluding this report, that the books of the Guild have been kept in a most slovenly and unbusiness-like manner, and the manner in which the cash-book has been manipulated is in the highest degree discreditable.

I have, &c.,
JOSEPH CARROLL,
Special Auditor.

Sydney, 28 June, 1876.

B.

To the Warden and Councillors of the Australasian Holy Catholic Guild.

Gentlemen,

Since submitting my report upon the books and accounts of the Guild on the 28th of last month, I have made a careful examination of all moneys posted in the various ledger accounts for receipts independent of the subscriptions, from 1869 to 31 December, 1875, and compared same with the cash-book, and now give you the result as follows:—

1872.	March 5, credit of James Lyons	£9 0 0	} None of those amounts entered in cash-book.
	March 22, do do	9 0 0	
	May 18, do do	9 0 0	
1873.	May do Michl. M'Quirk	4 0 0	
			£31 0 0
1872.	April 20, credited in ledger to J. K. Heydon, £10 10s., but in cash-book £10 only. Difference short credited		0 10 0
1873.	June, credited in ledger to Thos. Winkle	£3 18 9	
	But in cash-book only	1 18 9	
	Difference short credited		2 0 0
			£33 10 0
	Add—Amount at page 2 of my report sent in 28 June, 1876		37 19 1
			£71 9 1
	Add—Balance of cash on hand at 31 December, 1875, per cash-book		134 6 10
			£205 15 11

From the most diligent and painstaking examination of the Bursar's book, which, from the number of entries of moneys received that have been erased or struck out, and the difficulty of determining what payments should be allowed or disallowed, it has given me much serious thought to strike a balance in the Bursar's hands on the 31 December, 1875; however, I have done so, and feel satisfied of its approximate correctness in so far as it was possible to arrive at it, and I consider that to make good the above sum of £205 15s. 11d. that the Bursar's share is £46 0s. 4d., and the Secretary's share £159 15s. 7d.

I desire further to report that a sum of £27 12s. 6d., debited in the cash-book as paid into the Savings' Bank, 25 June, 1875, was not paid in until the 17th of July.

I annex a memorandum showing a number of items due for interest at 31 December, 1875, amounting to £101 11s. 6d., which were omitted in the Secretary's balance-sheet of that date, and exhibit the assets as £6,293 5s. 2d. instead of £6,191 13s. 8d., the amount shown.

I have only to add that it will afford me much pleasure to explain to any member of the Council any matter in connection with my reports that may be considered necessary.

I have, &c.,
JOSEPH CARROLL,
Special Auditor.

Sydney, 5 July, 1876.

Australasian Holy Catholic Guild.

December 31, 1875.—Assets as shown in balance-sheet to this date, made out by the Secretary	£6,191 13 8
The following sums due for interest at 31 December, 1875, omitted to be included in the above assets:—	
Michael Hartigan	£3 17 4
T. J. F. Ansell	29 0 0
James Maloney	1 6 8
Thomas Callachor	56 0 0
John Hogan	5 5 0
Thomas Winkle	6 2 6
	£101 11 6
Total assets, 31 December, 1875	£6,293 5 2

The Commission then adjourned until Monday, 6 March.

MONDAY, 6 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. John Hugh Davies sworn and examined:—

4429. *President.*] You are a member of the Druids' Friendly Society? I am.

4430. What office do you hold? District Grand Treasurer at present.

4431. How long have you been a member? Ever since its formation in 1867.

4432. Did you open the first Lodge? I did; that is, in Sydney.

4433. What offices have you held during that time? I was District Grand President for three years at three different times, and I have held the office of District Treasurer since, with the exception of one year, in 1879.

4434. And you have a thorough knowledge of the workings of the Society? I have,

4435.

Mr. J. H.
Davies.

6 Mar., 1882.

- Mr. J. H. Davies.
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4435. What number of members have you in connection with the Sydney District? I think it is close on 1,800—I am not quite sure.
4436. How many subordinate Lodges have you? Twenty or twenty-one.
4437. What is the total amount of funds? That I could not tell you, unless I referred to the reports.
4438. What is the total value of the funds of the District? I think the funds of the District are about £1,200, as near as I can remember.
4439. For what purpose are the funds of the District applied? To the payment of funeral donations, and the management of District Grand Lodge.
4440. How is that fund supported and maintained? By levies upon subordinate Lodges, and profits arising from the sale of goods.
4441. What amount of money do you levy on the members of subordinate Lodges? The levy is fixed for six months, and is as occasion requires. There is one thing I might say—that we have a proviso that if the funds reach below a certain sum, the District is empowered to make a special levy on the death of each member or his wife.
4442. Is that an additional levy? Yes—it is the only levy we provide for.
4443. What has been the cost of management of your Lodges in the Sydney District? I have never made the calculation.
4444. Have you any knowledge of the amount of money paid on account of funeral donations during the last two years? I cannot tell from memory, but I should think it would be about £350 for the two years; but I could tell, of course, if I referred to my book.
4445. Did I understand you to say there were 1,800 members? I think it is about that.
4446. Would this report be correct, dated Wednesday, 21st January last year? Yes, for 1880.
4447. What number of members have you made during the last year? That I could not say; the returns do not go through my hands.
4448. If this report sets forth that there were 1,237 members for 1880, would that be correct? Oh yes.
4449. If it shows that the accumulated funds were £2,511 13s. 7½d., would that be correct? I have not the slightest doubt of it.
4450. And what is the general state and condition of these twenty Lodges, in your opinion? Very fair.
4451. Do you know the Prince Alfred Lodge? Yes.
4452. It has forty-two members according to this return? Yes.
4453. And the funds amount to £6 0s. 3d.? At that date; they have improved considerably since then.
4454. Would you consider that Lodge in a healthy state? No, decidedly not.
4455. What has been the improvement you speak of? Their funds have considerably improved.
4456. Do you know to what extent? No, I could not tell you.
4457. Would you consider Phoenix Lodge with fifty-two members and £13 0s. 5d. in a good state? No.
4458. Or Royal Oak, with sixty-seven members and £32 10s. 0½d.? Yes, I should, because they had then only recently been formed.
4459. And you think a Lodge just brought into existence with that amount of money is in a healthy financial position? Very fair.
4460. Can you tell from memory on what date the Lodge was instituted? I think it was opened in June, 1879.
4461. And the funds by the end of December amounted to £32 10s. 0½d.; you consider that pretty good? Yes, for six months.
4462. Then there is another, the Mistletoe, forty-two members, and £22 10s. 2d.; do you consider that in a healthy state? It was only just opened.
4463. And Western Pioneer, how long was that opened? It was opened on Queen's Birthday, 1878.
4464. With 101 members at that time, and £71 0s. 1d., do you consider that in a good position? Well, pretty fair.
4465. Then there is the Acorn, with thirty-three members; when was that opened? It was opened after the Royal Oak.
4466. With £3 10s. 1½d.? Very bad.
4467. Then the Olive Branch, with fifty-one members; when was that opened? All these Lodges you have named have been opened during the last three or four years, since we called ourselves the United Ancient Order.
4468. They have £15 2s. 5½d.; what would you consider that? Bad.
4469. The Pioneer is an old Lodge—the first Lodge? Yes.
4470. That had 129 members, at this date? Yes, I dare say it had.
4471. How long has it been opened? It was opened in February, 1867, by me.
4472. And at this time it had 129 members, with £671 2s. 3d.? Yes.
4473. You think the position of that Lodge is very much better than those I have referred to? Yes, and because they had a great many old members.
4474. The Prince Alfred was an old Lodge, was it not—they had forty-two members and £6 0s. 3d.; what do you consider that position? Very bad.
4475. And there are a number of Lodges in a similar position; you have seen the return yourself? Yes.
4476. What amount of contributions do the members pay? 1s. 1½d.
4477. And what benefits do you give? Medical attendance and a funeral donation.
4478. What is the funeral donation? £25 for a member, £15 for a first wife, and £7 10s. for the second.
4479. And do you think the contributions are sufficient to insure the due fulfilment of their financial obligations on the part of the Lodges? Well, hitherto they always have been. What my opinion is as to the equitableness of the amount given is another matter.
4480. But in view of the reference I have made to several Lodges here, do you believe the contributions are sufficient to guarantee the payment of the financial obligations of the Societies? Yes, because the District Grand Lodge are responsible, and they are empowered to levy accordingly.
4481. Do you know that the whole of the funds, including District Grand Lodge Funds altogether, amount to £2,511 13s. 7½d.? If that return says so, I have no doubt it is correct.
4482. And do you think this is sufficient to insure to your members the payment of the amounts of money promised to them? I do, with the proviso we have in our rules for making special levies.
4483. What is the limit of age to which you admit members? Forty now.

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4484. Did you admit members over that age? Forty-five and forty-six. No.
4485. And have you any old members? We have.
4486. Many? I should not think there are very many now; they have pretty well died off.
4487. And how many in the hundred would be the average of old members? I could not tell you that unless I went into the figures.
4488. Have you a very large proportion of old members? No, not now.
4489. What would be the proportion of persons over forty years of age in the Sydney District? I should not think there are more than twenty, taking the whole of the Lodges, if that number.
4490. That is about one to each Lodge? Yes.
4491. Have you any special method of dealing with matters of dispute between your members and Lodges? We have rules specifying that they shall be referred to arbitration.
4492. And how do you find that work? Very well so far.
4493. Do you or any of your Lodges go to the Law Courts to decide matters of dispute between members and their Lodges? In what way do you mean?
4494. Matters of arrears—arrears of contributions? Yes, they have.
4495. And do you approve of that? I do to a certain extent.
4496. When members are over twelve months in arrears? Yes.
4497. Do you pay your Medical Officer for members who are over twelve months in arrears? For the first quarter.
4498. You have no risk for the other nine months? No, except the member dies.
4499. But do your rules provide that any members eight months in arrears are unfinancial? Yes.
4500. And yet you are liable for the funeral donation? Yes; it is a decision of the Supreme Court.
4501. You would not pay your sick pay? In the same way; his contributions would have to be deducted. I remember the decision well.
4502. In the cases you have referred to, in which some Lodge has taken action against its members, what amount of contributions was in arrears? Some of them £8 or £9—several years.
4503. And do you think that is a prudent course to take? Decidedly not; I am quite opposed to it.
4504. But you think to the extent of twelve months there should be provision for Societies to recover against such members? I do.
4505. Have you during the time you have been connected with the Druids found any inconvenience from the working of the Act? I do not consider it is worked at all.
4506. Will you describe how you think it fails? I do not think the Registrar looks after the Societies at all.
4507. Then you are of opinion that the want of administration is the cause of great inconvenience? No doubt of it; though Mr. Oliver is very kind and obliging, I do not think the provisions of the Act have been put into force.
4508. Do you regard the Act itself as sufficient to afford protection to the various Friendly Societies? Yes, but I do not think it is a good one.
4509. Can you point out any particulars? I think the Melbourne Act is very much superior.
4510. What provisions do you refer to? The provisions for working the Societies and supervision over them, and the arrangements which the Registrar has to put into force before a Society can be started, in connection with the Melbourne Act, are much superior to ours.
4511. Does your Society make annual returns from each Lodge? Yes. I have always insisted on it; and they are sent through the District Grand Secretary, which I maintain is the proper thing to do.
4512. And, as a rule, have you found the returns correct? Well, as a rule, yes.
4513. Are you in favour of a graduated scale of contributions, or a uniform scale for all Friendly Societies? Well, I think a uniform scale of charges is the best, working better; but I am not in favour of a uniform rate of funeral allowance.
4514. Then you would be in favour of charging a young lad of eighteen or twenty years of age the same as a man of forty? It is very seldom you get men of forty to join a Friendly Society.
4515. Is there not a larger proportion joining between thirty and forty than any other ages? No, that is not my experience.
4516. But between thirty and forty is there not a larger proportion than between eighteen and thirty? No, I think it is the other way.
4517. Have you any possible means of giving us the list of ages of members who have been initiated during the term you speak of, or for five years? Oh yes, we could do it.
4518. Could you arrange to let the Commission have a copy? For the last five years; I will make a memorandum of it.
4519. I understood you to say you were not in favour of a uniform funeral donation? No, I am not.
4520. You would suggest, then, a graduated scale? According to the number of years' membership.
4521. What would you start at? £5, and I would not give any man over £20.
4522. At what period would a member be entitled to £5? At the end of twelve months.
4523. And graduated up to £20? Yes.
4524. How would you regulate the next three payments? I would make it £5 for every five years.
4525. And what would you do in the case of a member's wife? Oh, I would not give her more than £10 at any time; certainly nothing at all for the first twelve months; the wife and family have the benefit of a medical man and medicines.
4526. How are the funds of your District invested? In the Savings Bank.
4527. On deposit? Yes.
4528. You consider, generally speaking, that the Order of Druids—the twenty Lodges I refer to—are in a healthy financial state? I think the District as a whole is in a healthy state and well managed.
4529. *Mr. Gelding.*] I presume you have taken an interest in the workings of Friendly Societies in New South Wales? Not others.
4530. And you firmly believe that the 13d. a week paid by your members is quite sufficient to keep up the Society in a sound, healthy, financial position? I do; that is, for the benefits we give.
4531. You state that one of the safeguards of your Society is that should a Lodge fail to meet its engagements they can fall back on the District? Yes, the Grand Lodge takes them.
4532. I presume the members contribute to the Grand Lodge? Yes.

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4533. Then in the event of a few of your Lodges taking the onus of keeping up the rest, you fall on the members? All other branches.
4534. Can you tell us the average per head of the whole funds of your Order at the present time? I cannot; I have not the last return before me.
4535. It was £2 per head, I think, last year? I think it is more than that now.
4536. If you think your Society is very sound with £2 per head, I presume you think those who hold £10 or £12 per head have too much money? No, decidedly not.
4537. You are not in favour of a sliding scale? I am not, in contributions.
4538. And you think £5 for every five years' membership is quite sufficient to give for a funeral donation? I do.
4539. Is that funeral donation not given specially to bury him? It is.
4540. Do you think £5 is sufficient to bury him respectably? I think it is quite sufficient to give him if he has only been in the Order twelve months.
4541. I see that any members who open new Lodges have a bonus of £5 given them; do you think that right? It has only been passed lately.
4542. Does it work well? We have only had two occasions to put it in force.
4543. What fund does that come out of? The Incidental Fund.
4544. Then virtually the members have to give a bonus to members who open new Lodges? Yes, within the last six months.
4545. I should like to have your opinion about a Board of Arbitration: do you think it should consist of members of each Society, or should it be appointed consisting of members of the various Friendly Societies in the Colony? I think it would answer much better if it consisted of various members of Friendly Societies.
4546. Do you believe that, considering the great good that accrues to the Government from the establishment of Friendly Societies, all the rules should be registered free of cost? I have always maintained that.
4547. Would you give the Commission your opinion about the Government appointing a person competent to deal with Friendly Societies specially for that purpose, to be paid by the Government? I think it is the duty of the Government to do it free of cost. These Societies save thousands of pounds to the Government, and it is their duty to assist the Societies by keeping them together, and I think it is also the duty of the Government to appoint an auditor to audit the accounts once a year.
4548. To make them send in balance-sheets and audit them? That he should go round and audit the accounts himself.
4549. Are you in favour of the Government appointing an actuary to investigate Societies before they are allowed to register themselves? Yes, that is one of the principal things in Melbourne.
4550. *Mr. Langley.*] Is not that the case with new Societies? Yes.
4551. *Mr. Gelding.*] If the actuary thought the present Societies were not working well, should he not compel them to bring their Societies into proper working? No, I do not think so. He might advise them to do so, but it would be a great hardship to compel them to do so.
4552. I suppose you are aware that the Registrar in Victoria is only certifying to laws for five years, to see how they work? Yes.
4553. Would that do here? I think it is too short a time.
4554. Does it cost your Society much for regalia for members? No, not very much.
4555. What is the cost to each Lodge? Not more than £9 10s. or £10 10s., everything complete, but I am not quite sure; that is more in the Secretary's line than mine.
4556. I presume most of your Lodges pay rent for the rooms they meet in, do they not? I think so, but could not say for certain. Some of them do, and some I know do not. Where they meet in public-houses I think some of them do not pay rent.
4557. Could you inform the Commission the amount paid by members in accouchement cases? One guinea.
4558. Does that come out of the member's pocket or the funds of the Lodge? The member pays it.
4559. *Mr. Slade.*] Do you know of any instance in which the present Act has been injurious or has prevented healthy action in any of your Lodges? No, not that I am aware of.
4560. Do you know any case at all in which the Act has been in any way a preventive of success? Well, I know where action of the Registrar—I will not say it is the Act—but the action of the Registrar in not carrying out the provisions of the Act had a detrimental effect upon us.
4561. Do you mean us to understand that the present Act is nearly sufficient, but the administration is faulty? No, I do not think the present Act is sufficient; it is deficient in many ways.
4562. Can you point out any matters in which it is deficient? No, I cannot—not at a moment's notice.
4563. Do you think the returns are sufficient? The return is not a return at all—it is just a mere statement; it is not, I think a proper return at all.
4564. You think it should be more elaborate and more explicit? Certainly.
4565. If the returns were made so, the administration of the Act carried out in a proper spirit, do you think the present Act would be sufficient for the generalities of Societies? With a few amendments.
4566. Do you know of any Act that is better than this one? Oh, the Melbourne Friendly Societies Act is much better.
4567. In the matter of returns, are these better? Yes, most decidedly.
4568. Would you advise an assimilation of the returns and provisions of the Act in this Colony to those of the Victorian measure? Yes, but I should go to improve that; I should be very sorry to adopt the Act of another Colony without thoroughly ventilating it.
4569. Are you aware that the present Victorian Act had its origin in the results of a Commission that sat in Melbourne? I believe it had.
4570. *Mr. Newland.*] How long has the Prince Alfred Lodge been connected with the Druids of this Colony? I should think from memory about twelve years.
4571. Is there any special reason why the funds of that Lodge are so low? Yes, they have had a great deal of sickness.
4572. You have stated also that the funds are in a better position this year than formerly? Yes, better this year than last.
4573. From what cause has that been brought about? Not so many expenses and fewer funeral donations, and a large increase in numbers.

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4574. How have the expenses been curtailed? By our not having to purchase goods to such an extent as previously; we had a stock on hand.
4575. And would not that stock on hand be represented in your balance-sheets? No; I am sorry to say my predecessor, the secretary, did not take it into consideration.
4576. Have any Lodges left your Society since it was formed? Yes.
4577. How many? Two, I think.
4578. For what reason did they leave your District? Disagreement.
4579. Was there any special reason? Yes, they wanted an alteration in the regalia.
4580. Did they want to wear a more expensive regalia? They did.
4581. *Mr. Rubie.*] Are the printed scales of initiation fees in your Order acted upon? Yes.
4582. At the opening of new Lodges do you adopt half-fees? Yes, the rules provide for it.
4583. Then the printed scale of fees is not always stuck to? Except at the opening of new Lodges it is.
4584. Do your officers give security? Yes; at least I do, and I believe all Treasurers. It is provided in the rules that the Secretary and Treasurer both shall do so, but I should like to see the Guarantee Society introduced.
4585. I gather that you would be in favour of a similar Act to that enforced in Melbourne? Yes.
4586. And a graduated scale of benefits? Yes.
4587. Only funeral donations? Yes, that is all.
4588. Sick benefits would be the same? I was not asked as to them.
4589. And as to them? I think they should be graduated as well.
4590. Then you would have a standard payment? Yes.
4591. With the initiation fees graduated according to age? Decidedly.
4592. I also gather that you have had few disputes in your Order? Very few.
4593. Would you be in favour of a Court of Arbitration as a Court of final appeal; its members to consist of officers from various Friendly Societies? I have already answered Mr. Gelding to that effect.
4594. *Mr. Langley.*] You just stated you would make a scale of graduated sick payments? Yes.
4595. By age? No, by length of membership.
4596. Then may I ask how you would reconcile two cases of this kind: one, a man who has been in for twenty years and never drew sick pay; and another joining at eighteen, who had been thirteen months and over on the books of your Lodge, and had drawn sick pay every year up to the age of thirty? That would want a little calculation.
4597. How could it be fair to a party thirty-five years of age who had never drawn anything, that he should have less than one who joined at eighteen, and had drawn sick pay each year? I could not answer that without a calculation.
4598. Would it not be fairer to calculate what he has had? Certainly, that would have to be considered.
4599. You have stated that in your opinion your contributions are sufficient? Yes, to provide for the Sick and Funeral Funds—no other.
4600. But you stated afterwards that it was in connection with the power you had of making levies? Yes.
4601. Do you think it is a fair way of putting a statement before new members that your contributions are so much, without telling them that if your funds fail you will have to make special levies? When I have had the pleasure of addressing a meeting, that is one thing I have put before them.
4602. But do you not think it would be fairer to lay down a fixed sum to cover everything? No, I would rather have it on the present system.
4603. Then do you consider it is fair? I do.
4604. If this Act provides that you shall lay down a certain basis, and you make special levies outside that, do you not think the Act has been over-riden? No.
4605. Not if this Act provides for it? I do not think the Act does provide for it definitely.
4606. Does this Act allow you to do so? I do not think there is anything in the Act to prevent it.
4607. In any future Act do you not think it would be well that there should be laid down simply a few general rules, comprising what would cover the financial interests of members, leaving the details of the various Orders to be worked out by themselves? No, decidedly not.
4608. Then you would have the whole —? Under one Act. They should make rules for their own government, but have them under the Act.
4609. As far as the financial responsibilities of the Lodges towards their members are concerned, would that not be sufficient—leaving it to the different Orders to govern themselves by their own details? Yes, no doubt of it.
4610. Are you in favour or otherwise of the Government having a revising barrister to see that the financial engagements a Lodge takes upon itself are in accordance with the Friendly Societies Act? Oh yes, I think all the rules should go to a barrister before being registered.
4611. Are you of opinion that the Government should also provide an actuary, whose duty it should be to revise the returns of the various Lodges? I would go further, and say it should be done every year.
4612. Are you in favour of the returns of all your Lodges being attested by declaration or affidavit? Yes.
4613. Are you in favour of the whole of the returns of the various Orders being sent in through the governing body, or should the Lodges send in separate returns on their own responsibility? I consider they should go through the governing body.
4614. Do you not think it would be better in all cases that, whoever the Government Officer is, he should deal direct with the Grand Secretaries and Grand Officers, whatever they might be called, rather than that he should deal with the Lodge or individuals? I think all communications should pass through the Grand Secretary, to enable the Grand Lodge Officers to know how the Lodges are being conducted.
4615. I think you stated a little while ago that a Judge had decided in a case of yours that if your laws provided that after three months a member becomes unfinancial and has no claim on your funds, you had to pay them for twelve months? It was not in our case.
4616. But the inference I drew was that it took place in your case? No, we have never had a case of the kind come before the Courts.
4617. Then do you think if the parties, whoever they were, produced a copy of their rules, certified by the Registrar as in accordance with the Act, that would not debar any such decision? No, I do not. I think myself, and I tried hard when they were altered to have it struck out altogether.

- Mr. J. H. Davies. 4618. But in the face of a contract specially signed? Our laws provide that he shall not be expelled for twelve months.
- 6 Mar., 1882. 4619. But a man can be suspended without expelling him? Yes, at the end of three months.
4620. Do your laws expel him at the end of twelve months? Yes.
4621. You do not strike him off till then? No.
4622. In the case of your Lodge at Parramatta ———? The Ryde Lodge.
4623. Would you consider in a case of that kind that the laws of the present Friendly Societies Act were carried out properly, taking into consideration your registered rules? Decidedly not. I think the act of the Justices was wrong.
4624. *Mr. Holdsworth.*] The Druids, Mr. Davies, are a young Society, are they not? Yes, four or five years last January since the majority were brought into existence.
4625. Consequently your average on the balance-sheet would be less? Certainly.
4626. The financial healthiness of a Lodge would, I presume, depend materially on the age of the Lodge itself? It would.
4627. Have you ever met with a case where a Lodge has had more than an ordinary amount of sickness? I have.
4628. Has that exhausted the funds of the Lodge? It has.
4629. Would that account for the funds of your Order being so low? Yes, for one or two.
4630. Did I understand you to say you had the power of making a levy? Yes.
4631. You are in favour of the benefits being on a sliding scale, according to the time the parties have been members? Yes.
4632. Have you ever given any consideration to that subject? I have.
4633. Are you aware that from twenty to forty the average sickness is from four to five days per member per year? Something like that.
4634. From forty to fifty, seven to nine days? Yes.
4635. Fifty to seventy, twenty days? Yes.
4636. And over seventy, twelve weeks? Yes.
4637. Then do you think it just that when a man had started at twenty, and been in till he was seventy, that he should receive a larger amount? No, decidedly not.
4638. Would it not be so on a sliding scale? No, only for a certain time. We are a young Society and have not many old members, and it is not likely we shall have many for years to come. I do not suppose we have more than three members over fifty, and I do not think we have more than seven over forty-five.
4639. *Mr. Abigail.*] You state that your Society is a young Society, and that because they are young they have not a severe strain upon them? No, I did not say that; they have had very severe strains upon them.
4640. And yet the members are not aged? No.
4641. In your experience does the larger amount of sickness occur with young men? Yes, I think it does as a rule.
4642. I notice a paragraph in this report that the President examined you from, where you regret to state, from circumstances over which they had no control, a heavy strain was entailed on the Funeral Fund of the District amounting to £245—was that in consequence of young members dying? I could not say without my books.
4643. I observe in your rules that it is imperative on all branches to send balance-sheets to the District? Yes.
4644. For what purpose? For the District Auditors to audit.
4645. And they are audited as well by the subordinate Lodges? They have to be signed by the Auditors and Arch Druid.
4646. Do they find them tolerably correct? As a rule, yes.
4647. I also observe you make provision in your rules for the annual and quinquennial returns to be sent in to the Registrar? Yes.
4648. Do you send in quinquennial returns? We do.
4649. Who supplies the forms? We buy them at the Government Printing Office. I am, on second thoughts, not sure about the quinquennial returns.
4650. Are you in favour of a compulsory quinquennial return being rendered? Most decidedly.
4651. Your Society is what is known as a secret Society? The same as other Societies.
4652. If any Society, in the preface to its rules, has stated that secret Societies encourage crimes, does that apply to your Society? Decidedly not.
4653. You are not aware of any crimes being encouraged in connection with the Druids? I am not aware of anything of the kind.
4654. Do you think the association in Friendly Societies has improved the social and moral life of the members? No doubt of it, if a man acts up to his obligation.
4655. Do you think the fact of a man belonging to a Friendly Society cherishes a habit of self-reliance and promotes self-respect? It should do, but I am afraid it does not.
4656. Have you known any member of your Society to be the recipient of charity from the public Charities? Well, sometimes we send a member to the Infirmary.
4657. But I do not mean that? Well, no I do not; we should not allow it if we knew it.
4658. Are you in favour of Friendly Societies being empowered to build halls out of the funds subscribed for benefits? To a certain extent, yes.
4659. Without any consideration as to the amount they have in hand? I say to a certain extent; it all depends upon what they have in hand.
4660. What should they have before they spend any in that way? I think if they had a large surplus incidental fund they would be justified in thus investing it.
4661. Not out of any other fund? Decidedly not.
4662. Are you in favour of Lodges holding their meetings in public-houses? Decidedly not; I think it is the greatest curse that ever happened to a Society.
4663. Do you think it would be an advantage if the Government started a National Friendly Society? No, I do not.
4664. Have you known any cases of misappropriation of funds in connection with your Order? Not to any extent—not since we have been the United Ancient Order. 4665.

4665. Are there two Orders? In 1877 we assimilated our Order here with that in Melbourne, which was originally the Order of Druids. Our head office was supposed to be in London, and we had to pay a levy in England; but in 1877 we seceded from that and got a dispensation from Melbourne, though we are not responsible to them in any way.

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4666. Then there is no connection between you and any other body bearing your name outside the Colony? No, nothing at all.

4667. You are in no way connected with the Grand Lodge of England? No, not at all.

4668. Have you made any calculation to enable you to say what amount of funds a Society should have to make it fairly substantial? No, I have not; not yet.

4669. Do you think that the contingent liabilities increase with the age of a Society? Speaking in reference to Pioneer Lodge, I can say they have not increased.

4670. Can you tell us what the contingent liability of that Lodge, considering the amount you are likely to be indebted, and the benefits that have accrued to your members? I could not tell you.

4671. I understood you are in favour of Government actuarial supervision? I am.

4672. *President.*] Have you anything further to suggest to the Commission before you retire—any suggestion you think would be useful in future legislation? No, I do not think of anything.

4673. *Mr. Gelding.*] You have no connection whatever with the Grand Lodge in England? None whatever.

4674. *Mr. Langley.*] Is there in this Colony any Lodge connected with the Grand Lodge of England? None whatever.

The Commission then adjourned until Friday, 10 March.

FRIDAY, 10 MARCH, 1882.

Present:—

EDWARD GREVILLE, Esq., J.P., IN THE CHAIR.

JOHN GELDING, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. Arthur Walker was sworn and examined:—

4675. *Chairman.*] In what Friendly Society do you hold office? The Protestant Alliance, No. 1.

4676. And what office do you hold? President.

4677. Have you ever held office in any other Friendly Society? No.

4678. Are you a member of any other Friendly Society? No.

4679. Then the experience you can give us is that only of the Protestant Alliance Society? That is all.

4680. Have you studied the working of other Societies? I have, to a considerable extent, by their rule books, not from experience.

4681. How long have you been President of the Society, and how long a member? I am a member somewhere over nineteen years, I think.

4682. And President? This is my fourth year.

4683. Is this Society of which you are President the parent Society? It is the parent Society, but has no connection with the Protestant Alliance of Australasia.

4684. How many Lodges are working under you? Only the one.

4685. And what is the number of your members? 143 or 145 financial members.

4686. Can you give me the reason for your Society not amalgamating with the Protestant Alliance Friendly Society of Australasia when that Society was formed? There were difficulties in the way: which was, wanting the members to be examined by a doctor as well as their wives; and we objected to that and also to several of the rules. They wanted us to give up our title to No. 1, to which we refused to accede; and we also refused to be re-examined by a medical man; and we were in a sound financial position, and had no desire to amalgamate.

4687. If you had joined the Protestant Alliance Friendly Society, would it have involved increased contributions from your members? I think so, but am not in a position to say certainly.

4688. Can you speak of the financial position of your Lodge? I can; I have our Bank-books here with me. We have at the present time £1,419 16s., bearing interest in the Savings Bank. It bears 5 per cent. interest, and we received interest to the 1st January to the amount of £71 1s. 4d., making up that total. Then we have a Widow and Orphan Fund in connection with the Society; in connection with this there are twenty members paying 6d. a month; it gives from £5 to £15 on the death of a member, according to the number of years he has been in the Society. We have £195 13s. 1d. to the credit of that fund.

4689. Has the Society any liabilities beyond that of the widows' and orphans' claims? None whatever.

4690. What is the subscription? 1s. per week.

4691. Have you power to make a levy in addition to that if necessary? Our rules state that it shall not be less than 1s. a week, though I have power to increase it to any amount. There is a levy in case of death of 2s. on every member of the Society. If a member's wife dies I levy 1s. a member. These levies are only made in case of death.

4692. And is the effect of these levies to prevent the funds from diminution? Most decidedly, because we pay a large amount at the death of a member; we pay as high as £35; and we are now revising our rules, and are going to pay £40 when a member belongs to the Society for twenty years. That is not the law as yet, but it is in the hands of the Society.

4693. Then you are by degrees adopting a graduated scale? Just so.

4694. Am I to understand that your Society is becoming impressed with the advantage of a graduated scale? We have been impressed with that for many a day.

4695. Are you in favour of that? Most decidedly.

4696. Have you the arbitrary power of fixing the levy? No, it is fixed by rule.

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4697. Do your members ever complain about this levy being made while the funds are sufficient to meet the claims? Yes, some; that is the idea now that this Committee has been appointed about. Many of them complain about the matter, but I do not think we can do without it.
4698. Are you of opinion that your Society is thoroughly financial and can continue to be worked under the present rules, even when it has a longer experience and your members begin to get older? I think we can carry on and increase our funds for years; in fact the interest of our money will pay two deaths a year; last year was a severe one, and we had five deaths.
4699. Have you found the Friendly Societies Act at all prejudicial to your working? Not by any means.
4700. In the manner in which it is worked have you found any defect? No.
4701. Will you kindly mention the benefits that are given by your Society? Doctor and medicine for each member, his wife, and family, immediately on joining; after being twelve months a member, he is entitled to 1 guinea a week sick pay; if he is registered to the Funeral Fund, if his wife dies he is entitled to £15 after the last twelve months; if he dies himself, his widow or next of kin is entitled to a certain sum according to the rules.
4702. Is there anything sectarian in the Society? Yes, we admit none but Protestants.
4703. And can any member be deprived of any of the privileges set forth in the rules for anything else than misconduct? Certainly not.
4704. If a person joined your Society being a Protestant and afterwards changed his faith, would he become excluded from the benefits? That is a question that requires a great deal of consideration.
4705. Have you ever had such a case? No. We have had a case of a Roman Catholic joining, and we returned him his money when he said he had made a mistake.
4706. But the case I put of a Protestant becoming a Catholic, have you had such a case? No.
4707. Is such a case provided for by your rules? No; there is a declaration in which he states he is a Protestant.
4708. Do the rules say he must continue one? No; that is a question that would prove a very knotty one to decide.
4709. *Mr. Smith.*] How long has this Society been in existence? Since 1861.
4710. You have only been identified with it nineteen years? Yes.
4711. Have you had many members call off during that period? Yes, a good many.
4712. About what number? I could not say from remembrance.
4713. Would it average four or five per year? Last year we had five.
4714. Have you had many members go bad on your books during that period? Yes, a good many.
4715. And have they shut themselves out from benefits? We have expelled them, according to our rules.
4716. How many have you expelled—could you give us a rough idea? I think about nine last year; they had been standing over for five or six years.
4717. Could you furnish us with a return showing the number of members initiated since 1861; the number who have called off during that period; also, the number of persons who have been expelled for not complying with the rules? Yes; there have not been a great many.*
4718. You have never put the law into operation with respect to persons who have failed to pay contributions? No, we declined to do so.
4719. As that is an important matter, and one that has engaged the attention of the Commission considerably, what is your opinion respecting that portion of the Act? I think it would be as well not to carry it out.
4720. Then the Commission is to take it as your opinion that it would be unwise any such provision in any new law? I would prefer to let them leave if they wish, as the Society gains by it.
4721. Then you have found no difficulty under the present Act in administering the affairs of your Society? Not the least.
4722. You send returns to the Registrar? Annually.
4723. Of course you are aware of the fact that you are to send quinquennial returns? Yes.
4724. Have you ever complied with that? Yes, and we are now preparing one.
4725. The total amount of contribution paid by your members per week is —? One shilling per member.
4726. That, with the exception of levies, covers everything? Yes.
4727. The Widow and Orphan Fund—is that a compulsory Branch in connection with your Order? No.
4728. Each member joining your Order can join that fund if he feels so disposed? Yes, by paying a small entrance fee and 6d. per month.
4729. What are the officers paid in connection with your Society? The Financial Secretary £10 and Assistant £5.
4730. Are any other officers paid? The Treasurer, a nominal sum, to bring him under the operation of the Act.
4731. Then you have not had to go into Court with any of your members? Never a case has gone into Court according to my knowledge.
4732. *Mr. Holdsworth.*] You are in favour of a graduated scale, I think you said? No, you must have mistaken me. I understood it was the funeral payments and not contributions.
4733. Did I understand you to say that you advocated £40 after twenty years' membership? Yes.
4734. And if a member died within twenty years, you would pay him some sum? Certainly; after twelve months, £20.
4735. Have you made any calculation what it would take per week to pay £40 after twenty years? No, I have not.
4736. If I told you it would cost 6½d. a week, would you think it correct? I think we are in a position to pay it.
4737. Are you aware it would cost over 6d. a week to produce that sum? Very probably it may.
4738. Then do you think you would be justified? Certainly, while we can show this Bank balance.
4739. Do you consider that the rates should be submitted to an actuary? I think it would be a very good thing.
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* The Secretary writes that the number of members expelled is fourteen.—L.E.H., Secretary.

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4740. You said something about those who registered for the doctor; what do you pay for that? That is a mistake—it is the Funeral Fund.
4741. What do you pay for registering for the Funeral Fund? From eighteen to twenty-two, 2s. 6d. and 2s., and from that upwards up to forty, when a member pays 15s. and the wife 12s. 6d.
4742. Does the member pay anything else towards the Funeral Fund? A levy in case of death.
4743. Then that levy you consider enables you to give this high rate? Yes.
4744. *Mr. Langley.*] Have you any means of settling disputes between your members? Yes.
4745. In case of an appeal? It goes to an arbitration, five members to be appointed.
4746. If an appeal is lodged against the arbitrators? There is no appeal.
4747. Would you be in favour of a Board of Arbitration for all the Friendly Societies, or would you prefer that each Society should settle its own affairs within itself? I think it would be better for each Society to settle its own affairs.
4748. Do you not think from your own experience that there are times when the members of a Lodge may consider that they have been hardly treated, and would like to appeal to independent parties? Well, that is hard to say; I cannot answer for other people's opinions.
4749. No; but have you never known a case of the kind? Yes, we have had one.
4750. Are you in favour of giving members the power to appeal to the Civil Courts? I think not, both for the interests of themselves and of the Society it would be better to settle the matter in the Society.
4751. But as a final appeal, would you prefer a Board of Arbitrators rather than go to Court? Most decidedly I would, because they know the workings of Societies better than the Courts.
4752. You spoke a little ago about your members not wishing to undergo a medical examination; am I to understand that there is no examination? No; the question asked me was with regard to the matter of amalgamating with the Protestant Alliance of Australasia; and I said that we, being an old Society, considered we had no right to be re-examined by a medical man.
4753. *Mr. Rubie.*] Are your funds kept separate? No.
4754. The whole of the moneys are paid into one fund? Into one fund.
4755. Then you have no means of knowing exactly what may be credited to the Funeral Fund and the Sickness Fund? No, because the one payment is used for all purposes. The Widow and Orphan Fund is kept separate.
4756. You could not tell us what is taken from the General Fund besides the levies to pay the funeral donations? Am I to understand that you wish to know what amount is withdrawn from the General Fund of the Society to make up the amount of the death contribution?
4757. Have you made a calculation of the proportion? Yes, we levy 2s. on a member, which would be £14. Otherwise the fund is kept *in globo*.
4758. Would you ask your Secretary to give us the working expenses of your Society—what it has cost for salaries, postages, stamps, &c.? I have given that.
4759. But we want to know what has been paid to the doctor and other expenses; I suppose we will get that in the returns? Yes.
4760. Do your officers give security? There is only the one required to give it; that is the Treasurer.
4761. He gives security? He does not; I have tried to enforce it but without result.
4762. You have had no defalcations? Not that I am aware of.
4763. *Mr. Newland.*] I heard you call your Society the parent Society? Yes.
4764. What Branches have you? We have no Branches; it is the old Society. We never opened a Lodge, though our officers did assist a Society in Parramatta to open, but it was to be separate.
4765. I see you provide in your rules for the management of a Grand Lodge; have you a Grand Lodge? No, it was done in order that we might extend our borders; but it never was done.
4766. *Mr. Slade.*] Did you ever take the subject of a Superannuation Fund into consideration? Well yes, I have it now under revision, but all the officers put their faces against it.
4767. Are you of opinion that such a fund would be useful? I am sure of it.
4768. Have you found the present Act sufficient for your requirements? Yes, for ours.
4769. And has anything arisen during your practice that points to any radical defect requiring amendment at once in this Act? Not that I can speak about.
4770. Your practice of the Act has been sufficient? Yes, for us.
4771. *Mr. Gelding.*] What amount do you pay for chemist and doctor? £1 per annum to the doctor.
4772. What for accouchement fees? 1 guinea.
4773. Your Society is local? Yes.
4774. You have no Branches anywhere else? None.
4775. What provision do you make when members leave the locality and go far away, in reference to medical benefits and sick pay? If they go over 3 miles they can become country members by paying into the Society the amount less the chemist and doctor, receiving all other benefits.
4776. Did you ever exercise the power of raising the weekly contributions of a member? No.
4777. Never had occasion to do so? No.
4778. Do you bank all the moneys that are taken every Lodge night? No.
4779. What amount does the Treasurer generally hold in his hands? Well, supposing the doctor's bill were passed, if the Treasurer had sufficient money in his hands he would pay it.
4780. Then these two accounts do not properly represent the monetary value of your Society, as the Treasurer has money in hand? A few pounds he is supposed to hold—say £10.
4781. The Widow and Orphan Fund I see by the pass book is about stationary? Yes, there are very few members in connection with it? I do not think there are over twenty.
4782. Do you not think, considering the value of a Widow and Orphan Fund, that it should be imperative? You cannot make it imperative on young men joining who are not married.
4783. *Mr. Slade.*] Does that amount to the doctor cover the chemist? No, there is 8s. a year for that.
4784. *Mr. Gelding.*] In your opinion, is a purely local Lodge likely to be more healthy than if connected with those large Societies? Well I think so; of course it is not so convenient.
4785. You mean there are disadvantages attached to your Society on account of having no branches elsewhere? No; I do not think it is any disadvantage at all in a financial point of view. It may not be so convenient to members who move about from one point to another.

- Mr. A. Walker. 4786. I see you give money when children die? Yes.
 4787. What amounts are these? £3 under ten; under eighteen, £4.
 4788. Do they pay any contributions to insure this benefit over this shilling a week? None whatever.
 10 Mar., 1882. 4789. What entrance fee has to be paid to register these children? Nothing for the registration of children; only himself and wife.
 4790. *Chairman.*] Do you wish to supplement your evidence by any observations of your own? Not that I can think about. The only thing is, I may say that in our Society we use no regalia or anything of the kind.
 4791. *Mr. Gelding.*] What rent do you pay? 7s. 6d. a month.
 4792. You have never taken any steps to open any other Branches of your Society? No.

Mr. George Gibson sworn and examined:—

- Mr. G. Gibson. 4793. *Chairman.*] In what Friendly Society do you hold office? The Protestant Alliance Friendly Society of Australasia.
 10 Mar., 1882. 4794. How long have you been a member? Since its formation, ten years ago.
 4795. How many years have you held office, and what offices have you held? I hold office as Grand Master, my term of office will expire next Monday; as Deputy Grand Master I held office about six months; and Acting Grand Master while the Grand Master was suspended for a further six months.
 4796. And your present position is that of — ? Grand Master till next Monday.
 4797. Are you a member of any other Friendly Society? No; I am a member of a subordinate Lodge in connection with the Alliance, but not of any other Friendly Society.
 4798. Have you studied the subject of Friendly Societies independently of your own Order? I think I have.
 4799. What is the present number of members of the Protestant Alliance? About 3,000; the exact number could be told after the annual returns come in.
 4800. Is the Society increasing or decreasing in numbers? Increasing.
 4801. Would you kindly give the rates of payments for all your benefits? We have a contribution of 1s. a week, a levy from the Grand Council of 2s. a quarter for funeral members, and 6d. per quarter to the Incidental Fund.
 4802. Will you please give the benefits? The benefits are 21s. per week sick pay for six months; 15s. the second six months, and 5s. following; £15 at the death of a wife; £25 on the death of a member, and if he has been a member five years a further sum of £5, making a total sum of £30 after being a member of the Society for five years.
 4803. Have you under your rules power to make special levies? Yes.
 4804. Have you to resort to them? We have never had yet, except that by our rules it provides for a Lodge Relief Fund; and when that fund arrives at the sum of £250 the levies on its behalf shall cease. I may say it has exceeded that sum, and levies on its behalf have ceased; otherwise the levies were 1½d. extra. The purpose of the fund is to assist Lodges that cannot meet their own engagements.
 4805. Do you find for ordinary purposes that the rate of subscription as fixed is sufficient? No, certainly not; that is, the rate of ordinary subscription is not sufficient without being supplemented by levies. I do not believe any Society can manage without levies.
 4806. At their present rates of subscription? Not without levies.
 4807. Then in your opinion the rates of subscription of most of the Friendly Societies is below that which is justified by the benefits promised? Yes, that is my opinion.
 4808. And that they are only therefore enabled to keep the fulfilment of their promises by means of levies? Exactly so, or increased contributions.
 4809. Having the balance sheet before you, can you tell me the amount of invested funds belonging to the Society? There is the sum of £3,418 2s. 4d., exclusive of £279 invested in the Protestant Hall, and £240 19s. 7d. current account at the Bank of New South Wales.
 4810. And how are these funds invested? £1,516 17s. 10d. in the Post Office Savings Bank at 4 per cent.; fixed deposit in the Post Office Savings Bank, £1,121 8s.; Bank of New South Wales, £275 12s.; and Lodge Relief Fund, £263 4s. 11d.
 4811. What does it average per member? Well, this would average about £1 per member or a little over.
 4812. *Mr. Holdsworth.*] That is merely the Funeral Fund? The Funeral and Contingent Funds.
 4813. *Chairman.*] And in your opinion is that a sufficient average for such a Society? Well, of course I am not an actuary, but I think it is; we increase each year. We had to the credit of the Society last year £2,999 odd, and have increased to £3,418; and have formed a Grand Council in New Zealand and allowed them £133, so that there has been a good increase during the year.
 4814. Can any member other than a Protestant be admitted? No person other than a Protestant can be admitted into our Society.
 4815. At any other stage of his existence or alliance with your Society does the question of religion enter? Never; when he joins he is asked if he is a Protestant, and signs a declaration that he is a Protestant; and, as you are aware, if he has stated anything untrue he is liable to be expelled.
 4816. Suppose a member entering as a Protestant, afterwards joins some other sect, would he lose his privileges? Yes.
 4817. Is that provided in your rules? Yes.
 4818. Has such a case ever occurred? Never to my knowledge.
 4819. Would he if he changed his religion lose all the benefits of the Society? Such a case has never arisen.
 4820. But according to your rules? My impression is he would.
 4821. How many Lodges are there under your rules? I think about forty; of course the Secretary can tell you more.
 4822. And what power do you exercise over these Lodges? The power we exercise is that if any matter occurs which they are unable to settle they refer it to either the Executive or Grand Council.
 4823. Do you give any limits to their subscriptions? No.

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4824. Nor to their benefits? If at any time we find their funds are decreasing we instruct them to raise their levies.
4825. But do you allow them to start with a very low subscription if they think fit to do so? No; all Lodges are started with a shilling contribution and 2s. 6d. a quarter levy.
4826. Then you do assign a limit? Yes, we have a minimum.
4827. Do you favour a graduated scale in preference to a fixed? I certainly think a young man should not be charged so much as an old one; nor do I think a single man should be charged as much as a married man.
4828. Do you think that if the alterations indicated by you were made, it would tend to cause a large increase of members, of young men? I would not like to say that; but I think it could be tried, and that it would.
4829. Do you not think many young men are deterred from joining these Societies under the impression that they are made to pay for older members? Yes, I have heard such expressions.
4830. Do you approve of the present Act as it now exists? I approve of the Act in the main, but not of its administration.
4831. What fault have you to find with that? I do not think the Registrar is half strict enough; I think he should always impose the penalties provided by the Act for the non-forwarding of returns, but I do not think that he as Registrar has sufficient time at his disposal to look into these Societies.
4832. Do you think it would be advisable that there should be an actuary to examine the tables of the various Societies? Yes, and I think this Government should follow out what is done by the Victorian Government, and publish a tabulated statement of the results of each Society, so as to enable the public to judge which are going on properly and which not.
4833. Do you think the periodical returns should be made under oath the same as the Bank returns are? I do.
4834. Do you think that the Government should appoint some one to audit the accounts? Yes, I think the returns forwarded should be subject to audit.
4835. *Mr. Gelding.*] What is the cost of opening Branch Lodges in your Order? They pay on application £1 1s. for registering the Society.
4836. And the cost of books? About £6.
4837. And regalia? We never have it at the opening of Lodges. That is a matter which is optional with the Lodges; and many Lodges have no regalia, but where the officers have regalia the Lodges provide the same.
4838. Is it a general practice to admit all joining members at half-fees? Yes, half initiation fees.
4839. What is your opinion about that? I think it works very nicely; of course we stipulate that they shall not be over a certain age.
4840. Do you allow Lodges to revert to these half-fees again? Well, it has to be represented to the Committee of management.
4841. How often do you allow Lodges that privilege? Never more than twice after they have opened.
4842. What medical benefits do your members receive? Doctor and medicine for the member, his wife, and family under the age of eighteen years; and if a young man joins with a widowed mother it is allowed to her.
4843. Could you inform the Commission the average amount paid to the medical officer and chemist? In some Lodges it amounts to 16s. per annum, in others to £1, and in others to 28s.
4844. The 28s., I presume, is in the country districts? No, in the town.
4845. Do you not think that if a lot of the Friendly Societies were to amalgamate and get a dispensary up it would be a great advantage? I do indeed—I think it would be a grand idea, but it is the starting-point.
4846. What amount of sick pay do you give? A guinea a week the first six months.
4847. And funeral donation? £25 to a member and £15 for the wife; if he has been a member five years £30.
4848. Have you a Widow and Orphan Fund? No.
4849. Do the children get anything? No.
4850. Are you in favour of Societies keeping arbitration within their own limits, or of having a law to the effect that the differences shall be submitted to a Board of Arbitration composed of representatives of the different Friendly Societies of the Colony? I think it would be a good idea to have one member from each Society, to form a Board of Arbitrators.
4851. Do you think that there would be any difficulty in adopting the sliding scale in this country? I do not think there would be any difficulty.
4852. You think it unjust that young members should pay as much as old members? Certainly.
4853. You are aware that more than half-a-million members of Friendly Societies in Great Britain are under a sliding scale? I am not aware of it.
4854. You have not read of the operation of Societies in Great Britain at all perhaps? I have not.
4855. You cannot give the estimated value of the Lodge funds of your Society? About, yes; the amount at the end of the year from Lodges which had forwarded returns was £7,340 19s. 2d., making about £11,000.
4856. What would be the average per head? I could not say, but something over £3 per head.
4857. And do you think that is a good average for Societies to hold? I think it is a fair average; I do not think it is a good average.
4858. You stated that you thought if we were to follow in the steps of the Friendly Societies Act in Victoria we should be doing a great deal of good? No, I said I believed the Government should publish a tabulated statement as they do in Victoria, as to the position of each Society.
4859. Have you read the Government Statist's report in Victoria? I have glanced at it.
4860. Are you aware that he considers £9 or £10 a head average not more than sufficient? I read that such was his opinion.
4861. And that his intention was to make the Societies come up to that mark as near as possible? I believe so.
4862. Do you think it would be wise to follow in these steps, so as to make the Societies perfectly solvent? I believe they should be made perfectly solvent as far as practicable.

- Mr. G. Gibson. 4863. What is the value of the Protestant Hall at the present time? We have been offered £18,000.
 4864. What debt is on it? About £4,000.
 4865. What is the average income from it? I could not say.
 10 Mar., 1882. 4866. Does it pay interest on the amount invested? I think it does.
 4867. Are you in favour of separate Lodges building halls of their own, provided they have anything like decent funds at their command? I believe every Lodge should have a place of its own to meet in.
 4868. What is your opinion about meeting in public-houses? I think the law should step in to prevent it.
 4869. Yours is what is called a secret Society, is it not? Certainly not.
 4870. I mean no one can get in but your own members? Oh no; just the same as the Oddfellows.
 4871. You do not consider you carry on anything detrimental to peace and harmony or inimical to the laws of God? Our Society is conducted just the same as any other Friendly Society.
 4872. There is nothing immoral about your secrecy? No; we have no secrecy.
 4873. *Mr. Slade.*] In the Chairman's examination you stated that you served some period of the term as President in place of a suspended President? Yes.
 4874. Would you tell us the cause of his suspension? Drunkenness.
 4875. And did that suspended President take legal proceedings against your Grand Lodge? Certainly not; we took proceedings against him to recover possession of a collar held by him.
 4876. Have you a Superannuation Fund? No.
 4877. What is your opinion of such a fund? I believe it would be a wise thing to adopt.
 4878. Have many Branches of your Society dissolved or fallen off? No; I think about three.
 4879. Could you give the Commission an account of the causes of the breaking up? They were opened in districts where the population was migratory; those who remained took clearances into other Lodges.
 4880. Do you know anything of any defalcations in your Society? Yes.
 4881. Of what nature have they been? Embezzling money, to put it plain.
 4882. What positions did the parties hold? One was Secretary, but he returned the money and paid all expenses.
 4883. Any further cases? Yes, another was a Treasurer of subordinate Lodge, who returned the money. That is all that has come under my knowledge.
 4884. In these cases were the provisions of the Act sufficient to bring them to a reckoning? In one instance it was not, because the sum was larger than his bond.
 4885. *Mr. Rubie.*] What was the amount of the defalcation? £200 odd.
 4886. *Mr. Slade.*] What was his bond? Two sureties of £50 each.
 4887. Did you recover the amount of the bond or more? The full amount of the money he had embezzled.
 4888. Has the result of the admission of members at half-fees been that you have gained a larger percentage of old members than you otherwise would have done? No; the result has been that we have gained a larger number of young members.
 4889. Do you know of any cases in which your Branches have been unable to meet the claims upon them? Yes, in one.
 4890. To what extent? About £10, and that was occasioned by the miners' strike in the Southern District. We have a fund to assist Lodges which are unable to meet their engagements, as I before stated. I have given you the result of what was to the credit of the Grand Lodge this year, but am unable to give you the credit of subordinate Lodges because the returns are not in, and there were fourteen Lodges which did not have their returns in last year.
 4891. What became of the members left in that Lodge? They still continued their membership, and increased their levies in accordance with a suggestion.
 4892. What has been their career since? We have had no complaint whatever, and they are going on swimmingly. The money we give to Lodges is only a loan, which they have to repay.
 4893. Have your Lodges had to lower the rate of sick pay for a time? It has never occurred.
 4894. Not temporarily even? No, not even temporarily.
 4895. Has your Order any property except these shares in the Protestant Hall? No, not to my knowledge; the Branches may have.
 4896. Has any case come before you in which one of the Branches purchased any property which was afterwards the subject of litigation? There was no litigation about it, if you refer to the Lodge at Druitt Town.
 4897. You do not complain of the Act so much as its administration? No.
 4898. *Mr. Newland.*] If any of the members in your Lodges are not satisfied with the medical officer and get one who is not the medical officer of the Lodge, do you allow anything for it? No; but we give him the privilege of going to another Lodge and to another medical officer.
 4899. If you select a doctor who is not an allopath, would you recognize his claim to sick pay? We recognize none other than allopaths.
 4900. But according to the Medical Board of New South Wales a homœopath would not be on the list? Exactly so; we only recognize duly qualified medical practitioners.
 4901. *Mr. Rubie.*] Do officers of your Lodges give security? The Secretary and Treasurer do.
 4902. Then the gentleman whose defalcations were returned did not give security equal to the amount of money in his hands? Yes; by the rules he could only have £10 in his hands, but the Treasurer did not get the money from him, and hence it was left in his hands.
 4903. Then the other officers of the Lodge must have neglected their duty in not seeing that the Treasurer was paid over? No, that could be easily manipulated.
 4904. He was Grand Secretary, was he? Yes.
 4905. Then if I understand you aright, the Grand Council have simply to administer the levies received from the several Lodges as a Funeral Fund? No; they are placed to the credit of the Funeral Fund; and we have an Incidental Fund to which the Lodges contribute 6d. a quarter.
 4906. And have you found the Funeral Fund sufficient in all cases? Yes, it is increasing, having quadrupled itself during the last five years.
 4907. You are only a young Society? We have been established ten years.
 4908. *Mr. Langley.*] In case of future legislation, do you think it would be advantageous that the Act should lay down merely the financial basis upon which a Society should be formed, and leave it to the various Societies themselves to make their own rules for their own working? That is done now, and directions are given at the end as to what the rates should be.

Mr.
G. Gibson.
10 Mar., 1882

4909. There are a number of clauses in the present Act that are not carried out? Then that is the Registrar's fault for not seeing that they are.
4910. Do your trustees pay out all your money? We adopt a system which is, I think, a wise one. The Secretary produces an account to the Grand Master, and it is investigated and an order is signed for its payment, and a similar order goes to the Treasurer, so that he is doubly indemnified. Then he has to produce a receipt for the payment of the money. The same is done by subordinate Lodges.
4911. Does all the money of subordinate Lodges pass through the hands of trustees? All the money is placed to the credit of the trustees, and is paid by them.
4912. *Mr. Holdsworth.*] You were asked whether you considered the amount to the credit of your Society was sufficient; do you not consider that depends entirely upon the age of the Society? The amount I am giving you is exclusive of any liabilities, which are all paid.
4913. My question was whether, in considering whether a Society was sound or unsound with a certain amount of money at its credit, you must not take the age of the Society into consideration? Most certainly you must.
4914. Then you think a Society may with £3 per head to its credit be sounder than another with £7 or £8? Certainly; because they may have a large number of old members.
4915. And do you think 15 per cent. per annum increase of savings is good for a Society? I do.
4916. *Mr. Smith.*] Have you expelled many from your Order? There have been a good many, but I could not say how many.
4917. Could a return be got showing the number of persons expelled? Yes, that could be made out.
4918. Do many of your members leave the Society? No, because our rules provide that a member shall only owe 52s., and when he owes that he is expelled if he does not pay up.
4919. You are the first Society in the Colony that put the provision of the Act into operation in reference to suing for arrears? I believe not; there was an Order of Foresters that twenty years ago claimed that privilege; but it was lying dormant for twenty years until we took it up.
4920. You have had a number of cases of that character? No, we generally put it in a solicitor's hands before taking it to the District Court.
4921. Have you suffered defeat at the hands of persons whom you have sued? Never.
4922. You have not been mulcted in large expenses? No; we have a good solicitor who does not charge us much, a brother.
4923. Then you get law for nothing? No, because in every case we have had expenses given us by the Judge.
4924. From your experience in working your own Society and having to take these persons into a Court of law to recover, do you think it a wise provision? Certainly I do.
4925. And is it your opinion that in any fresh legislation that provision should be retained? Certainly.
4926. You think it is wise that all persons who fall into arrears should be summoned and made pay? I would not say indiscriminately, because there are many persons who join a Society and circumstances arise which render it desirable that they should leave the Society. You must trust the medical man a good deal.
4927. Then you would only put the law into operation where you had a young and healthy member leaving you? Not exactly.
4928. *Chairman.*] Have you any observations to make? In the English Friendly Societies Act it is provided that when the parent Society is registered, each subordinate Lodge is registered. We waited as a deputation on Mr. Oliver, holding the opinion that it was not necessary to register each separate Lodge. We argued the question with Mr. Oliver, and he said it was the practice of his office to charge each Lodge, no matter what Order they belonged to, a guinea for registering the rules. We can hardly see where the guinea comes in.
4929. *Mr. Gelding.*] Are not the Lodge rules distinct from the general governing rules of your body? No, not in our Society.
4930. *Mr. Rubie.*] Will you give us your balance-sheets? Yes, I am quite willing.
4931. And will you supply us with a dozen copies of your rules? Yes, with pleasure.

Mark Thomas Ronan sworn and examined:—

Mr.
M. T. Ronan.
10 Mar., 1882.

4932. *Mr. Langley.*] Were you one of the special auditors who audited the accounts of the Australian Holy Catholic Guild in 1876? Yes.
4933. In this balance-sheet, in order to make the accounts balance there is a sum of £1,495 1s. 4d. put in as a loss; can you give the Commission any information as to how it arose? That is the June balance-sheet, previous to the one I audited; I had nothing to do with it.
4934. Can you explain how that loss in the December balance-sheet arose? Well, I could scarcely think of the particulars now, it is a few years back, and not being thoroughly prepared for this—
4935. Do you think it was a clerical error? I think not.
4936. Then to the best of your recollection you found there was a loss of that amount? There has been a loss, no doubt.
4937. Do you remember whether you attended the meeting at which that balance-sheet was produced and adopted? Yes.
4938. Was any exception taken, do you remember, to that item, or any alteration made in the balance-sheet after you submitted it? No, not that I am aware of now.
4939. But you are not in a position now to state how it arose? No.
4940. *Mr. Holdsworth.*] Will you compare these figures, £6,967 11s. 1d., in the December balance-sheet, with the balance as set forth in the June, and tell whether it was possible you could have substituted in your balance-sheet these figures in lieu of £5,480 4s.; is it possible you carried the total forward instead of the balance? I may say that this amount of £5,480 4s., the amount set down— I cannot give an explanation, not thoroughly, because we have actually explained it in the report.
4941. You know nothing about it then? No.
4942. *Mr. Rubie.*] But you believe there was a deficit of £1,400? I could not say that.
4943. Was it satisfactorily explained to you by the officers of the Society that there was a deficit? Yes.
4944. *Mr. Slade.*] When you prepared your report, to the best of your judgment it was correct? Yes.

The Commission then adjourned until Monday, 13 March.

MONDAY,

MONDAY, 13 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

Mr. John Francis M'Donall sworn and examined:—

Mr. J. F.
M'Donall
13 Mar., 1882

4945. *President.*] What Society are you a member of? The Holy Catholic Guild of St. Mary and St. Joseph.
4946. What office do you hold? None at present.
4947. What have you held? Warden for three years.
4948. How long have you been a member of the Guild? I think about five years.
4949. Have you held any other office? No other than Councillor, which you have to occupy six months to qualify you for the other.
4950. Are you a member of the Guild now? Yes.
4951. How is the Society managed in your opinion? Well, before I retired from office I drafted a code of new rules, with the object of having the Districts governed by separate Councils of their own, having distinct officers, and a governing body something on the principle of the Oddfellows.
4952. These rules have not been adopted? No, they have not.
4953. The funds of the Society are in one General Fund? Yes.
4954. All the levies go into one fund? Yes.
4955. And all the charges, cost of management—? All go from one fund, although according to the rules they are supposed to be kept separate.
4956. Do you approve of that system of management? No, I do not.
4957. The amount of contributions by each member is—? 1s. 2d. a week.
4958. Members who have been five years and upwards on the books receive at death, I believe, £40? The highest sum is £40; £20 from the Widow and Orphan Fund, and £20 from the Mortuary.
4959. And a guinea a week sick pay? Yes, for twelve months.
4960. And £10 or £15 in case of the death of the wife? Yes.
4961. And doctor and medical attendance the same as all other Societies? Yes.
4962. And are you of opinion that 14d. a week is sufficient to insure the members of the Society payment of these sums? I do not think it.
4963. You are of opinion that the sum is not sufficient to insure due payment of the amount of money that will be due on the death of the husbands? I think not.
4964. You have a uniform contribution in all the Branches of the Society, have you not? Those in the country have nothing to do with us.
4965. I mean in the Sydney District? Yes.
4966. And a graduated scale of initiation fees? Yes.
4967. Do you approve of a uniform scale of contribution? I have often taken exception to the small amount of the entrance money.
4968. I am speaking of contributions? That would all depend; I think there should be a gradation according to age.
4969. And you would favour that? Yes.
4970. Do you as a matter of opinion believe your Society, as at present in Sydney, is on a sound financial basis? I can hardly say that; it may be, I have had little to do with the finances of the Society; but lately there has been a great drain on the funds in consequence of old members dying off.
4971. Do you know the total amount of assets? I think it is between £6,000 and £7,000.
4972. That is, with the hall? Yes, and in cash.
4973. The cash is a small sum? Yes.
4974. And do you know the total number of members? I think between 800 and 1,000.
4975. During the time you were in office, do you remember some defalcations taking place? No, it was previous to my taking office.
4976. Do you remember the circumstances? No, I was not a member then.
4977. And they were settled previously to your taking office? Yes.
4978. And you can tell us nothing about them? No.
4979. On the balance-sheet that showed a loss of £1,400? No; I tried to obtain a number of reports preceding my time, but they could not be obtained—the books were not forthcoming.
4980. And you found a difficulty in getting what you sought for? I could not get it at all.
4981. And it was not properly managed? I believe not, for a number of years—not subsequent to Mr. Rubie leaving office.
4982. During the term of your office did you find any inconvenience in the working of the Friendly Societies Act? Yes, there is one, and that is the great delay there is in getting the rules passed. They have not only to pass the Council but the general body, and then to the Archbishop, who is the Patron, previous to being sent on to the Registrar; this necessitates great delay.
4983. But that does not apply to the Act, but to your own arrangements? No, simply to our own rules.
4984. But as far as the Act itself is concerned, do you know of any inconvenience? No, I have never found any.
4985. As a matter of opinion, do you believe the present Act affords sufficient security to members of Friendly Societies? Well, if we take the decisions of the Courts in reference to suing for arrears, I do not think so.
4986. You do not approve of that? No, I think a man should be cut off if he is in arrears for thirteen or fourteen weeks. I think when a man's time is up, if he fails to comply, he should cease to be a member.
4987. But are not members entitled to receive funeral donation in case of death if fourteen weeks in arrears in your Society? No, if a member dies, and is fourteen weeks in arrears, there is no money payable to him.
- 4988.

Mr. J. F.
McDonall.

13 Mar., 1882.

4988. And the same with his wife? Of course.
4989. You are sure of that? As far as my action as Warden is concerned, in cases where a man has died, and has been out of compliance, we have generally made a subscription for the widow, as the funds could not be touched.
4990. The Society's obligation ceases after fourteen weeks in arrears? Yes.
4991. And you are of opinion that any members over twelve months in arrears should be expelled? Yes.
4992. And you would not be in favour of that provision which provides for the suing of members? No, I would not.
4993. Is there anything you could suggest that you think would be an advantage that might be embodied in new legislation? No, I have not given any consideration to it at all.
4994. Of course we have heard from other witnesses how you settle your matters in dispute, and there is no use in going through it again; but if you have anything to suggest, if you will write it and send it to the Secretary it will be appended to your evidence? Yes, thank you; I have noticed placards for opening Lodges at a low premium—on terms under which I think they cannot last more than a few years.
4995. *Mr. Gelding.*] Have you studied the question of Friendly Societies? No, I cannot say I have.
4996. You have never entered into the question of the Friendly Societies Act? I have not.
4997. You are still a member of the Guild, are you not? Yes.
4998. Would you be in favour of the Government appointing a permanent officer specially to attend to matters relating to Friendly Societies in this Colony; do you believe that Mr. Oliver, considering the positions that he holds, can possibly give the attention that is needful to the Societies? That is a matter I could hardly answer, because I do not know what his duties are; and he and his clerk have always been attentive to us.
4999. You got your rules certified to without objection? I believe when the present rules were going through, exception was taken by the Registrar.
5000. He never took any exception to the amounts? No.
5001. Are you in favour of a provision, in any future legislation, that all Societies should have their affairs submitted to actuarial experiences in future legislation? I think it would be advisable.
5002. You believe that the present system of certifying to anything the Registrar may have brought before him is not what it should be—that is, if a Society offers £100 for funeral donation; you think these things should be looked into? I think so, yes.
5003. Have you formed any idea at all what the minimum contribution should be? 15d., I believe, is the least.
5004. You think that would be sufficient to insure £20 at the death of a member, and £10 or £15 at the death of a wife, and also a sum of money for the widow when the husband dies? Provided you had a gradation according to age.
5005. Then you are of opinion that a sliding scale would be the best thing? I think so.
5006. It is an important point this; I presume you are aware that this scale is carried out in Great Britain in Friendly Societies? No, I am not.
5007. But you believe it would be judicious to have it carried out here? Yes.
5008. You think it is not right that a young man of eighteen should pay as much as a man entering between thirty and forty? That is my opinion.
5009. Do you think it advisable to all members who may be dissatisfied to have recourse to law? I think not; I think they should submit the matter to arbitrators—that is the case in the Guilds.
5010. What is your opinion in reference to the question of going outside each particular Friendly Society—that is, of having a Board of Arbitration consisting of members of all the Friendly Societies to arbitrate; would you prefer that, or that each Friendly Society should have its own Board? I think it would be better that each Society should have its own Board.
5011. You said just now that you thought this opening of Lodges on half-fees was injurious? I think so; not just then, but in the course of a few years, when members begin to die off.
5012. I believe your Society has had very heavy drains upon it? Yes, for the last four years.
5013. And there is every probability, considering the great influx of population, that that drain will continue to increase instead of decrease? I could not say that; there are a lot of young members coming in, and the drain could not continue very long.
5014. Are not other members gradually getting old? Yes; I am speaking of the time I was in office.
5015. You had an extra quantity of old members? Yes.
5016. You do not attribute it to the small-pox epidemic? No; it has been a breaking up of the system in the old members.
5017. Your funds have been all put into one general affair, have they not? Yes, contrary to the rules; but it was impossible to alter it.
5018. How did the impossibility come about? There was no possible way of seeing what belonged to each fund.
5019. And did the Registrar certify to your rules knowing you were committing a breach of the law? I could not say; they were certified to before I came into office.
5020. *Mr. Slade.*] Have you found any difficulty in administering your Society under the present Act? No, I cannot say that I have.
5021. Have any wants in the Act been ever brought before you palpably? No.
5022. In your experience have you had any evidence that the present Act is insufficient? I have not read the Act through, and could not say that I would recommend any alteration of the Act in any particular way. I have had more to do with the rules of the Society, without referring to anything outside.
5023. Then so far as your experience goes, have you any reason to object to the present Act? I have not, because I have not read it through.
5024. Have any cases occurred by which you have been led to believe that it is not sufficient? I know of nothing, except that under the Act men have been summoned and compelled to pay after twelve months.
5025. Have you any other objection than that it grants power to sue for arrears of contributions? And that it allows the starting of Societies on a very low scale.

Mr. J. F.
Mr. Dohall,
13 Mar., 1882.

5026. Then you consider that any new legislation should provide an arbitrary scale of initiation fees That might be met by the Act requiring an actuary to certify to the tables before they become law.

5027. Are you of opinion that a Superannuation or Pension Fund would be valuable? I have not considered that matter.

5028. I mean a fund to relieve the Society from old members from going on the funds occasionally, and providing them a pension as long as they live? I have never given that consideration.

5029. *Mr. Rubie.*] About what time were the funds amalgamated? I could not say; it was before I went into office.

5030. Is the ledger account kept now? I could not say; I had the system altered when I went into office.

5031. Then how are the general funds of the Guild ascertained if there is no ledger account? I do not know, unless it is kept in one large book. When I went into office there was an account opened with every member.

5032. Have you any idea how many members there are in connection with the Society in Sydney? I think there are between 800 and 1,000.

5033. And according to your last balance-sheet you have only a small sum in hand? I was not there, and do not know.

5034. So that in reality the whole of the funds are invested in the hall? Principally in the hall. A little while back I caused £1,000 to be paid off the mortgage so as to reduce the interest.

5035. Have you any idea what the hall is valued at? I cannot say from memory—£5,000 or £6,000, I think.

5036. But its present value in the market? I could not say; no doubt it has increased in value.

5037. You have frequently had lawsuits of late? Yes, we had one case in connection with a Branch at St. Leonards; there was another that I know nothing about.

5038. Was this rule of arbitration enforced when this St. Leonards affair was taken into Court? Yes it was, I believe, referred to arbitration.

5039. Are you certain of that, because it has been sworn to the contrary? I know that a case in connection with St. Leonards was referred to arbitration.

5040. The case of the Branch itself—was that referred to arbitration? I could not say. There was one case in which we went into the District Court with a member of the late District of St. Leonards, who sued the District here for money to be paid into a Branch at St. Leonards that we did not recognize. They proposed arbitration about that, but as we did not recognize the Branch we refused. Permission was given to establish a Branch at Lane Cove, but instead of its being started at Lane Cove it was started at St. Leonards, where a District already existed; and then when we found it was started there and met in the same room, we refused to recognize it. A brother then applied for a transfer from the North Shore Branch to it, and we opposed it and declined to submit to arbitration, and they went to law about it.

5041. *Mr. Langley.*] Does your Constitution not state that disputes of the kind shall be referred to arbitration? Yes.

5042. Does it give the option to the governing body to say that it shall not go to arbitration? I think so. This is the rule:—"If any dispute shall arise between the Society and any of its members, or any person or persons claiming through or under any member under the rules of the Society, or the securities, administrators, nominees or assigns of any member, and the Council, or any councillor, or any officer, or any member of the Guild, such dispute shall be referred to and decided by arbitration."

5043. Then, may I ask you, taking that as a basis, do you consider that refusing to allow a brother the right of arbitration, and then going into Court and pleading that it was not arbitrated upon, is treating the member fairly? Yes; because this member who appealed had already joined the other Society and was not a member of ours.

5044. Is it a fact that the whole of the members applied to be transferred to the other Branch which you had illegally opened there? They did apply by letter.

5045. And though the room of a Branch Society was close to them, they were refused the right, and were still held to be members of a Branch on this side of the water? Yes, country members; they paid less.

5046. Now, as a matter of fact, looking at this as a mere Benefit Society, do you think this was fair? I do.

5047. To compel members against their wish to belong to their own locality? They already had a District, a Branch there, and were represented in the Council by two officers.

5048. There was a Branch which applied for establishment at Lane Cove, where I believe there is no room they could meet in, and there was a St. Leonards Branch; was the Lane Cove Branch properly organized when they applied to join? We did not know; we never recognized it.

5049. Was it properly established? I could not say.

5050. Did they obtain from the governing body a right to open? Yes, at Lane Cove.

5051. Then they must have been properly organized? No; as far as we were concerned it was not thoroughly organized; they applied to establish a Branch at Lane Cove, but they failed to do that. It was a move to get the funds into a Branch to be worked by one or two individuals.

5052. If the parties who had the working of the Society allowed the funds, in direct contravention of the Act, to be placed in one General Fund, do you think that the Act has been properly administered? I do not think so, because if the Act directs that the funds should be administered in a certain way and they are not so administered, it is not being properly carried out.

5053. You spoke about half-fees at entering. If a Society which charges 1d. or 2d. more than the Guild pay, allow, on the first night of opening a new Lodge, the admission of a certain number of members at half-fees, do you think that can be as detrimental as the rate of contribution? Yes, I think it would be objectionable, for you might induce persons to go in at a certain age when their age is much older.

5054. But if falsification is to take place, is there anything that will prevent any Society, no matter what its charges are, from being victimized? I know, of course, if they make false declarations they are liable to be expelled at once in our Society. I think half-fees are a mistake, as they will prevent a Society's funds from meeting the demands.

5055. But how will that affect members who are protected otherwise? If they have not got the funds they cannot find the money.

5056. 14d. is your scale? Yes.

5057.

5057. Then if a Society compels all its members to pay 15d. and allows thirty or forty members to join at half-fees, which do you think at the end of seven years would be in the best position? I am not prepared to say.

Mr. J. F. M'Donnell,
13 Mar., 1882.

5058. *Mr. Holdsworth.*] You believe that opening new Lodges on half initiation fees offers a premium for fraud? I would not go so far as to say that; but where a new Society is being formed the inducement is held out to bring persons in, and in five or ten years the results are seen.

5059. *Mr. Smith.*] You have 1,000 members? From 800 to 1,000.

5060. You have a fund of £351 14s., representing some 7s. 1d. per head? Yes.

5061. Do you think it possible for a Society to exist under such circumstances? Not unless the receipts are very heavy, as they are in the Guild.

5062. *President.*] You have nothing further to add? Nothing further to add.

John Felix M'Crory sworn and examined :—

5063. *President.*] What Society do you represent? The Hibernian Society.

Mr. J. F. M'Crory.
13 Mar., 1882.

5064. How long has that been in existence in New South Wales? I think about nine years.

5065. What office do you hold? That of District Secretary at present.

5066. How long have you held that office? About twelve months we were working as a Board of Management and subsequently as a District Board.

5067. Have you previously held any other office? I went through the inferior offices in my own Branch.

5068. And how long have you been a member? Since about 1876.

5069. How many Lodges have you in the District? Nine.

5070. What is the total number of members? About 425 financial members.

5071. What is the total amount of accrued funds for the nine Lodges? Two of them are only in existence two months—the others for some years.

5072. What is the total value of the funds and securities? Well, on the average for seven Branches it is £250 each Branch.

5073. You have no return to show the total amount of funds? No, not with me.

5074. Can you furnish the Commission with a balance-sheet showing this? Yes.

5075. Will you kindly do so? Yes, that is, the December returns. I have not the annual returns, as I have not seen them; they send them to the Registrar.

5076. You have not received them? I have received three.

5077. Will you on receipt of them kindly furnish the Commission with them? Yes, as soon as I get them.

5078. Can you tell the Commission what is the amount of contributions paid by your members? A shilling a week and a shilling quarterly levy; 7d. goes to the District, and 5d. is retained by each Branch. The District holds 6d. and sends 1d. per member to the head in Melbourne.

5079. It is a sort of per capita tax? Yes.

5080. And what are the benefits your members enjoy for the payment of these sums? On being in a Lodge six months they get a pound a week sick pay, £20 on the death of the husband, and £12 on the death of the wife.

5081. Medical attendance? Yes, and medicines.

5082. For members and wives? Yes, and families—all under age.

5083. Where do you hold your meetings? The District meetings in St. Benedict's schoolroom.

5084. And the Branch meetings? At the various schoolrooms in connection with the Branches.

5085. Then your District embraces the whole Colony? No, there are other Branches which are separate, at Cootamundra, Wagga, and Albury.

5086. You have no control over these? No. This is the annual report of the Executive in Victoria. (*Report produced.*)

5087. Can you tell me what has been the cost of management of the Society during the past year? No, that I could not.

5088. What has been the cost of management of the District? I could not say exactly, but I could supply it hereafter. (*Reports of proceedings, March, 8, 1881, August 5 and 9, 1881, and February 3, 1881, put in.*)

5089. That is the total value of the District? Yes.

5090. Do you spend as much money as £198 in regalia? That is the head office.

5091. The Grand Lodge in Melbourne? Yes.

5092. Your Society is not registered under the New South Wales Friendly Societies Act? Yes.

5093. Your rules do not say so? They have been out of print, and these are the new rules just received from Melbourne.

5094. Are they the same as these? There is very little alteration.

5095. Your rules have been registered? Yes, the District has been registered; if necessary I can produce a copy of the registration.

5096. Your District is a Branch of the Grand Lodge of Victoria? It is formed by each Branch electing deputies.

5097. What connection have you with Victoria? Only by sending them the quarterage and sending a delegate to the annual meeting.

5098. That is the Grand Lodge meeting? Yes.

5099. And though your Society is governed by rules of this kind, you say they are registered? Yes.

5100. Do you believe the Registrar will register rules that have been registered by the Victorian Registrar? He has done so.

5101. You say they have been submitted for registration? They have to be approved by the District.

5102. And then they will be sent to the Registrar? Yes.

5103. What position does a member of your Society who is over thirteen weeks in arrears stand in? He is suspended from benefits.

5104. In case of death? In that case the claim has always been paid up to twelve months.

5105. Or the wife's death? I could not say about that; we have only had one case to my knowledge.

5106. And if a member is twelve months in arrears? He is then sent a note by the Secretary, and if the money is not paid legal proceedings are sometimes taken. 5107.

- Mr. J. F. M'Crory. 5107. Do you erase his name? No, I never did so.
5108. Have you ever taken proceedings to recover? St. Joseph's Branch did.
5109. With what result? They got four or five years' contributions.
- 13 Mar., 1882. 5110. Do you approve of that? No, I do not.
5111. Do you think it would be better to remove the name of a member? Yes, that is my opinion.
5112. You prefer that to the course of taking legal proceedings? Yes.
5113. Could you tell the Commission what is the total amount of money paid on account of funeral donations during last year and the year before? I can tell you what was paid by the District, but not what was paid before.
5114. Does the District pay the funeral donations? Yes, a levy being made of 1s. 6d. per quarter and 2s. 6d. as an initiation fee.
5115. What was the amount paid last year by the District? £60.
5116. That embraces all the Lodges you speak of? Yes.
5117. What amount was paid on account of sick pay during that time? That I cannot say.
5118. Can you tell me what was paid for medical attendance? The rate I can.
5119. But I want the total? No, the balance-sheets of the different Branches will tell you that.
5120. Can you tell the gross receipts for the year? No.
5121. You cannot tell the gross expenditure? Not from the Branches I cannot.
5122. Will you kindly furnish that to the Commission? I will furnish the balance-sheets to the Commission.
5123. When will you be in a position to furnish the information? By next Monday.
5124. What do you get from the Victorian Society for this capitation payment? It is only an interchange of membership—that is all.
5125. They take your members on the same terms and conditions? Yes.
5126. And for that you pay this capitation allowance? Yes.
5127. How have you found that to work? Splendidly; only yesterday I got a note from the Adelaide Secretary in reference to a gentleman coming over here, who is placed on the doctor's and chemist's list while here.
5128. Have you ever been a member of any other Society? Never.
5129. And during the time you have been an office-bearer of the Hibernian Society, have you found the Friendly Societies Act of New South Wales afford you and the members all the security you believe members of Friendly Societies should have? No, I do not think it is rigid enough—it does not give enough power to officers of Branches.
5130. What powers do you think they ought to possess? Well, in reference to Treasurers, I do not think it is rigid enough on Treasurers of Branches—they could almost do as they liked.
5131. Do you take a bond from your Treasurer? Yes.
5132. Of what amount? £100, and £50 from Secretaries.
5133. Have you Trustees? Yes.
5134. And do you take a bond from them? No.
5135. How are your funds invested? The balance-sheets of the Branches will tell you how their funds are invested. The District Funds are not invested, as they have not sufficient to invest at the present time. The Funeral Fund is £280 19s. 10d. Then we have money owing us by the Executive, which the Branches sent them as funeral money before we came into existence.
5136. And are all the subordinate Lodges entitled to funeral donation? Yes, all sending us the quarterage.
5137. And do they all conform to that regulation? Yes.
5138. The total amount paid is £60 for last year? Yes.
5139. And do you believe the Society to be in a good financial position? Yes, I believe it to be in a flourishing state.
5140. In a position to meet its financial obligations? Yes.
5141. And well managed? Yes. The cost of management is very small indeed; the highest salaries any of the Branch Secretaries get is £12 a year, and I, as District Secretary, get £15.
5142. Have you had any defalcations? Yes, we had one last October.
5143. Much? £22 11s. 4d.; it was a return sent in by St. Benedict's Branch; the return came in correct for March, and in June the Auditors found the Treasurer owed this amount, and he denied it. He refused to pay, and it was brought before the District Court and referred to arbitration; an appeal was made to the Supreme Court, and a verdict again given for us.
5144. That is the only defalcation you know of? Yes.
5145. And he has paid the amount? No, he has called a meeting of his creditors.
5146. What method have you of dealing with matters of dispute in your Lodges? If a dispute arises it is referred to a judicial Committee, and if their decision is unsatisfactory it is referred to the District officers, and then it can go to the quarterly meeting, and to the annual meeting, and to the Executive Directory, and then to the annual meeting of the Grand Lodge.
5147. And how do you find that work? Very well; by the new rules the officers of the Branch will try the matter first; there is a deposit of 10s.
5148. That is a guarantee that it is not a frivolous case? Yes, and if it is found so it is forfeited to the credit of the Branch Fund.
5149. What amount do you pay your medical man? 4s. a quarter, and 2s. to the chemist; that is, for the city Branches; Petersham and Burwood, 6s. 6d. for medical attendance and medicine; St. Benedict's 3s. 6d. medical attendance, 1s. 6d. medicine; Sacred Heart, 4s. medical attendance, and 2s. medicine.
5150. Is there anything you could suggest to the Commission that you think might be of service in any future legislation? Well, there are a few things, but I am not prepared just now to explain them, but will do so at the next meeting.
5151. Mr. Rubie.] You say you pay 6d. to the management? 7d.—that is per quarter; 6d. goes to the District, and 1d. to Melbourne.
5152. But what are the expenses of the District? Salaries, and all incidental expenses.
5153. And 6d. a quarter pays that? Yes.
5154. Mr. Newland.] I see in rule 2 the place of business is named as 170, Clarendon-street, Emerald Hill? That is the place of business of the Grand Lodge or Executive Directory.

5155. *Mr. Slade.*] Could you tell us what is the cost of regalia? A set of Branch officers' £11 3s.; Warden and Guardian, £2 2s. 6d.; members' collars, from 14s. 6d. to £1 10s. each. Of course it is not compulsory for a member to buy that regalia.
5156. How much does a set of District regalia cost? £12 12s. for four officers.
5157. All this, except members' regalia, is compulsory? The Branch regalia and District regalia are compulsory.
5158. And the only option is with members' individual regalia? Yes.
5159. Does this come from any special fund, or out of the general management expense? From the funds of the Society.
5160. Could you give the Commission an idea of the cost of opening a Branch in other respects? The opening of St. Mary's Branch at Burwood cost 17s. 6d.
5161. And what would be the value of books? A set of Branch books is £2 10s.
5162. What other expenses are there necessary? Doctor's inquiry fees and general forms.
5163. What is the cost of the stationery? Between £6 and £7, including books and everything.
5164. *Mr. Gelding.*] Have you a Widow and Orphan Fund? No.
5165. Who pays the delegates' expenses to Melbourne and back? The District.
5166. In Sydney? Yes, those of its own delegate.
5167. You say you pay a capita tax of 1d. per head for having reciprocity of clearances? Yes.
5168. Have you not clearances come from Melbourne here? Yes.
5169. Should not you have a capita tax from them also then? No, because we have Districts in Melbourne. It is that penny which keeps up the Grand Lodge; and the Districts in Melbourne have to pay it as well as us.
5170. Do you think it is right, considering that each Colony has its separate government, that a Society in New South Wales should be under the government of a Society in Victoria? It is not so—the government is here.
5171. How can that be, considering you have rules from there, and pay a capita tax? No, we have a voice just as much as others.
5172. Are you not of opinion that your Society would be better managed if you had the Executive in your own hands than in being connected with Victoria? I am.
5173. There is an entry here "Loan to Incidental Fund, £109 16s. 1d.," from the Funeral Fund; what is that for? It was money held in trust by the Executive Directory on behalf of the Orange and Bathurst Branches, and when we wrote at different times they would not give it us, but they took it out in regalia.
5174. Have you to apply to Victoria for dispensations to open Branch Lodges in New South Wales? Yes.
5175. And unless your rules are agreeable to the Melbourne Branch I presume they would not sanction them? If we want to propose a new rule here, we have first to submit it to Melbourne before submitting it to the Registrar here.
5176. I see there is a slight item over £4 per member; do you think that represents solvency on the part of the Society? My opinion is that it is perfectly sound.
5177. Have you had many members die during the last year or two? Only £60 has been paid away.
5178. Does your Society consist of many aged members? I do not think so; all the old ones seem to have gone off the hooks; it is mainly composed of young members now.
5179. *Mr. Slade.*] Can you give us information as to the amount of money spent in testimonials to deserving officers according to rule 30? It comes out of the members' pockets, and not out of the funds of the Lodge.

The Commission then adjourned until Friday, 17 March.

FRIDAY, 17 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,
W. E. LANGLEY, Esq.

The witnesses summoned for attendance did not answer to their names.

The Commission adjourned until Monday, 20 March.

MONDAY, 20 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,
W. E. LANGLEY, Esq.

The examination of Mr. J. F. M'Crory was resumed:—

5180. *President.*] Have you the balance-sheets? As far as I could get them. (*Reports produced.*)
5181. What have you got? For twelve months, from six Branches.
5182. These are quarterly returns? These are quarterly.
5183. Have you any annual returns? No; the December balance-sheet is there, showing the capital of each Branch.
5184. What was the number of members in the St. Thomas, Petersham, Lodge, on 31 December last? Forty-three.
5185. What was the total value of the funds? £89 2s. 5d.

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5186.

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5186. How long had the Lodge been in existence? Between three and four years.
5187. What amount was paid for funeral donation? Nothing from the Branch; the District paid nothing on account of the Branch.
5188. What has been paid on account of sick pay? £13 11s.
5189. What has been paid on account of medical attendance and medicines? £53 12s.
5190. What were the total receipts for the year from all sources? £107 17s 6d.
5191. What is the average age of the members? Well, the oldest member in the Lodge is about thirty-six, and the youngest eighteen.
5192. That would make a good average in favour of the Lodge? Yes.
5193. You consider the Lodge well managed? Yes.
5194. Do you consider that Lodge in particular on a good financial basis? Yes, I do.
5195. In a position to meet all its obligations? Yes.
5196. What is the next Lodge? St. Joseph's, Orange.
5197. What is the number of members? Eighty-three at the present time.
5198. What is the total value of funds? £371 0s. 1d.
5199. What has been paid during the year on account of sick pay? £58 1s. 8d.
5200. What has been paid on account of management? £50 3s. 8d.
5201. What has been paid on account of funeral donations? The District has paid it.
5202. What were the total receipts? £237 9s. 11d.
5203. How long has the Lodge been in existence? Since 1878.
5204. What proportion of old members have you in that Lodge? That I could not tell you, except by hearsay that they are between twenty and forty.
5205. Have you any one over forty? I do not think so, but could not be sure.
5206. What is the next Lodge? St. Benedict's, Parramatta-street.
5207. How old is that Lodge? I think it was opened in 1876.
5208. How many members has it now? 108.
5209. What is the total value of its funds? £161 2s. 5d.
5210. What has been paid during last year for sick pay? £60 3s. 4d.
5211. What has been paid for medical attendance and medicine? £106 4s. 11d.
5212. What has been paid on account of management? £53 16s. 11d.
5213. What is the total income? £362 5s. 8d.
5214. What proportion has been paid to the Funeral Fund from the Lodge? 1s. 6d. per quarter for the number of members.
5215. I see in the balance-sheet "Proceeds from demonstration on St. Patrick's Day"; does that go into the General Fund? Into the Incidental Fund.
5216. And if there is a loss how is it met? By subscriptions.
5217. Not from this fund? No; but they have had a reserve in the Bank to meet that for several years.
5218. Now in reference to Sacred Heart, how old is it? Since 1875.
5219. What is the total number of members? Ninety-one.
5220. What is the total value of funds? £234 5s.
5221. What amount has been paid on account of sick pay during the year? I only have the balance-sheets for three quarters; for them, £38 10s.
5222. What has been the cost of management during these three quarters? £38 10s. 3d.
5223. What has been paid on account of medical attendance and medicines? £82 17s.
5224. What is the total revenue for the three quarters? £228 14s. 10d.
5225. And you consider this Lodge a well-managed one? Yes, it is the Lodge I belong to myself.
5226. What has been the increase per quarter of funds? It has decreased from September to December by £10.
5227. Then we come to St. Michael and St. John's Branch; how old is it? I could not say for certain. I have only three quarters' returns for this Lodge.
5228. Is it an old Lodge? No, a new Lodge.
5229. Where is it located? Bathurst; it must be since 1878.
5230. What is the total number of members? Fifty-seven.
5231. The total value of its funds? £114 14s. 6d.
5232. The cost of management during three quarters? £11 14s. 9d.
5233. What has been paid on account of medical attendance and medicine during the three quarters? Only £13; they have dispensed with a doctor for six months.
5234. What has been the total income during these quarters? £84 9s. 10d.
5235. What has been the improved value of funds each quarter? The capital they had last year was £112 10s. 10d., and this year it is £114 14s. 6d.
5236. The next return is St. Joseph's; what is the age of that Lodge? It came into existence about 1874. I am a balance-sheet short of this Lodge.
5237. What is the number of members? Eighty-four in September last.
5238. What is the total value of funds? £124 19s. 7d. at that date in September. The previous year it was £133 14s.
5239. That is a decrease of £8 on the year? Yes.
5240. What have been the expenses on account of management during the three quarters you have there? £24 6s. 6d.
5241. What was the total revenue for these quarters? £211 19s. 11d.
5242. And you are of opinion that this Lodge, as well as the others, is in a good sound financial position, well-managed, and with economy? Yes, as far as I know.
5243. And that the amount of contribution paid by members in the several Lodges is sufficient to insure payment to the individual members of each Lodge of the funeral donation, sick pay, and other endowments? No, I do not; I think it is too low.
5244. What do you think would be a fair contribution? I think the contribution of every Society should not be less than 15d. a week.
5245. Would you be in favour of a new Act providing for a uniform rate of contribution from all members? Yes; for all Societies not to be less than 1s. 3d., because with the manner in which some Lodges pay their officers they cannot live by it except by making levies on the members.

5246. Have you any suggestions to make that might be of service—that might be embodied in any future legislation? No, I do not think I could assist you in any way.
5247. *Mr. Smith.*] Has it occurred to you that these balance-sheets show that these individual Lodges have been losing money on each year's transactions? That is on account of them never before being under a District and sending in their funeral money; and in addition to that there has been a levy.
5248. And if you had not made a levy they would present a worse condition? No, they would make a better one, as the District has taken the money from the Lodges. They took it away from the strong Lodges to help the weak ones, for the Funeral Fund.
5249. Was the levy of a uniform character? Yes, 10s. per financial member.
5250. And that levy was taken from the funds of each subordinate Lodge? Yes, after its amalgamation with the District.
5251. St. Benedict's Branch is the oldest you have in the Colony? No; St. Patrick's is the oldest.
5252. But that is not in the district? No; St. Joseph's is the oldest in the district.
5253. Where is it situated? St. Patrick's Hall.
5254. The whole of these returns as placed in show an average per member of £3 5s.? Some of the returns are incomplete. You have not the balance-sheets except for three quarters for two Lodges.
5255. And from your knowledge and experience you think that the average sum of £3 5s. per member is a good financial position? I do at the present time, because you do not reckon in the capital of the District in that; we have money belonging to the Branches for the Funeral Fund.
5256. *Mr. Langley.*] Are you acquainted with the Friendly Societies Act? Only as it deals with myself as an officer.
5257. Have you studied the Act? No, I have not.
5258. Do you think it is fair to members of Friendly Societies to be constantly recurring to levies which they know nothing about before they enter? No, I consider it a piece of injustice.
5259. *Mr. Newland.*] Could you by statistics form any average of mortality of members who are exposed to the influences of the weather or not? No, I could not, because I have not the death-rate in my hands; but I will write down to the head office and see if I can get the information.
5260. That is, in-door and out-door occupations? I will try and get it for you.
5261. *Mr. Slade.*] I see in one of those balance-sheets a donation to Dean Leonard, of the Sacred Heart; is he a member of the Society? No, he is not; it was taken from a balance left on account of a demonstration which belonged to the Society, and was held as a reserve for the purpose.
5262. Then the donation was from that fund? Yes, from that.
5263. *Mr. Gelding.*] I see in your balance-sheets that the Management Expense Fund has gone back in a good many of the Lodges; have the District officers taken steps to insist on the Lodges remedying that evil? Yes, they were written to.
5264. How do you account for the extra expense? I account for it by neglectful Secretaries not doing their work and getting other members to do the work.
5265. You do not consider the smallness of the contribution money has anything to do with it? No.
5266. *President.*] You have nothing further to say to the Commission? No; I will call a meeting of the District officers.
5267. Will you forward the balance of these returns to us? When I receive them.
5268. Will you furnish the Commission with an abstract of each of these Branches for the last twelve months? Yes.

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James Robert M'Keown sworn and examined:—

5269. *President.*] What Society do you represent? St. Patrick's Branch of the Hibernian Australian Catholic Benefit Society.
5270. What office do you hold? Secretary.
5271. How long have you held office? Nearly two years.
5272. How long have you been a member? About eight years.
5273. Have you held any other office? Treasurer for four and a half years.
5274. Your Society is not under any District? No, except the Executive Directory in Melbourne.
5275. Not under the Sydney District? No.
5276. No connection? No.
5277. What is the total number of members? Sixty-eight financial; twenty-five unfinancial.
5278. Can you tell the number of members twelve months before that? Seventy-seven good on the books, and nine unfinancial.
5279. Then you have been decreasing? Yes, a little.
5280. What is the total value of your funds at present? £509 6s. 3d.
5281. And in 1880? £433 16s. 2d.
5282. What is the amount of money paid by the Society during last year on account of sick pay? £63 5s.
5283. And what during 1880? £162 7s. 6d.
5284. What has been paid on account of doctor and medicine? Medical attendance, £53 9s. 6d.; and medicine, £32 15s. 6d.
5285. And what during 1880? Medical attendance, £94 9s. 9d.; medicine, £37 6s.
5286. What was the cost of management last year? £35 13s. 2d.
5287. The previous year? £41 1s. 3d.
5288. What were the total receipts last year? £290 13s. 3d.
5289. What was the total income during 1880? £287 5s.
5290. What is the amount of contributions paid by your members? A shilling a week.
5291. A uniform contribution? Yes.
5292. And the initiation fees—are they uniform? Yes, according to age.
5293. That is a graduated scale? Yes.
5294. Have you many aged members in your Society? No, not many.
5295. What is the oldest? I could not tell you without the book.
5296. Have you many over fifty? About ten I should think.

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5297. Many young members? Yes, a good number.
5298. You have no idea what the average ages would be? I could not tell you from memory.
5299. How old is the Society? It was registered in 1868.
5300. Has it at any time had a larger number of members than now? Yes, I believe it has; it has been up to 110 I think.
5301. Have you found any inconvenience in the working of your Society arising from the Friendly Societies Act? No, not the slightest; we have always been the first to have the annual returns in, and I believe they have always been satisfactory.
5302. How do you invest your funds? In the Savings Bank.
5303. Have you Trustees? Yes.
5304. How do you settle matters of dispute arising? We have a Judicial Committee consisting of fifteen members, who are elected annually.
5305. And how does that work, does it give satisfaction? Yes, we have only had occasion to have one Committee sit, and that was on a member who was working and receiving sick pay.
5306. Do you believe a shilling a week is enough to insure the benefits your Society offers? I think so; we have never had occasion to have any levies.
5307. *Mr. Gelding.*] What benefits do you give? Sick pay, 20s. a week; funeral, £20.
5308. Any Widow and Orphan Fund? No, but there is £10 on the death of a member's wife.
5309. Do you allow your members any benefits in accouchement cases? No, just exactly what the doctor charges—a guinea—and that is paid by the member.
5310. How does your Lodge work with members who may leave the district and go up country? We give them a clearance that they can throw into any Lodge they wish. We are simply not under the District, but under the Executive Directory in Melbourne.
5311. And you think that 1s. a week is sufficient to insure all these benefits? Yes, I think so.
5312. Has it not occurred to you that the large average you possess is due to so many members going out of compliance? Yes.
5313. And if all your members were to keep financial, do you think 1s. a week would keep you going? Yes, because our mortality is so small.
5314. What is the reason so many members leave your Society; can you explain? I cannot; it is a certain amount of carelessness amongst the Irish that there is not amongst others; I find I have great work to keep them up to the mark.
5315. How long does a member cease paying contributions before becoming unfinancial? Fourteen weeks.
5316. And do you issue notices? Yes, every ten weeks.
5317. And does he have to pay for that? Yes, 2d.
5318. Have you ever studied the Friendly Societies Act? I have not given it the consideration I ought to have done, but I have noticed a few clauses in it—those relating to the annual returns.
5319. Do you believe the present annual returns are as perfect as they should be, to give all the particulars required to show the status of Societies? I think so; I fancy all the information possible is given in these returns.
5320. Do not you think that if the returns made you show the ages of members entering and the ages of those that died it would be an improvement, so as to allow the Registrar to compile proper statistics? Yes, perhaps it would; of course we always guard against old members coming in.
5321. To what age do you accept members? Forty.
5322. Do you accept them over that by clearance? Oh yes.
5323. Have you any limit to clearance members? No.
5324. Are your troubles settled merely by your own Lodge? Yes.
5325. In the event of that not answering, what other course is there? He can appeal to the Executive Directory in Melbourne.
5326. Have you ever considered the advisability of having a Board of Arbitrators from the various Friendly Societies to settle all the differences of members who may feel aggrieved? I think it would answer very well, because there are times when members think a great injustice is done them, and if there was anything of this sort an appeal could be made satisfactory.
5327. Have you ever had any cases of members going to law? Yes, we had one.
5328. I suppose you have given the question of Friendly Societies a good deal of consideration? Yes.
5329. Do you not think, considering their importance to the State, that they should not be compelled to pay for registering their rules? Certainly.
5330. You believe it is unjust to make them pay? I do.
5331. Do you think it would be advisable that the Government should appoint a permanent Registrar, who should have the sole control and overlooking of Friendly Societies' matters? Yes, I do.
5332. Are you in favour of a sliding scale of contributions? Yes, I am.
5333. You think it would work well here? Yes.
5334. You do not think there would be any difficulty? I do not think so.
5335. You think that these things are merely matters of pounds, shillings, and pence—that it is a hardship that a young man should pay as much as an old man? Yes.
5336. And you think a sliding scale would be the best system? Yes, I do.
5337. I presume you are aware of a good many Lodges having a levy system? Yes.
5338. What is your opinion of making members pay levies in addition to weekly contributions? I think it is an injustice, and it is owing to a great extent to bad management. Since the formation of our Society we have never had a single levy.
5339. You believe a member should have a fair list of charges put before him when he joins, and that he should not be compelled to supplement them? That is my opinion.
5340. Are you aware that these levies are considered to be the chief safety-valve of many Societies in existence? Yes.
5341. And that without them they could not exist? I think that is owing to bad management.
5342. I dare say you have seen placards about the streets offering half-fees to members joining a Society; would you give your opinion of that? I think it is out of rule that these things should be allowed.
5343. You believe that every member joining a Society should start on an equal basis? Yes, I do.
5344. What capita tax does your Lodge pay the Executive in Melbourne? 3d. per quarter per member.

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5345. And what are the benefits you derive from transmitting that amount of money? It is simply to keep up the connection and expenses of postage; we get this amount from each member in addition to the 1s. a week that we claim for his benefits.
5346. The member knows that when he joins? Yes.
5347. Is this connection between your Branch and Melbourne necessary? Oh yes.
5348. Could it not be done without you having to support that body down there? I do not know how we could do it, because if we are not in compliance we receive no information.
5349. Are you aware that some of the largest Societies in this Colony connected with great Societies in Great Britain receive all the documents, but pay no money towards the government? I was not aware of it.
5350. *Mr. Slade.*] I understood you to say your number of members is sixty-eight? Sixty-eight financial.
5351. And you said the management was £41? No, £35 13s. 2d.
5352. And the previous year there were how many members? Seventy-seven.
5353. And £41 was the expenditure? Yes.
5354. This 1s. a week comprises the whole demand you make on your members? Yes.
5355. The levies spoken of—are they taken from that? No, they pay 4s. quarterage, which goes to Melbourne.
5356. Then a member pays 50s. annually? Yes.
5357. That representing nearly 20 per cent. of your income, do you not think it large for the management of a Society? No, I do not, considering we have the rent of room, Secretary's salary, &c.
5358. Are you in favour of suing for arrears? No, I am not; I think it is very hard for the bailiffs to be put into a man's place because he cannot keep up his contributions.
5359. If any future legislation continued the right to sue for arrears, would you limit it to a year's subscription? Yes, because the Society is liable for his funeral money up to that time.
5360. In addition to the statement made to Mr. Gelding that the Friendly Societies Act seems to be incorrect, have you any other fault to find with the present Act? No.
5361. Is there any case in which the Act has acted prejudicially to the interests of your Society? No.
5362. Then the Act serves the purpose for which it was made? Yes, so far as I know.
5363. Do you find the matter of returns tedious or beyond the capabilities of your Secretaries to make out? No.
5364. Do you think if they were still more elaborate they would be within the capabilities of your Secretaries? Yes, I do.
5365. Have you anything like a Pension Fund for aged or permanently disabled members in your Society? No.
5366. Would you recommend the establishment of such a fund? I would.
5367. You consider it would be a relief to Societies? Yes.
5368. Have you ever noticed what members are the most liable to sickness in your Society? No, I have never given it any consideration.
5369. Have you ever taken any notice of the ages most fatal in your Society? Generally those over forty, from forty to forty-five.
5370. Does experience show that when members pass forty-five they run to a fair age? Yes, generally.
5371. *Mr. Newland.*] I see in your preface you state there is nothing of a secret nature, neither signs nor passwords being used, and that meetings are open to the members: is that so? Yes.
5372. How do you reconcile that with clause 11 of rule 105, where it says that any member making known the discussions of a Branch shall come under judicial tribunals? I know for a fact that any one could come into a meeting of a Branch; that is put in for members ridiculing the business of the Branch; there must be some business in which it would be necessary to keep matters secret.
5373. I see that if a member's wife deserts or does anything wrong she is not allowed any funeral donation; would it, if she became of another faith, be bringing disgrace upon the Society? Oh no.
5374. *Mr. Langley.*] Have you seen the Victorian returns sent in to the Registrar? No.
5375. With regard to sick pay, have you studied the question as to between what ages you have most claims for sick pay; amongst the young, middle-aged, or older members? Amongst the middle-aged, from thirty to forty.
5376. Then I presume in any graduated scale of contributions you would take your experience as the basis of contribution? Yes, I would.
5377. Then how would you overcome this difficulty in any graduated scale—because it could not go on the question of mere age? Those members between thirty and forty should pay something extra.
5378. Then you think members between thirty and forty should pay something more than those at forty-four and forty-five? Yes, according to my experience.
5379. Do you think it makes as much difference to a Society as to what its entrance fees are, as compared with the rate of contribution? No, I do not.
5380. Then, after all, it is your opinion that the contributions and not the rate of initiation is the mainstay of a Society? Yes.
5381. *Mr. Smith.*] You have had some cases in the Courts? Yes, at one time we had a number of cases.
5382. What are the circumstances which brought about the fact of your members going to law? Through their being in arrears of payment.
5383. Then you summoned a number of them for these arrears? Yes.
5384. Have you had any disputes? The Judicial Committee settle them.
5385. But have any of them gone beyond that? No, we have only had one occasion in which the Judicial Committee —
5386. Could you furnish the Commission with the reports of your Society for the last twelve months? Yes.
5387. In addition to filling up the return, will you give us a copy of the balance-sheet for the last twelve months? Yes.
5388. And will you supply the average age of the members now, and the ages of those who have died during the five years? I will try to do so.
5389. *Mr. Gelding.*] What is the Secretary's salary? £6 5s. quarterly.
5390. Does the Treasurer receive anything? £1 1s. a quarter.

5391.

- Mr. J. R. 5391. Any other paid officers? No.
 M'Keown. 5392. Would you be in favour, before Societies are started, of having their affairs submitted to actuaries and to abide by the result? Yes.
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The Commission then adjourned until Friday, 24th March.

FRIDAY, 24 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
 E. GREVILLE, Esq., J.P.,
 P. J. NEWLAND, Esq.,
 JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
 F. ABIGAIL, Esq., M.P.,
 P. R. HOLDSWORTH, Esq.,
 E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. Thomas Cowlshaw sworn and examined:—

- Mr. T. 5393. *President.*] You are a member of the Australian Union Benefit Society? Yes.
 Cowlshaw. 5394. How long have you been a member? About twenty years.
 24 Mar., 1882. 5395. What office do you hold? President.
 5396. How long have you held that office? Six years.
 5397. Have you previously held any other office? I was Secretary for some time.
 5398. For how long? For twelve years I think—about that time.
 5399. Is there any Branch connected with your Society? No.
 5400. Was there at any time? Never.
 5401. What is the largest number of members you have had at any time? Between 260 and 270; 263 we have at present; but whether we have had a few more than that I am not quite certain.
 5402. How many years has the Society been in existence? Forty-eight years.
 5403. Then it is one of the oldest Societies in New South Wales? One of the oldest.
 5404. What is the amount of monetary contributions paid by your members? 3s. a month.
 5405. A uniform contribution? Yes.
 5406. Has that always been the case? Yes, always 3s.
 5407. Never been more? No.
 5408. What benefits do you give your members? A guinea sick allowance, and from £7 10s. to £40 burial fees; and members' wives half that amount.
 5409. Then you have a graduated system of payment of funeral donation? Yes, according to the number of years; those twenty-one years members are entitled to £40.
 5410. Medical attendance you also provide? Yes, for members' wives and families; and medicines.
 5411. What amount have you paid during the past year on account of funeral donations? Burial allowance, £165.
 5412. On how many deaths? Five members and one member's wife.
 5413. What amount did you pay on account of sick pay? £195 13s.
 5414. What on account of doctors and medicine? £262, including doctor and chemist.
 5415. And what was the cost of management last year? £47 8s.
 5416. What is included in that? That includes everything in management; Secretary's salary, rent, Treasurer's expenses, postage, stationery, and printing. It comes to about 7½ per cent. on our income on money received.
 5417. How are your funds invested? They are invested in mortgage, £2,450; Savings Bank, £439 13s.; Treasurer, £23 3s. 10d.
 5418. What is the total value of the funds? £2,912 16s. 10d.
 5419. What was the total income last year from all sources? £668 0s. 3d.
 5420. What was the total expenditure for all purposes? £670 1s. 6d.
 5421. There was a loss on the year then? Yes, of £2.
 5422. What would be the average ages of the members of your Society? Well, I should say about half our members were over forty, and the other half under.
 5423. Would they average thirty-six years? Yes, I dare say they would, thirty-five or thirty-six.
 5424. Some of them are very old? There are very few now; there are no original members, but there are half-a-dozen or so members of long standing.
 5425. But you think the average would be thirty-five or thirty-six? I should think that would be about the average.
 5426. Have you found any inconvenience arising from the Friendly Societies Act? No.
 5427. Has it afforded all the aid and help you think the members of your Society are entitled to? We have never had any experience to require its operations to come in; I do not know that we have had any matters of dispute.
 5428. How do you settle matters of dispute? By Committee.
 5429. And has there been any appeal beyond that? I do not remember any.
 5430. Have you a uniform rate for admission or a graduated scale? Up to thirty, 20s.; above thirty up to thirty-five, 40s.; we do not admit over thirty-five.
 5431. Do many members become unfinancial in the Society? No, very few; last year we lost seven, and that might be about the average, or from five to ten.
 5432. And how many were admitted last year? Thirteen.
 5433. And you regard the Society in a sound financial position? Quite so; last year was a very heavy year in sickness, and the year before was an exceptionally heavy year, which has thrown our Society back; but except these two years our Society has been one steady increase right through; though there might be another instance of the same sort in its past history.
 5434. And have your funds accumulated from contributions and the general revenues proper of the Society? Yes.
 5435. Not from speculation or any other source? No, we do not go in for picnics. 5436.

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5436. Then you are of opinion that 3s. per month from members is sufficient to insure all the benefits your Society offers to its members? We have a scale when the funds get down too low of decreasing the payments under the rules; but under our rules I think it is quite sufficient.
5437. You believe that this amount will insure payment to your members of a graduated sum in case of death from £7 to £40? With proper management.
5438. And the payment of a guinea a week to sick members and medical attendance and chemist? I do; I do not know, perhaps in the first instance we did not supply medicines to families.
5439. But you say it has always been that? Yes.
5440. Never been a higher sum? No.
5441. That is the uniform rate? Yes.
5442. Have you any suggestions to make that might be of service, that could be embodied in any fresh legislation that might be necessary? Well, I do not know that I could make any suggestions, as we have never met with any difficulties—we have never had any trouble.
5443. You make out the returns I suppose? Yes, I believe so.
5444. And you regard your Society as in a thoroughly solvent position? Quite so; we have about £11 a member, and that ought to meet the liabilities.
5445. Have you have ever had any defalcations in the Society by any of the officers to your knowledge? No, not to my knowledge—never since I have been connected with it.
5446. And you have never known a Society to be in a position not to meet its financial obligations? Never.
5447. *Mr. Smith.*] Do you know anything of the early history of the Society? Yes, they had some difficulty when they commenced; that, I believe, was the public-house difficulty.
5448. Is it a fact that no benefits were given for a number of years after it was inaugurated? I may say that is not a fact.
5449. Then benefits were given? Yes.
5450. But to a very limited extent? I could have told you how much had I known of the questions I should be asked.
5451. The operations of the Society at an early age were confined to the city of Sydney, were they not? I do not think there were many people outside the city then.
5452. Do you supply medicine and medical attendance to members outside the city now? Yes, if they like to come for them.
5453. Do you supply them? Yes, we do within 2 miles, or we supply them no matter how far if they like to come in, but the doctor is not bound to go beyond 2 miles.
5454. Then in the absence of papers in connection with the early history of the Society, you are not able to give an opinion as to what they received? They received whatever the amount was according to rule.
5455. I think you told the President that that rule was relaxed? I did not say so.
5456. Can you supply the Commission with the original copies of the laws governing your Society? No; these are the only copies of laws governing it that are in existence. (*Copy put in.*)
5457. *Mr. Abigail.*] Can you give us any particular reason for the accumulation of this large fund out of such small contributions? It has been a gradual increase from year to year.
5458. Do the members of your Society as a rule take the full benefits guaranteed to them by the rules? That is a question it is impossible for me to answer; if I was sick I would not put myself on the funds; but the exceptions are so small that I do not think it would make any difference.
5459. I find that last year your expenditure exceeded your income by £2; can you tell me how the receipts and expenditure for 1880 came in? 1880 I said was a very bad year.
5460. Then you must have lost more than £2? We lost £120.
5461. Did you make any money in 1879? Yes; I may say for the last five years we are £80 deficient, that being nearly all in 1880.
5462. Do you make any levies? No levies.
5463. Under no circumstances? Not unless the funds get very low.
5464. What is the general character of your members; are not a great number of them shop-keepers and business people? I do not think so.
5465. I see that forty-one during the last five years have left the Society for reasons other than death; I do not imagine you could give us the length of membership of these members, could you? No, you might take them as ordinary average members, not new members.
5466. What would you consider the average length of membership? I should say about ten to fifteen years.
5467. Then we will say they were members of ten years' standing when they left; did they receive any refund in any way? No.
5468. So that the Society absolutely got the benefit of their payments? They might have been a loss to the Society; very often these members have been a great loss to the Society.
5469. Then I see that under the head of defaulting members you have 166 in arrears; now that 166 is not included in the 255 returned as financial? It depends on what you call arrears; if a man owes a month it is arrears, but the real sense is when a man is finable.
5470. Can you tell us if any of these 166 members returned as being in arrears are included in the 255 returned as financial; I want to know the total number of members who have a claim on the Society? 263 members have a claim of some sort or other.
5471. I want to know if these 166 members in arrears from one to six months have a claim on the funds? Of course; they are a part of the 263 members; the 263 are the whole of our members.
5472. How much per head do you reckon the medical attendance costs? 20s. a year.
5473. That includes medicines? Yes.
5474. You have had no necessity to make any reference to the Act to see whether it is satisfactory or not? No, we have had no necessity or trouble whatever.
5475. Have you made any calculation to know at what rate the liabilities accrue to members of these Societies per year, that is, the contingent liability? No, I have not.
5476. As the members get old, I suppose you think the liability becomes greater on Societies? No doubt about it.
5477. And a Society not making some advancement is not reasonably preparing for the evil coming upon it?

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it? Well, considering the position we are in, I should say if we did not advance for another ten or fifteen years the same as the last five, we would be justified in giving all we have been giving, as it would be nothing out of the funds, only being £100 in fifteen years.

5478. But if you had not this large surplus would you still consider the same thing, in view of the Society having gone back during the last five years? You want to know if 263 members started now whether they could receive the same benefits; I do not think they could.

5479. *Mr. Greville.*] Of the Societies into which we have examined, yours fixes the smallest contribution from the members, and yet it has an accumulated fund largely in excess of the average: can you assist the Commission in arriving at a conclusion as to how that state of affairs has been brought about? Well, I believe it is a great deal in the management of the Society with the rules that we have; there is a good deal in management and care in not admitting members that are likely to go on the funds. Of course we do get caught sometimes with all our care.

5480. But in your opinion, has that extreme care that malingering members shall not be put on the sick list ever been a hardship? I do not know that we ever excluded a member entitled to go on the funds from doing so.

5481. Have you rejected applications? I do not think so.

5482. Has particular care been exhibited in the management of the funds to cause this state of affairs? We have always invested our funds pretty well; we have never been unfortunate enough to lose any money by investments. We go in for mortgages, for which we get from 6 to 8 per cent., according to the market.

5483. Does it arise in any way from your Society having on its books in past years a number of members who never claimed the privileges of the Society? There has never been a member but has claimed the principal privilege, that is, the death allowance.

5484. But is it not a fact that when the Society was formed, and for many years afterwards, there were a number of men in good circumstances who did not require sick pay, and never claimed it? When the Society was formed, I believe every member of it required the assistance of the Society. Of course I am not speaking from personal knowledge now. We have now a number of men like myself—perhaps there are twenty-five—who would not claim the sick allowance.

5485. Then you cannot explain to me how this state of things has arisen? No, I could not, unless it is the way in which it is managed.

5486. *Mr. Holdsworth.*] Under the head of "Management," I presume there is an income of the year? Yes, £668 0s. 3d.

5487. Your numbers were 263, subscriptions 3s. per month or 36s. a year; that comes to £483; the difference being made up by interest on investments? Yes, that is so.

5488. You have a scale of benefits according to the amount you have in hand? Yes.

5489. And for many years now you have given the benefits of a guinea a week? Yes, for a great number of years.

5490. And I notice here that in addition to the general advantages of these very low rates you give a superannuation as high as 10s. a week? Yes, we have paid three for the last year or two.

5491. The question has been put as to whether you can account for the great advantages; is it not a fact that your members as a rule are an exceptional class of people selected from different Churches? The character of the members, I dare say, to some extent has something to do with our demands not being so heavy—not that they would not take it if they required it.

5492. They are a class of exceptionally moral people as a rule? I do not know that they belong to any particular Church; but I believe the class of people we have no doubt has something to do with it.

5493. Your legitimate income was £483 from members; your real income was £668; had you not had these large investments, in what position would your Society have been at the present time? The loss would have been very large.

5494. Is it your large investments that saved your Society? That is it.

5495. Then in the face of that, do you think 3s. a month is sufficient for a Society? Not without the rule for the less benefits.

5496. Do you not think, with the large advantages you offer—low contributions and high rate of benefits—it offers a very great premium for other people to join you? It does, but they do not come to us.

5497. Have you not thought that as your present members are growing older, and your expenditure has been greater than the income, notwithstanding the advantage of the large amount you have from interest, your Society in twenty years will be in a different position? I do not think so.

5498. *Mr. Langley.*] Taking the result of your last five years' working, and supposing you had no increment in the shape of interest, what amount of contribution would it be necessary to pay in order to carry on the Society? We should want about 4s. 2d. a month.

5499. Then taking your experience during the last five years, any Society being formed and offering the same return for the investment, you think it would not be safe to take less than 4s. 2d. a month? Well, if you formed a new Society they would probably be all young members, and the demands would be considerably less.

5500. But take them without assuming that they were all young members, but suppose they were of average ages ranging from eighteen to forty, do you think they could give the same benefits you give at less than 4s. 2d. per month? They could.

5501. And you have been unable to do it during the last five years? We have been unable to do it during the last five years.

5502. On what data do you assume that? On the ground that they would be nearly all young members.

5503. *Mr. Rubie.*] Your Society, I believe, has been in existence some forty-eight years? Yes.

5504. There were a large number of members left in 1856 and 1847 to go to California? I do not know that there were a great number; there may have been a few.

5505. A large number in proportion? We were not so many in numbers.

5506. Your funds were considerable then? They have increased considerably since then.

5507. But the Society was then in a very healthy state? Yes.

5508. And the accumulated funds, more or less, arose from members dropping out of the Society? No, I do not think so.

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- 5509. That would in a great measure account for your increased funds? No, I do not think that had much to do with it.
- 5510. Then the rate of sickness and mortality must have been very small for a number of years to allow the funds to increase? Yes, our Society has been formed by young men; we do not admit them over thirty-five, and for one over thirty we have nine under.
- 5511. Do you give the same benefits to young men as to old ones? Yes, all receive the same benefits.
- 5512. And the young men pay less fees? There are only two rates.
- 5513. And do you think the increased sum of 20s. would be equivalent to giving larger benefits to a man at thirty-five than to a man at twenty? My own opinion about that is men between thirty and thirty-five should pay more.
- 5514. You would be in favour of a graduated scale of entrance fees? I think so.
- 5515. And graduated benefits? I do not know; it makes a good deal of confusion and unpleasantness.
- 5516. I suppose it never occurred to any of your officers to have an actuarial calculation as to your funds or rate of payments? No, it has never been required.
- 5517. *Mr. Newland.*] From your large experience, could you give the rate of mortality and average amount of sickness of your members for those engaged in light and heavy labour? Well, the larger portion of it would be those engaged in heavy labour.
- 5518. Could you give any statistics for the last five years upon that? Well, with a very slight exception I should say the whole of them were those engaged in what you term heavy labour; the majority of members are thus engaged.
- 5519. Am I to understand that you know very little of the workings of the Society in its early days? I have only been connected with it for twenty years.
- 5520. Are you aware that when first established members' wives and families did not receive medical attendance and medicines? I think I stated that.
- 5521. *Mr. Slade.*] Are you aware that at any time the benefits were decreased from the circumstances mentioned in your rules of the funds being below a certain standard? No, not below the standard.
- 5522. It has never passed below the standard at which you decline to give full benefits? No, of course it had to work up to that; not since I have been connected with it.
- 5523. What is the nature of your Superannuation Fund? We allow a member, according to rule, twenty-six weekly payments of a guinea and twenty-six of 10s. 6d., and then if he cannot work after that he receives 10s., and is allowed to do any light thing; of course he could not go and engage in any business where he could make enough money to keep him.
- 5524. Then it is a conditional superannuation and not a permanent one? Yes.
- 5525. Is he relieved from paying subscriptions? Yes.
- 5526. And does he receive medical benefits the same as another member? Yes.
- 5527. And the full amount of the funeral gift at death? Yes.
- 5528. Is there a Widow and Orphan Fund connected with your Society? No.
- 5529. Have you ever given the subject of graduated subscriptions according to age any consideration? Yes, we have had it before us once or twice.
- 5530. You have not decided to adopt it? No, we have not.
- 5531. Are you aware that some Societies very largely adopt that principle? I believe they do.
- 5532. With regard to the settlement of disputes, would you be in favour of an Arbitration Board, composed of representatives of several Societies, to settle disputes instead of the Courts of law? I think they should be settled by arbitration, and that Societies should not be subject to law proceedings.
- 5533. Then an Arbitration Board such as I have suggested, would that be an advisable Board as a final Board of Arbitration? I think so.
- 5534. Has your Society ever to your knowledge had occasion to find fault with the operations of the present Act? No.
- 5535. Do you know of any way in which it acted against your interests? No, none.
- 5536. Have you any reason to find fault with the administration of the Act? We have hardly had any occasion to look at it.
- 5537. Have the forms of return been considered sufficient? More than sufficient; if there were a few less columns you would get the information quicker and better.
- 5538. Has the Society ever considered that any amendment of the Act was necessary? We took the Act into consideration about eight or nine years ago; but they had so little interest in the matter that they took very little trouble over it, and it resulted in nothing.
- 5539. As a matter of opinion, taking your present position into consideration, would you consider that a Society that fixed the full benefits and a less number of members, with some £1,000 more to their credit, was in a better set of circumstances than yourselves? It would depend on how many members you had, and something on the class of them.
- 5540. *Mr. Gelding.*] What provision do you make for members who may leave Sydney and go into the country? We make no provision for them.
- 5541. Do you not consider it as a fact that your present good position is entirely owing to the sliding scale laid down by your Society for benefits given to its members; in other words, your scale being as follows—

	When the Capital of the Society amounts	And the deceased has been a Member				
		1 year.	2 years.	7 years.	14 years.	21 years.
	£	£ s.	£ s.	£ s.	£ s.	£ s.
To	1,000	10 0	22 10	27 10	35 0	40 0
	750	10 0	20 0	25 0	30 0	35 0
	500	10 0	20 0	21 0	23 10	27 10
	400	10 0	20 0	20 0	22 10	25 0
when below	400	10 0	20 0	20 0	20 0	20 0

- do you not consider the good position of your Society is chiefly owing to this very severe sliding scale? No, I do not think that has anything to do with it.
- 5542. Are you aware that some Societies pay after one year's membership very nearly as much as you do after twenty-one years' membership? No, I am not.
- 5543. Do you not believe in a sliding scale of contributions, and that a fixed amount should be put to all benefits received? I do not think it is a good thing.

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5544. Do you believe it should extend to funeral donations as well? Yes, there is not the objection there that there is to the sick allowance; it is a settled thing, but the other might lead to disputes.
5545. Have you ever brought into operation these levies at death? Yes.
5546. Could you inform the Commission of any period within the last few years? Not within the last ten years, and I am well within the limit in saying that.
5547. I suppose the reason you do not make many members is on account of the Society being purely local? Well, there is a pretty good scope in the city of Sydney and suburbs.
5548. But when they leave you they forfeit some of the most valuable benefits? I do not think that tends to keep the members away; to a great extent I think it is the apathy of our members in not inviting others to join.
5549. *President.*] Can you tell the Commission how many members have passed through the Society during the time it has had an existence? No, I could not.
5550. Could you supply us with the information? I dare say I could give it you.
5551. Have you anything further to add to your evidence or any suggestions to make that would be of service to the Commission? No, I fancy not.
5552. And you are clear that 3s. a month is sufficient for all purposes to enable Societies to give benefits such as those given by your Societies? I think so; of course the claims of a new Society would not be anything like what they are in ours, as the majority of members would be young men.
5553. Would you favour, in any future legislation, a uniform scale of contributions from every Friendly Society? I do not know whether that would be advisable, because one Society might wish to give less or greater benefits, and if you fixed one scale they would all have to give similar benefits.
5554. Would you favour a graduated scale of benefits and a graduated scale of contributions of members according to age? No, I do not like a graduated scale of contributions; I think it is better to have a fixed scale. I think myself that a graduated scale of admission should be made according to the age of the member; our Society objects to it, but that is my private opinion.
5555. What do you think would be a fair premium for a man to pay at the age of thirty-five to insure at his death the sum of £40? It is not a thing I have thought very much of; it would take a little consideration and calculation.
5556. Do you think 6d. a week would cover the risk? I should think it would.
5557. That would be 2s. a month, leaving only 1s to pay the sick pay, cost of management, and all other risks, taking the average of your members at thirty-five? Yes.
5558. That would leave 3d. a week to pay this; would it be sufficient, do you think? I should not think so, but I have not given the matter any consideration.
5559. Then if you gave the matter further consideration, would you be of the same opinion that 3s. a month would be sufficient to guarantee all the benefits you speak of? Of course we do not take members at thirty-five.
5560. But you say their average age would be that? But they have contributed a lot of money.
5561. Do you think this £40 could be given for less than 6d. a week? Our experience is that it could.
5562. Could you go to an Insurance Company and do it? I do not know, I am sure, the charge made by a Company is not the cost; for instance, I hold a policy, and if I died to-day they would pay two-thirds of the premium back besides the amount insured.

The Commission then adjourned until Monday, 27 March.

MONDAY, 27 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JAMES F. SMITH, Esq.,

P. R. HOLDSWORTH, Esq.,

E. J. RUBIE, Esq.,

JOHN SLADE, Esq.,

F. ABIGAIL, Esq., M.P.,

W. E. LANGLEY, Esq.,

P. J. NEWLAND, Esq.,

JOHN GELDING, Esq.

Mr. Frederick Alexander Morgan examined on oath:—

- Mr. F. A. Morgan.
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5563. *President.*] What Society do you represent? The Captain Cook Tent, Independent Order of Rechabites.
5564. What office do you hold? Secretary.
5565. How long have you held that office? Since the 18th June, 1878, when the Tent was established.
5566. How long have you been connected with the Rechabites? About ten or eleven years.
5567. In New South Wales? Yes.
5568. What Tent were you formerly connected with? The Albury Tent.
5569. What number of members have you in the Captain Cook Tent? Between eighty and ninety at the present time.
5570. Can you give the number of members of the other Tents? No.
5571. Have you any knowledge of their position at all? I think I can give you some information from some returns I have here. The Albury Tent has twenty-one benefit members and six honorary members; the Captain Cook Tent has seventy-two benefit members and twelve honorary members. That is, of course, up to the end of last year in each case. The Crystal Spring has twenty-nine benefit and twelve honorary members; the Ark of Refuge, Balranald, has eleven benefit members.
5572. Is there not one at Lambton? No, that Tent has not been in existence for some years. Another Tent, the Hope of Chippendale, has six benefit and twelve honorary members. These returns are issued in Victoria, where our head quarters are, and are compiled under the Friendly Societies Act of Victoria, and therefore do not show the funds of the Tents.
5573. Can you supply information in reference to the funds of those Tents? No, I can only give you the funds of our own Tent.
5574. What accumulated funds have you? For our own Tent the total up to 25th December last was £255 3s.
5575. How long have you been established? Since the 18th June, 1878.
5576. What have been your total receipts from all sources during the past year? I sent in a statement to the Commission which would give all that information. The total receipts for last year were £235 14s. 11d.
5577. And what was your total expenditure for a like period? £139 17s. 1d.
5578. That includes the whole of your expenditure—management, medical attendance, sick pay? Yes.
5579. And funeral donations? The District pays that. 5580.

5580. What contributions do you pay? We pay none to the District except a portion of the initiation fee of each member.

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5581. What proportion? According to age. You will find the particulars on page 23 of the book produced—"General Laws for the government of the Victoria District Independent Order of Rechabites (Salford Unity) Friendly Society, and the District By-laws, 1879." The initiation fees are regulated according to age. Members admitted between the ages of sixteen and twenty years pay 10s. to the sick fund, which belongs to the Tent, and 2s. to the funeral fund, which goes to the district. The payments vary from sixteen to forty-five years as follows:—Sixteen and under twenty years, sick fund, 10s.; funeral fund, 2s. Twenty and under twenty-five years, sick fund, 10s.; funeral fund, 3s. Twenty-five and under thirty years, sick fund, 15s.; funeral fund, 4s. Thirty and under thirty-five years, sick fund, £1; funeral fund, 5s. Thirty-five and under thirty-six years, sick fund, £1 4s.; funeral fund, 6s. Thirty-six and under thirty-seven years, sick fund, £1 8s.; funeral fund, 12s. Thirty-seven and under thirty-eight years, sick fund, £1 12s.; funeral fund, 18s. Thirty-eight and under thirty-nine years, sick fund, £1 16s.; funeral fund, £1 4s. Thirty-nine and under forty years, sick fund, £2; funeral fund, £1 10s. Forty and under forty-one years, sick fund, £2 6s.; funeral fund, £1 16s. Forty-one and under forty-two years, sick fund, £2 12s.; funeral fund, £2 2s. Forty-two and under forty-three years, sick fund, £2 18s.; funeral fund, £2 8s. Forty-three and under forty-four years, sick fund, £3 4s.; funeral fund, £2 14s. Forty-four and under forty-five years, sick fund, £3 10s.; funeral fund, £3. In the last case, for instance, it will be seen that £3 10s. goes to the sick fund here, and £3 to the District in Victoria for the funeral fund; but, if we had a District here, of course the latter payment would go to the District here instead of to the Victoria district.

5582. This payment to the funeral fund of the Victoria District is in order to secure what? The payment of £20 on the death of a member.

5583. That is the only source of revenue that the funeral fund has? Yes, it is a proportion of the entrance fee which goes to the funeral fund. The laws give power to make levies, if necessary, but it has not yet been found necessary to adopt such a course.

5584. What is the total value of the funeral fund of the District? £9,516 8s. 2d.

5585. How many Tents are there in the District? 150.

5586. And what is the number of members? 6,000.

5587. Then you have this fund of £9,000 to meet the funeral claims arising from the mortality among 6,000 members? Yes.

5588. Then of course their wives have some claim? Some of them have. The wives, as you will see on the next page (p. 24) of the General Laws, may be entered in the funeral fund, in which case they pay a small entrance fee, varying from 1s. 6d. for members' wives between sixteen and twenty to £2 5s. for members' wives between forty-four and forty-five. The entrance fee, with a quarterly donation of 1s., entitles the wife's representatives to a payment of £15 at her death.

5589. What amount of money was paid by Captain Cook Tent during the year in sick pay? £6 10s.

5590. What was paid on account of doctor and medicine? £73 11s. 3d.

5591. And what were your working expenses? £38 16s. 7d.

5592. What amount of contribution do the members pay? All members pay to the general fund 9s. per quarter, that is the sick and funeral funds. Of course the doctor's fee is in addition to that. Our doctor's fee is 5s. for a single member and 6s. 3d. for a married member, which, with the payment in every case of 9s. to the general fund, makes a total payment of 14s. by each single member and 15s. 3d. for each married member. If the wives are included, an extra payment of 1s. is required in each case.

5593. Then you have a graduated scale of contribution? Only to the extent of making a difference between the married and single members, and then the difference is only as regards the doctor's fee.

5594. Are your Rules registered under the Friendly Society's Act of New South Wales? Yes.

5595. But your Tents are controlled by the District of Victoria? Yes.

5596. How many subordinate Tents constitute a District? There is no stated number; we could have a District with one Tent.

5597. Have you found the present system work well up to the present time? Yes. Of course if we had a District in New South Wales we would have the extra expense, which I do not think would be warranted by the smallness of our numbers.

5598. What proportion of your funds have been contributed to the District funeral fund up to the present time? The total amount paid to the District since the 18th June, 1879, in the shape of entrance fees to the funeral fund, has been £12 4s. 6d. Of course the first year there was more. I am only speaking of the Captain Cook Tent, and of the payments made up to the 25th December, 1881.

5599. How could that be correct if you have acted in conformity with this rule to which you called my attention, for I presume you have some members who are over forty years of age? Very few. You will see by rule 41 that the whole of the funds for the first twelve months after the starting of any Tent go into one general fund. There is then no division of the sick and funeral and contingent funds. Of course there is a good deal of expense involved in starting a Tent. At the expiration of twelve months from the date of establishing a Tent the accumulated funds are divided as follows:—Three-fourths to the sick and funeral fund, and the remaining one-fourth to the Tent contingent fund. It will therefore be seen that the figures I have quoted are only applicable to the period which has elapsed since the division of the funds at the end of the first year of the Tent's existence. Anything that was paid during the first twelve months would not be reckoned.

5600. You have not shown what proportion has been paid to the credit of the first year? The books show two items of £12 15s. and £1 6s. 6d. respectively, which added to the figures given before show a total of £26 6s. paid to the District since the starting of the Tent, to ensure participation in the funeral fund.*

5601. How long have your members to be in arrears before they are disqualified from participation in the benefits of membership? Sixteen weeks. 5602.

* NOTE (on revision):—As I had not all my books when being examined, I think the answer would be more explicit if made to read as follows:—I had better give you our first year's transactions, which were—receipts, £155 14s.; expenditure, £108 9s. 4d., the principal items in the latter being District, on account of funeral fund, £20 13s. 6d.; medical attendance, £31 14s. 6d.; goods, furniture, &c., £28 12s. The balance in hand at close of the first year's operations (£47 4s. 8d.) was divided according to general law, £35 8s. 6d. being credited to sick and funeral fund, and £11 16s. 2d. to tent contingent fund. You will thus see the total paid to District since the starting of the Tent to ensure participation in the funeral fund, is £32 18s.

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5602. What happens after they are sixteen weeks in arrears? They are suspended for a further period of sixteen weeks.
5603. What do you do with them afterwards? They cease to be members.
5604. Has the Tent any liability on account of any member thus in arrears for sixteen weeks? The Tent is not liable for any benefit whatever on account of any such member. Of course if the member pays up he is reinstated, after having been suspended for a month after the date of payment from participation in all the benefits of membership.
5605. Has any one of your Tents proceeded against any of those non-paying members to recover the arrears of contributions? Not in this Colony—they have done so in Victoria.
5606. Do you approve of the provision contained in the Friendly Societies Act enabling Lodges or Tents to proceed against members for non-payment of dues? Yes; I have urged it in our own Tent, and have recommended that several of our members should be proceeded against, but the majority have always been against me.
5607. What method have you of dealing with matters of dispute between the officers and the Tent? A judicial Committee is appointed, as provided for in rule 96, to decide upon matters in dispute, although their proper functions are to deal with pledge-breaking cases, or any matter which cannot be settled by the Tent itself.
5608. Have you any appeal from that Committee? Yes, to the quarterly meeting of the Tent, and from that to the annual meeting of the Order.
5609. The decision of the latter is final? Yes.
5610. How have you found this provision work? As far as our own Tent is concerned we have never had any dispute to refer to them that has not been settled by the Tent itself.
5611. Has the same been the experience of other Tents? Yes, so far as I know.
5612. Then you think the contributions paid by your members sufficient? 14s. for a single and 15s. 3d. for a married member is sufficient to ensure the benefits of the Order to all who may have a claim. It has proved so, according to the annual reports of the Victorian District. I would myself prefer to see a uniform charge made in the Societies of (say) 1s. 3d. per week, which I think would be little enough for the benefits which Friendly Societies confer. Our rules are drawn up somewhat differently as compared with those of other Societies, and in connection with that I wish the members of the Commission to understand the question thoroughly. Under law 41, each member has to contribute not less than 7s. per quarter to the Sick and Funeral Fund. That is for full benefit members; but there is a provision for the admission of half-benefit members, who are entitled to half benefits only, and who have to contribute 3s. 6d. to the Sick and Funeral Fund. In addition, according to the 38th general law, each member has to pay a certain entrance fee, varying according to age, to the Sick and Funeral Fund. The portion of rule 41 applying to this matter, simply stated, is this: All our members throughout the Colony or throughout Victoria pay 1s. per quarter. The rule provides for the payment of an additional 2s., of which 1s. is for the Tent's contingent fund, the expenses of rent, salary, and so on, and 1s. for the District contingent fund and the management fund of the District. So that each one of our members pays 9s. per quarter, wherever the Tent may be established, and the balance of the quarterly subscription, which in our Tent is 15s. 3d. for married members, is made up by the payments that have to be made to the doctor of the Tent. That additional amount depends upon whatever arrangement can be made with the doctor, and the amount varies, for doctors can be got to attend a Tent's members at a cheaper rate in the town than in the country.
5613. I see you give the same benefits as other Societies? We give fuller benefits in some respects. For instance, we give full sick pay for twelve months at £1 per week.
5614. Then 10s. for six months? Yes. Rule 43 provides that any member in full compliance, who may "become sick, lame, blind, or infirm, and incapable of following any employment, if such incapacity is not occasioned by immoral conduct (notwithstanding that he may continue to carry on or conduct his business, trade, or occupation by his wife, children, or servants), shall be entitled to receive twenty shillings per week for full benefit, or ten shillings per week for half benefit, for the first twelve months; and if the sickness or infirmity shall continue for a longer period, he shall be entitled to receive the sum of ten shillings per week for full benefit, or five shillings per week for half benefit, for the further period of six months; and should he still continue sick or infirm as aforesaid, he shall be entitled to receive the sum of five shillings per week for full benefit, or two shillings and sixpence per week for half benefit, so long as such sickness or inability to follow his employment shall continue."
5615. During the time you have been in office in connection with the Rechabites, have you formed any definite opinion as to whether the Friendly Societies Act of New South Wales affords shelter and support to the members of the Friendly Societies in the Colony? I think it is comparatively useless, as far as I can see. It might be more useful than it is if it was carried into effect as it should be. It is the law, but it is not given the full force of law.
5616. Then your principal complaint is against the administration of the Act, and not against the Act itself? It might be amended and made more useful, but even as it is, it is not carried out. For instance: since our Tent was duly registered, which was in 1879, and although I have been continuously Secretary, I have never received any instruction that the return required under the Act had never been furnished, and I have never been afforded an opportunity of making such a return in the shape of an annual report or anything of the kind, although it is provided in the Act that that should be done.
5617. Do I understand you to say that you have never sent in the return required by the Act? I was never furnished with a form of return until the present year—until in fact this Commission was appointed. I was Secretary to the Albury Tent, and was never furnished with a form or anything of the kind until I wrote one year for a form to make out the return, and I was then furnished with it.
5618. Have you never received a form like this produced—"Annual return and statement of funds"? I believe that this year for the first time I filled up a report similar to that.
5619. You never, prior to this year, received a form of that kind to be filled up? No, although the Tent was registered on the 19th November, 1879.
5620. Have you any suggestion to make as to anything that might be of service to the Commission in recommending amendments in future legislation with regard to Friendly Societies? I should like to see a provision that quarterly payments should not be below a certain standard, whatever it may be that may be deemed sufficient. I think the payments should not be less than 1s. 3d. per week, to include all benefits of course; if it were deemed necessary they could be made much higher. That would be raising the fees which

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which we at present pay. As far as the Rechabites are concerned, in other Colonies, such as South Australia and New Zealand, they give a higher rate of benefits than we do under our laws, and the scale of payments is much lower. They give, for instance, a funeral donation of £35 upon a payment of only 10s. per quarter.

5621. Are they not under the same District Lodge? They are under the same general head, the Salford Unity at home, but each District makes its laws as regards payments. In reference to suggestions for improvements, I may say that I think the returns should be more explicit. They do not at present afford an opportunity for properly showing the working of the Society. I think the Victorian returns might very well be copied in that respect. You may give fuller and more explicit information in those returns.

5622. Have you added many additional members during the past year to your Tent? I think about twenty-three.

5623. How many members have been expelled? None.

5624. How many members have ceased to be such since your Tent was started? During the three-and-a-half years that we have been in existence here, forty have left the Society for reasons other than death, viz.:—Four by clearance, twenty-seven by arrears, and two by resignation, and seven by expulsion. Expulsion indicates cases of pledge-breaking.

5625. Has your Tent, since its establishment, been at all times able to meet its financial obligations? Oh yes.

5626. As far as your knowledge goes, are the other Tents in the same position? Yes.

5627. Has any Tent ceased to exist in New South Wales in consequence of want of funds? No.

5628. Your Society is based upon total abstinence principles? Yes.

5629. No person is allowed to remain a member who takes intoxicating drink? No.

5630. Members violating their obligations in that respect are expelled? Not necessarily, if they are willing to re-sign the pledge; they are suspended, of course, but if they are willing to re-join they are at liberty to do so upon repayment of a fine.

5631. Do you reinstate them in full benefits? Not for a month after the payment of the fine.

5632. Then, after the lapse of a month, they are entitled to full benefits just as though they had never violated the pledge? Yes.

5633. *Mr. Smith.*] Have you a Widow and Orphan Fund? No; it was proposed at our last annual meeting, and a committee was appointed to inquire into and report upon the matter to the next meeting.

5634. Have you any Superannuation or Pension Fund? No.

5635. *Mr. Abigail.*] You are under the District Lodge, located in Victoria? Yes.

5636. Does that make you in any way amenable to the Victorian Friendly Society's Act? I do not think so.

5637. They have never had any communication with you officially? Well, the Victorian Registrar used to send annual forms to be filled up according to the Victorian Act, until I called the attention of the Victorian District Society to the matter, and pointed out that it was useless to send the forms to us as we were outside Victoria, and not bound to send returns to the Registrar of that Colony. The forms have not been sent since.

5638. Do you know Mr. William Bell, the Secretary of the Rechabites in Victoria? Yes.

5639. Would you favour, in an amended Act for New South Wales, the adoption of provisions for an actuarial investigation? Certainly.

5640. Would you be in favour of a periodical investigation of the assets and liabilities of the Societies? Yes.

5641. At what intervals—five years or more? I have never considered that particular point, but I should say that five or seven years would be quite long enough to allow the Societies to carry on without an actuarial investigation.

5642. Do I understand you to say that you do not think that the benefits offered generally by Friendly Societies can be safely given upon payments of only 1s. per member per week? Of course I am not an actuary, but basing my conclusions upon the reports I have read I should say that they cannot.

5643. Then you have read reports dealing with that phase of the subject, and upon those reports you have been led to that conclusion? Yes.

5644. Your Tent saved last year in receipts in excess of expenditure £95 17s.: was last year heavier in sick pay than previous years? No; our sick pay in 1880 was £20, and in 1881 £6 10s.

5645. Taking the total funds of the Lodge, what is the balance at present in hand? £265 3s. (?)

5646. You have seventy-two benefit members, and they are the only persons entitled to call upon your Tent funds? They are the only persons; the honorary members have no claim at all.

5647. What do they pay for the privilege of becoming honorary members? They pay an initiation fee of 5s., and a fee of 5s. per year.

5648. What part do they take in the Tent business? They can hold office, but it must be upon a two-thirds majority of votes in their favour; they may also be placed upon the doctor's list, upon payment of the doctor's fee. Several of them are too old to be benefit members.

5649. Do you consider the supervision at present exercised by the Registrar of the Friendly Societies sufficient? No.

5650. Do you consider that tabulated statements of each Society should be prepared and published each year by Government authority? Yes, it would be very useful.

5651. *Mr. Holdsworth.*] You make no levy upon your members to sustain your Funeral Fund? We make no levy.

5652. How is that? The funeral fund as established by the Victorian District has never required that a levy should be made.

5653. Then do I understand that you have accumulated sufficient capital to render the fund independent of levies? Yes. There has not been a levy made for nine or ten years to my knowledge.

5654. Then how have they accumulated this £9,000? I can only speak for the time during which I have been connected with the Society.

5655. You say that for members' wives in connection with the funeral fund there is a contribution of 1s. per quarter? Yes. There are very few, however, who take advantage of that provision.

5656. What is paid upon death of a member's wife? £15.

5657. You have read the last annual report of the Victorian District? Yes.

5658. Have you noticed what is the average sickness and mortality among the Rechabites as compared with other Societies? It is in that report, but I do not remember it exactly.

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5659. *Mr. Langley.*] I understood you to say that 1s. 3d. per week was quite low enough as a contribution from each member, to secure the benefits promised by Friendly Societies? Yes.
5660. And that you would be in favour of that payment, but as the minimum rate? Yes.
5661. Then I presume you mean that 1s. 3d. would be the minimum rate that should be fixed? Yes.
5662. Have you seen the returns that have to be supplied to the Registrar of Friendly Societies in Victoria? I saw them some years since.
5663. And you have recently seen the returns that have to be furnished to the Registrar of Friendly Societies in this Colony? Yes.
5664. Which do you consider the best? The Victorian form, most decidedly. Even this return [*produced*], which is for five years, is not as complete and comprehensive as it should be. Even for our little Tent I found a difficulty in filling it in satisfactorily, so as to show what the transactions of the Society really were, and therefore I wrote a note, addressed to the Commission, and attached it to this return [*Witness produced copy of form of return issued to various Societies by the Commission.*] However, even that is far more elaborate and more comprehensive than the form of return issued by the Registrar in this Colony.
5665. Taking that return as designed, and the return issued by the Registrar of Friendly Societies in this Colony, and comparing each with the form of return issued by the Victorian Registrar, are you still of opinion that the latter is at the same time the most complete and the simplest? Yes.
5666. Do I understand you to say that, until this Commission was appointed, you never received from the Registrar of Friendly Societies in this Colony a copy of the form of return which by law has to be filled in and furnished every year? No, I never received any return until quite recently; the first I received was during the present year.
5667. How long is it since you were registered? On the 19th November, 1879.
5668. In any future legislation which may take place with regard to Friendly Societies, do you think it would be desirable to weight an Act of Parliament with a number of details which might properly be dealt with by the Societies themselves, or would you not think it rather more desirable that the Friendly Societies Act should lay down only a certain sound financial basis upon which every Society could be properly and safely carried on? I do think it would be better certainly; I think the simpler the Act is made the better it will be, for many reasons. A great many Secretaries, so far as I have been able to judge, are really not able to understand an Act like that in force at the present moment; at all events they do not appear to be able to understand it, and a simpler Act would be far better. It would also be better if the plan of the returns was so simple that no ordinary accountant could make a mistake in filling it up. That is why I think the present returns are practically of no use. You have to club so many items together that ought to be separate that the totals are misleading. Each separate class of expenditure should have a separate column, so that the returns would really show where the money had gone to. It can be lumped up now in such a manner that either intentionally or unintentionally the return can be made to mislead.
5669. Did I understand you to say, in reply to the President, that it would be more advisable to have your Society's head quarters here instead of being a branch of the Victorian Society with your head quarters in Melbourne? Yes, I think it would be better, not that we have found any serious inconvenience from having our head quarters in Melbourne, but because I think we should be able to extend our Order better in this Colony.
5670. Against any drawback which you may have experienced in that respect, have you not found a very great advantage in having for your Society one common centre, so that, no matter where the Tents are scattered, they have a bond of union, a free and ready interchange of members, and an influential central directing body? Well, it would not affect the interchange of members in any case whether we had a separate District or not. We have, or can have, now the freest interchange of members with all parts of the world.
5671. Is not your governing body in Victoria simply a District? It is a District, but affiliated with the Salford Unity at Home.
5672. Then you have received your warrant or dispensation from Victoria as representing the Salford Unity? Our dispensation is from the Salford Unity and the Victorian District combined.
5673. Then your only complaint is not arising from any actual disadvantage, but from a local feeling in favour of a District controlling body in this Colony for this Colony? Yes.
5674. In any case your Order here stands on the same footing as the Order does in Victoria? Yes.
5675. *Mr. Rubie.*] You have two classes of members? Yes, honorary and benefit members.
5676. I meant that you had full benefit and half-benefit members? Yes, we have a provision for half-benefit members, but it is availed of to a very small extent. We have only two half-benefit members in our Tent.
5677. You stated to the President that on the death of a member's wife the husband receives £15? Yes, if the wife is a registered member.
5678. Would a half-benefit member receive the same amount under similar circumstances? Yes, if his wife was registered for full benefits. In fact no member could register his wife except for full benefits.
5679. Then there are no half-fees in connection with the wives? No.
5680. You have a very large fund; how is it invested? It is invested in Bank deposits, at 4 per cent.
5681. In this Colony? Yes, in the E.S. and A.C. Bank.
5682. Then the funds belonging to the New South Wales Tents are all in this Colony? Yes. The District does not hold any funds on behalf of the Tents in this Colony, except the Funeral Fund.
5683. Then, in a certain sense, the Order in Melbourne gets the benefit of that money? Well, the whole of the members in the District get the benefit of that money, because we are in the Victorian District, although we are in New South Wales. Of course, if we separated from Victoria, we should get the whole of that Funeral Fund back, less any claims paid out of it.
5684. Do your officers give security? The Treasurer and Secretary give security.
5685. By Fidelity or Guarantee Societies? It must be satisfactory to the Trustees of each Tent, and must be not less than £25.
5686. Not necessarily a Fidelity Society? The District recommends that, and I think most of them act upon that recommendation.
5687. You have never had any defalcations? None have occurred during my experience.

5688. *Mr. Newland.*] Your general laws are registered in this Colony? Yes.

5689. Then, how do you account for the fact that at the end of the book you have produced, which comprises the general laws for the government of the Victoria District of Rechabites, and the by-laws of the Captain Cook Tent, Mr. Oliver simply appends this certificate:—"I hereby certify that the foregoing rules of the 'Captain Cook' Tent, No. 238 of the Independent Order of Rechabites, Salford Unity, at Sydney, are in conformity with law, and that the Society is duly established from the present date, and is subject to the provisions and entitled to the privileges of the Friendly Societies Act, 1873.—Dated this 19th day of November, 1879.—ALEX. OLIVER, Registrar of Friendly Societies"? I can only say that the whole of this book ("General Laws for the government of the Victoria District Independent Order of Rechabites, Salford Unity, Friendly Society, and the District By-laws") is registered as the law-book of the "Captain Cook" Tent, and was bound up with the names of the officers of that Tent. Another thing, all reference to the Friendly Societies Act of Victoria was left out, and the references made to apply to the Friendly Societies Act of this Colony. The whole book, in that specially amended form, was tendered for registration.

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5690. Were these general laws and the by-laws of the Captain Cook Tent laid before the Registrar in the form in which I see them now? Yes.

5691. I see that one of the laws of the Captain Cook Tent sets forth the amount and mode of payment of subscription by full benefit members, and fixes the amount at 13d. per week? It says that "the weekly subscription of full benefit members shall not be less than 13d. per week." That is 14s. per quarter.

5692. How do you make up this 14s.? 7s. belongs to the sick and funeral funds, and 7s. to the management fund, out of which are paid the surgeon's fee and costs of medicine, &c.

5693. *Mr. Slade.*] In reference to those returns, which you mentioned as being referred to you, can you say whether the Society you represent has any modes of expenditure different from Societies in general? Not that I am aware of.

5694. Then, if those forms have sufficiently served the requirements of other Societies, can you give any reason why they should not be sufficient for the Rechabites? I referred particularly to this five years' return [*the form of return issued by the Commission*]. In this statement of five years' expenditure there does not appear to have been any provision for a Society like ours to show its expenditure in sick pay.

5695. But there is a column for sick pay? I did not notice that before.

5696. If you had, that would have enabled you to have furnished the statement as to sick pay in the form you thought necessary? Yes.

5697. You are aware there is a large number of Societies which have various modes of dealing with funds serving the same purpose, but differently classed and under different names, and that a form to cover every possible variety of income or expenditure that the fancy of the different Societies might provoke would be almost impossible? I am quite aware of that, but sick pay is an item of expenditure that must occur in the case of every Society, and that is why I noticed this peculiar heading, as it would practically shut out many Societies whose sick pay should be included here.

5698. Well, if that heading had been qualified by the words "in or not in a District," that would have met your objection? Yes.

5699. Have you any superannuation fund or system of pensions? No, but the District has a benevolent fund, from which payments are made in certain deserving cases.

5700. Have there been any instances, in your experience, in which the present Act has not been sufficient to meet the requirements of the Order? Not that I am aware of.

5701. Have you any fault to find with the present Act? I do not know that I could point out any particular error in the Act, but I think it would be productive of greater benefit if it was more strictly administered.

5702. Then your objection to the Act is that it is not administered in its integrity? Yes.

5703. What is the amount of contribution sent to Melbourne for the advantages of belonging to that District? 1s. per quarter per member for the Management District Fund. That is independent of the fee for the Funeral Fund, in return for which we get the amount of £20 paid on the death of a member.

5704. You are quite sure that Mr. Oliver, in certifying to the by-laws of the Captain Cook Tent, also certified to the general laws of the Victoria District as contained in this book? Well, he told me so, and he made a special point of the alterations which were made in my own handwriting to accord with the Act of this Colony.

5705. You will observe that the Melbourne portion of the book is called the general laws of the Order, and if you turn to Mr. Oliver's certificate you will find that he certifies only to "the foregoing rules of the Captain Cook Tent"? I see that that is the case.

5706. You will notice that no mention is made there of the registration of any rules of the Melbourne District? No, there is not.

5707. But you are still under the impression that Mr. Oliver registered the whole of these rules? Well, he gave me to understand that he did so. Mr. Oliver was very particular in noting that the scale of entrance fees was in the book, without which I think he could not have registered the rules, and as it happens that scale of fees is not in the by-laws of the Captain Cook Tent, but in the general laws of the Victoria District.

5708. *Mr. Gelding.*] In your 48th rule you have a very stringent provision that, although a member may have kept strictly temperate for a life-time, and has died in perfect good fellowship in the Order, if a friend or relative should introduce intoxicants into the house during the funeral the widow may be deprived of one-third of the funeral money? If the liquor is introduced with her consent.

5709. Will you turn up the rule on page 27 and read it? I see that rule 48, relating to "Intoxicating liquor at funerals," provides that—"If the nominee, wife, relative, or representative of a deceased member introduce any intoxicating liquor while the body of the deceased remains in the house, or if such liquors are in any way connected with the funeral, the Stewards shall not pay the remaining third of the funeral money, but shall immediately inform the Chief Ruler of the Tent, who shall lay the case before the Judicial Committee; and if it be decided that such intoxicating liquor was introduced without the consent or approval of the nominee, wife, relative, or representative, the remainder of the funeral money shall be paid, but if it be proved that the liquor was introduced with the consent of the nominee, wife, relative, or representative, the remainder shall not be paid, but shall be returned to the funds of the District. The same rule to be observed on the death of a member's wife."

Mr.
F. A. Morgan.
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5710. Do you not think that that rule is *ultra vires*? I never had my attention called to it in any way except this, that, in connection with the only funerals I have been connected with in the Order, the rule of cautioning the relatives that this law was in existence was always observed, and if, after that special caution, the rule was broken and the penalty enforced, I do not think it would be very great hardship.

5711. Do you think if you had the privilege of a District of your own that you could give larger benefits, instead of sending the money away out of the Colony? I have never gone into that matter, but it would have to be considered if we were to have a District established here.

5712. Do you not think it would be much better for your Society if you had a governing body here, and paid the 1s. per member for the purpose of keeping up that body, instead of sending it down to Victoria? I do not think it would be sufficient at present. There are not more than about 150 members in New South Wales, and the shilling contribution from them would not go very far towards paying all the expenses of a District and keeping up District chambers.

5713. But do you not think that that is one of the reasons why your Order is kept back here? I have stated so.

5714. With respect to juvenile branches, I see they are not a great success in this Colony? No.

5715. What is your opinion about initiating young men into these Societies at so early an age that they can hardly have any thorough mind of their own? When they are so young as that, they are only initiated into a kind of Band of Hope.

5716. At what ages are they initiated? From eight to sixteen.

5717. And what becomes of them at sixteen? At sixteen they are at liberty to enter the adult Tents.

5718. After medical examination? Certainly.

5719. Do they have any more privileges than if they had not previously been a member of a juvenile Society? The amount which they have subscribed during the time of their connection with the juvenile Tent, less a small amount deducted for expenses of management, is usually sufficient, if they have been any time at all in the Tent, to pay their initiation fees, and sometimes half-a-year's subscription in advance.

5720. I think you stated that the Funeral Fund for the whole Society was £9,000 for 6,000 members? Yes.

5721. Your accumulated funds are £255 3s., or an average of £3 10s. per head? Yes.

5722. If you add that average to the average interest that you possess in the accumulated Funeral Fund, that will bring you up to £5 per head. What do you think of that average; do you think it is a solvent one? I can only go by the reports of actuaries in giving an answer to a question of that kind.

5723. Then what is your opinion about this £5 per head, premising that you had your funds from Victoria? Our funds vary very largely, and we have been established so short a time that we have not had an opportunity of getting a large amount of funds. The present rate enables the Society to accumulate a very large fund, and we shall go on increasing so long as we retain the present membership. The last published returns of our District show the total funds to average over £9 per member, which is the proper way to look at our Order, and not take our particular Tent which is only recently started.

5724. What is your opinion about a sliding scale? I do not approve of it.

5725. Notwithstanding your experience of your partial sliding scale system, you say you do not believe in a sliding scale; then do I understand you to mean that you consider that a young man eighteen years of age ought to pay as much as a man forty years of age, and each receive the same benefits? The young man has the advantage of entering the Society upon easier terms. The elderly man pays a much larger entrance fee, and is not taken at all unless he is proved to be of sound health.

5726. Then the difference between them is in the scale of initiation fees? Certainly.

5727. Does your Society have any regalia? The officers wear regalia during the sittings of the Tent.

5728. What is the cost of the regalia for a Lodge? It is very small—about £4, or even less than that would be the entire cost of the officers' regalia.

5729. What do you pay for a dispensation to open another Lodge? £1 10s.

5730. You provide your own books, I presume? We buy the books from the District.

5731. What is the total cost of opening a Lodge? Between £9 and £10. That includes some property which is re-sold by the Tent to its members, such as rules and certificates of membership.

5732. *President.*] Candidates for membership are subjected to medical examination before they are admitted? Yes.

5733. What are the occupations of your members, as a rule? They include almost every known occupation.

5734. You make no difference between members of different occupations? None whatever.

5735. Occupation is no bar to admission? It is not.

5736. You are aware that in an Insurance Office occupation has a great deal to do with the "loading" of life policies? Yes.

5737. Some occupations are more risky than others, and more injurious to health and life? Yes.

5738. Notwithstanding that, however, your Society makes no distinction? No; a candidate has simply to be certified to by a medical man and approved of by the members.

5739. Do you think the present system of medical examination of candidates is sufficiently serviceable? Yes; our medical man has rejected several candidates because they were not in sufficiently good health.

5740. You think the system itself is efficient? I think it largely depends upon the medical man himself. Some are more particular than others—I have found it so. I have heard complaints that some medical men did not examine candidates with sufficient care to ensure the admission of only sound members.

5741. You are not aware of any such cases in your own Society?

5742. *Mr. Abigail.*] Have you had any information in reference to a Rochabites' Tent as existing in 1878? The one you refer to was not in existence in 1878.

5743. Have you any knowledge of that Society? No; at that period I was not in office.

5744. *Mr. Langley.*] At the time that you registered these rules and the Registrar appended his certificate, was the book in the same shape as it is now? The present copy is an exact copy of that which was certified to by the Registrar. This book has been printed from the certified book of rules.

5745. *Mr. Smith.*] Can you give any information about the Tent at Lambton? I do not know anything about it except what I have heard. Some years ago a Tent, or several Tents, were established in Newcastle District under the Victoria District, and they applied to be established into a separate District. They eventually separated from Victoria. Through some misfortune in connection with the expenditure of money in the purchase or erection of a hall, the whole thing fell through, and there was a general collapse. A meeting was held, and the funds divided ratably among those present.

5746. *Mr. Abigail.*] Are you in favour of funds which are being accumulated for the benefit of the funeral fund being invested in halls? That is a question which requires very careful consideration. I should not be in favour of such an investment, unless the Societies were very rich indeed; they should certainly hold in hand a sufficient amount to meet all likely demands.

Mr. F. A. Morgan.
27 Mar., 1882.

FRIDAY, 31 MARCH, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

J. F. SMITH, Esq.,
E. J. RUBIE, Esq.,
E. J. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,

P. R. HOLDSWORTH, Esq.,
J. SLADE, Esq.,
W. E. LANGLEY, Esq.,
J. GELDING, Esq.

Mr. Albert B. Fordham sworn and examined:—

5747. *President.*] What Society do you represent? The Independent Order of Rechabites.
5748. How long have you been a member? Ten years.
5749. In New South Wales? Principally in connection with the Victorian District, but about two and a-half years in New South Wales.
5750. What tent do you represent? The Crystal Spring Tent, No. 247.
5751. What number of members have you in your tent? At the present time we have about thirty-three.
5752. Is that the largest number you have had at any time? We have had as many as fifty-nine.
5753. What have been the receipts of your Tent from all sources during last year? The total receipts from all sources during last year were £107.
5754. What amount has been paid by your Society during the year for sick benefits in the shape of sick pay? We have paid £24 for sick pay only, and we have also paid £20 on account of the death of a member.
5755. What was the amount of your working expenses? Advertising, printing, postage, salaries, &c., amounted to £9 10s.
5756. What was your total expenditure last year? £117 19s.
5757. Then you have not made any profits? At the end of last year we were £4 1s. in hand.
5758. Then you did not increase your capital by any sum during the year; in fact you were worse off at the end than at the beginning? Well, yes, because we had £15 over from the previous year.
5759. Then you were £10 worse off upon the year's transactions? Yes.
5760. Can you give any reason that would account for that? No, I do not know of any reason, except that it would be the falling off of a lot of old members who left the Tent in arrears, previous to our being registered, and when we had no means of preventing it.
5761. How many members joined you during last year? That I could not tell from memory.
5762. Do you know how many left you? The number at the end of 1881 was thirty-one.
5763. What number of members have joined? Fifty-nine.
5764. And how many have left? Twenty-six.
5765. Then half of those who joined you have left again? Yes, through having broken the pledge, or some other cause.
5766. What weekly contribution entitles a member to all benefits? About 1s. 3d. per week we pay in Balmain. We pay 15s. 9d. per quarter.
5767. What are the benefits which your Society gives its members? A member, after being such for twelve months, is entitled to £20 at death if a full member, or £10 if a half-benefit member. He is also entitled to £1 per week sick pay during the first year of sickness, 10s. per week during the succeeding six months, and then 5s. per week as long as the sickness continues.
5768. Do you think 1s. 3d. per week sufficient to ensure all those benefits to members? I think so.
5769. Have you uniform payments? Yes, we have no graduated scale.
5770. Your Society is based upon temperance principles? Yes.
5771. Any member breaking his obligation is suspended? Yes.
5772. For how long? For three months, when he can be re-obligated by vote of the Lodge.
5773. Then as soon as he is re-obligated he is entitled to full benefits? Yes, on payment of 5s. fine for the first offence, and 10s. for the second. After the second offence it is at the option of the Tent whether the member be taken back or not.
5774. How do you determine? By ballot.
5775. Have you had many cases of that kind during your ten years' experience? No, very few. We have had more in this small Tent than in the large Tent of 300 members with which I was connected.
5776. What proportion of young men have you? They are nearly all young men, ranging from eighteen to twenty-three or twenty-four.
5777. What is the age of the oldest member you have? Until recently not more than twenty-seven, but two over forty I believe were recently admitted.
5778. Then the average age of members in your Society would be about twenty-five? It was about twenty, according to a calculation I made some time ago, but it is now about twenty-one.
5779. The ages vary from eighteen to twenty-four? Yes.
5780. Then there must be a large number at or near eighteen years of age? Yes, they are mostly of that age.
5781. Have you studied the Friendly Societies Act? No I cannot say that I have.
5782. You are not aware then whether the provisions of that Act are sufficient to afford security to the members of the Friendly Societies? I know that in relation to our own Order the security has been sufficient; our funds have always been able to meet the demands for sick or funeral pay.
5783. But not on account of sick? Not necessarily.

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- Mr. A. B. Fordham.
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5785. But in every case for funeral donations? Yes, in every such case we draw upon the District.
5786. What amount of money has been paid during the existence of your Tent to Victoria? About £250.
5787. Within two-and-a-half years? Yes.
5788. That is to ensure your funeral fees? Yes.
5789. Then of course there is the entrance money of new members—that is included in the £250? Yes.
5790. Those payments are based upon a graduated scale? Yes, according to the ages of members, from fifteen to forty-five.
5791. Then I understand that, as far as your knowledge goes, the present Act affords all the security which the members of Friendly Societies require? Yes, I think so.
5792. Can you mention any particular in which it might be amended with advantage to the Friendly Societies? That is a matter to which I have not given any consideration.
5793. Has your Society at any time sued any of its members to recover arrears in the payment of members? No.
5794. You are aware that the Act gives Societies the power of recovering arrears by legal process? Yes, I know that, but our Tent had not been in a position to sue defaulting members, even if we had been inclined, until within the past four or five months.
5795. Do you approve of that provision in the Act? Yes.
5796. Has your Society or Tent any liability towards a defaulting member after he becomes thirteen months in arrears? Not that I am aware of.
5797. To what extent would you permit members to go into arrears before the officers should proceed against them? Two quarters.
5798. Then you have nothing special to suggest which might be embodied in future legislation in dealing with the Friendly Societies Act? Nothing, except having a systematic entrance fee—I mean a uniform fee. I do not think a graduated scale of entrance fees or the half-fee system productive of good.
5799. You do not mean a uniform charge for admission? No, I mean a uniform rate of contribution.
5800. And that you would not give power to any Society to reduce its rates of initiation? Yes.
5801. You favour the principle of making young men of the age of eighteen pay as much as men of forty in the shape of weekly contributions? Yes, but the entrance fee should be graduated according to age.
5802. Only that you would not permit Societies to reduce the initiation fees to half-rates? No.
5803. Have you been a member of any other Society than the one you belong to now? No.
5804. How long has your Tent been registered? About five months.
5805. Then you have not yet made out any returns to the Registrar in this Colony? No.
5806. Have you done so for Victoria? Yes.
5807. What position will you be in now—will you have to do that still? No, only a certain part. The statistical part goes to New South Wales.
5808. You believe your Tent to be in a good financial position, notwithstanding that you made a loss of £10 last year? Yes.
5809. You had only one death during the year? Only one death during two and a half years.
5810. And you had to pay away only £24 in sick pay? Yes.
5811. *Mr. Smith.*] How do you account for the total amount of expenditure which you have given? The total is made up of surgeon's fee, £26; chemist, £7 3s. 6d.; payment to District, £8 14s. 3d.; registration fee, £1 1s.; advertising, printing, salary, &c., £9 10s. There was sick pay on account of the Ballarat Tent, £12 18s., but that has been refunded in the ordinary course.
5812. But that does not nearly account for the expenditure. Have you not any book or document in your possession by which you can show the expenditure of this large sum of over £100? Yes. According to the books the items of expenditure in 1879–80 were:—Surgeon, £22 12s. 6d.; chemist, £7 14s.; rent, £7 10s.; District (including goods, levy, and Funeral Fund), £39; advertising, postage, and printing, £3 9s. 7d.; furniture, £1; salary, 15s.; total, £82 1s. 1d. The items of expenditure in 1881 were:—Surgeon, £26 4s. 6d.; chemist, £7 3s. 6d.; District (including goods, levy, and Funeral Fund), £8 14s. 3d.; advertising, postage, printing, £4 1s. 7d.; salary, £1 10s.; sick pay on all accounts (including one death, and special vote £20), £57 14s. 8d.; registration fee, £1 1s.; rent, £3 18s.; expenses in juvenile concert, £5; from Extension Fund (a special fund for extending the Order given by the District), £2 11s. 6d.; making a total of £117 19s. A summary of the accounts shows that the total receipts from all sources for the years ending 1879–80, amounted to £97 7s. As we only commenced two months previous to the close of 1879, I include that period in 1880. Our total expenditure for 1879–80 was £82 1s. 1d., showing a balance at the end of 1880 of £15 5s. 11d. The total receipts up to the end of the year 1881 were £106 14s. 1d., which, with the balance brought forward, makes a total of £122. Against this the total expenditure for 1881 was £117 19s., showing a total balance in hand at the end of 1881 of £4 1s.
5813. Are the majority of your members single or married? Single. I dare say eight of our members are married. I would not say for certain, but I think there are not more than eight.
5814. You appear to have paid away a large amount for sickness—over £44 during last year? £20 was from the Funeral Fund, and £24 went for sickness. One brother must have been sick for three months before he died.
5815. Then you had only two sick members during the year, and one of those two died? Yes.
5816. *Mr. Holdsworth.*] This amount of £12 18s. that you paid for the Ballarat Tent will be refunded? Yes.
5817. And your funeral money, £20, was paid out of the common fund from Melbourne? Yes.
5818. Then out of the expenses that you have mentioned the sum of £82 will be refunded? The refunding of those amounts is already accounted for. For instance, the payment of £20 from the Funeral Fund appears first in the receipts and afterwards in the expenditure, so that the accounts as regards that item balance each other.
5819. The Rechabites have been in existence in New South Wales for some time, have they not? For three and a half or four years.
5820. Have you no record of the Rechabites in 1842? No.
5821. And no records of the Tents which existed eight or nine years ago at Wallsend? No.
5822. The only records you have are of the new Tents? That is all.
5823. You are in favour of a fixed rate of contribution? Yes.
5824. You think that a single young man of eighteen should pay just as much as a married man of twenty-five or thirty with two or three children? Yes.

5825. Can you give me any reason for holding that opinion? I think I could if I had an opportunity of fairly considering the matter. Speaking on the spur of the moment, I would say that the matter has been talked of in Tent and out of Tent, and the general opinion has been that a good deal of evil has arisen from these low fees.

Mr. A. B.
Fordham.

31 Mar., 1882.

5826. I am not talking of low fees: what I mean to ask is whether you consider it equitable that a young man of eighteen should pay the same rate of contribution as the man of forty? I think so. If you allow young men to join upon such exceedingly low rates, you will practically lay upon the shoulders of the older men the burden of keeping up the Tent for the benefit of the young members.

5827. Is that your experience in connection with the Rechabites? Yes.

5828. *Mr. Langley.*] You stated, in reply to the President, that you thought there should be some preventive of the practice of allowing members to enter upon reduced entrance fees and half-fees? Yes.

5829. Do you think it matters much what initiation fee you charge, so long as the rate of contribution is adequate to the carrying on of the Tent or Lodge? Not much difference, perhaps; but if you did not have a sufficiently high initiation fee, and sickness came upon those members who had joined under those exceptionally favourable conditions, they would become a drag upon the Society.

5830. What difference can the initiation fee make as compared with an adequate weekly contribution? I could not answer that question as to what difference it would make, but taken in conjunction with a small rate of contribution, the reduced rate of initiation would seriously prejudice the financial stability of a Society.

5831. Does it matter at all whether any initiation fee is charged at all, provided the weekly contribution is sufficiently high? That I would not be in a position to give a decided answer upon.

5832. Is it not self-evident that it makes no difference whatever whether you charge 10s. or 20s. as an initiation fee, provided the weekly contribution is sufficiently high? I think it does make a great deal of difference, but I am not prepared to deal with the matter without a little consideration.

5833. Is it not simply a matter of fact, shown by an ordinary calculation made by any person who understands figures, that it can make no difference whatever as to what the initiation fee is, provided the rate of weekly contribution for carrying on a Friendly Society is sufficiently high? It may be so.

5834. *Mr. Rubie.*] Yours is a Temperance Benefit Society? Yes.

5835. If a member violated his pledge, would he not be deprived of all his benefits? Only until he was re-obligated.

5836. How long have you been established in New South Wales? Only two and a-half years—that is my Tent.

5837. Then your accumulated fund cannot be very great? No, it is not.

5838. You are affiliated with the Melbourne body? Yes, until we get a District of our own.

5839. Then, if there were any serious defalcations in connection with the Melbourne body, you would have to suffer without having any voice in the matter? We have delegates appointed to represent us.

5840. But you have no direct control over the funds? We have no exactly direct control.

5841. Do your officers give security in all cases? Yes, it is laid down in the general laws that such should be the case.

5842. I have before me a report issued by the Melbourne Royal Commission appointed to inquire into the working of the Friendly Societies Act, and from that it appears that one of the officers of your order stated before that Commission that in the whole 160 Tents in Victoria only two officers had given security. Are you aware of that? No, I was not aware of it.

5843. Are you satisfied with the manner in which the Society is worked in Melbourne? Decidedly.

5844. *Mr. Stode.*] Have you got any superannuation fund? No.

5845. What provision do you make for arbitration in disputes between members and the Society? The matter is referred to the chief ruler, from him, if necessary, to the district officers, and then from them, if necessary, to the Annual General Session.

5846. What provision do you make in your Society for the protection of minorities—say, in the case of the breaking up of a Tent by the decision of a bare majority? No Tent of our Order can be broken up unless it has less than ten members, or seven, I forget which.

5847. Well, supposing the number gets below that minimum, have they no means of falling back upon the head office in Melbourne for their benefits? We should, in the case of a Tent becoming defunct here, because I think we would be under the supervision of the Melbourne District, of which we form a part.

5848. Is there no fund in the Tents in Melbourne to meet the claims of minorities? I think not.

5849. Are you allowed to be represented in Victoria by proxy? Yes.

Mr. William Benton sworn and examined:—

5850. *President.*] What Society do you represent? The Grand United Order of Free Gardeners.

5851. How long have you been a member? About fourteen months.

5852. How long has your Society been in existence in New South Wales? Upwards of three years.

5853. What office have you held during the time you have been a member? Secretary.

5854. Do you hold any office now? No.

5855. What number of members have you in your Lodge? Eighty.

5856. What amount of contributions do you pay per week or per month? 1s. per week.

5857. What benefits do you give your members? £1 per week sick pay, after a member has been in the Lodge six months and should fall sick.

5858. Suppose you were to die, what funeral allowance would your widow receive? £30.

5859. Or if your wife died, what amount would you receive? £20.

5860. What is the total value of the funds of your Society, or of your Lodge singly? We have not been established long, and we cannot expect to have much. I almost forget the amount now, but I think it is about £60, including all the Lodge furniture, money in hand, and everything.

5861. What amount of money has been received by your Lodge during last year? £108.

5862. What amount of money has been spent in that time—paid away for all purposes? That I cannot tell, but the Secretary, Mr. Carroll, could.

5863. Who is the Grand Secretary? I have been the Grand Secretary since it was established.

Mr. W.
Benton.

31 Mar., 1882.

MONDAY,

MONDAY, 3 APRIL, 1882.

Present:—

J. DAVIES, Esq., C.M.G., M.P., PRESIDENT.

J. F. SMITH, Esq.,
P. J. NEWLAND, Esq.,
J. SLADE, Esq.,P. R. HOLDSWORTH, Esq.,
F. ABIGAIL, Esq., M.P.,
J. GELDING, Esq.,

W. E. LANGLEY, Esq.

Mr. George Lucas sworn and examined:—

- Mr. G. Lucas.
3 April, 1882.
5864. *The President.*] What Society do you represent? I do not come here to represent any. I come here simply to say that I am not a representative.
5865. Have you not formerly held the office of Secretary to a Benefit Society? Yes.
5866. You are a member of the Free Gardeners' Benefit Society? Yes.
5867. Do you hold any office now? Master of the Lodge.
5868. Had you previously held any? Only the Secretaryship.
5869. What number of members have you in your Lodge? We have about 100 good members. There are three Branches of us.
5870. Could you give the particulars showing the financial position, and similar information in reference to those Societies? I could send it to you, but I am not in a position to give the information now.
5871. Will you do that? I will.
5872. Have you a copy of your by-laws? No, but I could send you one.
5873. You were District Secretary? I am not District Secretary now.
5874. How long has the Lodge of which you are a member been in existence? We were registered only in 1881, in June. That was the first Lodge. We were originally a Temperance Lodge, until we amalgamated to form the present Society.
5875. You were originally a Total Abstinence Benefit Society? Yes.
5876. What funds have you got? £70 11s. 8d. at the end of last year.
5877. Have you had any sickness in your Lodge during that time? Yes; we paid away £100 7s. 8d. last year on account of sickness.
5878. Any funeral donations? No; we only had one death, and the expenses of the burial have only been paid this year.
5879. What is the amount of contributions paid by your members? 1s. per week.
5880. Do you pay a uniform rate? Yes.
5881. What are the benefits that your Lodge gives its members? £1 per week sick pay, £20 at the death of a member, and £10 at the death of a member's wife.
5882. Do you give medical attendance and medicines? Yes.
5883. What amount was paid for medicines and medical attendance during last year? I think about £107, but I am not sure; I think we paid away £126 altogether in the way of management expenses.
5884. But you do not call medicines and medical attendance management? Yes, we do. We divide the 1s. a week—6d. going for the working of the Lodge, and the other 6d. going to the fund for sick pay and funeral donations.
5885. Have you previously been a member of any other Society? I was a Forester some few years ago.
5886. Are you of opinion that the payment of 1s. per week is sufficient to ensure the benefits that you speak of? I think so. As a rule we contribute 2s. as a quarterly levy, and that helps to pay for the Management Fund.
5887. Is that 2s. per quarter in addition to the 1s. per week? Yes.
5888. What amount of money was paid last year on account of management, such expenditure as printing, advertising, stationery, salary, &c.? I did not come prepared with information of that kind, but I think all the expenses, including the doctor and chemist, were covered by the £126 last year.
5889. What was the total amount of income? £270 16s.
5890. Then you have a credit balance of £70? Yes, £70 11s. 8d.
5891. What has been paid into the District from your Lodge? Nothing was paid last year. We pay something this year, but I do not know what it will be.
5892. What would be the contributions from the separate Lodges? Somewhere about £30.
5893. From the Lodges altogether? Yes; it is so much from each member as he joins.
5894. Have the three Lodges joined the District? Yes.
5895. You have found no inconvenience in the working of your Societies? None.
5896. You believe them to be well managed? Yes.
5897. And that the contributions are sufficient to meet all claims in cases of death or sickness? Yes. In the case of death each member right throughout the Society is levied upon, in order to make up the amount of the funeral donation.
5898. Have you studied the Friendly Societies Act? Yes.
5899. Do you think it affords sufficient protection to members of the Friendly Societies? I think it might be improved by a little alteration.
5900. In what direction? I could hardly tell you now. There are two or three clauses which might be altered.
5901. Do you favour the principle embodied in the Act under which the officers of a Lodge have power to sue members who fall into arrears? I do approve of it.
5902. To what extent are the members of your Society allowed to go into arrears before they forfeit their right to benefits? Fourteen weeks.
5903. They are then suspended from all participation in the benefits of membership? Yes.
5904. When they still continue to fall into arrears, what do you do with them? We have done nothing with them as yet.
5905. You have not been long enough in existence to have much experience of that kind? No.
5906. What method have you adopted for dealing with matters of dispute between members and the officers? We have a higher Lodge—the District Lodge. If the decision of that body does not give satisfaction, the parties have the right of appeal to the Grand Lodge in Victoria.

Mr.
G. Lucas.
3 April, 1883.

5907. Then you are a Branch of the Grand Lodge of Victoria? Yes.
5908. Do you send any capitation tax or other moneys to Victoria? No, because we are registered in New South Wales.
5909. Then all the funds are kept in New South Wales? Yes.
5910. With reference to the name by which your Society is designated—is the Society composed of operative gardeners? It is not composed of any one class in particular. There is nothing in the name.
5911. Are there no gardeners members? I do not think there is a single gardener a member.
5912. What is the average age of the members of your Society? I should say about thirty-five.
5913. Have you many young men? We have a good few.
5914. Ranging from what age? From eighteen to twenty-six.
5915. Have you many over forty? I do not think there are a dozen over forty.
5916. Have you a uniform or graduated scale of initiation fee? We have a graduated scale.
5917. You mean payment according to age? Yes.
5918. Have you a system of medical examination of candidates for membership? Yes.
5919. Have you a declaration to be signed by the candidates? Yes; there is a written form which has to be filled up by the candidate.
5920. Do you think the system of medical examination as it is carried out is sufficient for all purposes? I consider it is.
5921. Have you never known persons who were not of sound health passed by the doctors and admitted as members? We could never prove it, but we have had reason to believe that that occurred in one or two cases.
5922. Do you think the questions put by the doctor are sufficiently explicit? If the examination is an honest one, I think they are.
5923. Do you think the medical examination goes far enough? In some cases I do not think it does.
5924. Does the medical man in your Society get a special fee for the examination? No; the member is simply put on the doctor's list.
5925. Have you known any cases where medical men have refused to pass candidates? Yes; our doctor has refused two or three.
5926. Who is your doctor? Dr. Warren.
5927. During your connection with the Foresters, do you remember any case of refusal? No.
5928. Then you are of opinion that sufficiently rigid medical examination is made before a candidate is passed in order to ensure a Society against fraud? I think our doctor does his duty in the examination of candidates.
5929. Are you in favour of a uniform system of contribution, or do you approve of a graduated scale? I approve of a uniform system.
5930. Making all pay alike? Yes.
5931. Young and old? Yes.
5932. And you consider your total payments of 15s. per quarter sufficient to ensure full benefits to every member? Yes.
5933. Have you any suggestion to make which might be of service in future legislation? No.
5934. You think the present state of things pretty satisfactory? I am perfectly satisfied.
5935. *Mr. Abigail.*] The information you have given is based on eighteen months' experience? The majority of us were originally in another Lodge. We have, as a body, been four years in existence, and eighteen months of that time we have existed under the name of Free Gardeners.
5936. How long have you been a member of a Friendly Society? About eight years.
5937. While you were a member of the Foresters, did you give the working of the Friendly Societies Act any consideration? No; I suppose I was careless, like the majority of the members of Friendly Societies.
5938. Have you ever made any calculation which would enable you to form any opinion as to what should be the rate of payment to guarantee the benefits that a Friendly Society offers? I consider 15s. per quarter sufficient for any Lodge. You must remember that we only pay £20 on the death of a member, and £10 on the death of a member's wife.
5939. Upon what data do you form that opinion? Well, from the time the Society amalgamated up to December last I have been Secretary. We have £70 in one fund, and as we get 2s. per quarter from each member to meet any claims on the other fund, I consider that we are able to pay our way.
5940. Have you ever considered the rate of contingent liabilities accruing in connection with each member? No, I have not given that matter any consideration.
5941. Can you tell us what you think a Society should accumulate per member per year to place it in a sound financial condition? Yes.
5942. At what rate then? About 15s. per member.
5943. You think that an accumulation of 15s. per member, after all expenses are paid, would be sufficient to make the Society financially sound? Yes, I do.
5944. Do you think that Government should exercise supervision over the management of these Societies by having an official auditor? Well, I don't know. If there are auditors appointed by the Lodge they are as a rule the best men. In our Society the accounts are supposed to be audited by a city auditor, or public accountant, once in five years.
5945. Then the rules do not leave the auditing to the members of the Society exclusively? No; once in five years the accounts are publicly audited.
5946. Have you furnished annual returns to the Registrar? Yes.
5947. You speak of your Lodge having amalgamated, when was that? In December, 1879.
5948. With whom? With the Free Gardeners.
5949. Then, when the amalgamation took place, did all the members formerly belonging to the original Society join the other? With the exception of two or three.
5950. Any above the age of forty? Yes.
5951. Many? All the members of the Lodge who are now over forty.
5952. Can you tell me how many that was? About eight or ten.
5953. How many amalgamated altogether? Seventy-four.
5954. What would be about the age of the oldest member at that time? I could not say. When the Lodge was first formed, I am sorry to say, they took them in at any age.

- Mr. G. Lucas. 5955. What Lodge? The No. 1 Total Abstinence Benefit Society.
5956. Was there any initiation fee? 5s.
- 3 April, 1882. 5957. That was the only scale? The only scale.
5958. All parties of any age were admitted upon payment of 5s.? Yes, after the first meeting night. A Mr. Brown started the Lodge.
5959. In the new Lodges, have you fixed a scale of initiation fees? Yes. Under twenty-five, 5s.; under thirty-five, 10s.; under forty, £1.
5960. Do you admit any above the age of forty? No.
5961. What amount of funds did those seventy-four members have when they joined the new Order? Sixty odd pounds.
5962. How many members are there now? 100.
5963. And your funds have increased during the last twelve months only to the extent of £10? That is all.
5964. You now have a District of your own? Yes; I am District Secretary.
5965. What is the rate per member of expenditure for management of your District? Well, we could hardly form any idea. The District is only just formed.
5966. Have you any expenses in reference to regalia? We have an apron which costs about 2s. 6d.
5967. Is this compulsory upon members? Yes.
5968. Then the only levy you pay is 2s. per quarter per member? If a member dies every member throughout the Order has to pay some amount to make up the £20 which has to be paid.
5969. Is that in addition to the 15s. per quarter? That is only a by-law in my Lodge.
5970. How is it your Lodge makes a levy upon its members in the event of death—do the other Lodges do so? Right throughout the Order. It is supposed to be paid to the District as a levy, and then returned to the Lodge in which the death takes place.
5971. I suppose you have received returns to be filled up? I have not; I am not Secretary now.
5972. What salary do you receive as District Secretary? £5 5s. a year.
5973. *Mr. Gelding.*] Did your Lodge, when it belonged to the Temperance body, make application to any other Society to take it in? Yes, the Druids and the Oddfellows.
5974. What was the reason why the Druids or the Manchester Unity would not take you in? The Druids wanted more money than we had in hand.
5975. And the Manchester Unity? I don't think we ever got any reason from them.
5976. Did they not tell you that you must have sufficient funds in hand to be equal to what the total initiation fees would be if they were to join the Society? Probably.
5977. And your funds did not amount to anything like that sum? No.
5978. The majority of you were old members and you had very little funds? Yes.
5979. You were called a temperance body? That was only a name.
5980. I understand you to say, in answer to Mr. Newland, that your members pay 1s. per week regular subscription, 2s. per quarter levy to the District Management Fund, and that whenever a death occurs a special levy is made right throughout the Order to pay the funeral donation? No. We pay 2s. per quarter whether there are any deaths or not.
5981. There is an impression among the members of the Commission that you pay a fixed contribution of 1s. a week, and a regular levy of 2s. per quarter, and further, that when a death occurs each member of the Lodge is levied upon in order to pay the funeral expenses? No, the 2s. per member meets those levies. In my Lodge we pay 15s. per quarter, including the regular 2s. levy. In other Lodges the members simply pay 13s. per quarter, and a special levy is made whenever a death occurs. We have only commenced the practice in our Lodge this year.
5982. You are District Secretary? Yes.
5983. What is the strength of the other two Lodges? The Waratah Lodge has seventy-seven members, and the Olive Branch sixty-seven.
5984. Could you give any information in regard to the funds of either of those Branches? I could, but I have not got it with me now.
5985. Have you any Widow and Orphan Fund? No.
5986. Any Superannuation Fund? No.
5987. Have you ever studied the provisions of the Friendly Societies Act? No, I do not think I have.
5988. Would you give any expression of opinion whether it would not be beneficial that the Government should appoint an Actuary, and also a Registrar, who should take upon himself the duties of looking after these Societies? It is a matter of indifference to me. I don't care how it goes. I consider that if a Lodge is carried on as it should be—
5989. You consider that you do not want anybody overlooking you? No, I don't mean that.
5990. You believe that so long as a Lodge looks after its accounts in a proper manner you do not require a Registrar of Friendly Societies? Oh, yes.
5991. Then do you think that the Government should appoint a gentleman qualified to undertake these duties, and that the Registrar should be kept for those duties alone? Yes, that is what I mean.
5992. Are the Free Gardeners very strong in Victoria? They have seventeen Lodges.
5993. How many members? I could not tell you from memory, but I could forward the numbers.
5994. Are they very strong in Great Britain? I believe they are very strong in Scotland.
5995. *President.*] What is the total number of members in the different Lodges, including your own? In one Lodge we have seventy-seven, in another sixty-seven, and 100 in our own.
5996. Then you have nothing further to add to the evidence you have already given, and no suggestion to make? No.
5997. And as far as your knowledge goes, you are perfectly satisfied with the present Act? Yes.
5998. There is a Lodge called the Thistle Lodge—is that identified with your Society? No. I believe there was some few years ago; I don't think it is in existence now.
5999. *Mr. Langley.*] Do you think it advisable to allow Friendly Societies that have so exhausted their funds as to go out of compliance with the parent Society to be able to start under a new name for themselves, and on their own account? No.

Mr. Peter Forbes sworn and examined :—

Mr. P.
Forbes.

3 April, 1882.

6000. *President.*] What Society do you represent? The Loyal Orange Benefit Society of Australasia.
6001. How long has your Society been in existence? Since 1876; but it was not a Friendly Society till 1880. These are the amended rules of the Society. (*Rules produced.*)
6002. Registered under the Friendly Societies Act of New South Wales? Yes.
6003. How many members have you? About 330 financial members, and thirty or forty non-financial.
6004. What office do you hold? Grand Secretary.
6005. How long have you held that office? Since the commencement of 1881.
6006. Previous to that, did you hold any office? I was Secretary to one of the subordinate Lodges.
6007. How long have you been a member of the Order? Since 1879.
6008. What is the total amount of funds at the disposal of the various Lodges? That is a matter I have not taken up.
6009. Have you never taken notice of the Grand Lodge funds? They have a total of £85 1s. 1d., at the end of December last.
6010. How is that made up? By three distinct funds—the Grand Lodge Contingent Fund, the Funeral Fund, and the Clearance Fund.
6011. What amount of money stands to the credit of the Funeral Fund? £68 0s. 2d.
6012. What number of members would be effected by the Funeral Fund? About 300.
6013. Is that the only fund that you have to draw upon to meet the payments that have to be made on the occasion of the death of a member of the Order? Yes. We have a Contingent Fund, £11 18s. 11d., and a Clearance Fund, £5 2s. Of course we have had only one year's working.
6014. What amount of contributions do your members pay? 8d. per week is paid by non-medical members, that is those who do not require medicines and doctor, and 1s. or 1s. 1d. per week by those who require doctor and medicines.
6015. That is under the new rules? Yes.
6016. How has the Society been managed during the last twelve months? Our income from all sources is as follows: We brought forward from 1880 about £16 17s., less £1 overdraft on the Treasurer; contributions, Funeral Fund, £86 15s. 10d.; Management Expenses Fund, £63 18s. 4d.; Clearance Fund, £5 19s. 6d.; altogether about £176. Our expenses have been: Funeral donations, £30; working expenses, £8 7s.; expenses of Grand Lodge, £51 19s. 7d.; making a total of £91 3s. 11d. Deducting that from the income which I have just mentioned it leaves a balance of £85 1s. 1d.
6017. Have you had any deaths in that year? Two.
6018. What amount has been paid on behalf of the several Lodges for sick pay during the past year? I do not know.
6019. Do you know the amount paid in your own Lodge? No.
6020. Cannot you tell the amount paid for medical attendance? No.
6021. I think your Society is somewhat in the nature of a religious Society? Yes; we only admit those who are Protestants.
6022. Is there any money spent in regalia? That would be from the Grand Lodge only. From the Contingent Fund they would have power to pay for regalia, but they collect no special fund for that.
6023. In the subordinate Lodges it is provided by the members themselves? The registered rules will not allow any use to be made of the funds in that way. The objects of the Society are, as stated on page 4 of our rules, "to raise a fund by entrance fees, and subscriptions of the members, fines, donations, and by interest on capital, from which shall be paid on the death of a member or member's wife, to his widow or children, the administrators, executors, or assigns of such member or his widow, or for the defraying of the expenses of the burial of a member, a sum of money which he or they may be entitled to by these rules. * * * for the relief of members in sickness, and for supplying medical attendance and medicines to members, their wives and families, and the necessary working expenses of the Society."
6024. What is the largest number of members you have had at any time? At the present time we have the largest number.
6025. What is the limit of age at which you admit members, and the scale of initiation fees according to age? Forty-five years is the limit of age, and the fees are according to the following scale:—Under 20 years of age, 5s.; 20 to 22, 6s. 6d.; 22 to 25, 8s. 6d.; 25 to 28, 10s. 6d.; 28 to 30, 12s. 6d.; 30 to 32, 15s. 6d.; 32 to 34, 18s. 6d.; 34 to 36, £1 1s. 6d.; 36 to 38, £1 5s. 6d.; 38 to 40, £1 10s.; 40 to 42, £2 2s. 6d.; 42 to 45, £2 10s. This is laid down for the subordinate Lodges, but they can charge more if they choose. Besides this, however, subordinate Lodges make a charge on account of the Funeral Fund, which, in the case of a man forty-five years of age, would really bring the fee up to £3 5s. On page 35 of our book of rules you will find it stated that there is a Funeral Fund "established to aid, strengthen, and unite the subordinate Lodges of the Loyal Orange Benefit Society of Australasia, in assuring members entitled to receive it the sum of £20, payable on the death of a member, and the sum of £10 on the death of a member's wife." Among the rules which regulate the fund is the following:—"All new Lodges shall join this fund, and pay initiation or entrance fees, in respect of the members enrolled, in accordance with the following scale:—Under 20 years of age, 1s.; 20 to 22, 1s. 6d.; 22 to 25, 2s. 6d.; 25 to 28, 3s. 6d.; 28 to 30, 4s. 6d.; 30 to 32, 5s. 6d.; 32 to 34, 6s. 6d.; 34 to 36, 7s. 6d.; 36 to 38, 8s. 6d.; 38 to 40, 10s.; 40 to 42, 12s. 6d.; 42 to 45, 15s.; with a uniform fee of 1s. on the registration of a first wife of each member. But under no circumstances shall any person be registered as a member of this fund whose age exceeds forty-five years.
6026. Members who do not register in these funds would not participate in these benefits? No.
6027. How many members were initiated last year? I could not tell you.
6028. Your Society has recently been brought under a proper footing with the Friendly Societies Act? Yes.
6029. Previously it was only partially a Benefit Society? Yes; but it did not work well at all, and we were compelled either to abandon the old scheme or reorganize.
6030. Have you many members over forty-five? I could not tell you.
6031. Then you do not know the average age of the members of your Society? No.
6032. *Mr. Gelding.*] There were only two or three strange Lodges that joined this Benefit Society? No, not as Lodges; just a few members from one of the Lodges started a Lodge under the new system.

Mr.
P. Forbes.
3 April, 1882.

6033. Do you think 1s. 1d. per week a sufficiently high rate of contribution to meet all the liabilities which the Society incurs? I think it sufficient where the Lodges are properly conducted, and where they do not waste their money in regalia or useless expenses.
6034. You have regalia in your Lodge? Only for the officers; the members find their own.
6035. What do you mean by spending money for regalia? I mean that money paid into a Lodge for sick pay should not be used for any other kind of expenditure.
6036. Who pays for the regalia for the officers? The Lodges did prior to the adoption of these rules.
6037. Are you aware of any other Society in which they make such payments out of the Lodge fund? Yes, the Sons of Temperance do it.
6038. What benefits do you propose to pay members? £20 on the death of a member, and £10 on the death of a member's wife.
6039. Have you any other fund besides the Funeral Fund? We have a Clearance Fund by which members may be relieved from one District to another, and not be going upon Lodges not responsible for them.
6040. You have, I think you said, about 300 members? Yes.
6041. Does each Lodge govern its own affairs? Each Lodge governs itself, subordinate to the Grand Lodge.
6042. How is the Grand Lodge constituted? By four members delegated from each Lodge.
6043. Are they paid? No; each delegate pays his own expenses.
6044. You are District Secretary? Yes.
6045. What salary do you receive? I received £6 for last year's services.
6046. Have you any other paid officer? Yes, the Grand Treasurer.
6047. What salary does he get? About £3 a year.
6048. Does he give a bond? Yes.
6049. *Mr. Newland.*] According to rule 16, "Every *bonâ fide* member who shall be qualified, as required by the General Rules and By-laws, shall in case of sickness or disability be entitled to and receive weekly pecuniary assistance, not exceeding the sum of £1 1s., according to the scale of his Lodge, except it be shown that such sickness or disability has been brought on by improper conduct; nevertheless, a Lodge may suspend benefits by a two-thirds vote of the members present at a meeting summoned for that purpose, after four weeks' notice has been given of such intention, but in no case without proper cause is shown; this rule shall not apply to members who shall at such time be entitled to receive sick pay." What is the object of such a rule as that? That is if the fund was insufficient to meet the demands made upon it, then of course it would become necessary to specially raise funds by contributions or that a lower scale of benefits should be paid. But that could only be done according to the Friendly Societies Act by a meeting specially convened for that purpose.
6050. Do you think it wise to have such a provision as this? If members had all been summoned to a meeting they would not vote for the sick pay to be reduced unless it was really necessary.
6051. Do you not think that this power might be abused by a few members of a Society endeavouring to get a vote passed when a man requiring sick pay had perhaps been contributing to the Society for many years? If a Lodge got into such a position that it could not continue to offer the same benefits they would have to do this, but you will notice that the rule itself states that it shall not apply to members who may at the time be entitled to sick pay.
6052. Would it not be better to have the affairs of a Society put upon a sound basis, so that there would be no necessity for this? Of course, but if an epidemic broke out in a District, and a number of deaths took place in a Lodge, very quickly there would be no alternative but to either suspend the law or raise the contributions.
6053. Would it not be better to make a special contribution? Well, they would have to do either one or the other. This law is only to meet an extraordinary circumstance.
6054. In rule 27 of the rules to govern the Funeral Fund, it is stated that "The appointed Trustees shall sign all cheques or orders drawn on the Bank for money, and shall also see that the amount at the Bank agrees with the statement of the Treasurer." Do they do that? Only if the money should be drawn from the Bank. They only have the power to sign cheques and draw money from the Bank for that particular purpose.
6055. *Mr. Langley.*] In the clause in which power is given by a two-thirds vote to suspend benefits without giving any reason for it, what protection is there? No body of men would suspend that unnecessarily. That would be injurious to themselves.
6056. But in this case there is no provision of that kind? It is left to the judgment of the Lodge. The Grand Lodge gives power to make rules in accordance with its necessities. It would be impossible for the Grand Lodge to make by-laws for every Lodge.
6057. But as the law now stands, a two-thirds majority can carry this suspension? The law gives that power, but you will not get two men out of every three to agree to suspend the benefits where there is no necessity for such a course.
6058. But there is the authority? Yes, but the adoption is not forced upon the Lodges. We have a Lodge filled up with men whom we presume have some reasoning power.
6059. The law only requires that there shall be a two-thirds vote, and there need be no reason given. Do you think it advisable that such a power should be given? Yes, I think such a power should be given to a Lodge to exercise under certain circumstances, as for instance, where an epidemic arises.
6060. Or where in any other case than that which you mention the same power should be given to a Lodge? No, I don't think that at all. Only under special circumstances should that power be exercised.
6061. *Mr. Holdsworth.*] Have you ever read the Friendly Societies Act? Yes, but I cannot remember its particular provisions.
6062. Is not that clause to which reference has been made copied from the Friendly Societies Act? Yes, I believe so.
6063. *Mr. Abigail.*] You have been in existence only twelve or fifteen months? Yes.
6064. You are in no way connected with the Loyal Orange Institution? No; our Society stands aloof from all.
6065. Was your scale of contributions arrived at upon any actuarial calculations? When the Committee were revising the rules they came to the decision that it would not be wise to register any particular amount of contributions, because the amount necessary for the country Lodges varied so much that it could not be

be uniformly fixed. It was calculated that about 8d. per week would meet the necessary expenses in the working of a Lodge, and that that amount should be enlarged to 1s. 1d. for members requiring doctor and medicines.

6066. Did you have the assistance of an actuary? No.

6067. Are you of opinion that the Government should exercise close supervision over the working of Friendly Societies? I thought that that was done.

6068. But I mean by the Government appointing an auditor to investigate the accounts? I would not like to answer that question without consideration. As the representative of the Society, what I say would be taken as on behalf of the Society.

6069. I am asking you now to give an opinion based upon some fifteen months' experience of this Society's working, and your general knowledge and experience as a member of other Societies? Well, I think it would be a very good thing if the Government were to undertake the examination of the accounts. I speak, of course, only individually.

6070. Have you studied the Friendly Societies Act sufficiently close to enable you to say whether it answers all the purposes it was passed for? I would not like to give an opinion upon that.

6071. I ask you for your individual opinion? I have not found any difficulty.

6072. Have you had any occasion to visit the Registrar in connection with disputes, or anything of that kind? Only mere squabbles.

6073. No dispute of importance has arisen in your Society? Not as yet.

Mr.
P. Forbes.
3 April, 1882.

FRIDAY, 14 APRIL, 1882.

Present:

J. DAVIES, Esq., C.M.G., M.P., PRESIDENT.

J. F. SMITH, Esq.,

E. GREVILLE, Esq., J.P.,

J. GELDING, Esq.,

P. J. NEWLAND, Esq.,

E. J. RUBIE, Esq.

F. ABIGAIL, Esq., M.P.,

P. R. HOLDSWORTH, Esq.,

J. SLADE, Esq.,

W. E. LANGLEY, Esq.,

Mr. Robert Dixon Sippe sworn and examined:—

6074. *President.*] What Society do you represent? Wesleyan or Protestant Union Benefit Society.

6075. What office do you hold? Secretary.

6076. How long have you held that office? Five and a half years.

6077. How long have you been a member of the Society? Seventeen years.

6078. Have you previously held any other office? I occupied the position of auditor for several years, and I was once President one year.

6079. What number of members have you in connection with the Society? At present we have 136.

6080. Have you at any time during your experience had a larger number? No.

6081. What amount of accumulated funds have you? £2,118 2s. 6d. I have furnished the Commission with a return embodying all that information.

6082. How are your funds invested? In the Savings Bank. The whole of the amount, with the exception of £6 which is in the hands of the Treasurer, is invested in the Bank at 5 per cent. interest. We have a mortgage of £800 on a house in Crown-street.

6083. That is a portion of this £2,000 and odd? Yes.

6084. Is the money invested in the names of Trustees? In the names of two Trustees and the Treasurer.

6085. What was the total amount of contributions received during the year? Our year ended on the 21st October; our receipts from contributions, &c., amounted to £301 8s.

6086. Does that include contributions only or the whole of your income? The whole of our income, with the exception of interest.

6087. What amount did you receive on account of interest? £74 15s. 10d.

6088. What was the total amount of your expenditure for sick pay, medical attendance, &c.? The whole amount was £315 17s. 8d.

6089. So that if it had not been for the interest accruing your income would not have been equal to your expenditure? Not by £14.

6090. Was last year an exceptionally heavy year? The previous year we had nothing to pay for funeral allowance, and last year we had to pay £35.

6091. What were your receipts and expenditure last year? Our receipts included a balance in hand of £1,947 6s. 2d.; contributions, fines, &c., gave a total of £301 8s.; interest on deposit in Bank of New South Wales, on £1,755 5s., from September 30th to December 20th, 1880, £23 3s.; interest on deposit in Savings Bank of £1,910 7s. 6d., to September 30th, 1881, £49 2s. 10d.; interest on current account in Savings Bank to September 30th, 1881, £2 10s.; total from interest, £74 15s. 10d. Our expenditure included—funeral allowance, £35; sick allowance, £58 16s. 8d.; superannuation allowance, £26; medical attendance, £93 8s.; druggist's account, £52 8s. 6d.; Secretary's allowance, £30; Treasurer's allowance, £5; Treasurer's bond, £1; rent of room, £4 11s. 6d.; advertising in *Advocate*, £1 10s.; advertising, doctors, &c., £1 3s.; balance-sheets and printing, £4 6s.; stamps and stationery, £2 14s.; total, £315 17s. 8d. The assets of the Society consist of a cash balance in hand of £2,007 12s. 4d.; and arrears of contributions, £42 8s.; making a total of £2,050 0s. 4d.

6092. What amount has your Society paid during the past five years on account of sick pay? £330 10s.

6093. And how much on account of funeral donations in that time? £297 10s.

6094. What has been the cost of doctor and chemist during the past five years? The doctor has cost £501 13s. 3d., and the chemist £270 10s. 6d.

6095. What has been the cost of management during that period, exclusive of the cost of medicine and doctor? £261 14s. 10d.

6096. Have you any regalia? No.

6097.

Mr.
R. D. Sippe.
14 April, 1882.

Mr.
R. D. Sippe.
14 April, 1882.

6097. What contributions do your members pay per month? 3s. 6d. per month, with a levy of 1s. on the death of a member's wife, and 2s. on the death of a member.
6098. What sick benefits do the members receive? £1 per week during the first six months of sickness, and 10s. per week during the second six months. If the member continues sick beyond that period, he receives a superannuation allowance of 5s. per week for life, or for as long as he remains sick.
6099. What is the funeral donation? It is provided by our rules that upon the death of any member of the Society, his widow, executor (if any), or nearest surviving relative shall be entitled to receive from the funds funeral allowance in accordance with the following scale, viz.:—If he die in any year from after the first year's membership to ten years, £20; from within ten and fifteen years, £25; from within fifteen and twenty years, £30; and from over twenty years, £35, always provided the deceased has been a member for twelve months. After the expiration of twelve months from the date of his entrance, a member of the Society is entitled to receive funeral allowance on the death of his wife in accordance with the following scale:—If she dies in any year after the first year of membership within ten years, £10; if from within ten years and fifteen, £12 10s.; if from within fifteen years and twenty, £15; and if over twenty years' membership, £17 10s., which shall be applied to the purposes of decent interment, &c. It is always provided that if the accumulated funds of the Society should at any time be reduced to less than eight hundred pounds (£800) the funeral allowance shall not exceed in any case £20 on the death of a member, or £10 on the death of a member's wife.
6100. Have you many old members in your Society? I think we have about forty. We have some who have been members for twenty and twenty-five years.
6101. Would they average fifty or sixty years of age? They would average fifty years.
6102. What would be the general average, taking the whole of the members? I should think forty years would be the average.
6103. Are you of opinion that 3s. 6d. per month, with the number of advanced lives that you speak of, is sufficient to ensure the due payment to the members of your Society of the benefits which you promised? We have always been able to do so. We have had under our consideration the proposal to do away with the superannuation allowance, but we did not do it, as we found our funds increasing year by year.
6104. Have you, during your long experience of the working of your Society, found any inconvenience from the operations of the present Friendly Societies Act? None at all.
6105. Have you observed any way in which it might be amended with advantage to the Societies? No, I have not.
6106. Have you any suggestions to make in that direction? No, I have not.
6107. How do you settle matters of dispute? At Committee meetings. If the disputants will not accept the Committee's decision, the matter is referred to arbitration, but I have never known of such a case.
6108. Your Society has never, in your opinion, been in any other than a good financial position? No.
6109. What is the largest amount of funds you have had to your credit? We have now the largest amount we have ever had.
6110. How long has your Society been in existence? Thirty-six years.
6111. *Mr. Langley.*] In future legislation, do you not think it would be advisable to have the rate fixed definitely, instead of making levies? Well, a great many of the members object to pay the levies. I would rather it remain as it is myself.
6112. Do you not think that it would be more fair that members generally should know exactly what they would have to pay, instead of having these levies made from time to time? Of course members are supposed to read the rules before they join the Society, so that they can know before hand what they will be expected to pay.
6113. Is there anything in your rules stating what the levies shall be? Yest; they are fixed at 2s. and 1s. respectively.
6114. *Mr. Rubie.*] Would you be in favour of periodical audits by some competent authority outside the Society? I think every three years would be sufficient. To have such an examination every year would be very expensive.
6115. You have had no defalcations in your Society? No.
6116. And you have no Superannuation Fund? No; we have one fund for all purposes, and out of that we pay, in certain cases, a superannuation fee of 5s. per week for life.
6117. Do you not think that a calculation should be made to make these funds have a separate and well-defined basis, instead of leaving them so that levies have to be made now and then when your funds run low? But we do not depend upon the funds running low. There is a fixed levy, unless the fund runs below £100.
6118. You would rather have practically a fixed rate than place your funds on a basis, by actuarial calculation, in which each man should pay according to his age? I think so. I think it would be advisable to leave it as it is.
6119. *Mr. Newland.*] Do I understand that you are not in favour of a graduated scale of contributions? I am in favour of the present system in our Society—that is, a fixed rate.
6120. And you are not in favour of a graduated scale? No.
6121. *Mr. Stale.*] Have you ever tried any tables of graduated payments for admission? No, I have not.
6122. Is there any particular age at which you have noticed members of your Society fall sick more than at any other age? No.
6123. Have you noticed any particular age at which they die? Well, we have had deaths in our Society at various ages, between sixty and forty.
6124. Have you ever struck an average with the object of finding the age at which deaths are most frequent? No.
6125. Have any of your members done so? No.
6126. What is the average rate of sickness per member in your Society. I could tell by the balance-sheet, but it would take some time to do it. I think last year it was about 260 days for the whole of the members, which would be hardly two days per member.
6127. You say you have a kind of Superannuation Fund—I presume that after a sick member has received so many weeks sick pay he is put on the superannuation list? Yes.

6128. When they accept the 5s. per week, are they relieved of any further payment to the Society? Yes. They get all the benefits of membership without further contribution.
6129. Do they receive the benefits of doctor and medicine, and funeral allowance upon death? Yes.
6130. Have you any Widow and Orphan Fund? No. We tried twice to establish such a fund, but the members did not seem to care about it.
6131. Do you find any difficulty in sending in the present form of return to the Registrar? No.
6132. What is your opinion as to the efficiency of the present method of sending in returns—I mean does the form impress you as embodying all the information that you think necessary? I think it does. I do not think it could be better than it is. I think that this year they have made it a little better than it was last year.
6133. Then do you not think it could be further improved? I have not thought much about the matter, but I think the present form is pretty clear.
6134. Have you any fault to find with the present Act—does it oppress you in any way? No.
6135. Has anything come under your notice which would render a new Act or further legislation necessary? Nothing in connection with our Society.
6136. *Mr. Abigail.*] How many members have you admitted during the past year? Seven.
6137. As a rule, do all the members of your Society take advantage of all the benefits whenever they are entitled to them? As a rule they do.
6138. Are there any who do not? There are a few.
6139. You have 136 members, with an average age of forty—have you ever made any calculation as to the contingent liabilities of your Society? No.
6140. Have you ever been under the necessity of going to the Registrar for any matter in connection with your Society? No.
6141. Have you given the provisions of the Friendly Societies Act much consideration? Yes, I have read the Act, and I understand it pretty thoroughly.
6142. Are you of opinion that the Government should exercise a more efficient supervision over the operations of the Friendly Societies than they do at present? Yes, I dare say it would be some advantage if they would exercise greater supervision than at present.
6143. Do you think it would be of advantage to the Societies? It would not be to us, but it might be to others.
6144. Having such a large fund you consider that your Society is tolerably safe? Yes.
6145. Are you adding to your fund year by year? Yes.
6146. Did you add anything last year? Only £14 last year.
6147. Then the contributions did not meet the liabilities? No.
6148. Then, as a matter of fact, if you did not have this large fund you would be going to leeward? If it was not for the large fund no doubt it would just about square matters, but then we have had just the same rules from the beginning, and under these rules the funds have increased.
6149. Do you consider that a tabulated statement should be prepared and published by Government in reference to each Society throughout the Colony? I think it would be a very good thing.
6150. Do you not consider that the Registrar should strictly enforce the penalties against defaulting Societies as stated in the Act? I think it would be to the benefit of the Societies if those penalties were enforced.
6151. You think the enforcement of the penalties would keep them up to the mark? I think so.
6152. *Mr. Smith.*] Have you many members in arrears? I think that at the present time we have thirty-four.
6153. Have you expelled any of your members? One.
6154. Have you taken action against any of the defaulting members to recover the money? No; we have let them fall out of the Society, or have succeeded in getting the money from them by other means.
6155. But in cases where you have not succeeded in getting the money, have you allowed them to fall out? Well, I think there has been only one case.
6156. Do you approve of that portion of the Act which gives a Society power to summon its members? I think it is a very proper provision.
6157. Have you ever exercised that power in this Society? No.
6158. Notwithstanding the large number that you have in arrears you have never exercised this power? Well, when they are over six months in arrears they have to pay or fall out of the Society.
6159. *President.*] I understand that you have no suggestions to make? I have none.

Mr.
R. D. Sippe.
14 April, 1882.

Mr. George H. Green sworn and examined:—

6160. *President.*] What Society do you represent? The Sydney Marine Benefit Society.
6161. How long have you been a member? From the first—about nine years.
6162. What office do you hold? I have been Secretary ever since the first formation of the Society.
6163. How many members have you in connection with the Society? About 370 or 380 financial members.
6164. What were your total receipts from all sources during last year? I do not remember.
6165. Can you tell us from any papers that you have with you? I think I could from the balance-sheet. According to that document the initiation fees for 1881 were £24, and the contributions £939 8s. 6d. Then we have accouchement fees, £31 1s., books of rule 17s., and rent of cottages, £33.
6166. Is that some of the property that you have sold? Yes.
6167. What did the property realize? £3,000, but then there were expenses which reduced it to £2,919 15s.
6168. What was paid on account of sick pay? £477 9s.
6169. What was paid on account of funeral donations? £108 19s.
6170. What was paid on account of doctor and chemist? £379 6s. 6d. Then there was the Secretary's salary, £136 10s., and the salary of the other officers, £39 15s.
6171. What salary does the Secretary get? I find an office and I get £2 2s. per week.
6172. What is the amount that has been paid during the year for printing and advertising? £7 0s. 2d.
6173. Have you any rent to pay? Yes. The rent of the hall where we hold our meetings is £8 a year.

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- Mr. G. H. Green. 6174. What is your total expenditure? Well, we have the income and expenditure made up in connection with different funds—the Sick and Funeral Fund, the Contingent Fund, and the investments in connection with both those funds.
- 14 April, 1882. 6175. Take the sick and funeral, and give the complete income and expenditure? According to the balance-sheet which is made up for the year ended 31st December, 1881, the expenditure on account of the Sick and Funeral Fund was:—Sick pay, £477 9s.; funeral donations, £108 19s.; Secretary's salary and rent of office, £136 10s.; salary to other officers, £39 15s.; doctor's and chemist's fees, £379 6s. 6d.; stationery, advertising, and printing, £7 0s. 2d.; Sydney Infirmary, £10; City rates and repairing cottages, £5 0s. 4d.; members' arrears voted, 12s.; rules and registering of rules, £11 1s.; rent of Society's hall, £8; property sold, valued at £2,000; Auditor's fees, £1 5s.; credit balance, £861 10s. 3d.; total, £4,046 8s. 3d. Against this the income was as follows:—Initiation fees, £24; contributions, £939 8s. 6d.; accouchement fees, £31 1s.; books of rules, 17s.; pence cards, £1 9s. 3d.; from rent of cottages, £33; doctor's and chemist's fees, £4 5s. 6d.; property sold, net, £2,919 15s.; interest £92 12s. Showing a debit balance, irrespective of property, of £58 4s. 9d.
6176. But in this you include the property? Yes; we had a property valued, as I have stated, at £2,000. We make up the total expenditure by including in that expenditure this property worth £2,000. It leaves a debit balance under this fund of £58.
6177. That is taking out the sale of the property? Yes.
6178. What did this property originally cost the Society? £825, or, with expenses, about £830.
6179. And it was sold for £3,000? Yes, less £75 commission and the lawyer's fees.
6180. How is the money that has been realized in this way invested? In the Savings Bank of New South Wales.
6181. Bearing interest? Yes, at 5 per cent.
6182. Then you have a Contingent Fund;—how is that subscribed for? Each member pays 1s. per quarter.
6183. Is it compulsory upon the members to pay that? Every member must pay 1s. per quarter.
6184. What is your income and expenditure on account of that fund? The expenditure on account of the Contingent Fund was:—Demonstration, January 1st, 1881, £99 10s. 10d.; design of Hall, and other expenses connected, £7 7s.; distress gifts, £10 10s.; wreck gratuity, £3; lent to member, £1 5s.; due to a sick member, £3 5s. 6d.; lent to Demonstration Committee, £20; emblems, insignia of offices, £17 3s.; Society's scarfs, £167 19s.; advertising, 13s.; balance credit, £126 4s. 1d.; total, £456 17s. 5d. The income for the year on account of this fund was:—Demonstration, 1881, £146 8s.; contributions, £74 18s.; received for scarfs, £31 5s. 6d.; banked for a sick member, £3 5s. 6d.; lent money returned, 10s.; fines, £2 9s. 6d.; good debts, scarfs, emblems, and rules, £183 16s. 6d.; interest, £14 4s. 5d.; total, £456 17s. 5d.
6185. The investments on account of the Sick and Funeral Fund are:—Savings Bank of New South Wales, £3,542 19s., and in Treasurer's hand, 9s. The investments on account of the Contingent Fund are:—Savings Bank of New South Wales, £175 9s. 8d.; in Treasurer's hand, £9 2s.; good debts, scarfs, rules, and emblems, £183 16s. 6d.; furniture, banner, &c., £50; bringing the total investments up to £3,961 16s. 2d.
6186. Then you have a credit balance of £126 to your Contingent Fund? Yes. Our total credit balance is £987 14s. 4d.; and the credit balance, irrespective of property, is £58 4s. 9d.
6187. To what is this Contingent Fund applied? Well, it is applied to different purposes now, but it was intended for cases of distress, and shipwreck gifts, and picnics and regalia. The other fund we never touch for such purposes.
6188. What contributions do your members pay? 1s. per week.
6189. What benefits do they receive? The rules provide that "All members of the Society shall at the expiration of twelve months from the date of entrance (and who have not been unfinancial during that time) be entitled to and receive in case of sickness the following benefits:—£1 1s. per week for the first six months, and 10s. 6d. per week for the next six months of such illness, and at the expiration of that time (the member having received the aforesaid benefits) the Society shall deal with his case as they deem necessary. Upon the death of any member who has been fully twelve months in the Society, and whose arrears have at no one time amounted to over 14s. during the fourteen weeks previous to his decease, there shall be paid to his widow, child (if of age), executors, or administrators, the sum of £20 as a funeral donation. Any member who has been fully twelve months in the Society, and who has not been in arrears over fourteen weeks, for fourteen weeks previous to the death of his wife, shall, on her decease, receive the sum of £10 as a funeral donation."
6190. Do they get a doctor and chemist? Yes.
6191. What amount of arrears is sufficient to disqualify members from the benefits you have mentioned? Rules 53 and 54 provide that "Any member allowing his arrears to exceed 14s. shall be unfinancial, and not entitled to any benefits of the Society; he shall have no vote or voice in the Society's proceedings, unless satisfactory reasons for allowing his arrears to exceed that amount are given to the Society, and accepted as satisfactory, in meeting assembled"; and that "Any member allowing his contributions to exceed 52s., the Society (by ballot), at a regular meeting, shall have power to expel him, and, if expelled, he shall not be eligible for re-membership until the expiration of six months from the date of expulsion." If a member is out of the Colony when his subscription falls into arrears the rules would not be enforced in this respect as they would be if he were in any part of the Colony.
6192. Do you have a medical examination of the persons seeking admission? Yes.
6193. Do you believe that those examinations are full and satisfactory? The doctors, so far as I know, have been pretty correct.
6194. Has there been any number of persons refused admission on the grounds that they were of unsound health? Many have been refused.
6195. Do you believe that 1s. per week is sufficient to ensure all the benefits that your Society promises? I think so. Our benefits are not so great as those of many Societies. I have no doubt that our Society, with its accumulated capital and a small weekly subscription, would be able to meet its liabilities.
6196. What is the value of your Contingent Fund that you speak of? The value stated in the balance-sheet is £456 17s. 5d., but that is not all money yet.
6197. In what form is it then? A considerable portion of it is regalia.
6198. Is the sum you have mentioned the total value? Yes.

6199. Then if the purchase of landed property that you speak of had not turned out a good investment your Society's position would have been very different to-day? That is perfectly correct.
6200. Your contributions and income from all ordinary sources would not have been sufficient? Well, notwithstanding the sale of the property we would have held our position. We would still have had a balance to our credit.
6201. Have you found any inconvenience in the working of your Society? Not the slightest. We settle our disputes with the aid of the Registrar of Friendly Societies, and we have always found him settle them satisfactorily. Sometimes the Society has lost, but it has been through the Society's own fault.
6202. Then whenever you have gone to the Registrar you have received perfect satisfaction? Yes.
6203. And you have no improvements in the present system to suggest? No.
6204. You have put in a balance-sheet showing your income and expenditure during the last five years? Yes.
6205. *Mr. Smith.*] The operations of your Society are entirely restricted to seafaring men, are they not? Yes.
6206. A great percentage of your members would be unmarried men? I think that over half our members are married men, but most of them were single when they joined the Society.
6207. Then the claims upon your Society for medical benefits would not be so great, seeing that half your members are unmarried, as they would be upon other Societies? Certainly, that is where we save a great deal.
6208. That is one strong point in your Society? It is.
6209. Have you had many of your members leave the Society? Very many in the first year. The next year we kept our own. Most of the members we lost the first year were single members. We had many cases of seamen going away and never coming back again. That is another strong point. Some of them just pay their initiation fee and a few weeks' contributions, then go away, and never come back again. However, during the last six or seven years we have pretty well kept our own in point of numbers.
6210. Do you lose many members in the way you speak of? Not at the present time.
6211. Then that state of things did not continue for more than three or four years? No; we lost most of the members during the first two or three years. We have, however, lost a good many in that way; but most of those who join us now are settled down in Sydney.
6212. They are seafaring men engaged on the coast? Yes.
6213. Then, in the early history of your Society, you made a considerable amount of money from the fact that a large number of your members left the Society? Yes.
6214. Have you any difficulty in working rule 76? Not at the present time; we did have.
6215. Is it still working in the same way? In the same way. These are new rules.
6216. So that all the rights and privileges that would accrue to one of your members under this rule are now given without difficulty? Without the least difficulty.
6217. Have you taken any cases to Mr. Oliver for his advice or decision? Three or four. We have frequently gone to him for advice. I think there was only one real case of dispute where he had to be paid for his trouble.
6218. If a member has a dispute, and is not satisfied with the Society's decision, you invariably refer him to Mr. Oliver? Yes.
6219. Have you had many cases of that kind? Only four or five.
6220. Have the members been satisfied with the decision? So far as I know.
6221. What charge was made? In the case of a dispute about a person receiving a funeral donation we paid Mr. Oliver £2. He went to a great deal of trouble and made that charge. That was, I think, the only case.
6222. In whose interest was Mr. Oliver called in? In the member's interest.
6223. Was the member charged with Mr. Oliver's fee? No, the Society paid the fee.
6224. You have had a number of demonstrations and picnics in connection with your Society? Yes.
6225. Have you lost by them? We have made a considerable amount by them.
6226. In every case? In two cases out of nine we have lost.
6227. Then on the whole you have been successful so far as those demonstrations were concerned? Very successful.
6228. Is the money thus made placed to the credit of this Contingent Fund? Yes.
6229. No portion of the contribution of 1s. per member per week is in any way touched for this purpose? No.
6230. How is your Contingent Fund made up—by gifts? Principally by the contribution of 1s. per quarter from each member.
6231. But apart from that, do you never receive gifts or donations from persons or from shipping companies? No. We never received a farthing in that way.
6232. *Mr. Rubie.*] You have got a very large fund in hand, I believe? Yes.
6233. What would it average per member supposing that you had a dissolution? I never made that calculation. I have already given the amount of the fund, and there are about 369 members, so that the calculation could be easily made.
6234. What is the amount of the funds in the total? £3,961 16s. 2d.
6235. I see you have a provision in one of your rules that if the funds go below £500 you can make a levy to bring the funds up to that amount again. I refer to rule 51, which provides that "If at any time the funds of this Society shall fall below £500, it shall be in the power of any regular meeting to make a levy to meet any deaths, until the funds increase above £500"? Certainly we could make a levy for paying funeral donations until the fund was again brought up to £500.
6236. Have you had much difficulty with members going on the funds and remaining on them, or, as it is generally called, malingering? No, we have had very little difficulty in that way. I do not think we have been imposed upon greatly.
6237. Has anything occurred to you to suggest with a view to future legislation on the subject of these Friendly Societies? There is nothing that I have thought of, except that the doctors should be made a little more strict.
6238. Would you be in favour of punishing a person criminally for taking the funds, or simply deprive him of all benefits. I could not answer that question. It would be impossible for me to know whether a man was sick or not.

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6239. But you have some governing body to determine the question? Of course, if we found a man trying to scheme on the funds we would go to the medical man.
6240. And you would act on his report? Yes.
6241. If the medical man reported that the member was scheming, what would you do? I would strike him off the sick pay.
6242. Do you think that that would be sufficient punishment? In some cases it would not be sufficient punishment, but in others it might.
6243. Would you be in favour of expelling such a person as that? If it was a flagrant case, I think I would.
6244. *Mr. Slade.*] It is provided in your Society that in cases of dispute between a member and the Society the member shall choose whether he refers the dispute to a Committee of the Society or the Registrar. Rule 55 says:—"If any dispute shall arise between any member, or persons claiming through or under a member, or under the rules of the Society of whatsoever kind, shall be referred to the Committee of Management, or otherwise to the Registrar of Friendly Societies; the complainant to have the option of choice by which his or her dispute shall be decided, and the decision so made by the Committee or Registrar (whichever decides the dispute) shall be binding and conclusive on all parties without appeal." Have you ever had occasion to use that rule? On one occasion, but we have gone to the Registrar voluntarily several times.
6245. Do you not think that it would be better, instead of appealing to the Registrar, to have an Arbitration Board consisting of one or more members chosen from several Societies, and to be the final board of arbitration, and thereby prevent Society disputes being dragged before the law courts? I believe it would be a capital plan.
6246. *Mr. Abigail.*] I find from this balance-sheet that in 1877 your gain was £9 19s. 8d, and in 1878, it was £10 and some few shillings, but in 1879 there was a loss of £32 9s. 10d. Are you aware of that fact? Yes; I could not say exactly from memory whether you have got the two funds together or not.
6247. In 1879 you lost more than you had gained in the two previous years? Yes, but at the present time we have taken a good deal of expenditure out of the Main Fund and put it on the Contingent Fund.
6248. In 1881, I find that your expenditure proper under the Sick and Funeral Fund was £1,183 13s., and your receipts for the same year under the Sick and Funeral Fund were £1,034 1s. 3d., showing a loss on that fund in one year of £149 12s. Are you aware of that fact; have you looked at this balance-sheet to see if it was so? I could not say without examining the accounts again.
6249. If that be true, do you think, in view of an actual loss, that the 1s. per week is sufficient to secure to your members the benefits that you promise under your rules? I imagine so. You can hardly judge by the accounts for one year only.
6250. Taking 1879 and 1880, your loss amounts to over £180, and that ought to be sufficient to enable you to come to a conclusion whether 1s. per week is sufficient to meet the legitimate expenditure of your Society. If you had not had that property, and the profits arising from its sale, what would the position of your Society have been? If we take the two funds together we have got a credit balance for the whole period. We could take from the Contingent Fund at any time if it had happened to be necessary, and thus relieve the Main Fund.
6251. But apart from the interest you receive, what would be the financial position of your Society? Apart from the interest, I am suspicious that the funds would not bear the demands made upon them, because we have more liabilities than any other Society in New South Wales.
6252. Then you do not believe that apart from the interest the contribution of 1s. per week per member would be sufficient to guarantee the large benefits which your Society promises? I do not believe it would.
6253. I see you pay your Secretary £136 10s.? That includes rent of office.
6254. Are you of opinion that the supervision exercised at present by the Government over the Friendly Societies is sufficient? I have not given that matter consideration.
6255. Do you believe that the Government should enforce sending in correct annual returns by the Societies? I understood that that was always done.
6256. Has your Society always done it? Every year.
6257. Have you sent in quinquennial returns? No, we have not done that.
6258. You never get returns from the Registrar? No.
6259. How is the audit carried out in your Society? Three members are elected.
6260. You never have a public accountant? No.
6261. Have the audits been found to be substantially correct? There might be a little discrepancy now and then, a few shillings, but nothing more.
6262. Have any of your officers at any time misappropriated funds? Never.

Mr. Otto Murer sworn and examined:—

- Mr. O. Murer, 14 April, 1882
6263. *President.*] What Society do you represent? The German Benefit Association.
6264. How long has your Society been in existence? About thirty years—since 1853.
6265. How long have you been a member? Fourteen years.
6266. What offices have you held? I have been on the Committee from time to time, and I have been Secretary since February last.
6267. How many members have you? 115 at present.
6268. Have you ever had a larger number of members? Five or six years ago we had a larger number, as many as 160.
6269. Have you admitted many members during the past year? Not more than five or six.
6270. What is the total value of your accumulated funds? We have about £1,300 in the Bank. There is the value of some furniture as well.
6271. What money is in the Savings Bank? It is in the Bank of New South Wales, part being current account and part on fixed deposit.
6272. What amount of money did you receive last year in subscriptions? During the first half of the year we received £241, and during the second half £198 15s.
6273. What was paid in sick pay during the year? £86.
6274. What on account of funeral donations during the whole year? £34 12s. 6d. 6275.

Mr. O. Murer.

14 April, 1882.

6275. What on account of doctor? £115 10s.
6276. What on account of chemist? £80 12s. 2d.
6277. What was your total expenditure? £179 for the half-year.
6278. You have supplied the Commission with a return showing your receipts and expenditure during the past five years? Yes.
6279. What contributions do your members pay? 1s. per member is paid by each member, except when a death occurs, and then each member pays 6d. per week extra.
6280. Only in case of the death of a member? Yes. The rules state:—"The Society pays for the funeral of a member who has paid six months' subscription, and also for that of his wife and children. The widow of a deceased member, provided that the latter has paid twelve months' subscription, receives the sum of £20, which expenditure shall be met by an extra weekly fee of 6d. from each member for three months. Members having belonged uninterruptedly twenty years to the Society are free from the above extra weekly fee of 6d.; and the widows or children of deceased members who have belonged uninterruptedly twenty-five years to the Society receive an assistance of £25."
6281. You have no branch Lodges? No.
6282. Your members are mostly Germans? All Germans, except a few natives of German parentage.
6283. Are you registered under the Friendly Societies Act? Yes.
6284. Do all your members have to pass a medical examination before they are admitted? Yes.
6285. Do you believe your medical officers make a sufficiently strict examination? I have never heard any complaint.
6286. What is the average age of your members? Ranging from thirty-eight to forty; that would be the average. We do not admit anybody over forty-five.
6287. Have you many members over forty-five? Yes, among the old members; there are about a dozen of them, I think. Some of them have been members for twenty years, and there are some among them who even started the Society.
6288. Do you believe that a subscription of 1s. per week is sufficient? Yes; we find we can work very well on that amount.
6289. Have you found the existing Friendly Societies Act afforded all the necessary protection in carrying on your Society? I never heard any complaint.
6290. Have you anything to suggest in regard to future legislation? We find the present Act works pretty fairly. I put the matter before the Committee at the last meeting with a view to my examination here to-day and it was considered that there were no suggestions that our Society could make.
6291. Your Society would not permit any other person than a German or a person of German extraction to become a member? Yes, certainly we would; but all members must submit to the rule that "the German language alone shall at all periods, now and to come, be used at the meetings. All minutes (protocols), speeches, discussions, &c., must be made in that language, and proposals or petitions in any other language can receive no attention."
6292. *Mr. Smith.*] Have you had many disputes in your Society? I do not remember one, beyond an occasional grumble at the payment of the levy of the 6d.
6293. Many of your members have left the Society? Of course, some of them have died or gone away.
6294. That was in the early history of the Society that you lost so many members? We have lost not more than four or five during the last two years.
6295. You are not connected with any Association in Germany? No, we are quite independent.
6296. Members who marry after their admission into the Society have to pay an additional fee? The reason for that rule I could never make out, except that if a member gets married he may have a family, and so the chemist is under no fixed contract. A single member is not so likely to require medicine as a member with a family.
6297. Then you have no fixed contract with your chemist? No; the chemist simply charges for all the medicine which he supplies to members and deducts 33 per cent. from the gross amount. We find that it works much better than the other system, and ensures the members receiving a better quality of medicine. Under the contract system the chemists supplied just as little as they could. The medicine account now comes to really less than under the fixed contract and we have no complaints about the inferior quality of the medicine.
6298. *Mr. Abigail.*] You think 1s. a week for each member is sufficient to meet all the legitimate expenditure of your Society? Yes.
6299. I find from the return which you have furnished for the last five years that your income has been £2,453 13s., and your expenditure £2,355 12s. 7d., leaving a credit balance of £98. Do you think a gain of £98 during five years is sufficient to meet the accruing liabilities of your Society? We have hitherto found that the present payment of 1s. was sufficient to make both ends meet, because whenever there has been any extra expenditure, such as the death of a member, it has been defrayed by the extra levy. It was suggested some time ago that the weekly contribution should be raised and the 6d. levy done away with altogether, but the members preferred to take their chance of having to pay an occasional extra 6d. per week than to pay a fixed contribution of 15d. per week.
6300. During the last year your loss was £35, do you know that? At times we have had a heavy loss, and at other times we have had a considerable gain. If there is any deficiency at any time it is only through an unusual number of deaths. For instance, we have had three deaths in one half-year, and that was something unusual. Of course that would swell the expenditure compared with the income. For years we had no deaths at all, or only one in a year.
6301. How many members were initiated during last year? Seven or eight.
6302. Have you ever made any calculation as to how much contingent liability accrues to each member each year? No, we have not made out that calculation; but as I have been in my present position only three months I have not had time to take that work in hand.
6303. Have you any doubt that there is a contingent liability accruing as the members increase in age? I am quite certain of it, unless we get younger members to make up for those that die off.
6304. Have you studied the Friendly Societies Act? Well, I have looked through it, but not being so well up in the English language I could not study it sufficiently well to make suggestions for improvements. As far as the working of our Society goes it meets all our requirements at present.
6305. Are you in favour of strict Government supervision over the Friendly Societies? Well, it would be immaterial to us, but I think it would be better if there was some control over the Societies.

Mr. O. Murer. 6306. For the examination of their accounts? We send in a report every year, from which our accounts can be examined.

14 April, 1882. 6307. You would not object to a Government officer every year examining your accounts? It would give some trouble, because all our books are kept in German. Any of our members has the right to examine the books.

6308. Have any of the members of your Society misappropriated any of the funds? No.

6309. *Mr. Slade.*] How do you explain that part of the 9th rule which states that the Treasurer "shall receive an allowance of $\frac{1}{2}$ per cent. from the annual income to cover small possible losses"? The Treasurer receives no salary, and this is to compensate him for loss of time.

6310. The return that you have furnished contains no entry of the amount paid for that purpose? The amount for the last half-year was £2 19s.

The Commission then adjourned until Monday, 17th April.

MONDAY, 17 APRIL, 1882.

Present:—

J. DAVIES, Esq., C.M.G., M.P., PRESIDENT.

J. F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.
E. GREVILLE, Esq., J.P.
J. GELDING, Esq.,

P. R. HOLDSWORTH, Esq.
P. J. NEWLAND, Esq.,
J. SLADE, Esq.,
W. E. LANGLEY, Esq.

Mr. James King sworn and examined:—

Mr. J. King. 6311. *Mr. Abigail.*] You are —? The Secretary of the St. Peter's Burial Society.

6312. Have you a copy of your rules? Yes (*rules produced*).

17 April, 1882. 6313. How long have you been Secretary? About five months.

6314. Were you Secretary at a previous period? Yes.

6315. In what year? 1874 or 1875.

6316. How long have you been a member? Ever since the Society started, in 1860.

6317. Do you give any benefits beyond the burial fees? No, only a bonus for members who have been in the Society for ten years. One of the rules provides that "the funds of this Society shall not be converted to any other purpose than as follows:—For paying donations at death of its members and working expenses, and two guineas (£2 2s.) be paid to the Sydney Infirmary annually, and a bonus to its members, as follows: For every adult member for every ten years' membership, the sum of two pounds (£2), to take effect from the commencement of this Society." The objects of the Society are "to raise and perpetuate a fund or funds by entrance fees, fines, subscription, levies, and interest on capital, for ensuring a sum of money to be paid on the death of its members, and division of profits," according to the rule just mentioned.

6318. Is your Society registered? Yes.

6319. What amount of subscriptions is paid by your members? Every member of this Society has to contribute to the funds as follows:—Each child under ten years of age, one half-penny per week; ten years and under sixteen, 1d. per week; over sixteen, 1½d. per week.

6320. And what are the benefits secured by these payments? Any member who is entitled to benefits from this Society, legally having a child born, has to register the child to the Secretary; in the event of the child dying within one month from registration, the member is entitled to the sum of £1 10s.; exceeding one month to ten years, £3; exceeding ten years to sixteen, £5; exceeding sixteen years, £8. To be entitled to these benefits all members must belong to the Society six months.

6321. What is the number of members who are now entitled to benefits when death occurs? I cannot say exactly, but I should say close on 400, old and young.

6322. What is the amount of your funds? £126 13s. 0½d.

6323. Do I understand that the parent secures the benefits for his children by paying the contributions you have mentioned? Yes.

6324. Then the parent only is enrolled as a member, and not the children? No, both parents and children.

6325. Could a parent enrol certain of his children and not the others? The parent is not compelled to enrol all his children if he does not like, but the parents must enter the Society themselves before they can have their children entered.

6326. What is the scale of entrance fees? The entrance fee for each member is according to the following scale:—Each child under ten years of age, 6d.; ten years, and not exceeding sixteen, 1s.; sixteen to twenty, 2s.; twenty to twenty-five, 3s.; twenty-five to thirty, 4s.; thirty to thirty-five, 6s.; thirty-five to forty, 8s. No persons are admitted above the age of forty years, unless they comply with the following: That they pay the yearly contribution for each year, or part of the year they are over forty years of age, together with the usual entrance fee.

6327. What is the usual average death rate of your Society? I do not know, but we have very few deaths compared to the number of our members.

6328. You have received from this Commission a return to be filled up? Yes.

6329. What were your total receipts last year? That I could not tell.

6330. Do you not prepare an annual balance-sheet? We used to do so, but since I have been away from the Secretaryship it has not been done. I went away about five years ago.

6331. Then you have not had any balance-sheet prepared during the last five years? I have not seen any.

6332. Do you ever send in returns to the Registrar? For two or three years we did, but that was all. Mr. J. King.
6333. When did you cease doing so? When I went away up country. 17 April, 1882.
6334. Then I understand that during the last four or five years, while you have not been Secretary, there have been no balance-sheets prepared, and no returns furnished to the Registrar? I believe that that is the case.
6335. Who prepared the returns when they were sent in? Three of us did.
6336. How is this sum of £426 invested? Most of it is in the Savings Bank. There is £403 7s. 1d. in the Savings Bank.
6337. Are you aware whether any investigation into the affairs of the Society, to ascertain properly its liabilities and assets, has taken place since 1860? We always make the books up every quarter.
6338. The books of receipts and expenditure? Yes.
6339. Did you ever give any consideration as to the contingent liability of the Society, based on a statement of the number of the children enrolled? No, we never take the numbers. We put down the names of those that join, their ages and when they join.
6340. Then in the 400 members enrolled you include children and all? Yes.
6341. The return you sent in to this Commission sets forth your receipts and expenditure under different headings during the last five years? Yes.
6342. *President.*] Have you had much occasion to refer to the Friendly Societies Act in the working of your Society? No; I never look at it. I am not well up in Societies at all. This is the only Society that I have ever belonged to.
6343. Have you never had occasion to go to the Registrar? No.
6344. Has any case arisen in connection with your Society in which the officers have misappropriated any funds? There was one case, a good bit ago.
6345. What was the extent of the misappropriation? £5.
6346. What position did the officer hold? He was surety for the Treasurer.
6347. How did he become possessed of the money? The Treasurer did not pay it.
6348. Then it was the Treasurer who used the money? Yes.
6349. Did you take any legal proceedings? No.
6350. Then the Society lost the money? Yes.
6351. Did you expel the member? He resigned.
6352. *Mr. Gelding.*] Do I understand you to say that you admit anybody to insure their lives, as well as children, up to thirty-five or forty on payment of 8s.? Yes; that payment is the entrance fee.
6353. Can people insure their children for the Burial Fund at any age? Yes, they can join the Society at any age.
6354. Do they receive the benefits, or only children? Yes, they receive benefits if they are in six months.
6355. Then it is not simply a Burial Fund for children, but everybody that likes can join? Yes.
6356. Can you give the Commission any information as regards the expenditure during the last few years? A few years ago we had a good amount of money, and the members hardly knew what to do with it, so they took £300 out of the Bank and divided it amongst themselves.
6357. What is the amount paid for burials last year? I could not tell you without going through the books.
6358. Do you not keep a regular debtor and creditor account? I could not tell you very easily; these amounts are not down in one column in our book (*produced*).
6359. Is that the way these accounts have been kept for years? Yes.
6360. And do you consider that a proper way? That is the way we keep the books.
6361. Well, could you give any estimate at all of the amount of money you paid last year for burials? I could not. I have been Secretary only for five months.
6362. How often do you balance your books? Every three months.
6363. Are they signed by Auditors? Yes.
6364. Then cannot you give us the result from the Auditors' balance? I can only see £3 paid for the last quarter.
6365. What were your receipts last quarter? £51 9s. 5 $\frac{1}{4}$ d.
6366. How much do you get a quarter for your duties as Secretary? £1.
6367. What is the meaning of this—"Messrs. Percival & King, making up balance-sheet, £1"? That is what we got for sending in the return to this office.
6368. What is your opinion, as a business man, as Secretary, of the manner of keeping this book? I think it is right enough. It shows all the money that has been paid in—everything that has been paid.
6369. Do you think that this is the proper form of keeping accounts of a Burial Society, or any other Society? That is the book as I got it from the last Secretary.
6370. Mr. Percival was Secretary to your Society? Yes.

Mr. William Dike sworn and examined:—

6371. *President.*] You are—? Secretary of the Sydney United Labourers' Benefit Society. Mr. W. Dike;
6372. Is your Society registered? Yes. 17 April, 1882.
6373. Under the Friendly Societies Act? Yes.
6374. How long has it been in existence? It was first established on December 13th, 1861.
6375. How long have you been Secretary? Close on two years.
6376. What is the number of members you have? 394.
6377. How many of them are unfinancial? At the end of 1881 there were 280 financial and 114 unfinancial.

6378.

- Mr. W. Dike. 6378. What is the amount of contribution? 3d. per week.
- 17 April, 1882. 6379. In return for that what benefits do you give? We give in the event of a member meeting with an accident 10s. per week for twelve weeks, that is if he has been twelve months in the Lodge. The rules provide further, that "the payment upon the death of a member shall be seven pounds (£7), but if he should be a good contributing member for five years the payment shall be ten pounds (£10), and if he continues a good contributing member for seven years, it shall be fifteen pounds (£15); and further, that the payment upon the death of a member's wife shall be £7; but before any member is entitled to his wife's funeral donation he shall register her name to the Funeral Fund, for which he shall be charged a fee of 1s."
6380. How is your Society managed? By a President, Vice-President, Secretary, Minute Secretary, and Directors.
6381. What was the cost of management during last year? £94 16s; but that is really an extra cost, because we initiated a scheme of voting by ballot, which ran into a considerable amount of money; we also gave £10 to the Infirmary; and through the holidays coming on we had the last quarter's salary included in the one quarter, which will make next half-year's accounts so much less.
6382. What amount has been paid for accidents during last year? £33 3s. 4d.
6383. What amount has been paid during the last five years? £142 12s. 9d.
6384. How much on account of death during the last year? £7.
6385. And during the last five years? £94.
6386. You have no doctor or chemist? No.
6387. Have your members any regalia? No.
6388. What is the amount of your accumulated funds? £956 2s. 1d.
6389. How is that invested? In the Savings Bank.
6390. In the hands of Trustees? Yes, three.
6391. What amount of money did you receive on account of subscriptions last year? £188 3s. 6d.
6392. Is that your total income? No. We had initiation fees to the extent of £39 9s., and interest upon the money, £93 13s. 4d. £274 7s. 10d. is the total amount of our income.
6393. What are your initiation fees? 2s. 6d., and if a member runs out and wishes to be admitted again he has to pay 5s.
6394. Is there any medical examination, or any limit as to age? No.
6395. Have you found any difficulty in the working of the Society? No.
6396. Have you experienced any attempts at imposition? Well, we have some very stringent rules, enabling us to deal with cases of that kind. I might also state that any member getting four weeks in arrears is fined 6d., and if his arrears should exceed eight weeks he runs out of the Society by arrears.
6397. Do you have many members leave the Society? Yes, through carelessness.
6398. What number left the Society during last year? Last quarter there were forty-six who had left.
6399. How many were admitted last year? 230.
6400. Have you found the Friendly Societies Act give you all the protection necessary to secure your funds and the due payment of the benefits you promise? Yes.
6401. Have you anything to suggest that might be of service in future legislation? No.
6402. And you are perfectly satisfied with the working of the Friendly Societies Act? As far as our Society is concerned, I have never heard any complaint.
6403. Did the Registrar demur to registering these rules? There was only one rule he demurred to, and that had reference to the funeral donations. He suggested the propriety of increasing the weekly contributions, but when I showed him the very stringent rules for compelling members to keep up their payments he saw the force of the argument and consented to the rules.
6404. Then you are of opinion that a contribution of 3d. per week is sufficient to ensure payment of the benefits you promise? Yes. In respect to age there is no limit, but the very nature of the occupation prevents any old man from joining. It is only able-bodied healthy men who could get a living at the calling.
6405. Mr. Smith.] Your members have to provide themselves with a doctor? Yes.
6406. Your laws demand a certificate in the case of sick members? Yes, from any duly qualified practitioner. At the Infirmary, last September, they refused to sign a certificate because we never made any donation, and we, recognizing the reasonableness of the objection, immediately voted £10 as a donation, and £6 to St. Vincent's Hospital.
6407. The members themselves have to pay for these certificates? Yes.
6408. Have you had any disputes with your members in Lodge arising out of Lodge matters? No.
6409. And you have never had to appeal to the Registrar? No; only on one occasion when I had some doubts as to the legality of an election.
6410. Mr. Abigail.] Has any of the funds you have now in hand arisen from the sale of properties? No.
6411. Merely accumulated funds? Yes.
6412. During the last five years, has the death rate been very heavy? Last year was the heaviest we have had for the last five years. Three old members died, and they were entitled to £15 each.
6413. Does the last period of five years bear favourable comparison with the previous? Yes.
6414. For the last five years you have added to your capital as subscriptions or contributions £420 19s., or, in other words, you have nearly doubled it in that time? Yes; I think it has more than doubled.
6415. Are there any members who meet with accidents who do not take their benefits? Yes; some die, and some are bad on the books.
6416. Are there any members good on the books who meet with accidents, but do not, in consequence of their circumstances, take the benefits? No; they all take the benefits.
6417. When these rules were registered, did you pay any fee? £1 1s.
6418. Do you give any money in the way of assistance? Yes, in the shape of distress gifts. There is a rule providing that "Should any member be incapable through sickness or other infirmity from performing any work or labour, as to require relief from the funds of this Society, the said member or members must be in compliance before his case can be entertained; and should he be clear on the books there shall be a Committee called of five from the Pence Book in rotation to investigate the member's or members' case. The Committee shall submit their report to the Lodge, which, if satisfactory, they shall vote any sum of money not exceeding 30s., and the said member or members shall not apply for further relief for three months from time of receiving the first."
6419. Have you had any cases of officers misappropriating funds? No.

Mr. W. Dike.
17 April, 1882.

6420. I suppose you have studied the Friendly Societies Act? Yes, so far as it applied to our own Society.
6421. Do you send in annual returns? Yes.
6422. How is the audit carried on? By three Auditors, quarterly.
6423. As a rule, do you find those audits correct? As a rule, yes.
6424. Do you think it would be any extra security to the Society to have their audit supervised by a Government officer? It just depends whether the members are competent to do it themselves.
6425. Would you favour a scheme of that kind in any future legislation? I do not think so, because in our own Society the members are so zealous that hardly anything can go wrong.
6426. But supposing it had been disclosed that many of these audits were unreliable, would it not be to the benefit of the Societies generally that they should have their accounts supervised by a competent officer? I cannot see what benefit that would be if you have in the Societies men who have a knowledge of accounts, and who are actuated by a sense of duty. If they were men who suspected each other, of course it would be better to have an independent person to supervise them. If I were an Auditor I should take it as an insult to have my audits supervised.
6427. Has your Society sent in a quinquennial return to the Registrar? No, we never do that.
6428. The Friendly Societies Act sets that forth? We have never been called upon to do that.
6429. Have you any doubt that it would add to the reliable character of the accounts of Societies if those accounts were supervised by a Government officer? If you had an outside party called in like that I do not think you would get men to act as Auditors. I should not like to think I was to be questioned and looked upon with suspicion.
6430. What fee is paid? The Auditors get 5s. each.
6431. Do you pay any of your other officers? The Chairman gets £8 a year, the Vice-Chairman £1 a quarter, the Minute Secretary £2, and I get £4 a quarter.
6432. *Mr. Greville.*] Is your Society composed entirely of labouring men? Yes.
6433. Do you hold your meetings in a public-house? Yes, I am very sorry to say we do. We have tried very hard to discourage the practice of meeting in an hotel, but up to the present time we have found it impossible.
6434. Do the majority of the members object to removing, or is it that you have not been able to find a suitable place elsewhere? We could not find a suitable place.
6435. Do you consider it objectionable to meet in a public-house? Most decidedly I do.
6436. Would you explain how it is that as there is no limit the practice has not proved prejudicial? Simply because only strong able-bodied men are able to follow the occupation. We do not encourage or ask any other persons to join us.
6437. Would you reject a man not in the best of health? No; we do not encourage it, although as long as a man is of good character we do not reject him.
6438. Do you find aged men seeking admission into your Society, seeing that they are debarred from entering other Societies if they are above the age of forty-five? Anything of that kind we should object to, and would use our own discretion about admitting them as members. We have refused members most decidedly.
6439. *Mr. Holdsworth.*] With reference to the question asked by Mr. Greville, is it not that the mere fact of your members belonging to the class of builder's labourers is in itself a sufficient guarantee that they are healthy, so long as they are capable of following their trade? Yes.
6440. *Mr. Greville.*] Is not your Society a shifting one—is there not a large proportion of your members who only remain in the Society a comparatively brief period? We had an exodus to Melbourne and Queensland, and a good number ran out through not keeping their payments up. If we allowed them an indefinite time to run no man would be able to keep the books.
6441. The floating portion of your Society is larger than that of other Societies? Most decidedly.
6442. And that may have contributed largely to your increased funds? That is really the secret of our profits. In five years 594 persons left the Society through arrears.
6443. *Mr. Langley.*] Looking at rule 17 of your Constitution, which says that any person of good character and sound health may be admitted as a subscribing member, do you think that alone is a sufficient guarantee for your members, provided that they were not of the kind that might be termed shifting population? Yes. I doubt if you could get a proposer and seconder for a person who was not in the trade.
6444. But may not a man be in a very dangerous state of health and not even know it himself? Yes, of course that is possible.
6445. A man might be suffering from heart disease? Then he could not carry a hod.
6446. In point of fact there is no precaution taken, and in the absence of a medical examination you could not guarantee that only persons of sound health were admitted? No.
6447. In the return which you sent in to this Commission, do you not see that you do not show in any place what your total receipts were? No; I did not exactly understand where to put the figures—in what column.
6448. Then if such mistakes as those can arise in an important document like that, do you not see that there is some force in Mr. Abigail's reference to the necessity for having the Society's accounts examined by a competent public officer? A mere clerical error of that kind would not convince me that it is necessary to have Government supervision.
6449. Would you be in favour of a board of arbitration consisting of the representatives of the different Societies to whom would be referred matters of dispute? I see no objection.
6450. *Mr. Slade.*] If they have any testimonials in your Society, does the cost come from the general funds or from the subscriptions of individual members? We have not had any.
6451. Do your rules contain a statement of the amount of the salaries? No; the rules state that the salaries shall be at the discretion of the members. "That all officers connected with this Society be paid such remuneration for their services as a majority of the members present may determine upon; and that no member shall be eligible for election to any office in this Society unless he be a good contributing member for twelve months, and be duly qualified to discharge the duties thereof, and clear of all fines in accordance with these laws."
6452. *Mr. Gelding.*] What salary do you receive? £16 a year.
6453. And what do you pay your Auditors? 5s. each Auditor.
6454. Then the Auditors have to sign the accounts? Yes.

- Mr. W. Dike. 6455. This book (*produced*) is a cash-book, is it not? Yes.
6456. The Auditors are supposed to check and sign the cash accounts? Yes.
- 17 April, 1882. 6457. Can you explain how it is that you are the only party who has signed the majority of these balance-sheets? That is only a private account of my own.
6458. Is that the only document they sign? Yes; it is signed by the Auditors.
6459. Do you consider that a fly-sheet like this, which may be lost, is a proper document for an Auditor to sign? Well, I should say so. At all events it has proved sufficient.
6460. In the way of book-keeping, do you consider that cash-book of yours, when only sometimes signed by the Auditor, and a fly-sheet, a proper way of keeping the debtor and creditor accounts of the Lodge? Yes, because when that balance-sheet is presented to the Lodge and accepted the money immediately passes into the hands of the Trustees.
6461. Are you a tradesman? No, a labourer.
6462. What is the maximum amount which the Treasurer is allowed to retain in his possession? Well, there is no particular check on the Treasurer. The present Treasurer is not keeping more than £10, and he has given a bond of £70.
6463. I see that everybody who does anything for the Society gets paid? Yes.
6464. I see by your cash-book that the Treasurer, for loss of time, received a special sum of money? That was for going over to Balmain to pay a man who had met with an accident.
6465. I presume you know that the success of your Society entirely depends upon this great quantity of members who join you and then drop out of the Society? No; that would be assuming that the initiatory money was the source of the Society's success.
6466. But what would be your position if everybody kept in? I believe we would be better off than we are now. Last year I had on the books 460 members.
6467. Out of that number you lost? Forty-seven; while if those forty-seven members had continued to pay their 3d. per week we should have been a great deal better off.
6468. You would have to take the consequences of death or accident among those forty-seven members? Yes, that is possible.
6469. What is about the average attendance of members on your meeting nights? Well, they just attend often enough to keep from being fined.
6470. Do you allow distress gifts to those who through unforeseen circumstances go out of compliance or meet with an accident? The man must be good on the books.
6471. What is the amount? 30s.
6472. I see there is an entry of £3 for compiling the balance-sheet, who received that? I did.
6473. What is the meaning of this 15s. for the Financial Secretary's loss of time? Having to go to the Registrar's on two or three occasions, to go to the Post Office to change post office orders received from members in the country, and loss of time in other ways.
6474. *Mr. Smith.*] Your Treasurer has to give a bond of £70? Two members, who meet with the approbation of the Society, and who must be known to be worth the money, have to give a bond of £35 each.
6475. Did it ever occur to you to take a fidelity or guarantee bond? No; we are very particular, and have to be thoroughly satisfied with the bondsmen.
6476. *Mr. Abigail.*] Are questions decided by the will of the majority? Yes, a mere majority is required.
6477. *President.*] Then I understand you have no particular fault to find with the working of the existing Friendly Societies Act? No.
6478. And you have no recommendation to make with a view to future legislation? No.
6479. I suppose you never really studied the Act with a view to suggesting amendments? No, I have not.
6480. So far as your own Society is concerned, you have found no serious difficulties arising under the present law? None.
6481. You have no proposals of any kind to lay before the Commission? None.
6482. You have no further explanations to give? No.
6483. And no addition to make to the evidence you have already given? None.

The Commission then adjourned till Friday, 21st April.

FRIDAY, 21 APRIL, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,JAMES F. SMITH, Esq.,
E. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. Augustine A. Fitzpatrick sworn and examined:—

6484. *President.*] What Society do you represent? Court Royal Oak, Ancient Order of Foresters.
6485. What office do you hold? Secretary at present.
6486. How long have you held the office of Secretary? This is the second time I have been through the Chair; I was Secretary seven years ago for three years, and resigned to go through the office of Chief Ranger. I have been about three and a half years Secretary now.
6487. How long have you been a member? Eleven years.
6488. And how long has it been in existence? Since 1847.
6489. And have you any copies of the rules or by-laws? Yes; I have brought a dozen (*produced*).
6490. What number of members have you? According to the last yearly balance-sheet the number was 187 financial, and there were fourteen or fifteen unfinancial. There are 199 on the books now.
6491. What was the total amount of receipts from all sources? We were pretty lucky; we received £622 17s. 9d., and the expenses were £583 4s. 8d., and independent of that we were allowed £80 10s. 4d. by the Savings Bank.
6492. On money invested? There is a deposit of £1,700 in the Bank. We had a total value of £1,865 10s. 1d. at the end of the year.
6493. What did you pay on account of medical attendance and chemist? Doctor, £137 18s., and chemist, £79 19s. 8d.
6494. What did you pay on account of funeral donations? £120.
6495. On account of sick pay? £127 15s.
6496. What was the cost of the working expenses? Officers and Auditors, £62 8s.
6497. What is included in that? Salaries of Secretary, Treasurer, Trustees, what we call woodwards, and what we call the junior beadle, or outside messenger, who delivers all summonses.
6498. Have you any other Societies working in conjunction with yours? We have a Widow and Orphan Fund, which it is not compulsory for members to join; there are twenty-six or twenty-nine in it.
6499. It is a fund established in connection with the Court? Yes.
6500. No member of another Court could join it? No.
6501. So it is actually a Society within a Society? It does not interfere with us.
6502. Have you any connection with any Grand Lodge or District? No; we have seceded from the District.
6503. What was the cause? I do not know. I think it was unnecessary delay in giving the burial money. Now we give half the donation at once, and the other half the first fortnight after.
6504. How many members did you admit last year? There were twelve during the year.
6505. How many left during the time? Four died, and I could not say from memory how many I struck off. There are 187 financial now.
6506. Do all candidates subject themselves to a medical examination? Yes.
6507. Is the examination of a searching and full nature? He strips and sounds you, and asks questions relative to your family; and we have a form which has to be signed.
6508. Have you had many persons seeking admission refused in consequence of the doctor refusing to pass them? One, to my knowledge.
6509. Only one? Yes.
6510. And are you of opinion that the inquiry made by the medical man is a full and satisfactory one? All the members I have brought to the doctor I have seen there, and I have been perfectly satisfied with his examination. The person who proposes a member has to go with him to the doctor.
6511. You are of opinion that it is a quite satisfactory medical examination? I think so.
6512. Have you found subsequently any persons who have been admitted have been proved to be of unsound health? There was one case here; I have heard members say that they thought he was consumptive before he joined. He had taken full time on sick pay nearly eighteen months out of the three years he was in the Society.
6513. And what amount of money is paid in the shape of contributions? A shilling a week, and a shilling every three months towards the Incidental Fund. A man going on the funds is not entitled to sick pay for twelve months, and up to two years £20 at death, and after three years £30. But if an accident happens we have made this fund so that we shall have the power of voting a small sum; and we are putting the superannuated members upon it.
6514. Then each member pays 14s. a quarter? Yes, 56s. a year.
6515. No levies? No; there are burial fees; we have revised our laws, and made it 1s. for a member and 6d. for a member's wife.
6516. You keep your Funeral Fund separate? Yes, in the books.
6517. And the Management Fund is kept separate? Yes, all are kept separate.
6518. And do you believe that 1s. a week is sufficient to ensure the benefits you speak of? Yes.
6519. What do you give in case of death? £20 on the death of a member, £15 on the death of a member's wife, and after three years £30 from the Society, and for 2d. a week extra £15 from the Widow and Orphan Fund.
6520. And supposing your members leave the city and go to the country, how do you provide for them? I have members in Queensland and Newcastle; if sick, they get a certificate from the doctor there, and I send the money, less the expenses.

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6521. But suppose he requires a medical man to attend him and his family? He only pays 9d. a week to us, and the balance to another Court there, and they find doctor and medicine.
6522. Then you recognize each other? Yes.
6523. Though you are outside the District? Yes.
6524. Then you get over the difficulty that way? Yes.
6525. And you are quite certain that 1s. a week is sufficient to ensure these large benefits? Yes.
6526. Has your Society always been in a good financial position? Yes, though we had a great loss one year, over £800.
6527. You are sure this will pay the money? Yes. You must be off the funds for two years before getting full benefits again.
6528. What is the largest amount of funds you have had at any time? The most in the books is £1,958 17s. 6d., on 31st December, 1876, and I think it was that year we got the knock.
6529. Can you tell me what has been the gross expenditure of your Society during the last five years? I have not the returns for five years, but for the last four years it amounts to £2,829 13s. 5½d.
6530. Can you tell me what the gross receipts during that time have amounted to? £2,663 0s. 6d.
6531. You spoke of a serious loss in 1876—what was the cause? I see it was in 1879; the cause was old men dying.
6532. Can you tell us how many deaths occurred? Five members, four members' wives, and one child.
6533. And it was in consequence of the death of old members? Yes.
6534. And consequently old men? Yes.
6535. A long time connected with the Society? Yes. I am eleven years in, and I am only a young member. We paid £275 12s. 8d. for sick pay; to the Superannuation Fund, £36; funeral donations, £211 10s.; medical officer, £133 16s. 6d.; chemist, £103 7s. 7d.; rent, £8; officers and auditors, £61 0s. 3d.; stationery, printing, and advertising, £7 4s.; and the rest was incidental expenses.
6536. And the receipts were for the year £763 7s. 9d.? Yes.
6537. That includes two years' interest? Yes.
6538. What was the year's interest that should not have been included? £106.
6539. And the other year's interest? £97 5s. 6d.
6540. What would be the average age of the members in your Society? About thirty-seven.
6541. Have you many old members now in the Society? A good many.
6542. What number should you think? I should think fifty or sixty good old men.
6543. Over what age? Say forty-five and upwards.
6544. What number would you have over fifty? I could not say exactly; they do not come near us now.
6545. What proportion of young men have you? We have plenty of young men joining us.
6546. Those who have been admitted during the last year—are they young? Generally; about twenty-four is the average.
6547. You have a fixed scale of contributions? Yes.
6548. Do you favour that view? I do.
6549. For a young man to pay as much as an old man? Yes; in olden days they used to pay over-age fees, but we abolished all that.
6550. You have a graduated scale of charges for the admission of members? Yes.
6551. And you are in favour of a fixed scale of contributions? Yes; the same all round. When a member dies we allow the widow to join by paying 6d. a week, and give her doctor and medicine for herself and family under eighteen as long as she is a widow. That is a new rule in our Court, and we have four widows on the funds.
6552. What do you pay the medical officer of the Society for these widows and children? Just the same as a member.
6553. Then they become medical members? Yes; there is no sick pay.
6554. And you are quite clear that 1s. a week is enough to ensure all these benefits? Yes, though I think we shall no doubt get a little knock when the old men die, but we shall pull up again.
6555. How do you settle matters of dispute in your Court? Well, we have an Appeal Committee.
6556. Is their decision final? Well, he can appeal to the three nearest Courts if he thinks it is unjust.
6557. These other Courts are in the District? They are under the District.
6558. But the member aggrieved could ask them to adjudicate? Yes.
6559. Have you had any occasion to go to the Courts? No; if a member is out of compliance fifty-two weeks we strike him off the books.
6560. Have you had any defalcations in connection with any of the officers? Before my time, the Treasurer.
6561. To any extent? Forty odd pounds, I think.
6562. That is the only case you know of? I have only heard of that.
6563. Was it made good? No; I think he got to America.
6564. When your Court left the District, did they take with them the funds? I do not know; they were out of the District before I joined.
6565. You do not know the circumstances? No.
6566. How long have you been out of the District? I could not say.
6567. Your moneys are invested in Trustees? In Trustees, in the Savings Bank.
6568. Did I understand you to say that you had lent money on mortgage to some members? Yes; it was all paid back again.
6569. Have you found any inconvenience arising from the present Act? No. I give my balance-sheet at the end of each year; I never see any trouble with them.
6570. Do you believe the present Act affords sufficient protection to members of Societies? Well, if a member dies unfinancial I believe they can recover the money from the Court. I have read of a case in the Sons of Temperance where they sued for the burial donation and recovered it. We had a member in our Court who died unfinancial in the Receiving House; there was a widow and four or five children, and we gave £15 out of the Incidental Fund for that, and thus made her a present of half the amount.
6571. Have you any suggestions to make that would be of service in future legislation? Yes; I think any town member owing £1 in the Court should not be entitled to the burial fee.

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6572. But could not your by-laws do that? No; I believe not.
6573. Is that the only particular? That is the only thing in which I see any hardship.
6574. What provision do you make for auditing your accounts? They are audited every three months.
6575. By members of the Order? Yes.
6576. And does this give satisfaction to the members? I have never heard any complaints. There have been some Secretaries where errors have been found, but I have never found any difficulty myself; the Auditors have no quarrel with me. In our Court the money is paid over to the Treasurer in the Court at the end of each meeting.
6577. But if the statement you make is a fact the auditing could not have been very active? I was an Auditor at the time; it was simply a matter of distribution—a clerical error.
6578. Would you favour a Government officer making an annual audit of the books of all Societies? Yes.
6579. And a uniform scale of contributions for all Societies? Yes.
6580. *Mr. Gelding.*] Is it not a fact that during the early period of your Lodge a great many seamen belonged to it? Yes.
6581. And owing to their leaving the Lodge it raised your balances? I don't know any seamen that have left the Lodge since I have been in it.
6582. What was the average amount per member twenty-five years ago, about the time you seceded? I could not tell you.
6583. Is it not a fact that five years ago you had an average of £15 per head? No, I do not think so; it might have been £13.
6584. Your average now is something under £10 per head? Yes.
6585. And do you think that is progressing, when you are losing your average nearly every year? Yes; but we do not; last year we picked up £120.
6586. But you have been losing year after year for some years past until the last quarter of last year? Yes.
6587. Do you think then, taking that into consideration, that 1s. a week is sufficient to keep up the stability of your Lodge? Yes.
6588. I see in your book here that the sum of £2 2s. was paid to Mr. Williamson for obtaining a certificate of registration of the by-laws; did the Registrar require you to do so? We paid the Registrar of Friendly Societies £3 3s.
6589. I see that when a member leaves your District and goes up country you allow him 3d. a week deduction in lieu of medical attendance? Yes.
6590. Is he allowed to join the medical benefits of any other Lodge? Yes, if he pays what they demand.
6591. Then he has to pay 15d. or 16d. per week, and you only pay 1s. in Sydney; do you think that is just? Yes.
6592. What does a member pay per week for medical attendance and medicine. I cannot say what we pay; we pay for the medicines, and the chemist allows us a percentage.
6593. You pay on the prescriptions? Yes.
6594. And what do you pay the medical gentleman for his attendance per quarter? It was £33 4s. for the quarter ending December, 1881; £36 10s. for the quarter ending 1st April, 1882; we pay 3s. 6d. per quarter per member.
6595. And the chemist runs it up to 6s. or 6s. 6d.? More than that.
6596. How many members have you in your Lodge belonging to the Widow and Orphan Fund? Twenty-six or twenty-nine; I could not say exactly.
6597. I see you pay members for doing any work that may be necessary for the Lodge? Yes.
6598. Is that a general principle attaching to your Branch? I do not think it is in the present by-laws.
6599. Do you believe in the principle of paying members to do honorary work? No; they do not pay the man who does the writing.
6600. How much do you get as Secretary? 8d. per member per quarter.
6601. *Mr. Newland.*] Could you give the average length of sickness at different ages? No, I could not.
6602. You could not give the average rate at the respective ages (say) between twenty and twenty-five, and twenty-five and thirty? No.
6603. If you went through your books could you give the average rate of sickness at different ages for the past five years? Yes, but it would take a lot of time and trouble to do that; I think when I show in my yearly balance-sheet every man that has been sick I do quite enough.
6604. *Mr. Gelding.*] I see you allow money on the death of a child; do members pay a registration fee? Yes, half-a-crown.
6605. *Mr. Rubie.*] I suppose your members are admitted by medical examination? Yes.
6606. Have you ever found fault with the manner in which the examination is conducted? No.
6607. Never had any admitted that you doubted had a right to be admitted? Not to my knowledge.
6608. Are you satisfied with the way in which it is conducted? Yes.
6609. *Mr. Langley.*] You have informed the President that 14s. a quarter is sufficient to pay the benefits your laws provide and leave you a good credit balance? Yes.
6610. It has done this in the past? Yes.
6611. If that is so according to experience, and an Actuary said it was impossible, would you place any reliance on his theories, as against your practical knowledge of what your order has done? No.
6612. Do you not think small working expenses and the careful management of a Society's funds have as much to do with the results as the scale of contributions and benefits? Yes; the smaller you get the expenses the better.
6613. *Mr. Greville.*] Where does your Court hold its meetings? At the "Swan with Two Necks," corner of George and Park Streets.
6614. Have you seen any ill-effects arising from holding them at a public-house? No; I have seen seventy or eighty men go in and pay their money without having a drink.
6615. Would you not rather favour holding them at some other place? We were in the Foresters' Hall, and they objected to that, as they are more central where they are. The Lodge has been in a public-house all its life, but once.
6616. I think you say you only knew of one instance in which your medical officer has reported unfavourably of a candidate. Yes.
6617. How many cases do you think have been submitted to that medical man? I could not tell you; he has been a long time with us now; seven years, I should think. 6618.

- Mr. A. A. Fitzpatrick.
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6618. Then during that seven years he has only rejected one? That is all I have ever heard of.
6619. And is he bound to fill in a form similar to that which is in use in Insurance Offices? Yes, he has a printed form to fill up.
6620. *Mr. Abigail.*] Have any of your financial members died and failed to get the benefits? No.
6621. None? Never.
6622. Are any of your members in such circumstances that when they are sick they do not go on the funds? Oh, some of them—plenty of them; some would be a week sick and never think of going on the funds; others would go on for two days.
6623. Have you expelled any of your members for being convicted before magistrates? No.
6624. I understand you give some donation on the death of a child? Yes.
6625. What is the amount? 30s.
6626. You have stated very positively that you believe 1s. is sufficient to guarantee all the benefits that you give? I think so.
6627. How do you arrive at that opinion? Well, it has done it all along; of course the last few years we have had a very great knock.
6628. Have you made any calculation at what rate the contingent liabilities are accruing to each of your members? No, I have not.
6629. Are you aware that in 1879 and 1880 you lost £304? We lost it in one year, 1879.
6630. You send in the annual returns to the Registrar? Yes.
6631. Did you send them in without any balance-sheet? Yes, I sent in a written form and he would not accept that, and then I sent in another.
6632. Have you any law that limits the amount of sick pay any one individual shall receive? Six months full pay, and twelve months half-pay, and he could not come on us again until he was off the funds two years.
6633. I find that in 1878 one member received £29 2s. 4d., and the same member in 1879 received £1 1s.; another received in 1878, £19 1s. 6d., and in 1879, £28 15s., making a total of nearly £48 in the two years? Yes; they can get twenty-six weeks at a guinea, and fifty-two weeks at 11s.
6634. And in the face of this fact you still think the subscription of 1s. is sufficient to guarantee all these benefits? I do.
6635. But not by means of calculation? No.
6636. Have you any notion how much contingent liabilities you have got on your 187 financial members? I cannot answer that.
6637. Do any of your members fail to get their benefits by leaving the Colonies? No.
6638. Will you look at the 48th rule; is it correct that when any member of your Court leaves the Australian Colonies his sick benefits are suspended? Yes, that is going right away; everything stops with us except the funeral donation.
6639. Have you had any case in which a member has been fined under rule XL? No, not to my knowledge.
6640. Have you had any case in which any members have taken your Society into Court to recover their benefits? No, not in my time.
6641. You have a rule on the question of arbitration for the settlement of all disputes? Yes; we have an Appeal Committee.
6642. And your laws make their decision final? Well, there is an appeal to the three nearest Courts.
6643. Would you favour in any new Act an Arbitration Board outside of your Society to decide finally on all questions of dispute? I would have no objection to that.
6644. I mean instead of going to law? Yes.
6645. *President.*] You have nothing further to add to your evidence? Nothing more.
6646. And no suggestions to make to the Commission? No.

Mr. Thomas Forsyth sworn and examined:—

- Mr. T. Forsyth.
21 April, 1882.
6647. *President.*] What Society do you represent? Ancient Order of Foresters; Court, Pride of Australia.
6648. What office do you hold? Secretary.
6649. How long have you held the office altogether? This term from January last, and previously about two years.
6650. How long have you been a member of the Court? Three years last February.
6651. How long has the Society been in existence? Since 1856.
6652. Are you under the District Grand Lodge? No.
6653. Were you at any time? Yes.
6654. What did you leave it for? To better our condition.
6655. And have you done so? Yes.
6656. Had you a dispute with the District? No.
6657. Did you take your funds with you? Yes.
6658. What amount of funds had you when you left? About £700.
6659. What amount have you now? A trifle over £1,100.
6660. What number of members have you? At the present time about 180.
6661. What number had you when you left the District? I could not say.
6662. Had you as many as now? No; about 140.
6663. What was the total amount of receipts for last year? Our returns were made out for 9th January, 1881; the total receipts were £422 19s. 7d.
6664. What was the total expenditure for a like period? £397 13s. 4½d.
6665. What was paid on account of medical attendance and chemist for last year? £164 10s. 7½d. to the doctor.
6666. And the chemist? Nothing; he finds his medicine.
6667. What was paid on account of sick pay? £133 12s. 1d.
6668. What was paid on account of funeral donations? £40.
6669. Is that for two deaths? Yes.
6670. What was the cost of management during the year? £40 8s.
6671. What is included in that amount? All salaries of officers, rent, postages, stationery, printing, and incidental expenses.
6672.

Mr.
T. Forsyth.
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6672. What contributions are paid by your members? 1s. a week.
 6673. Is any other charge made? None.
 6674. No levy or quarterly contribution? No; 1s. a week covers all.
 6675. You have a uniform contribution? Yes.
 6676. What are the benefits you give? A guinea a week for six months, 12s. 6d. the second six months, and 6s. as long as the sickness may last; £20 on the death of a member, and £15 on the death of a member's wife.
 6677. And how long do you allow your members to be in arrears to disentitle them to the benefits? Fourteen weeks.
 6678. And what action do you then take? Suspend them.
 6679. And if they still fail to pay? Erase their names when they go fifty-two weeks.
 6680. Have you ever taken any action to recover arrears? No.
 6681. And are you of opinion that 1s. a week is sufficient to ensure the payment of all these benefits you speak of? I am sure of it.
 6682. Is your Society now in a better financial position than when you left the District? Yes.
 6683. You said when you left it you had how much money? About £700.
 6684. And 140 members? Thereabouts.
 6685. And now 182 with £1,100? At the end of the year it was £1,076.
 6686. So you are £300 better off in funds with forty more members? Yes.
 6687. You have been away three years from the District? Yes.
 6688. But for one year they were responsible for the death donations? Yes.
 6689. Was any money paid by the District during that time? Yes, £15 for one member's wife.
 6690. How do you settle matters of dispute between your members and the Lodge? We have an Appeal Committee.
 6691. Is their decision final? As far as our Court is concerned; they can appeal further to the High Court in England.
 6692. Have you had any cases of the members going to the law Courts to settle matters of dispute? No.
 6693. You are in favour of a uniform contribution? Yes.
 6694. And a uniform contribution for all Friendly Societies? Yes, because it would be much easier worked than if worked on a sliding scale.
 6695. Have you had any defalcations in your Society by officers or members? Yes, in one way; it was an error, and not a wilful defalcation.
 6696. Have you balance-sheets to show the expenditure and receipts for the last five years in your Court? It is only the last two years that we have had printed balance-sheets.
 6697. Have you books to show the amount? I have a paper that will show according to the notice I received, but I have no books with me.
 6698. What amount has been paid for sick pay for five years? £485 2s. 5d.
 6699. What has been paid for funeral donation? £40 by us; all others were paid by the District.
 6700. Do you know how much was paid? I could not say; it was above £70; I can account for £70.
 6701. What was the cost of management during that time? £367 14s. 4d., including levies to the District, which were £186 17s. 10d.
 6702. What was the cost of doctor and chemist? £662 4s. 7½d.
 6703. Were there any other expenses for regalia or other expenses? About £25 for a banner.
 6704. What has been the amount received for subscriptions? I have not got that.
 6705. What is the total amount received during the five years? I did not make that up.
 6706. Can you tell from the papers you have here? No.
 6707. What reports have you got here? There are two annual reports.
 6708. Have you any books here? No.

Mr. James Root sworn and examined:—

6709. *President.*] What Society do you represent? Court Morning Star, Ancient Order of Foresters.
 6710. Where is the Lodge located? Waterloo.
 6711. What office do you hold? Secretary.
 6712. How long have you held the office of Secretary? Eight years.
 6713. Have you brought any copies of the rules with you? Yes (*produced*).
 6714. What number of members have you? 249.
 6715. Is that the largest number you have had at any time? No, some have gone bad; we have had more than that.
 6716. How many unfinancial members have you? Fifteen.
 6717. How many members did you initiate last year? That I have not got.
 6718. Have you held any other office? Yes, I have been all through the different degrees.
 6719. How long have you been a member? Sixteen or seventeen years.
 6720. How long has the Society been in existence? 1845 was the first opening of it; but I believe it re-opened in 1854.
 6721. What amount of subscriptions were paid during last year? £753 11s.
 6722. That is for both funds? Yes.
 6723. What is the contribution to these? 6d. to each, that is 1s. altogether.
 6724. What was the total expenditure during a like period? Sick pay, £228 14s.; funerals, £125; superannuation, £6 18s.
 6725. And what was paid for doctor and chemist? £231 15s. for doctor; and chemist, £90 2s. 6d.
 6726. What was the cost of management? £87 13s. 8d., including a large item for printing, £28, on account of having to get new rules printed.
 6727. What was your reason for leaving the District? There were one or two causes I could explain. They did not believe in our spending money on a new hall; that was the chief thing; but there was a bit of a squabble amongst the leading members.
 6728. What is the total value of your funds? £971 15s. 2d.

Mr. J. Root.
21 April, 1882.

- Mr. J. Root. 6729. What had you when you left the District? I am not prepared to say.
6730. Had you as much money? Our total was £902 4s. 7d.
- 21 April, 1882. 6731. How much did you draw out of the District during the first year of leaving? £110, the heaviest we have had since I became a member.
6732. How do you settle matters of dispute? I do not know that we have had any disputes to settle.
6733. But you have a provision made in your rules? We have an Arbitration Committee.
6734. Is there any appeal beyond that? Not that I am aware of; the next clause says there is no further appeal.
6735. How are your funds invested? In the Hall there are £483 12s. 3d., and a balance in hand of £45 2s. 9d.; in the Funeral Fund, £256 0s. 4d., and Sick Fund, £186 19s. 10d., in the Bank.
6736. Is the property in trust for the members of the Society? We have a ninety-nine years' lease, and it is vested in three Trustees.
6737. Have you had any defalcations in your Society? No.
6738. Your accounts are duly audited? Yes.
6739. By members appointed by the Court? Yes.
6740. And have you always found the audits accurate and correct? Yes.
6741. Do all your members undergo a medical examination? Yes.
6742. A searching examination? Yes.
6743. Have you had many candidates refused? Not lately; two or three years ago we had one or two; there is a trade our doctor will not pass, that is, the painters.
6744. But the Society is composed of all kinds of tradesmen? Yes.
6745. And do you consider it in a good, sound, financial position? Yes; we have always been able to pay our way and have a hundred or two by.
6746. And do you think 1s. a week is sufficient to pay all your rules provide? Yes; we have turned our Superannuation Fund into a Sick Fund, 1s. a quarter going into it, and there is a levy of 6d. on the death of a financial member, which goes to the Funeral Fund.
6747. Mr. Abigail.] You think 1s. a week sufficient to guarantee all the benefits you promise? Yes, with the additional 1s. a quarter.
6748. Have you made any calculation? No, I have not, but I have had practical experience.
6749. Have you gone into figures to ascertain how much is due to the members? No, I have not.
6750. Your conclusions are not the result of any calculations? No, but I have held office in the Branch for twelve or fourteen years.
6751. Taking your figures I find the loss amounted to £46 19s.; have you any doubt as to the correctness of that? No, I have not.
6752. And you received a certain amount from the District which, added to this £46, would make your loss £156 19s. Did you pay anything to the District last year? No.
6753. Have you in your book any debtor and credit account with the District? No.
6754. Can you state how much you have paid to the District since you were attached to it? No, I could not.
6755. There is no account kept in the books as between the Lodge and the District? We used to keep such an account, but we have nothing to do with them now.
6756. Have you studied the Friendly Societies Act? No, I have not.
6757. The result of your experience is not arrived at by calculation or figures, but is simply from observation? That is it.
6758. Mr. Langley.] The £46 19s. mentioned as an apparent debtor balance on your transactions covers regalia and books which are the property of your Lodge? Yes, and we have had such a year as we shall not have again.
6759. Your printing and regalia go into stock as an asset? Yes.
6760. And for all Lodge purposes it represents money? Yes.
6761. Mr. Gelding.] How do you account for the Management Expense Fund balancing so precisely in your last balance-sheet? I had to borrow from the Funeral Fund to make it up.
6762. You found that while the Funeral Fund gains money the Management Expense Fund goes behind? As I stated before, in our old rules we divided the funds differently from what we do now.
6763. And even now you do not find the division of your funds answers? We have had no trial yet, but this was an exceptional year throughout.
6764. Do you not think, in view of the Funeral Fund getting so rich, and the Management Fund going behind, that in framing a new Act Lodges should have power to reduce the amount now provided for in the Act, which is 6d? I think they should have that option.
6765. Have you any Children's Burial Fund connected with your Society? No.
6766. Widow and Orphan? We belong to the Widow and Orphan Fund attached to the District.
6767. President.] During your long experience, have you found the Act sufficient for the purpose of protecting your members? Yes.
6768. And affording you all the protection necessary? Yes, I believe so.
6769. Have you any complaint to make of the Act? No, and at our last meeting I submitted the matter to the Court.
6770. Do you always furnish the annual returns to the Registrar? Yes.
6771. Have you any suggestions to make that may be of service? No.
6772. Is that return (*Commission's return*) complete? Yes, except the signatures.
6773. Mr. Langley.] If your Constitution contains clauses in direct contravention to the Friendly Societies Act, do you think the Act is being worked properly? But we reckon it does not.
6774. If the Act says things must be done, and your Constitution says they must not be done, do you think the Act is properly worked? Well, that is the Registrar's fault; he should not pass it.
6775. Mr. Abigail.] Have you read the Act sufficiently close to know whether it protects the interests of your Society thoroughly? Well, I am not a book-worm.
6776. Are you aware of the provisions contained in it? I am going by the working of my own Lodge, and it is getting on as well as can be expected under the Act.
6777. But have you made yourself acquainted with the provisions of the Act? No, I have not.
- The Commission then adjourned until Monday, 24th April.

MONDAY, 24 APRIL, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., President.

JOHN GELDING, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

F. ABIGAIL, Esq., M.P.
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.

W. E. LANGLEY, Esq.

Mr. Stephen Mallarky sworn and examined:—

6778. *President.*] What Society do you represent? I do not represent any; the Society I have been called for has been extinct for two years.

6779. What office did you hold in the Society? I was the originator and Secretary.

6780. What was the basis on which the Society was formed? Doctor, medicine, and a small weekly allowance in case of sickness; the usual benefits.

6781. Equal to the ordinary benefits? Superior, I believe.

6782. What funeral donation did you allow? I have a copy of the rules here (*produced*).

6783. What was the name of the Society? The Redfern Mutual Benefit Association.

6784. When was the Society instituted? On 6th November, 1876.

6785. And when was it dissolved? I should say about two years ago.

6786. What was the cause of the dissolution of the Society? Well, it amounted to this, that most of the members were exceedingly healthy and were paying their subscriptions regularly and getting no particular benefit. Our arrangement with the doctor was that he received 24s. a year for medical attendance for each member whether called upon or not; and extra for the chemist, whom we paid full rates to for dispensing all prescriptions, and he deducted one-third when he presented his bill. We were paying these expenses though the members were not falling sick, and they thought it was not worth while going on; accordingly they called a meeting to consider affairs, and agreed to divide the funds at the disposal of the Association and let the affair drop.

6787. And was the money divided equally? Equally among the members of the Association, deducting subscriptions not paid up.

6788. Do you know what amount each member received? No, I do not.

6789. What amount of funds was at the credit of the Association at the time of its dissolution? I should say £15, as a guess. On our dissolution we only had seventeen members. When I think of it there might have been double that money. I believe the largest share was £2 11s. That would have been the share of all if they had fully paid up.

6790. But there were a large number of members in arrears? Yes, and I think that is how the Society became dissolved.

6791. What amount of contributions did you pay? 48s. a year.

6792. No levies, or other expenses or charges? We never paid any levies, though they are provided for in the rules. The rules are based on the rules of the Australian Union Benefit Society, being almost a verbatim copy.

6793. And you paid contributions at the rate of 4s. a month? Yes.

6794. And the benefits you were to receive were? Doctor, medicine, and sick allowance, proportioned to the funds of the Association.

6795. 10s. 6d. a week if the funds were £400, and a member twelve months? Yes.

6796. 9s. if £300? Yes, and so downwards.

6797. And then I see a funeral donation provided for in case of death? Yes, from £10 to £40.

6798. What was the largest amount of funds you had at any time? I could not say.

6799. Did you ever reach £400? Never; we were only in existence three years.

6800. Your rules were registered? Yes.

6801. In 1876? Yes.

6802. And are you of opinion that 4s. a month was sufficient to ensure all the benefits here enjoined? Yes, I believe it would have been had we had an ordinary influx of new members; but we had no new members; during the three years we were in existence only three new members joined us, and we were losing by change of residence.

6803. Did all your members submit to a medical examination? All after the first in.

6804. But not the first members? They were received as passed.

6805. Were there any old men? None over thirty-six.

6806. And what was the limit of age at which you received members? Thirty-six.

6807. And was the Society dissolved under the 21st and 22nd sections of the Friendly Societies Act? Yes.

6808. You have no general knowledge of the working of Friendly Societies outside this Society? My knowledge is very superficial.

6809. *Mr. Abigail.*] You say you think 1s. would not be sufficient to guarantee the benefits without having a good number of young men joining? Yes.

6810. What proportion would you have considered sufficient? Well, 10 per cent. per annum.

6811. How do you arrive at that conclusion, by figures? No, merely a mental calculation of what I think.

6812. Have you made any calculation to ascertain at what rate the liabilities accrue per year per member to a Society? No, I have not.

6813. Was there any actuarial certificate when your Society was started? No, merely the opinion of the Registrar of Friendly Societies.

6814. Did he give an opinion on your table of rates? Yes, he gave me a personal one, and I believe his certificate states that the rules submitted to him are capable of being worked at the rates charged. I remember he gave me an opinion that our rules were liberal, and that the rates charged would do all that we professed to be able to do.

6815. That 1s. a week would give the benefits, and make provision for all liabilities that might accrue by age? Yes.

6816. Still you have never gone into the figures? No, I have not. It is a conclusion I arrived at in this way, that so many Societies are able to carry on with such a payment.

6817.

Mr.
S. Mallarky.
24 April, 1882.

Mr. S. Mallarky. 6817. While they have accumulated funds, have you ever known any Society that showed how much it had accumulated in liabilities? No, I have no knowledge of any of the Societies.
 6818. You simply conclude from general observation? Yes.
 24 April, 1882. 6819. Mr. Holdsworth.] Have you ever given any consideration to the question of Friendly Societies? I did on the formation of this Society, but not since; that was in 1876.
 6820. Of what character was the consideration you gave, merely that other Societies had done it, and therefore you could do it? Exactly.
 6821. You were three years in existence? Yes.
 6822. During that time you had no sickness? No.
 6823. No claims for sick pay? No.
 6824. Have you any idea what the average claim for sickness is, taking one Society with another? No, I have not.
 6825. Are you aware that the general average would exceed 17s. 6d. per member per year? No.
 6826. Then you are not prepared to give an opinion on it? No.
 6827. President.] Have you any suggestions to make that might be of service to the Commission? No; I have had no experience.

The examination of Mr. James King was continued:—

Mr. J. King. 6828. President.] What Society do you represent? The St. Peter's Burial Society.
 24 April, 1882. 6829. How long has it been instituted? Since August, 1860.
 6830. What amount of contributions do your members pay? There are three different classes: those under ten years of age pay ½d. a week; between ten and sixteen, 1d.; and over sixteen, 1½d.
 6831. What number of members have you? 384.
 6832. What accumulated funds have you? £426.
 6833. What is the largest amount of funds you have had at any time? Over £500.
 6834. And how has that amount been reduced? In 1879, £300 were divided amongst the adult members who had been a certain time in the Society; according to the time they had been in, they got a certain proportion. I produce a return showing how the money was divided:—

Name.	Yrs. Mths.	Amount.	Name.	Yrs. Mths.	Amount.
J. Ashton	18 6	£ 4 17 4	T. Percival	1 6	0 7 10½
Mrs. Ashton	18 6	4 17 4	Mr. Hoppitt	18 6	4 17 4
Miss Ashton	15 6	4 2 0	Mrs. Hoppitt	18 6	4 17 4
M. Ashton	6 6	1 14 2½	W. Hoppitt	14 6	3 16 3
John Ashton	1 0	0 5 3	Mrs. Hoppitt	3 6	0 18 5
Mr. Appleby	4 0	1 1 0½	Mr. Harber	18 6	4 17 4
Mrs. Appleby	4 0	1 1 0½	Mrs. Harber	18 6	4 17 4
Mrs. Booth	18 6	4 17 4	Mr. Jas. Jones	5 0	1 6 3½
H. Booth	6 6	1 14 2½	Mrs. Jones	5 0	1 6 3½
E. Booth	4 6	1 3 8	Mr. T. Jones	6 0	1 11 6½
W. Booth	2 0	0 10 6	Mrs. King	18 6	4 17 4
Mr. W. Bradshaw	9 6	2 10 0	Mr. King	18 6	4 17 4
J. Bradshaw	1 6	0 7 10½	H. King	9 6	2 10 0
C. Burling	11 0	2 17 10	E. King	7 6	1 19 5½
Mrs. Burling	11 0	2 17 10	Chas. King	5 6	1 9 0
John Bradshaw	8 6	2 4 8	C. King	3 6	0 18 5
Mrs. Bradshaw	8 6	2 4 8	Mr. Korsman	15 0	3 18 11
Mr. John Burling	11 0	2 17 10	Mrs. Korsman	15 0	3 18 11
Mrs. Burling	11 0	2 17 10	Mr. Kiember	7 0	1 16 10
Mr. S. Bradshaw	5 6	1 9 0	Mrs. Kiember	7 0	1 16 10
Mrs. Bradshaw	5 6	1 9 0	Miss W. Kiember	6 0	1 11 6½
John Baker	7 6	1 19 5½	W. Kiember	3 0	0 15 9
Mrs. Baker	7 6	1 19 5½	Miss E. Kiember	2 0	0 10 6
W. S. Baker	6 6	1 14 2½	Mr. Minor	15 0	3 18 11
Mr. J. Burrell	3 6	0 18 5	Mrs. Minor	15 0	3 18 11
Mrs. Burrell	3 6	0 18 5	Miss Minor	7 6	1 19 5½
H. A. Burrell	1 6	0 7 10½	Alex. Minor	6 0	1 11 6½
W. Brown	10 6	2 15 2½	Jos. Minor	2 6	0 13 1½
Mrs. Brown	10 6	2 15 2½	Mr. Newton	8 6	2 4 8
W. H. Brown	4 6	1 3 8	Mrs. Newton	8 6	2 4 8
Jas. Brown	2 6	0 13 1½	J. T. Newton	2 6	0 13 1½
Mr. T. Brown	5 0	1 6 3½	W. Newton	1 6	0 7 10½
Mrs. Brown	5 0	1 6 3½	Mr. Percival	18 6	4 17 4
H. Chapple	7 0	1 16 10	Mrs. Percival	18 6	4 17 4
Mrs. Chapple	12 6	3 5 9	Miss Percival	2 6	0 13 1½
Mrs. Collins	11 0	2 17 10	Mrs. Parker	5 6	1 9 0
Mr. Days	10 6	2 15 2½	Mr. C. Parker	2 6	0 13 1½
Mrs. Days	6 6	1 14 2½	Mr. T. Parker	5 0	1 6 3½
Mr. Daws	7 6	1 19 5½	Mr. Richardson	5 6	1 9 0
Mrs. Daws	7 6	1 19 5½	Mrs. Richardson	5 6	1 9 0
Mr. Emery	18 6	4 17 4	Mr. J. Russell	7 0	1 16 10
Miss Emery	7 6	1 19 2½	Mrs. Russell	7 0	1 16 10
Mrs. Emery	17 6	4 12 1	Mr. C. Slade	13 0	3 8 4½
Mr. W. Edwards	3 0	0 15 9	Mrs. Slade	17 6	4 12 1
Mrs. Edwards	3 0	0 15 9	Mr. Strange	11 0	2 17 10
Mr. J. Gardner	18 6	4 17 4	Mrs. Strange	11 0	2 17 10
Mrs. Gardner	18 6	4 17 4	Mr. Routley	18 6	4 17 4
Miss Gardner	2 6	0 13 1½	H. Routley	6 6	1 14 2½
Mr. J. Gardner, jun.	11 6	3 0 6	M. A. Routley	2 6	0 13 1½
Mrs. Gardner	4 6	1 3 8	S. Routley	1 6	0 7 10½
Mr. Goode	13 0	3 8 4½	R. Goode	3 6	0 18 5
Mrs. Goode	13 0	3 8 4½	R. Goode	3 6	0 18 5
Mr. Green	18 0	4 14 9	A. Green	1 6	0 7 10½
Mr. C. Griggs	13 6	3 11 0	C. Griggs	8 6	2 4 8
Mrs. Griggs	13 6	3 11 0	C. Griggs	11 0	2 17 10
J. Griggs	4 6	1 3 8	John Griggs	6 0	1 11 6½
			James Griggs		
			W. Hoppitt		
			W. Hoppitt		
			W. Hoppitt		
			W. Hoppitt		
			Jane Harber		
			Jane Harber		
			James Jones		
			James Jones		
			Thomas Jones		
			J. King		
			J. King		
			J. King		
			J. King		
			J. King		
			P. Korsman		
			P. Korsman		
			H. Kimber		
			H. Kimber		
			H. Kimber		
			A. Minor		
			A. Minor		
			A. Minor		
			A. Minor		
			J. Newton		
			J. Newton		
			J. Newton		
			T. Percival		
			T. Percival		
			T. Percival		
			Mr. Loy		
			C. Parker		
			Mr. Loy		
			J. Richardson		
			J. Richardson		
			John Russell		
			John Russell		
			Charles Slade		
			Charles Slade		
			James Strange		
			E. Routley		
			E. Routley		
			E. Routley		
			E. Routley		
			W. Edwards		
			W. Edwards		
			L. Purdy		
			B. Purdy		
			M. Tye		
			J. Tye		

Mr. J. King.
24 April, 1882.

Name.	Yrs. Mths.	Amount.	Name.	Yrs. Mths.	Amount.
Mrs. J. Tye	6 0	£ s. d. 1 11 6½	J. Tye	13 0	£ s. d. 3 8 4½
Mrs. Tuck	15 6	4 2 0	D. Tuck	4 0	1 1 0½
Mr. D. Tuck	16 0	4 4 2½	D. Tuck	2 0	0 10 0
Mrs. D. Tuck	16 0	4 4 2½	D. Tuck	7 0	1 16 10
Mrs. W. Walker	10 6	2 15 2½	W. Walker	7 0	1 16 10
Mr. Walker	10 6	2 15 2½	W. Walker	6 6	1 14 2½
Mr. J. Walker	15 0	3 18 11	J. Walker	6 6	1 14 2½
Mrs. Walker	11 0	2 17 10	J. Walker		
Mr. T. Walker	13 0	3 8 4½	T. Walker		
					£300 0 0

Summary.

Name.	Amount.	Total.	Name.	Amount.	Total.	
Ashton	£ s. d. 15 16 1½	£ s. d. 17 18 2½	King	£ s. d. 16 11 6½	£ s. d. 31 0 10	
Appleby	2 2 1		Korsman	7 17 10		
Booth	8 5 8½	47 19 10½	Kember	6 11 5½	12 1 11½	
Bradshaw	2 17 10½		Minor	12 1 11½		
Burling	5 15 8		Newton	5 10 4	5 10 4	
Bradshaw	4 9 4		Percival	10 7 9½	13 16 2½	
Burling	5 15 8		Parker	3 8 5		
Bradshaw	2 18 0		Richardson	2 18 0	6 11 8	
Baker	5 13 1½		Russell	3 13 8		
Burrell	2 4 3½		65 18 1	Slade	8 0 5½	227 13 1
Brown	9 19 9½			Strange	5 15 8	
Chapple	5 2 7			Routley	7 12 6½	23 5 6
Collison	2 17 10	Spilsted		1 16 10		
Dayes	4 9 5	Purday		2 12 6½	2 12 6½	
Dawes	3 18 11	Tye		6 0 11	18 11 4	
Emery	11 8 7½	Tuck		12 10 5		
Edwards	1 11 6	Walker		20 15 5½	27 17 6½	
Gardner	14 11 11½	Woodley		7 2 1		
Goode	6 16 9					
Green	4 14 9					
Griggs	8 13 6½					
Hoppett	14 9 4					
Harber	9 14 8					
Jones	4 4 1½					
	£158 12 1	158 12 1		£300 0 0	300 0 0	

6835. Have you brought some books and papers to-day? Yes.
 6836. What balance was left after this £300 was drawn out? £200.
 6837. Were the whole of the members agreeable to this being drawn out? I believe so.
 6838. You are not aware that some of them objected to the funds being applied in this way? No; I do not recollect it. I produce the notice of motion that was given, dated 27th February, 1879; it is as follows:—

Notice of motion to be considered at the quarterly meeting to be held on the 27th February, 1879.—“That the sum of £300 be divided as bonuses to the adult members over sixteen years of age, from the time of entrance, ratably per year as the length of time they have been members of over twelve months, from 31st December, 1878.”

AARON GREEN.
JOHN GARDNER.

6839. The largest sum received was by Mr. Walker, £20 15s. 5½d? No, I think by me—£16 and some odd shillings, for myself and family.
 6840. But do you know that he received some £20 15s. 5½d? No; I believe it was divided amongst two or three different families.
 6841. Are these Walkers all the same family? No, there are three different families.
 6842. And you say you received the largest amount? I believe our family did; £16 11s. 6½d.
 6843. How do daughters receive,—are they members of the Burial Fund? Yes.
 6844. Mr. Percival also received £10 7s. 9½d.? Yes.
 6845. Mr. Gardner, £14 11s. 11½d.? Yes.
 6846. Is that the Mr. Gardner who gave notice of the resolution? Yes; it was he and his family who received the money.
 6847. Mr. Green, £4 14s. 9d.? Yes.
 6848. Was it he who signed the resolution? Yes. I produce a paper prepared by Mr. Guille, school-master at St. Peter's, showing how the money could be proportioned to each of the members; it is as follows:—

St. Peter's, 31st March, 1879.

I BEG to report to the members of the St. Peter's Burial Society that in accordance with the time each member has belonged to the Society, as specified in the papers placed before me, I have calculated the amount each person should receive to within one halfpenny; or, in other words, I certify that no person in the accompanying list receives a halfpenny more nor less than his or her equitable share of the £300 to be divided.

I have, &c.,
R. WILLIAM GUILLE.

6849. Is he a member of the Society? No.
 6850. You know the 16th rule? Yes.
 6851. It is as follows:—“This Society shall continue so long as five adult male members continue together, and that the funds of this Society shall not be converted to any other purpose than as follows: For paying donations at death of its members and working expenses, and two guineas (£2 2s.) be paid to the Sydney Infirmary annually, and a bonus to its members, as follows: For every adult member, for every ten

- Mr. J. King: ten years' membership, the sum of two pounds (£2), to take effect from the commencement of this Society." Do you think then this distribution of funds was in accordance with this by-law? Well, it does not say in the by-law, but they had so much money they did not know what to do with it.
- 24 April, 1882. 6852. But do you think in this distribution you were carrying out this by-law? No, but I think there is another by-law that by notice of motion we can alter our rules.
6853. Rule 24 reads:—"These laws rescind all former laws, and shall be in force from and after the time they are registered by the Registrar of the Friendly Societies in New South Wales, and no alteration shall be made herein, nor additional laws made, without the consent of a summoned meeting of the Society; notice of such intended alteration, or new law, must be given to the President, in writing, at least one month before the summoned meeting, at which it will be brought forward. The proposed alteration or additional laws shall also explicitly be stated in the summonses calling the meeting, and such alterations or additional laws, if passed by a majority of the members present, shall be in full force and effect immediately on being registered by the Registrar of the Friendly Societies in New South Wales." Is that the rule you refer to? That is all I can see.
6854. Then you admit that in dealing with this £300 you were not carrying out this 16th law? No, of course we could not; but I believe every member was agreeable to it; I never heard any complaint against it.
6855. Have you never had a complaint against it? There has been none that I have heard of.
6856. Do you think the people who received the sum of 13s. 3½d. were satisfied to see you get £16? Yes, I believe they were, because we had been in so much longer than they had; I had been in eighteen and a half years.
6857. What is the annual amount paid by each member? Each adult pays 6s. 6d. a year.
6858. And the Society took the risk all the time? Yes.
6859. And they still keep the risk? Yes.
6860. And you received this money? Yes.
6861. Have many left the Society? Yes, about thirty or thirty-two, during the last five years.
6862. Before the distribution, how many? I could not say exactly; not above ten.
6863. And how many since? There might have been twenty.
6864. Do you know why these twenty left,—was it because they disapproved of the division? No, it was not on that account at all; one party left because he owed us some money and he never paid it, and his family counts six members out of the lot.
6865. And you do not think any left in consequence of this distribution? No.
6866. Do you think it is a fair and honest thing to have a distribution of the funds of a Burial Society? Yes, I think so.
6867. Are not the funds subscribed for a special purpose? Yes.
6868. And do you not think it is a misappropriation to apply them to any other purpose? Not if all agreed to it. If I had been in Sydney I would have been in favour of it.
6869. Then you approve of it? I do.
6870. Were any other members away at the time? Yes, all my family.
6871. How many of them? Four boys and one girl.
6872. Then you have seven members of the Society? Nine. We were away, and did not participate in the vote.
6873. You were not asked if you agreed or not? No; we did not know anything about it.
6874. How long do you think Societies would last if they carried on their business in that way? I think we should last a long time the way we are getting money.
6875. You have £420 now? Yes.
6876. And would like another distribution? Yes.
6877. Have you had any alteration of rules during the last few years? Not since 1877.
6878. And this distribution took place in 1879? Yes.
6879. Did you apply to the Registrar for approval of this distribution? I cannot say; I do not know.
6880. Do your members undergo an examination before they are passed? No.
6881. You take anybody? We have a Committee who have to inquire into their health and honesty of character.
6882. And they are the judges of the health and constitutional fitness of the members? Yes.
6883. And do you pay money whether you get a certificate or not? We have the certificate of the death of a member.
6884. Do you belong to any other Society? No.
6885. Mr. Slade.] Did you take your laws into consideration at all in the matter of this division? I was not down here, and did not know anything about it until it was divided.
6886. Can you tell me whether you received a summons to attend that meeting? No, I did not receive one.
6887. Were you invited to vote by proxy? No.
6888. Did you hear of any other members voting by proxy who were absent? No.
6889. To the best of your belief the vote was taken by those present without reference to outsiders? Yes.
6890. Did you at any time see a summons sent to anyone else? No.
6891. Have you any personal knowledge of a summons at all? No.
6892. Did you see any advertisement in the papers at all? No.
6893. Have you in conversation with any of the members heard that they did? I never heard them say.
6894. Mr. Langley.] Your laws say that bonuses shall be paid to members ten years in the Society? Yes.
6895. Then if this says that any person who has been in from 1st December, 1878, should share in the distribution, do you think it would be in accordance with your by-laws? All adult members over twelve months in the Society.
6896. This action allows any one fourteen months in the Society to receive a bonus; do you think that is in accordance with your laws? I do not think there is any wrong in it; I never heard any one complain against it.
6897. But if your laws say you shall do one thing and you have done another, do you think you have carried the laws out? I think we have acted rightly according to our principles.

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6898. Have you acted according to your by-laws? No.
 6899. Do you not think this was giving an unfair advantage to old members as against new ones? No, I cannot see it.
 6900. Did it not give them a larger proportion of funds than they should have taken out according to your laws? No, I do not see it.
 6901. When you paid out that amount of money in 1879, in February, had you any funds left? Oh, yes.
 6902. Then how is it I find in the books, "Interest paid to a Mr. Percival," amounting to £3 in July afterwards? That is from Mr. Percival.
 6903. *President.*] Had he a mortgage? Yes, he had a mortgage.
 6904. *Mr. Holdsworth.*] Did you register these laws? I was Secretary at the time.
 6905. Did Mr. Oliver make any objection to them? Mr. Percival was authorized to get them registered.
 6906. How do you elect members; will you show me the rule? Rule 4.
 6907. How do you admit them; under what rule? Rule 7—"The entrance fee for each member shall be according to the following scale, viz. :—

						s.	d.
Each child under 10 years of age	...	...	...	...	...	0	6
10 years, and not exceeding 16	...	...	...	...	...	1	0
16 "	"	20	...	...	...	2	0
20 "	"	25	...	...	...	3	0
25 "	"	30	...	...	...	4	0
30 "	"	35	...	...	...	6	0
35 "	"	40	...	...	...	8	0

No person shall be admitted above the age of forty years, unless they comply with the following, viz. :— That they pay the yearly contribution for each year or part of the year they are over forty years of age, together with the usual entrance fee."

6908. That is only the fees; how are they elected? They are elected by the members present.
 6909. Can you show me the rule that says so? We meet once a month, and the proposal is made one month and the election takes place at the next meeting.
 6910. Did not Mr. Oliver object to anything of this sort? No.
 6911. If you have any disputes, how do you settle them? I do not know; it would go by the majority.
 6912. Did not Mr. Oliver call attention to the want of an arbitration clause? Not that I am aware of.
 6913. Are you aware that the rate you pay, 6s. 6d. a year for £8, is equal to what any Friendly Society charges to give you £20? I do not know.
 6914. *Mr. Abigail.*] Do you understand this 16th law to read that none but adult members shall participate in the division of any amount? Yes.
 6915. Did you receive £16 11s. 6d. for yourself? No.
 6916. Are the children you received amounts for adults? Yes; the youngest was about twenty, others twenty-two, twenty-four, and another twenty-six; I received for four children, or rather gave it to them.
 6917. How many members had you when you made this division? Well, there might be twenty more than there are now.
 6918. Then there were over 400 then? I do not know; I cannot say.
 6919. Had you as many as 384? Yes, I believe we had.
 6920. Do you know how many participated in the division of the £300? I never read the account, and only got it the night before last.
 6921. This sets forth that 129 participated in the division; how did you settle with the others? They were not sixteen.
 6922. And therefore were not considered in the resolution? No.
 6923. Do you know how many were present at the meeting? I do not know.
 6924. For your £5 17s., paying 6s. 6d. per year for eighteen years, you received £16 11s. 6d.? Yes, but not for my 6s. 6d., my wife paid the same amount, and my children had to pay the same as myself.
 6925. Can you say how much your family had paid in at the time? No, I could not.
 6926. Can you say whether any consideration was given to the actual liabilities of the Society when this division was made? I do not know; I could not answer.
 6927. You took the money when offered without asking any questions? Oh, yes.
 6928. *President.*] What is your Society principally composed of? Of working men.
 6929. Principally brickmakers, carters, and men living in the locality? Yes.
 6930. Is Mr. Gardner connected with your Society now? Yes.
 6931. Is he living in the district? No; at North Shore.
 6932. Mr. Burling? Yes; he is at St. Peter's.
 6933. What do you pay in case of a child's death? If under a month, 30s.; if over a month, £3, up to ten years of age; from ten to sixteen, £5, and over £8.
 6934. And have you had many deaths in your Society during the last five years? Not very many; three in 1877, four in 1878, four in 1879, seven in 1880, and three in 1881.
 6935. Does that include children as well as adults? Yes.
 6936. How much has been paid altogether? £84 in five years.
 6937. What other expenses have you had during that time? No heavy expenses except the bonuses.
 6938. What has been spent in bonuses besides this £300 during the last five years? £436 5s., including the £300.
 6939. How was that divided? According to the 16th rule.
 6940. Did you receive any part of that? Oh, yes.
 6941. Did any of your family receive that? My wife, one son, and one daughter.
 6942. Received bonuses? Of £2 each.
 6943. And all members of the Society receive the same bonus? Yes.
 6944. What have been the working expenses during the five years? The salaries, £23, during the five years.
 6945. What is paid to the Secretary? £1 per quarter.
 6946. And to the Treasurer? 2s. 6d. a quarter.
 6947. And Trustees? 4s. a year.
 6948. What other expenses had you? Rent, £9 2s. in the five years, and £10 10s. for hospitals.
 6949. What has been paid on account of postage, advertising, &c. About £4 1s. in five years.

Mr.

Mr. Thomas Percival sworn and examined:—

Mr.
T. Percival.
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6950. *President.*] What Society do you represent? Two; I belong to the Oddfellows and St. Peter's Burial Society.
6951. What office do you hold in the latter? None now.
6952. What have you held? Secretary, Trustee, and Chairman.
6953. How long have you been a member? Since its establishment on August 16th, 1860.
6954. How long did you hold the office of Secretary? From 1877 till 1881.
6955. Your wife and daughter also are members? Yes, all my children.
6956. How many? Six, besides my daughter.
6957. You were Secretary during the time of the distribution? Yes.
6958. What number of members were present at the meeting at which the motion was moved? Nearly all who had the right to be present; it is only the male members over eighteen who are allowed to attend.
6959. How many male members have you? About fifty-five; a great many of them were not entitled to be present, because they were under eighteen years of age.
6960. How many were entitled to be present? I do not think there were five members within the boundary but what were present at the meeting; and it was carried unanimously, because we considered we did not want so much funds.
6961. Can you show me a rule which authorizes you to make a distribution in that way? There is no rule for that purpose; it was done by a general meeting of the Society by summons.
6962. But was that amendment to the by-laws approved of by the Registrar? We never sent him notice of it; we simply passed the resolution.
6963. But do you not know you cannot pass a resolution in contravention of the rules registered? We did not pass a by-law at all; we have another £300 to distribute directly.
6964. Do you not know the Act does not permit you to do that? Yes; but as the members were unanimous we did not think it was worth while making a by-law of it.
6965. Then if they were unanimous to-morrow you think it would be a prudent thing to do? I think it would be very useful to some of the members.
6966. No matter what the law says? I did not think about that, the Act is so complicated.
6967. Does not the 16th rule provide that certain bonuses shall be given to members after working expenses? Yes.
6968. Have you received any bonuses? Yes.
6969. What amount of money did you receive in the shape of bonus or bonuses? I think I have received two.
6970. That is £4? And my wife £4.
6971. And your daughter? She is not old enough.
6972. And in addition you received this £10 7s. 9½d.? Yes.
6973. Is that all you received? Yes, that includes the lot.
6974. And there is £8 additional to that? Yes, £4 for myself and wife.
6975. You are aware of the 16th rule, which provides for these bonuses? Yes.
6976. And you will not tell the Commission that this distribution of £300 was in conformity with that? No, because I never sent; it was only by resolution that was carried.
6977. And you say that nearly all the persons entitled to be present were present? Yes.
6978. Was Mr. King present? I do not know.
6979. Was not he entitled to be present? Yes, if he was within bounds; they were all written to.
6980. Have you Mr. King's letter authorizing you to vote? No.
6981. Could you name any member we could summon who authorized you in writing to intimate to the meeting that he was agreeable to this distribution? I could not.
6982. Do you know any member who was agreeable? Mr. Joseph Ashton wrote saying he was agreeable, but that was afterwards; but it was a letter from him that was the means of bringing the matter forward.
6983. Have you that letter? No, I have not.
6984. Where is he to be had? Grafton—Harwood Island.
6985. And you are positive he wrote to you intimating he was agreeable to this resolution? Yes.
6986. Did he know the nature of the distribution to take place? Not the amount.
6987. And do you say that no one has the right to vote or to participate in the distribution except male adult members? Over eighteen years of age.
6988. Are there not a larger number of females than males? I think there is a majority of female children.
6989. And a meeting of twenty or thirty persons distributed the money? Yes.
6990. Do you mean to tell the Commission that only some twenty or thirty were entitled to be present? No more.
6991. And there were only about twenty there? I do not know.
6992. Do the minutes show the number of members present at the meeting? No.
6993. Was the roll called? No; I do not think it would be.
6994. You are of opinion that there were under thirty? There might have been thirty.
6995. And the Society had how many members at that time? I could not say that; I do not know how many there are now.
6996. Were there 300 members then? I could not say.
6997. Would there be 400 members? I do not think there would be.
6998. If Mr. King has stated 400, would it be correct? I should think so; he has gone through it lately.
6999. And do you think twenty or thirty persons would be entitled to pass such a resolution as this? I think so.
7000. Independent of your by-laws? I said it was wrong, but was overruled.
7001. *Mr. Holdsworth.*] You have said, I think, that it was only males over eighteen that were allowed to vote? Yes.
7002. Will you show me any rule which says who shall have the power to vote? We took the Friendly Societies Act for it.

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T. Percival.
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7003. You have no by-law on it? No.

7004. Have you any by-law which specifies how members shall be admitted? No. 6: "The duties of the Working Committee shall be:—To attend all meetings of the Society, and to inquire as to the character of all persons proposed as members, and to assist in the general management for the welfare of the Society. All officers to attend the usual monthly meetings, or be fined 6d., unless a satisfactory apology be received in writing."

7005. I want to know who has the power of electing members? Those present at the monthly meetings.

7006. Are they elected by the members? Yes.

7007. You have no by-law which says how members are to be elected or to show who are your real voting members? No.

7008. If you have any disputes in your Society, how are they settled? By a summoned meeting of the Society.

7009. But suppose a member objects to the decision of the majority? We must go to Court, I suppose.

7010. Did you register these rules? Yes.

7011. Did Mr. Oliver read them? I suppose so.

7012. Did he object to them? No; he kept me waiting about a fortnight, and then sent to me saying it was all right, and for me to come in and bring the fee.

7013. And those do not certify who are voting members, how members are to be elected, nor for any provision in case of dispute? No.

7014. The Registrar of Friendly Societies registered them without a word? Yes.

7015. *Mr. Langley.*] You have just stated that members under eighteen, though they may be adult members according to your rules, are prohibited by the Friendly Societies Act from voting? Yes.

7016. Then will you kindly read the 29th clause of the Act, and say how you come to give such a reply? That clause does not provide for a member voting, but that he shall not take office as Director, Trustee, or Treasurer.

7017. If that was an illegal distribution from your funds, are you aware that every member of your Society is liable to sue your Trustees unless you can show a quittance from them? I think we have got that.

7018. Have your Trustees received a quittance for the payment of that £300? No more than the receipts given in the schedule handed in by Mr. King.

7019. How long was it prior to the expenditure of this £300 that you had previously received a bonus? I got one in 1870, and another in 1880.

7020. If a similar course to this was pursued in all Societies, what do you think there would be for the young members? The same as there is in ours; if they conducted their business and left off so much wasteful expenditure you would have plenty of money in all Societies.

7021. At the time of the distribution in 1879 you had 150 members on your books? There were more than that, little and big.

7022. Then if twenty members have the right to vote your funds away in that shape, what guarantee is there for the remainder of your members getting their rights when they want them? They were not entitled to them according to the resolution passed.

7023. The resolution overrides the Friendly Societies Act? I am quite aware of that.

7024. *Mr. Slade.*] When that resolution was passed about that division was any law that you had in existence at the time taken into consideration? Yes, the one with regard to bonuses.

7025. And your members decided on that division believing the law gave them authority to do so? I believe most of them did, though I told them it was against the Friendly Societies Act.

7026. Were the members called together for the purpose of considering that? Yes, by summons.

7027. What form did the summons take? By circular, in which the business was set forth.

7028. And to whom did you send that? To all members who lived within 8 miles, and most of those in the country.

7029. Did you omit any? I do not think so.

7030. Are you sure you summoned any country members? Yes; I know I summoned Mr. Ashton.

7031. Did you receive any written instructions from any of the country members how they wished their vote to be taken? I do not think so.

7032. Did anyone send a proxy for anyone else to vote in their stead? We would not take it.

7033. The bonuses prescribed in your rules have been paid in all cases irrespective of this division? Yes.

7034. Was the division classed as bonuses under the 16th rule? Yes; they were put as bonuses to be given according to the number of years each member had been in as from sixteen years of age.

7035. In the regular bonus of £2 it was always supposed they were given according to that rule? Yes.

7036. Yes, then what was the impression of the members that they received their quota by the 16th rule? Yes, I said that they could not, and it was ruled that they could do what they liked with their money.

7037. Who were the Trustees at the time of the division? Aaron Green, Alice-street, Newtown; John Gardner, Military Road, North Shore; Charles Burling, St. Peter's.

7038. Not the three who are upon the rules here? No.

7039. Did they protest against the action? No; two Trustees made the resolution.

7040. Have there been any threats on the part of your members to take action? No; they want us to divide again.

7041. Were there any dissentients at the meeting at all? No, not one.

7042. Was there any protest, verbal or written, against the action taken? No.

7043. Are you aware that the Trustees are liable to be proceeded against? Yes.

7044. And yet you took part in this? Yes, and would again.

7045. Are you sufficiently acquainted with the Act to know that any such distribution as this is penal? I know it is not legal.

7046. Are you aware that the Act makes penalties for such a thing? Yes, but it must be done by the members.

7047. Can you tell us whether by resolution at any time the disability to vote for members under eighteen years of age was instituted? Yes, there is a resolution on the minute books.

7048. Does it exist in either your present or any previous code of rules? Yes, in the old ones.

7049.

- Mr. T. Percival. 7049. Could you produce a copy? I could not tell you.
- 24 April, 1882. 7050. Is it not rather that this disability has been the result of practice? We have never allowed them to vote until they were eighteen years of age.
7051. And really it is a mere precedent you have established? It was a late law.
7052. There is none at present? None now.
7053. And having had that clause of the Act pointed out to you, do you not see they had a right to vote? You will find that a person under eighteen years of age is not a full member of any society.
7054. Are the Trustees that you have given us the names of men who are in a social position to meet any claims that might be brought against them? I do not think so.
7055. Is the Society collectively able to refund the money if it is demanded by law? Yes.
7056. The 129 persons who shared in that division out of the gross total—did any of the remaining members protest in consequence of not receiving some share? No.
7057. Was there any claim by anyone else? No.
7058. *Mr. Langley.*] May I ask if they were all aware they were entitled to participate in it? All over sixteen years of age.
7059. That legally they were as much entitled as others? Some of the babies were not, I suppose, but I think they were.
7060. *Mr. Gelding.*] This notice of motion—you have had a deal of connection with Societies—do you think it is a legal notice; it is your writing? It is in my writing.
7061. This quittance of the amounts; there are a number of them signed by you? Yes.
7062. Is that the only legal quittance you have? I got a letter from them.
7063. Do you think that is a legal quittance of all these members, your signature being attached to the majority of them? I think so, because I received notice as to what I should do with the money, and I carried out their wishes.
7064. Your Society is very wealthy, is it not? Pretty well.
7065. Do you not think it would be advisable to pay some one to keep the books better than they are at the present time? We cannot get any one to do it.
7066. You got £3 for making out the return furnished by the Commission? No; £1 between three of us.
7067. *Mr. Abigail.*] Is this (*produced*) the notice of motion? Yes.
7068. What date was it given; the meeting previous to the night you decided it? I could not say.
7069. Have you been in the habit of receiving resolutions and dividing funds on the same nights that you deal with the proposals? Oh, yes.
7070. You deal with it the same night? Yes; we only meet once a month; but that would come before a special meeting on the quarterly meeting.
7071. Have you been in the habit when notices of this sort have been given—do you not enter it in the minutes? No.
7072. Well, I see that on December 5th, previous to this, there is no record of any notice of motion having been handed in? No, we do not do that.
7073. Are you aware that this thing purporting to be a notice of motion is dated the same night that you carried the resolution to distribute this £300? I do not think so.
7074. If the date on this and the date in the minute-book is the same? It must be so.
7075. You have no doubt you sent summonses? I am certain of it.
7076. Do you send summonses for special meetings without authority? Not without authority from the Chairman.
7077. Is there any record of authority having been given in your minutes? No.
7078. You do not take resolutions for special meetings? No; that was at the quarterly or a special meeting, I do not know, but it was handed in, and I gave it to the Chairman, and he authorized me to put it in the summons.
7079. I see you have been in the habit of nightly passing resolutions that certain members received their bonuses? Yes, that is when they become due.
7080. In 1876, was your Society in a flourishing state? Yes, it has always been in a flourishing state.
7081. I notice on 24th February a proposition to lend some £200 to a lady? It was not carried then.
7082. What security do you take when you lend money that way? Get the deeds—a mortgage.
7083. This is a correct record of the proceedings (*the minute-book*)? Yes.
7084. Are you aware that none of these minutes are confirmed for years past? They did not take that trouble.
7085. You do not think it necessary? No.
7086. You have been a borrower from the Society? Yes, and paid it back.
7087. And they took the deeds? Yes.
7088. When this division was made, did you consult the 21st clause of the Friendly Societies Act, as follows:—"And it shall not be lawful in any Society to direct a division or appropriation of any part of the funds or property thereof except for the purpose of carrying into effect the general interests and objects declared in the rules as originally certified unless the claim of every such member is first duly satisfied or adequate provision be made for satisfying such claim and in case any member of such Society shall be dissatisfied with such provision it shall be lawful for such member to apply to the District Court Judge of the District within which the usual place of business of the Society is situated for relief or other order and the said Judge shall have the same powers to entertain such application and to make such order or direction in relation thereto as he may think the justice of the case may require as hereinbefore provided in regard to the settlement of disputes And in the event of the dissolution or determination of any Society or the division or appropriation of the funds thereof except in the way hereinbefore provided any Trustee or other officer or person aiding or abetting therein shall on conviction thereof before two Justices in a summary way be liable to be imprisoned with hard labour for any term not exceeding three months"? Yes; I told them it was illegal without making provision in the by-laws.
7089. And notwithstanding you knew it was illegal you permitted the division without placing yourself in communication with the Registrar? I was the only one who objected.
7090. If twenty men told you to commit a robbery you would not do it? There was no robbery about it.
7091. You took your money with the knowledge that you were participating in an illegal act? According to the Act, I knew it.
7092. You had no doubt it was illegal? None.

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7093. You had been President several times? Yes.
7094. Did you press at the meeting with anything like enthusiasm your view that they were committing an illegal act? Only in the usual way.
7095. Most of the members did not consider the illegality so long as they got the pounds? That was all.
7096. They did not go into figures? Not the slightest.
7097. And you consider it not a robbery? No; it was their own money, and they could do what they liked with it.
7098. *President.*] How much money have you paid into the Society? I have been a member twenty-two years next August, at 6s. 6d. a year.
7099. And you have received two bonuses of £2 each? Yes.
7100. And this participation in benefits? Yes.
7101. And you have paid £7 3s.? And 2s. entrance.
7102. And they have had the risk all the time of your death, and they still have that risk? Of course they have.
7103. What amount has your family received, your wife and daughter? My wife has received the same as me, and has paid the same.
7104. And what has your daughter received? 13s. 1½d.
7105. Any bonuses? No.
7106. Not old enough? No; will not be until she is twenty-six.
7107. How did you adjust the amount of payment to the members who received their proportion of the £300, if your daughter received 13s. 1½d. and you £4 17s. 4d. How was the amount proportioned? According to the number of years a member had been in the Society over sixteen years of age.
7108. Those that had been in the Society fifteen years and nine months received nothing? They would get nothing.
7109. And what proportion of the members would there be who did not receive anything? More than two-thirds of them.
7110. And do you and your full members regard that as fair? We considered that the parents pay for the children, and that the children are not entitled to it until they can pay for themselves.
7111. The parents do not receive it? Yes, they do.
7112. For those under the age of sixteen? We take no children unless their parents are there.
7113. What arrangement was made in order to give to the persons who were fifteen years and nine months members of the Society their proportion of the distribution of this £300? There was none.
7114. The parents received nothing from this on account of the children under the age of sixteen if they had been paying contributions for fifteen or fifteen and a half years? No.
7115. And you regard that as equitable and just? I do.
7116. Was any provision made for them? No, none whatever.
7117. But there was no objection to taking their contributions? No.
7118. Do you know what number of children under sixteen you have in the Society? Over sixteen, 177; from ten to sixteen, fifty-two; under ten, 154.
7119. *Mr. Rubie.*] They are not allowed to vote until they are eighteen? No; they are not summoned to attend the meetings until they are eighteen.
7120. How many members then from the age of eighteen are entitled to vote in that 177? There may be perhaps fifty not entitled to vote, because a great many of them are females.
7121. Would there be 100 males over eighteen? No.
7122. *Mr. Slade.*] As so many of these names opposite the moneys paid are signed by you in their name, had you any authority for doing it? Yes.
7123. Could you produce any authority for doing it? No, but I could get them.
7124. Can you produce any authority for those you wrote the persons names against the summons? I can get every one of them if they are not dead.
7125. Have you any hesitation in stating that the whole of the moneys are paid? Yes, every one of them.
7126. *President.*] Do you not think it opens the door to a great deal of fraud to have money paid and received in that way without the parties coming to receive the money? It would not pay some of them to come and get the money.
7127. But does it not place an officer of the Society in a false position to have to sign for receiving moneys? I do not think so.
7128. Do you not see how improper it is? Yes, I understand what you mean.

The Commission then adjourned until Friday, 28th April.

FRIDAY, 28 APRIL, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,

F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. EUBIE, Esq.,
W. E. LANGLEY, Esq.

7129. The President made the following report:—In deference to the wish of the Commission, I waited on the Registrar of Friendly Societies, Mr. Oliver, the day following the last meeting of the Commission, and reported to him the evidence which was given before the Commission by two officers of the St. Peter's Burial Society, disclosing the fact of a distribution of the sum of £300 amongst a portion of the members of that Society in 1879, in contravention of their own by-laws and of the Friendly Societies Act. I learned from Mr. Oliver that they had not filed returns for the last five years as required by the Act; and that if they had supplied the information it would have shown that this distribution had taken place, but having failed to supply the usual annual returns the Registrar had no knowledge of this misappropriation.

J. Davies,
Esq., C.M.G.,
M.P.

28 April, 1882

J. Davies,
Esq., C.M.G.,
M.P.

28 April, 1882.

misappropriation of £300. The Registrar informed me he was powerless in a matter of this kind; he had no staff, and no power to proceed against the defaulters. I pointed out the 13th section of the Act, which, I believed, gave full powers to the Registrar to proceed against such persons as misappropriated the funds of the Society, as had been done in this case. He advised me to communicate with the Crown Law Officers, and I told him that I should instruct the Secretary to send a copy of the evidence taken to the Attorney General, and call his attention to the 13th section of the Act, which, in the opinion of the Commission, was sufficient to clothe the Registrar with sufficient power to proceed against members or officers of Societies who misapplied the funds, and asking him to cause the necessary steps to be taken to prosecute the offenders, as the evidence disclosed a most outrageous misappropriation of funds.

Mr. George Lillie sworn and examined:—

- Mr. G. Lillie. 7130. *President.*] You are a member of a Friendly Society? I am.
7131. What Society? The Protestant Mutual Benefit Society.
28 April, 1882. 7132. Have you any rules with you? One copy.
7133. How long have you been a member? Since its formation.
7134. How long has it been formed? Since 1876.
7135. What office do you hold? Minute Secretary.
7136. Not the general Secretary? There are two Secretaries, the Minute Secretary and the Financial Secretary.
7137. Have you any Branches? No.
7138. What number of members have you? I am not certain; I think about thirty.
7139. What amount of funds have you? I am not certain about that, but I think about £150.
7140. What benefits do you give? £1 a week for a certain time, and then it is reduced.
7141. What funeral donation? £20, and when they are a certain number of years in it is increased; the utmost is £30.
7142. What amount of donation do you give in the case of the wife's death? Half.
7143. What contributions do your members pay? 1s. a week.
7144. Is that the whole of the payments? Those who register for the doctor pay 6d. a quarter extra.
7145. That is 2s. a year? Yes.
7146. What amount of money have you paid last year for sick benefits? I cannot say; I only got the notice on Wednesday, and have been unable to see the Financial Secretary or Treasurer, who have the books. The meeting is held to-night, and I will obtain all the information.
7147. Have you any knowledge of the amount paid for funeral donations during last year? Only one during the whole time.
7148. That is £20, I suppose? £20.
7149. Have you any knowledge of the amount of money received in contributions and initiation fees? Not the total amount; no, I could not say; the Financial Secretary and I were to make out a return for the five years, but on account of my being away it has not been done.
7150. Where do you meet? Waterloo Chambers, George-street.
7151. How many members did you initiate the last year? I do not know that there were any; perhaps three or four; between 1st January, 1881, and the present time there have been only four or five.
7152. How many left during that time? I suppose about as many left or have been struck off.
7153. Do you believe the Society to be in a good financial position? I do not.*
7154. Do you believe the contribution of 1s. a week is sufficient to ensure the payment of all the donations and sick benefits you provide for? I think so, but the risk is too great for such a small body of members.
7155. Is the Society open for the admission of any person of good fame and character? No, only to Protestants.
7156. Of any nationality? Yes; it was originally that, but it was altered.
7157. Do you believe with the small number of members the contributions are not sufficient to ensure a sound financial basis? I think not.
7158. Do you believe the Society will live? A few deaths would exhaust all the funds.
7159. And the Society come to a state of collapse? Yes.†
7160. How do you admit your members, are they subject to a medical examination? Yes.
7161. A searching examination? Yes, by a doctor.
7162. Have you had any persons admitted whose health you were doubtful about? Not by the doctor.
7163. What amount do you pay per head for medical attendance? 16s. to the doctor.
7164. How much to the chemist? According to the medicines he supplies.
7165. Your contributions are uniform? Yes.
7166. Do you approve of that principle? I do.
7167. Making the old and young pay alike? Yes.
7168. What proportion of old men have you in your Society? The mean age is about thirty, over thirty.
7169. You have a number of young men then? There are a number of young men.
7170. And some over forty? Yes, some about fifty.
7171. Making an average of over thirty? Yes, the average is over thirty.
7172. Are the present funds the largest amount you have ever had? Yes; it is gradually increasing.
7173. Have you found any inconvenience arising from the provisions of the Friendly Societies Act? No.
7174. Do you believe it affords sufficient protection to the members of the various Societies? Well, I think the Societies do pretty well as they like.
7175. Do you think that is a good state of things? I do not; I think we ought to have an actuary to go round and investigate the books, to publish the result of his investigation.
7176. And you regard the present system as a most farcical arrangement? I do not say that.
7177. You say the Societies do as they like? Well, I suppose it amounts to that.
7178. The Registrar did not demur to the registration of your rules? No.

7179.

* NOTE (on revision):—I mean that there is not enough of members to keep it in a good position.

† NOTE (on revision):—There is provision for making a levy at a death if the funds are below a certain amount, so that there will be always money in hand in case of sickness.

7179. Did he suggest any alteration? He suggested a rule that we should settle all our disputes ourselves. Mr. G. Lillie.
7180. Have you embodied that? I think so; it is there. 28 April, 1882.
7181. The decision of the Committee would be final? Yes.
7182. Have you had any cases of dispute which you have had to submit to this Committee? One case.
7183. And was it settled to the satisfaction of the members and of the Society? I have heard nothing more about it. He was not satisfied, but he did not take any steps in the matter.
7184. Have you any suggestions to make that might be of service to the Commission? I do not recollect any just now.
7185. *Mr. Gelding.*] How do you reconcile only charging a member 6d. a quarter for medical attendance and chemist with having to pay so great an amount? We do not charge them, it is simply a registration fee, as there are some members who prefer their own medical attendant; and if a member does not register for medical attendance the Society does not have to pay the doctor for him.
7186. Are you an off Branch of the Protestant Alliance? No, we are independent.
7187. What rent do you pay? 3s. 4d. a meeting.
7188. Do you believe in isolated Societies like yours? I do not.
7189. You think union is strength? I do.
7190. *Mr. Abigail.*] You have some knowledge of other Benefit Societies I understand? I was in another Society.
7191. And you have seen their workings? Yes; I had a good deal to do with one.
7192. Do you consider the supervision exercised by the Registrar is sufficient? I do not.
7193. Would you favour a Government Actuary to scrutinize the accounts? Yes.
7194. I suppose in this small Society there has been no misappropriation of funds in any way? No.
7195. *Mr. Gelding.*] Are your meetings well attended? No.
7196. The members have no interest I suppose? No; they pay their money, and that is all.

The examination of Mr. Thomas Forsyth was continued:—

7197. *President.*] Have you brought the papers with you, the balance-sheets? I have brought this return sheet (*the Commission's return*). Mr. T. Forsyth.
7198. Does it show the amount of money you received last year? Yes. 28 April, 1882.
7199. What was the amount of contributions received during 1881? It shows contributions and initiations.
7200. What do they amount to for last year? £436 18s. 1d.
7201. That is the receipts from all sources? All except interest.
7202. And what was received for Bank interest? £47 13s.
7203. What was the amount expended for medical attendance and chemist? The doctor finds his own medicines; £164 10s. 7½d.
7204. What was paid on account of sick pay? £133 12s. 1d.
7205. And what for funeral donations? £40.
7206. What on account of working expenses? Salaries, £17 18s. 4d; rent, £6 12s., including refreshments for Auditors; printing, &c., £10 2s. 4d.; and there is £3 15s. loss on demonstration; making a total of £38 7s. 8d.
7207. What was the nature of the demonstration which made a loss? A procession through the town.
7208. Do you often have demonstrations in connection with the Society? At odd times.
7209. And have you generally made losses? It is a loss at the time, but it is a gain to the Lodge?
7210. Do you apply the funds of the Society to demonstrations? Well, it was a loss, and was paid out of the funds.
7211. Are not the funds of your Society contributed by the members for a specific purpose, to provide medical attendance, chemist, funeral donation, and so on? Yes.
7212. And do you think it is in conformity with the Act that you should apply the moneys for any other purpose than that? Well, I opposed the vote myself, but it was carried.
7213. You disapprove of it? Yes; it is not in accordance with the Act.
7214. What has been the amount of money paid on account of funeral donations during the past five years? The first four years we were under the District; they paid £75 and we paid £40 for the last year; that will be £115 altogether.
7215. What has been paid on account of sick pay? £485 2s. 5d.
7216. What has been paid for working expenses? £166 4s. 7d.
7217. What has been the total amount of income during the like period of five years? £1,981 4s. 6d.
7218. Does that include interest? No.
7219. What was the amount received during the five years for interest on investments? £212 16s. 9d.
7220. Making a total income of —? £2,194 1s. 8d.
7221. What has been paid to the medical officer, including medicines? £662 4s. 7½d.
7222. What has been the total cost for all purposes during the last five years? £1,436 12s. 7½d.
7223. What is the total amount of funds now in hand? At the end of last year, cash, £1,076 12s. 9½d.
7224. In the early part of your Society you were attached to the Sydney District? Yes, four years out of the five.
7225. And do you find the position of the Society better now than when you left the District? Oh, yes.
7226. Improved in every way? Oh, yes.
7227. Do all your members undergo a strict medical examination before being admitted? Yes.
7228. Have you had any occasion to refuse candidates proposed in consequence of being unsound in health? It is left to the doctor.
7229. But have you any case within your knowledge? Yes, one.
7230. He was refused? By the doctor.
7231. Have you had persons admitted who subsequently proved to be in an unsound state of health? It has never been proved.
7232. Have you had any grounds to surmise that such has been the case? No.
7233. You believe all the members are in a sound state of health when admitted? If we go by the doctor.

Mr.
T. Forsyth.
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7234. What has been the experience of yourself and the other officers? We have not had a deal of sickness; our losses have been more by accident; one member had his leg taken off, and others with broken legs; another had an injury to his back.
7235. Do you admit persons of all occupations? Yes, anyone.
7236. Have you found in the working of your Society any inconvenience from the present Act? Well, no.
7237. Do you believe it affords all the protection and shelter that the members ought to receive from the Statute? Yes, with that and our by-laws.
7238. Have you altered your by-laws recently? Yes.
7239. In what direction have they been amended? We increased our benefits from what we had when we left the District; we increased the sick benefits from £1 to £1 1s. for the first six months, and from 10s. to 12s. 6d. for the next six months.
7240. *Mr. Abigail.*] Do all the members take the benefits? Not all of them; like myself, I would not take the benefits, unless I was laid up in bed.
7241. Are many members in that position? In town there are over a dozen.
7242. That would assist the accumulation of your funds? I know where there have been two members laid up, and they would not take the benefits.
7243. Have any of your members been deprived of their benefits through any informalities in complying with the laws? No; of course they would be deprived of benefits while under suspension.
7244. But suppose a man falls sick and fails to send in a declaration at the proper time, does that deprive him of his benefits? If he can give good proof it was not through neglect it does not. We had a case of that sort a few weeks ago; a man was taken dangerously ill, and the certificates did not arrive; we went by the doctor's certificate, and gave him his benefits.
7245. Have you studied the Friendly Societies Act? I have read it through.
7246. You think it answers the purposes for which it was passed? We have never had any cause to try it.
7247. Do you send your returns in regularly to the Registrar? Yes.
7248. Duly audited? Yes.
7249. By whom? By members appointed by the Lodge.
7250. Have you seen the balance-sheets or examined them after they have been audited by these members? They have audited them in the Lodge-room in my presence.
7251. Do you find them tolerably correct always? Yes.
7252. No mistakes? No, there are no mistakes made.
7253. Do you think that style of auditing is sufficient, or would you favour a Government examination of accounts? I am not particular so far as that goes.
7254. But do you think it would be a protection to Societies to have a supervision of that kind? I believe it would be a benefit to Societies to have them properly audited every five years by an Actuary.
7255. You are in favour of an actuarial calculation into the affairs of these Societies? Oh, yes, because it greatly lies with the Secretary, the Auditors not being acquainted with the style in which the books may be kept; there may be many a little item with which they are not conversant.
7256. Have you had any cases of misuse of your funds at any time; have any of the officers misappropriated the funds of the Society? No, only the error I made mention of last week.
7257. Have you ever disputed the claims on the Society? No.
7258. Always paid the bills when sent in after due examination? I keep proper returns of members returned to the doctor, and so his bill has to agree with the accounts I keep.
7259. *Mr. Holdsworth.*] You said your Society has improved since you left the District; if your funds run low what provision would your members have? Under the circumstances, if we belonged to the District, we should have no run of sickness any more than other Societies; the District would suffer the same, and would not be in a position to pay us.
7260. Have you not known of cases where one Lodge has had a most unusual number of deaths, while others have escaped? I cannot say I have.
7261. Are you not aware that it can be seen in almost any lot of returns of Societies that some sections suffer much more severely than others? Yes.
7262. Well, what protection would your members have in such a case? They would have no more protection than what is provided in the by-laws.
7263. Then if you exhausted your funds they would be left out in the cold? Oh, that is an impossibility.
7264. Have you ever given any actual consideration to the matter of Benefit Societies, to the risks? I do not understand the question.
7265. Have you ever considered the question of risks in connection with Benefit Societies? No more than our own is concerned.
7266. You have not considered the question as to the advisability of centralizing bodies of men so as to divide risks equitably over as wide a field as possible? We found it was so expensive; that is the only consideration I have given.
7267. Wherein was it expensive? Levies.
7268. What were the levies for that were so expensive? Well, there were levies for the Funeral Fund, and levies for incidental expenses, and for the Superannuation Fund.
7269. Have you all these funds in connection with your own Branch now? We have the Sick and Funeral Fund, and the Incidental Expense Fund.
7270. Superannuation Fund? No, we provide for that in our rules.
7271. *Mr. Newland.*] Would there be any difficulty for you to give the average rate of sickness of your members between the respective ages for the last five years? I could not do it.
7272. Is your Society one of those I see is buying some property at Parramatta for a Friendly Societies' Hall? There is no Society in Parramatta doing that.
7273. I see the Societies have done so? The members of the Societies have done so.
7274. Using their own funds? Their own private money.
7275. They have no authority from any of the respective Lodges for buying this property? There were delegates appointed from the respective Societies empowering them to buy a piece of property and build a hall; but it was more amongst the members; it was not to be put in the name of the Society.
7276. But if the Society empowered the delegates to do this it would be answerable? No.

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7277. *Mr. Slade.*] You mean you gave the patronage of the Society? We will be put out of our own meeting-room by the Licensing Act, and we have to go somewhere.
7278. Did they pledge themselves to any outlay? No.
7279. *Mr. Newland.*] The Societies are not committed by any act of their delegates? No.
7280. *Mr. Slade.*] In your rules, have you adopted the principle of graduated payments? No, not for contributions.
7281. Have you made any special arrangements for superannuation? We have in the rules; a member is six months on the funds at a guinea, six months at 12s. 6d., and then 6s. a week; and a free member as long as the sickness may last.
7282. Do your rules give you power to sue for arrears of contributions? No.
7283. Have you ever done so? No.
7284. You mentioned in your balance a loss on demonstrations, how much was it? In the five years there were four, £19 14s. 3d.
7285. Did you at any of your previous demonstrations have a balance which would cover that if brought forward? I believe there was a balance some years ago, but it would not cover that.
7286. Did it go to the credit of the Society? I believe so.
7287. Then whatever balances there may have been in favour of the Society have been used by the Society? Yes.
7288. Was your separation from the Sydney District a friendly one? Yes.
7289. Did you have your funeral gifts guaranteed for a year and paid? Yes, and paid.
7290. How much did you draw? We drew £15; it was due just before that.
7291. Are you still attached to the General Order in the Colony? Yes.
7292. Are any of your members still attached to the General Widow and Orphan Fund in the District? Yes.
7293. Could you tell us how many? About fourteen.
7294. Then, with the exception that you do not pay levies or draw funeral gifts from the District, your position is the same as it was before? Exactly.
7295. *Mr. Gelding.*] Have you any more assets than are shown in this balance-sheet? No.
7296. Then virtually you had not over £2,000 to your credit at the end of the year? No.
7297. What did the Treasurer hold in hand on December 31st? About £70.
7298. I see the average gives about £6 6s. per member; do you consider that a good average to hold per head? I think so; we are always accumulating; it makes very little difference.
7299. You think it is immaterial? No, it is not immaterial, but if we have not got it we cannot hold it.
7300. Do you not think you should have a good average in hand in order to meet probable liabilities? That is why we left the District.
7301. And you have been increasing ever since? Yes.
7302. *Mr. Smith.*] Would not success have followed your operations if you had been attached to the District? No; it would have cost us £80 a year for levies.
7303. *President.*] Have you anything further to add to the evidence already given by you? Are you going to bring forward a new Act?
7304. In all probability? Well, our Lodge is of opinion that if such a thing was to take place it is only just that there should be some provision made to grant the Societies grants of land for building purposes. It must be admitted that the Societies are a great assistance to the Government, as many a man is kept out of the poor-house by his Society.
7305. You think then that the Government should make provision in any future measure that may be passed to provide either places of meeting or sites for halls, and by that method encourage the Societies? Yes, I think so.
7306. Have you anything to suggest in the way of legislation in the shape of an amendment that might be useful? No, not as far as our Lodge is concerned; we have had no occasion for anything of the sort.
7307. You think the present Act is sufficient for all purposes? For the present, and so far as our Society is concerned.
7308. You have nothing to suggest? No more than that.
7309. *Mr. Smith.*] You left the District in consequence of the District levying 2s. 3d. per member? In order to better our position.
7310. Will you point out how they benefited their position by leaving the District? By leaving the District we have been enabled to give better benefits than we did before, and have doubled our funds.
7311. And would that not have followed if you had continued to work under the District? Oh, no, we should have lost, this last two years especially.
7312. Then it was not in consequence of high levies you left the District? Well, it was in consequence of the levies that we left.
7313. What were the levies at the time you were leaving per member per quarter? I could not answer that for certain, but I think they were 2s. 3d. per member per quarter.
7314. Will you swear they were 2s. 3d.? No.
7315. You are not in a position to say what the levies were? Not to a certainty.
7316. *Mr. Slade.*] In regard to the matter of arbitration, would you favour the establishment of an Arbitration Board, composed of (say) the Registrar, with other members of Friendly Societies, to form a final Court of Arbitration to settle all disputes, instead of going to law? I do not think it would make any difference myself; they would both be expensive.

The Commission then adjourned until Monday, 1st May.

MONDAY,

MONDAY, 1 MAY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

WILLIAM E. LANGLEY, Esq.

Mrs. Ellen Mary Lawrie sworn and examined:—

- Mrs. E. M. Lawrie.
1 May, 1882.
7317. *President.*] What Society do you represent? St. Francis' Sisters of Temperance Benefit Society.
7318. What office do you hold? Presidentess.
7319. How long have you held office? Ten years.
7320. How long has the Society been established? Thirteen years.
7321. And how long have you been a member? Thirteen years.
7322. It is a total abstinence Society? A total abstinence Society.
7323. It is confined wholly to members of the Roman Catholic Church? Yes.
7324. What number of members have you at present? Either fifty-six or fifty-seven.
7325. Full members? Full members.
7326. Is that the largest number you have ever had? No, we have had as high as 100.
7327. They have left the Society? Some have left the Society, and others have got married and gone into the country.
7328. Others have broken their pledge I suppose? Very few.
7329. What contributions do you pay? 7½d. a week.
7330. And what are the benefits? 10s. a week sick pay, doctor and medicine.
7331. And what in case of death? £10.
7332. And what is the amount of funds at your credit at the present time? £55 19s. 2d.
7333. Have you any money in the hands of the Treasurer? £7 7s. 6d.
7334. What are the initiation fees? According to age—from 2s. 6d. to £1.
7335. What is the limit of age at which you admit members? Forty-five.
7336. Have you many members over forty? Yes, I think we have a good many.
7337. What would be the average age of the members? About thirty.
7338. Then you have a number of young people? Yes.
7339. What amount do you pay the doctor and chemist? The doctor for each person 13s. 4d. a year.
7340. And how much the chemist? Sometimes it is higher than others; we pay according to the medicine supplied. Sometimes £9, £7, and as low as £5 a quarter.
7341. *Mr. Gelding.*] Averaging about £7 10s. per quarter? Yes.
7342. *President.*] And to what limit do the benefits extend—do they go beyond the member? To the children as well as to the member. Suppose the father, the husband of a member who has a family, is not in any Lodge himself, it extends to the children.
7343. How young do you admit members? Fourteen.
7344. Have you many from fourteen to twenty? No, I cannot say we have many.
7345. Do all your members undergo a strict medical examination before admission? Yes.
7346. By a doctor? Yes; he gives a certificate that they are in good health.
7347. Have you had many candidates refused? Yes; during the last two years we have had four or five.
7348. Who is the medical officer now? Dr. McDonough.
7349. Has he been the medical officer for a long time? For four years.
7350. Have you any provision in your rules for settling disputes? Yes.
7351. How are they settled? By a Committee appointed for that purpose.
7352. And do you find that work well? Yes, very well.
7353. And do you believe your financial position to be good and sound? Yes.
7354. And that the money you pay is sufficient to ensure all these benefits? Yes.
7355. Have you ever found any inconvenience from inability to meet your obligations? No; we have always had money in the Bank.
7356. Have you ever had a larger sum? Oh, yes.
7357. How was it reduced? By sickness.
7358. How many had you in 1881 on the funds? I do not know exactly; but one or two might be ill for a long time. One person has had a good deal of money out of it—£15 in one year.
7359. Have you found any inconvenience arising in the working of your Society from the Friendly Societies Act? No, none.
7360. Do you believe it affords all the protection necessary for the good government of your Society? Yes.
7361. When was your Society registered? 13th August, 1874.
7362. That is the date of the registration of the present rules? Yes.
7363. Did you seek to get the rules registered? No; we had a gentleman Secretary who kept the books, and he got them registered.
7364. But your name is attached to them? Yes.
7365. Does the Rev. Dean Sheridan take an active interest in the Society? Yes.
7366. Was it at his interest the Society was established? Yes.
7367. And he is still the Director? Yes.
7368. Does he attend your meetings? Yes, and takes the chair and settles disputes when required.
7369. He has always given you the benefit of his countenance and advice? Yes, always, and does still.
7370. How often do you meet? Every Wednesday night, one week for a Committee meeting, and the other for the financial meeting.
7371. And the subscription has never been more than 7½d. a week? No.
7372. You meet in St. Francis' Schoolroom? Yes.
7373. *Mr. Gelding.*] Do you think that the average you have of £1 per head is sufficient to meet your future liabilities? Yes, I think so.

7374.

7374. Has the Society been progressing or going back? It has gone back rather lately on account of having so many sick.
7375. Do members forfeit their membership if they get married? Oh, no.
7376. What does the Secretary receive? £2 a quarter.
7377. What do you pay for rent? £5 a year for room and gas.
7378. Are you making any members now at all? Yes.
7379. Young people? Yes, two this quarter.
7380. *Mr. Langley.*] Do you think there should be any description of Government supervision of the Societies in order to control the expenditure? I do not exactly know; so far our Society has gone on very well without being under any control.
7381. But I am taking the Friendly Societies as a whole? Oh, yes, I believe that.
7382. *Mr. Holdsworth.*] Your Society was originally started on the basis of the Daughters of Temperance? Yes.
7383. *Mr. Abigail.*] I see that on January 1st you had £103 1s. 9d. in the Bank; was there anything in the Treasurer's hands at that date besides this? No.
7384. That represents the whole of your money? Yes.
7385. And now you have £55 19s. 2d.? Yes; it was reduced to that by having two quarters chemist and doctor to pay; two payments being entered in the one quarter.
7386. What were the doctors expenses then? About £10 generally.
7387. Do I understand that in the quarter ending April two quarters bills were paid? There were.
7388. But it was a just debt I suppose? Yes, but the Secretary did not bring the books forward in time.
7389. What I want to show is that since January you are £50 less than at that date? Yes.
7390. You account for that by the excessive sickness I understand? Yes.
7391. Is there any guarantee that the same sickness will not occur again? They seem to be very well at present.
7392. You have now about £63 as an asset to meet the liabilities on fifty-seven members; upon what basis do you arrive at the conclusion that 7½d. is sufficient weekly subscription to enable you to meet all the liabilities that are now due; have you made any calculation in figures? No.
7393. Have you had any actuarial assistance, or assistance from a gentleman well competent? Yes, we had the books made up by an Auditor, to whom we paid £8 8s.
7394. But did he estimate how much outstanding liability there was? I do not think so.
7395. He simply certified to the correctness of the accounts? That is all.
7396. So far as you know, no estimate has been made of the accrued liabilities? Not that I know.
7397. So you are entitled to pay any of them who may die the funeral donation? Yes.
7398. Then if six of your members were to die you have not got the money to pay the funeral money? Yes, but I hope that will not be the case.
7399. And you say one person has had £15 sick pay? Yes.
7400. And is still entitled again? No, not to the full amount, unless it is any new sickness.
7401. You have always paid all lawful demands? Yes, all paid.
7402. Have you Trustees? Yes.
7403. Are they female or male? Dean Sheridan is one, I am another, and Mrs. Hill, of George-street, is the third.
7404. And the money is lodged in the name of all the Trustees? Yes.
7405. Do you send returns to the Registrar every year? This is the first year we have been required to do so.
7406. You have never sent any returns before? Not that I am aware of; the Secretary was instructed to do all these things, and he may have done so.
7407. Have you sent returns in for this year? Yes.
7408. Have you read the Friendly Societies Act? No, I have not.
7409. You are not in a position to give an opinion as to how far it applies to Friendly Societies? No.

—
Mrs. Mary Ann Baker sworn and examined:—

7410. *President.*] What Society do you represent? St. Francis' Sisters of Temperance.
7411. What office do you hold? Secretary.
7412. How long have you held that office? Four years.
7413. What was the total cost of your Society last year? £123 19s.
7414. And the receipts were —? £82 9s. 4d.
7415. I notice your payment on sick account was £30 16s. 6d.? Yes; it amounted to a great deal last year.
7416. Was it larger than the previous year? I think it was; there were five altogether sick—that is £2 10s. a week for a few weeks; and then there were four.
7417. Have you many members on sick pay at the present time? No.
7418. Do you remember during the time you have been an office-bearer so large a sum? Oh, yes, one year.
7419. Do you remember the amount? No, I do not.
7420. Have you any returns showing the amount of expenditure for the last five years? No; we had a paid Secretary, and it was left too much to him.
7421. You do not know what the receipts have been? No; except by the Bank books and other books; we could not fill up every little item.
7422. You have had no defalcations? No.
7423. And do you think 7½d. a week sufficient to ensure all these benefits the Society gives? It has done so far. We had £150 a few years ago in the Bank, but so many coming in sick runs away with it.
7424. If a member of the Society breaks her pledge, how do you proceed? She is summoned, and if she promises to reform she is allowed to come in, but is suspended for three months from all benefits; and after a second offence we do not allow any benefits for twelve months.
7425. *Mr. Abigail.*] You stated that there had been years in which there was as much sickness as last year? Yes.
7426. And it may occur again? Yes.
7427. Because you have the same members of the Society and they are entitled to benefits? Yes, though there are two not now in the Society that were on the books very often.

Mrs. E. M.
Lawrie.
1 May, 1882.

Mrs.
M. A. Baker.
1 May, 1882.

- Mrs. 7428. Have many of your members forfeited their benefits by breaking the pledge? No, not many.
M. A. Baker. 7429. Have you expelled any members during last year? No.
1 May, 1882. 7430. You stated to the President that too much of the affairs had been left to a paid Secretary? The books were left in his hands; we always kept an account of the expenditure in our own books; the Vice-President kept a book, I kept a book, and the Treasurer had a book, and we put the items down one against the other.
7431. So that every precaution was taken? Yes; there was no loss.
7432. Five years ago you had £150? Yes.
7433. So during that time you have gone back very much? Yes; we have had one death, and she was a long time on the books.
7434. Mr. Holdsworth.] What do you pay per week to your members? 10s.
7435. And what at death? £10.
7436. What is the cost of the medical man? 13s. 4d. per year.
7437. How much for medicine? We pay the chemist according to the medicine he gives to the members.
7438. Your rent is a nominal amount? £5 a year.
7439. Are you aware that without rent or any expenses the real amount you pay in the shape of benefits is more than your subscriptions per year? Yes, latterly it has been so.
7440. Are you aware that your sickness is nearly three times what ought to be your average? Yes, we know that, and feel it in the Society.
7441. Are all precautions taken to prevent imposition? Yes; we visit them at different times, and speak to the doctor occasionally.
7442. Is it as easy to detect sickness with ladies as with gentlemen? I think it is.
7443. Mr. Langley.] Do you remember how many members you had five years ago, when you had this £150? No, I do not; I think we had eighty or over.
7444. On that number of members you accumulated the sum of £150? When we first joined there was no benefit for twelve months, and we accumulated the money by these subscriptions without any benefits.
7445. Judging from what has resulted to your funds since that, can you say still that you think 7½d. is sufficient? It would be if there was not so much sickness.
7446. But I am taking the case as you put it; from the operation of the Society up to the present, do you still think 7½d. is capable of carrying on your Society? Yes; we always keep the benefits up.
7447. But on the subscription alone? We have found it sufficient.
7448. Looking on the funds at the end of the first year and now, are you still of opinion that 7½d. is sufficient to carry on your Society on a sound basis? I think so.
7449. You state that in the face of the decrease of your funds from this £150 to £56? Yes; you see a death makes a great deal of difference.
7450. Do you not think as your Society gets older there is greater liability to sickness and death? Certainly.
7451. And yet, though you have been losing money since your first year ----? No, not since the first year, we increased for three or four years.
7452. But since then you have been losing money steadily? Yes.
7453. And though you admit it is likely sickness and death will increase, you are still of opinion that 7½d. a week is sufficient? I cannot give any opinion on that at all.
7454. How many benefits have you had, and what have they been? We have had three tea-parties.
7455. How much did you make by them? £25 by one; I cannot say what by the others; one we made very little by, only clearing the expenses by a few shillings; by the third I think we made £10.*
7456. Then that has to be added to your ordinary contributions? Yes.
7457. And even that has gone? Yes.
7458. Then with these facts before you, on what do you base the opinion that 7½d. a week is enough? Some of the members have had money out of the Society, and have left subsequently.
7459. Is that not likely to take place in the future as well as in the past? Yes, I think it is.
7460. Mr. Rubie.] Have you any provision in your rules for making levies? Yes.
7461. So that in case the funds went down you could recoup them by a levy? Yes.
7462. And I suppose you base your opinion as to the funds holding out from the fact that you get now and then some benefit from a tea-party? Yes, and we can keep them three months without benefits if the funds run short. It has never been done, but it can be done.
7463. Mr. Gelding.] By what rule are you allowed to make a levy? There is no rule, but we have a resolution to do it.

The Commission then adjourned until Friday, 5th May.

FRIDAY, 5 MAY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
B. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
W. E. LANGLEY, Esq.

Mr. Patrick Salmon sworn and examined:—

- Mr. 7464. President.] What Society do you represent? St. Francis' Brothers of Temperance.
P. Salmon. 7465. What office do you hold? Trustee.
5 May, 1882. 7466. Have you held any other office? Latterly I have taken charge of the contributions in the absence of the Secretary.

7467.

* NOTE (on revision):—£25 should have been £6 clear of expenses, and the £10 should have been £2 clear of expenses.

Mr.
P. Salmon.

5 May, 1882.

7467. How long have you been a member? Going on for fourteen years. I am the oldest member in the Society.
7468. It is purely a Temperance Society? Yes.
7469. Confined to your own communion? Yes.
7470. What benefits do you give? £1 a week, doctor and medicine.
7471. And what funeral donation in case of death? £20 on the death of a member, and £10 on the death of a member's wife or unmarried brother's mother.
7472. What is the amount of the contributions paid? 1s. a week.
7473. A uniform subscription from all the members? From all the members.
7474. What amount of funds have you in hand at present? At the end of 1881, £60 12s. 3d.
7475. And what number of members have you? Forty at the present time; we had more than forty at the end of the year, but they were nearly run out in arrears, and have since been struck off. At the present time we have forty financial members entitled to receive benefits.
7476. What was the expenditure last year for medical attendance, chemist, sick pay, and funeral donations? Doctor's fees, £39 18s.; chemist, £19; sick allowances and funeral expenses, £67 8s. 7d.; postage stamps, stationery, and printing, £4 7s. 11d.; advertising, 8s.; accouchement fees, £1 1s. We pay no rent.
7477. What is the total amount of your expenditure? £152 9s. 6d.
7478. What was the total amount of your income for the year? £109 15s. 7d.
7479. Does that include interest? No, the Bank book was not made up.
7480. Do you remember the amount? About £3, as near as I can remember.
7481. What is the limit of age at which you receive members? Forty-five.
7482. Have you many members over forty-five? We have a good few.
7483. How do you proceed against members who break their pledges? We give them two chances; first of all they are summoned to renew their pledge —
7484. And then are they reinstated to full benefits, or do you suspend them? After three months they receive full benefits.
7485. The rules are the same as those of the Sisters of Temperance? Yes, only the contributions and benefits are larger.
7486. What is the largest number of members you have ever had? About 120.
7487. And how do you account for so many leaving the Society? I could not say, but I know a good many like a drop of drink, and they break their pledges.
7488. Do you observe that there has been a great loss upon the year's operations? Yes.
7489. Has anything of the kind occurred in any previous year? Oh, yes.
7490. As bad a year for the Society as last year? Yes; the contributions were less in 1880 than in 1881, but in 1881 we had two deaths, or rather one death and one that we superannuated. He had been receiving £1 a week for six months, and then 10s. a week; at the expiration of twelve months he received 5s. a week. It is then optional with us to give him the superannuation money at once or to leave him at the 5s. a week. We thought it better in this case to give him the £20. This accounts for the £40 put down to funeral expenses last year.
7491. Do you think that 1s. a week is sufficient to ensure all the benefits your Society gives to its members? It has been up to the present.
7492. But do you think it is likely to be in the future? I do not think it is, because we are getting no new members, and there is more likely to be a greater amount of sickness in future, as the members are every year getting old.
7493. What number of new members did you have last year? Only one.
7494. How many did you lose? I think five, through running in arrears; that is, in addition to the deaths.
7495. Can you tell me the amount of the expenses of the Society for five years? £244 8s. 4d.
7496. That includes everything? No; there is medical attendance, £338 13s.; and medicine, £73 11s.; and there is £70 10s.; making in all, £726 17s. 4d.; and two deaths, £80; or a total of £806 17s. 4d.
7497. What was the amount of money received during the five years? £776 16s. 7d.
7498. That would leave a loss of £30 on the five years? Yes.
7499. Do you not think that goes to prove that the contributions are too small to give the benefits your Society has given? Well, it does.
7500. And especially when the Society is exclusively confined to one communion? Yes.
7501. Have you had any disputes in your Society? Very little; we are pretty well united. The only dispute we ever had was in reference to a fine which we inflicted on a member; he took us to the Police Court, and we gained it.
7502. Have you found any difficulty in working your Society arising from the provisions of the Friendly Societies Act? No.
7503. Do you furnish the annual returns? Yes, regularly.
7504. Do the candidates submit themselves to a medical examination? Yes.
7505. Who is the medical officer? Dr. Moffitt at present.
7506. And he makes a careful examination of all candidates? Yes.
7507. Have any candidates been refused? Yes.
7508. *Mr. Gelding.*] Do you believe it advisable to pay for the deaths of single young men's mothers? Well, we made provision in the rules for that, and I think it is advisable, as the mother of a young unmarried man is dependent upon him.
7509. What is your opinion of the average capital possessed by your Society at present, £1 10s. per head; do you think it sufficient to meet your future liabilities? I do not think so.
7510. You believe your Society is virtually insolvent? I believe it is, to tell the truth about it. From present appearances, I have no hope it will be successful in the future.
7511. I presume, then, you think these isolated Societies cannot possibly work well? Well, I do not know; Societies may differ from each other; ours is a Temperance Society, and it has members who are not faithful. In other Societies there is no such restriction.
7512. How do you manage with brothers of the Society who may leave the District in which it is established? They are country members.

Mr.
P. Salmon.
5 May, 1882.

7513. What do they pay? 9d. a week; the other 3d. a week goes for doctor and medicine for themselves, the 9d. meeting the sick pay and funeral expenses.
7514. I see according to your balance-sheets that you have been jumping up and down throughout the time of your existence? Yes.
7515. You do not think that is a healthy state? No, I do not.
7516. And the sooner it is wound up the better? I believe it will be wound up in spite of us, though I should be sorry to see it; but I cannot see any prospect of its being a success.
7517. How often do you meet? Once a week.
7518. Where do you meet? St. Francis' Hall.
7519. *Mr. Slade.*] Do you summon your members by post? Yes.
7520. Do you account in this way for so large an outlay as 2s. 2d. a member per year for postage? No; that includes stationery and printing.
7521. Do you think there is any chance of your Society remodelling their contributions to a proper amount and keeping along if they were recommended to do so? Well, I dare say they might; those we have at present seem to pretty well adhere to the rules, but it has not been suggested.
7522. Do you not think forty persons with sufficient subscriptions would be enough to form a strong Society? I think they would if the contributions were raised.
7523. Do you think 15d. a week would be a fair rate of contribution? I think it would be too much; the members would not like to have to pay so much.
7524. You went back £40 last year? That includes two deaths that we had last year.
7525. But as the money you received goes into one general fund, and all liabilities are paid out of this fund, it is income against expenditure, and you see you do not have income enough according to your Society's working. Do you think 14d. or 15d. would put you into a proper state? I think 14d. would be sufficient; that is my opinion.
7526. *Mr. Newland.*] What does a member pay for the registration of his wife? There is no such thing.
7527. Then a member's wife or mother is entitled to the benefits of your Society, no matter at what age, without any registration fee whatever? Yes.
7528. Could you tell what is about the average age of your members? Taking them on an average I should say about thirty; there are some forty-eight or fifty.
7529. Would fifty be the oldest? Yes, I should think so.
7530. Were any of your funds devoted to the building of St. Francis' Hall? Yes.
7531. Have you still an interest in the hall? There was a meeting called of all the members, and they unanimously agreed to give £100 to clear off the debt, with the understanding that so long as the Society was in existence they had the use of the hall and light for nothing.*
7532. And how long is it since you gave this? About seven years.
7533. Was your Society registered at that time? Yes, it has been registered thirteen years.
7534. Do you devote any of your funds towards any other freehold property? At no time.
7535. In the event of your Society not being able to meet its demands, would they have any claim on the Trustees of the hall? No, none.
7536. *Mr. Holdsworth.*] If I understand you right, where a member is single his mother receives the funeral money, and if the mother died he would receive the money? Yes.
7537. I presume the mother is always older than the son? Very likely.
7538. And as a rule the wife is not older than the husband? We make no difference in that respect.
7539. Have you ever considered how much you increase your risk by taking the mother instead of the wife? We never looked into it.
7540. You have been asked as to what amount is a fair average; have any of you ever given any consideration as to the actual risks? No, we have not.
7541. *Mr. Abigail.*] Your Society is a religious as well as a benefit Society? Yes.
7542. Do you, in the affairs of your Society, exercise any control over its members outside the Lodge? No, except in the quarterly communion meetings, when we summon them to attend the Church instead of the Lodge.
7543. But do you control their actions outside the Lodge; for instance, if a member is a public man are his public acts controlled by your Society? No, we have nothing to do with that.
7544. I see in the introduction to your rules it states your Society "has now stood the test of time, and has stood it well." Is that correct in your opinion? That is up to the time the rules were revised, in 1874; it did so up to that time.
7545. What funds had you at that time? I think we had close on £300; I know for the first three or four years we had as much as £250 or £300.
7546. So that during the last eight years you have gone about £250 back? Yes; we had about 120 members then, most of whom were then young men, and we had but few deaths for the first three or four years. When we first established we had a temperance organization, the meetings being held in the Church; we put our heads together and thought it would be advisable to have a Benefit Society in connection with the Society, and requested the Vicar-General to give us his approval, and he consented. That is how we formed the Society. For the first twelve months sixteen or eighteen of us stuck together, and paid our contributions and entrance fees until we had a fund to have a doctor for the benefit of the members who came afterwards. I had been paying into the Society for eleven months when I met with an accident, breaking three fingers, but I got no benefits.
7547. That is to say that a number of members entitled to benefits did not claim them? That was on the formation of the Society.
7548. Does that apply to members now? No, they do take them.
7549. I see you admit members up to forty-five? Yes.
7550. Have you ever admitted any up to forty-five? No.
7551. But there can be no question about the fact that for the last eight years you have gone back considerably? We have fallen back no doubt.
7552. You have stated that you have no hopes for the future prosperity of the Society? I have no hopes.
7553. Have you brought that before the members? No.
7554. Has it been brought before the members? It has been talked over with the idea of trying the workings of a temperance crusade, and we asked the Vicar-General what was his opinion; he gave us every encouragement, and said he would hold meetings.

7555.

* NOTE (on revision) :—Instead of £100 it should be £30, as that is all we ever gave.

Mr. P. Salmon. 5 May, 1882.

- 7555. It is a fact that for the last eight years Is. a week has not been sufficient? It has not.
- 7556. Do any of your members belong to more than one Society? I could not say.
- 7557. Are there any amounts paid for spiritual duties performed by the Chaplain of the Society? Yes.
- 7558. What is the amount? 2s. 6d. a week.
- 7559. Are you thoroughly conversant with the provisions of the Friendly Societies Act? I am not.
- 7560. You are not in a position to give an opinion as to how far it protects your Society? No.
- 7561. Have you furnished regular returns to the Registrar? Yes.
- 7562. And balance-sheets? Yes.
- 7563. And they would disclose the fact that your Society has been going back? The same as you have seen them.
- 7564. And your experience is that the members are so careless in complying with the laws? Yes; last year four left us and never gave us notice until they were in arrears.
- 7565. Were they old or young members? Old members.
- 7566. But were they aged men? No.
- 7567. Had they drawn benefits? Yes.
- 7568. *President.*] Have you anything further to add to your evidence already given? Nothing further.
- 7569. In reference to the £100 you paid towards the Building Fund of the schoolroom, has the Society any document to show that they have a right to use the building without payment? Nothing more than the verbal expression of the Parochial Council.
- 7570. Supposing the Vicar-General died, what position would you be in with respect to the members of the Parochial Council? It consists of twenty-one.
- 7571. Have you any receipt? Not to my knowledge; I could not say.
- 7572. How often do you use the hall? Once a week.
- 7573. And it is cleaned and gas is provided and nothing to pay? No, nothing to pay, and there has been nothing to pay for the last seven years.
- 7574. It is clearly understood that you are to have the use of the place and gas free? Yes.
- 7575. *Mr. Greville.*] What is the amount paid annually to your spiritual director? £6 10s.
- 7576. It is a variable amount, is it not? No.
- 7577. Do you also pay for the masses said at the death of a member, or does that include it? Well, the member himself generally gets that done.
- 7578. But by your rules you have to pay it? I am not aware that we have done it.
- 7579. Your 13th rule says "the spiritual director shall receive from the funds of the Guild the usual honorarium for each mass," can you tell me whether that is complied with? I am not aware that it has been done; but if the members were united to pass a resolution to have it done they would agree to have it done.
- 7580. Do you know what "the usual honorarium" is? 5s. in these cases.
- 7581. But you cannot say whether this has or has not been paid? I cannot.
- 7582. But you know he receives 2s. 6d. a week? Yes.

Mr. Thomas Etherington sworn and examined:—

Mr. T. Etherington. 5 May, 1882.

- 7583. *President.*] What is the name of your Society? The Sons of Perseverance Friendly Society.
- 7584. When was your Society instituted? In 1852.
- 7585. Were you at any time connected with the District Grand Lodge of Oddfellows? We were.
- 7586. How many years ago? We became a neutral Lodge in 1861.
- 7587. What was your reason for seceding from the general body? Simply because we did not pay a fine of a pound.
- 7588. What office do you hold? Secretary.
- 7589. How long have you held the office? Three years.
- 7590. And how long have you been a member? Twenty-four years.
- 7591. What number of members have you? Eighty-nine.
- 7592. Have you ever had a larger number than that? Yes; we are decreasing since we became neutral; we have been up as high as 120.
- 7593. How do you provide for members' clearances from your Society into the country? We are not in a position to give a clearance, as we are not acknowledged by the District.
- 7594. What provision do you make for such members? None; when they leave us they are no longer Oddfellows.
- 7595. What is the amount of contributions paid by your members? A shilling a week.
- 7596. And what is the amount of the initiation fee? According to age.
- 7597. Do you make any other charges on your members? We had formerly a Widow and Orphan Fund, but it was disconnected from ours, and it is now defunct.
- 7598. What amount of funds have you to your credit? £1,028 0s 3d.
- 7599. That includes the freehold property that you have? All that we are possessed of.
- 7600. There is £1,000 in freehold property? Yes, that is what we assess the value of our hall.
- 7601. What was your total income for last year? £279 9s. 7d.
- 7602. What was the expenditure for the year? £278 3s. 8d.
- 7603. And you made a very small profit of 25s. 11d.? That is all.
- 7604. Do you let the hall for any other purpose? Yes, by which we have a "Building Fund." We let it to the Council of Education as a school, at a rental of £52 per annum. This is added to the general fund to make up the total.
- 7605. Is this Building Fund included in the total worth of the Society's funds which you have named? No.
- 7606. And what is the value of it? £110 16s. 8d.
- 7607. That is a separate fund, in addition to the £1,028 0s. 3d.? Yes, different from the general fund.
- 7608. And would it be available in case you require a fund for sick pay and funeral donations? Yes.
- 7609. What was the original cost of the purchase of the hall? We built the hall ourselves, and I think it cost something like £800. We pulled down a dilapidated old building, and the old materials were utilized,

Mr. T.
Etherington.
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utilized, the contract being something like £700. The property is our own now, clear; though, to assist us at one time, we had to borrow from one of the Building Societies, but the money has been repaid, and the building is now our own.

7610. How many members have left the Society during the last year? About four.

7611. How many have you initiated? None.

7612. Do you give the usual benefits to your members? Yes.

7613. Do all your members pass a medical examination? Yes; they must do so before they are initiated.

7614. And do you approve of your Society standing aloof from the general bodies? No; I have opposed it, and I am one of a deputation to wait upon the Druids to-night with a view to amalgamation. There are a good many of us who would be glad to go back, but we have always been beaten. The last resource is now that we must do something unless we go insolvent, because the finances are getting less and the members are getting older; hence we purpose to go into any Society that will accept us. Last meeting night I summoned the whole of the members to attend, with the view of seeing whether the Druids would accept us. The following letter has been written to them:—

Wednesday, April 19th, 1882.

Sons of Perseverance Friendly Society, neutral body, formerly of the G. U. O. of Oddfellows.
To Mr. HUMPHRY, Grand Master, Ancient Order of Druids.

Dear Sir and Brothers,

It was proposed, seconded, and resolved on meeting night, April 17th, 1882, being a special summons meeting night for the occasion, I have been requested to write to you to ask for information in reference to amalgamation with your Order. We are at present a neutral body from the Grand United Order of Oddfellows. We have about ninety-seven financial members; our average ages are about forty-nine years. I also enclose our last quarter's balance sheet for further information.

If you will kindly answer this note as soon as convenient, you will greatly oblige—

Your obedient servant,

THOMAS ETHERINGTON,

Secretary, Sons of Perseverance Lodge.

Residence, 38 Queen-street, Woollahra.

Our intention is this evening to wait on the Grand Master or Grand Secretary, with a view of getting some information.

7615. Have you had any conference with your members with a view of dissolving the Society? Last meeting night was in reference to the matter.

7616. Was there a proposal to sell the property? No; we could not in consequence of so many members remaining in the Society; we have a law that we cannot sell while so many remain together.

7617. But there was a desire to dissolve and sell the property? There was on the part of some, but the majority desired to see the Society progress if it possibly could do so.

7618. On what terms and conditions do you desire to join the Druids, supposing they are agreeable? I do not know.

7619. What has been the total expenditure in your Society for the last five years? £1,228 10s. 3d., excluding funeral donations, which I cannot give just now.

7620. Will you kindly furnish the Commission with the amount paid on account of funeral donations? Oh, yes.

7621. Can you tell me the total receipts for five years? No; I am not prepared with that, but I will let you have it.

7622. Can you tell the Commission whether the receipts for five years have been equal to the expenditure? Well, I believe it is rather under than over; the last five years we have been decreasing every way—the members have been getting less, and the finances have been less.

7623. The members have been growing older, and the liabilities greater? It must be so.

7624. Have you found any inconvenience arising from the working of the Act? No.

7625. Do you furnish your annual returns? Yes.

7626. Do you consider your Society well managed? To speak fairly, I consider we are not well managed; myself and the Treasurer are the only two who are representing our Society; I believe it would be better if we were amalgamated with some other Order.

7627. Will you send all the information in as soon as possible to the Secretary? Yes, with pleasure.

7628. What would the average age of your members be? About forty-nine years.

7629. Are there many of the old original members still in the Society? The majority of them are old members.

7630. Some sixty years of age? Some over sixty.

7631. *Mr. Gelding.*] You do not believe that isolated Friendly Societies can exist? No, I believe in amalgamation.

7632. Your Society has been going back since 1876? —

7633. I see ten years ago the value of your property was £300? That is very likely.

7634. Do you consider your property has risen in value to the extent of £700? Yes, I do, in that neighbourhood.

7635. You have only £30 tangible funds? That is all from the general fund.

7636. What special levies do you make? We have in a short quarter of six weeks 1s. 6d. a member; and 1s. 9d. in a long quarter.

7637. What is the meaning of the item "Travelling expenses"? We had a brother living at Balmain who was sick and another volunteered to go and visit him, and had his steamer fare paid by the Lodge.

7638. Is it a rule of your Branch to do this? It has never been done before.

7639. Have you considered the liability existent upon members being forty-three years of age? Well, there might be a liability.

7640. Have you ever tried any other Society? Not to my knowledge.

7641. You say that it was against your wish that you left the Grand United Order of Oddfellows? Undoubtedly it was; there is nothing like unity.

7642. Were the Grand United Order of Oddfellows willing to accept those who were against this proposition to secede? Well, we never divided upon that point; if we left the Lodge we should have had to throw up our contributions and leave it.

7643. The impression abroad is that your Lodge is very sound financially? You have the figures before you; you can judge for yourself.

7644. *Mr. Smith.*] You have not initiated any members for the last four years? I do not think we have, but I am not positive.

Mr. T.
Etherington.
5 May, 1882.

7645. Do you think that is owing to the fact that you have adhered to a high scale of initiation fees? No; they have been as they are now for many many years.

7646. You are aware of the fact that the largest Societies, such as the Manchester Unity and Foresters, take members at eighteen years of age for from 7s. 6d. to 5s.? I am aware of that.

7647. And you charge them a guinea? Yes.

7648. Has that not operated against your Society? I do not think so; the neutrality has operated against the Society.

7649. It is a fact that since 1879 your Society has been living on the rent of the building to a great extent? It has been a great assistance to us.

7650. In looking back I see you have gradually been losing money since 1879? We have been decreasing for years.

7651. A very large number of your members receive a sick allowance; they are frequently on the funds of the Society? Some quarters more than others.

7652. That would result from the fact that all your members are old members? They certainly are in the majority now; we have some young ones; some under forty, but not a great many, perhaps five or six.

7653. Have you had many disputes in connection with your Society since you seceded from the District? No, not any of any account; no more than the dispute between us and the District.

7654. Have you had to resort to litigation in any cases? No, not to my knowledge.

7655. Have any of your funds been misappropriated in any way? Years ago there was a brother of the Society that did place some of the funds to his own account, and had to suffer in gaol for it.

7656. Was that before or after you seceded? After.

7657. Was the hall purchased before or after you seceded? Before.

7658. Was the amount misappropriated large? About £120.

7659. *Mr. Abigail.*] Have you had any experience in any other Friendly Society than this? None whatever.

7660. When you were connected with the District, did you take any active part in the District work? No, I did not.

7661. So your experience is confined to your own Society? That is all.

7662. As an individual, are you in favour of Friendly Societies being permitted to invest their funds in building halls? Well, I think that if a Society gets a hall it is the first foundation to work upon, and it is one of the mainstays to uphold a Society.

7663. Would you permit them to use all their funds in this way, or limit them to a certain amount? Limit them to a certain amount.

7664. What percentage of the funds in hand would you limit them to? I should say about two-thirds, so as to keep a little in hand.

7665. You have no doubt your Society is not prospering? I do not see that it can possibly prosper.

7666. Are the benefits taken by the generality of the members, or is it confined to a few? Well, I do not think there are any particularly. There were one or two who tried a little to impose, but they were watched pretty carefully.

7667. Are any of them members of other Societies? We have members in our Society who are connected with other Societies such as Trades' Unions, but I do not know of others.

7668. Do you favour the principle of permitting members to join more than one Society? I say let him join as many Societies as he likes.

7669. You would treat it as an Insurance Society? Yes; the main thing is to see that he does not receive the sick pay unless he is sick.

7670. Are you in a position to say whether the supervision at present exercised by the Registrar is sufficient? I could not say.

7671. Do you consider that tabulated statements of the position of each Society should be prepared and published every year by a Government authority? I see no objection to it.

7672. Would you favour a Government inspection of the books and accounts of each Society? I think so.

7673. And supposing a Government officer found the Society going back for a number of years, would you have a provision in the Act to compel them either to raise their subscriptions or lower their benefits? We can make provision by adding a levy.

7674. Have you paid the Registrar any fees in any case? I do not recollect anything having ever been paid to him.

7675. Have you been called upon to consult him in any matters? No, none whatever.

7676. You send in your annual returns? Yes, I have sent them in every year.

7677. *Mr. Greville.*] Who assessed the value of your hall? I think the assessor connected with the municipality.

7678. But who assessed it for the purpose of entering it in your balance-sheet? I think it was done by the Clerk of the Municipality of Sydney.

7679. That is for the rates? Yes.

7680. And you have taken it at that? Undoubtedly.

7681. Who assessed it for the purposes of this balance-sheet? I think we have done so.

7682. When was this assessment made? Six or seven years ago, and it has become of more value since.

7683. What do you consider the present value of the property? It has risen perhaps 5 per cent. more.

7684. Where is the objection to your joining the parent Society, to which you were once attached? The objection is that we have a large number of members against us.

7685. And what is their objection? I have not heard it explained, and do not understand the reason.

7686. Would the District Lodge receive you back again? I think they would if we paid the demands we ought to have paid them.

7687. Then when you separated from them you were in their debt? Yes, and are so still.

7688. And can you tell the amount? I think I recollect seeing the bill; it is about £30.

7689. Do you believe the majority of your members would rather join the Druids now than go back to the District Lodge, simply for the purpose of avoiding the payment of these fees? It is very possible they would.

7690.

- Mr. T. Etherington.
5 May, 1882.
7690. *Mr. Holdsworth.*] You assign as a reason you cannot succeed that you are making no new members? No Society can prosper without young members.
7691. Do you not think a well-found Society should be able to provide for the protection of its members? Well, they cannot do so in all cases.
7692. Ought not a Society, if established on a correct basis, be enabled to make provision for the members when they grow old? They ought.
7693. *Mr. Langley.*] In any future legislation on the subject of Friendly Societies, do you not think it would be well to have a clause which would prevent a few members taking a Society away from the District, or Grand Lodge, as the case may be? Yes.
7694. *Mr. Newland.*] I see your rules were certified by the Attorney General in 1861; I presume that was the year your Society severed its connection with the Grand United Order of Oddfellows? In 1861 we became a neutral body.
7695. Had you the premises in Brisbane-street then? Yes.
7696. Was not the reason why you were expelled from the Order because you would not build up some windows fronting a lane? I believe there was an objection.
7697. You must have had the building then? No, that was an old building that we had, not the present one.
7698. Was that the reason you were expelled? Yes.
7699. Were you not re-admitted in 1871? I think we were.
7700. And you were then in connection with the District for two or three years? I think so.
7701. And were suspended because you paid no loaves? Yes.
7702. Seeing your Society had enrolled these rules in 1861, and that you rejoined the Grand United Order of Oddfellows in 1871, should you not have had new rules certified? No; these are the latest and only rules we are in possession of.
7703. Did you think it necessary when you became a neutral body again that you should get new rules or regulations? I do not think so; they would be of no service to us.
7704. I see these rules have not been certified by the Registrar at all? I think they were registered under the old Act.
7705. When you rejoined the District in 1871 did you accept the rules and regulations of the G.U.O.F? To my knowledge we have never had any other rules than these.
7706. When you rejoined the Order it was on the understanding that you would obey their rules and regulations? Undoubtedly.
7707. Then you were working under their rules? I never saw any other rules than these.
7708. Have you had a Widow and Orphan Fund in connection with your Society? We have.
7709. Is it still in existence? It has become defunct.
7710. How? The money was divided amongst the members of the Society who belonged to the Widow and Orphan Fund.
7711. How much was divided? I could not say.
7712. Was it £12? I do not know.
7713. *Mr. Slade.*] Did you ever take the subject of graduated subscriptions into consideration? No, I have not.
7714. What provision do you make for arbitration? We have a law.
7715. No arbitration Committee? Yes.
7716. Would you favour the establishment of an Arbitration Board comprised of representatives from the several Societies, with the Registrar for Chairman, to settle all disputes, instead of going to law? I think it is proper and just to act that way.
7717. Are your funds kept separate or paid out of one general fund? We have three funds—the Building Fund, the General Fund, and the Funeral Fund.
7718. Have you expended any money for testimonials in your Society? None whatever.
7719. Did you open negotiations with any particular Branch of the Druids? No.
7720. Only the Order generally? That is all.
7721. Did you take into consideration the financial position of that Order when you opened negotiations with them? We do not know it at the present time.
7722. Do you consider it necessary to take their position into consideration? I think it is very necessary to do so.
7723. *President.*] You have nothing further to add to your evidence? Nothing.
7724. Have you any suggestions to make? No, none whatever.
- The Commission then adjourned until Monday, 8th May.

MONDAY, 8 MAY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.

Mr. Thomas Comber sworn and examined:—

- Mr. T. Comber.
8 May, 1882.
7725. *President.*] To what Society do you belong? The Sydney Progressive Society of Carpenters and Joiners.
7726. How long has it been established? Eighteen years.
7727. What office do you hold? Secretary.
7728. How long have you held that office? Two years and three months.
7729. Have you held any other office? No.

7730. Have you brought any copies of by-laws? Yes (*produced*).
7731. What contributions do your members pay? 4d. a week at present, but there is a Revision Committee sitting, and they are about to raise it to 6d. a week; they have passed that already in Committee.
7732. That is the only payment you make? That is all, with the exception of 6d. a head on the death of a member.
7733. What benefits do you give? 10s. a week, and £10 on the death of a member if he is five years a member, and £5 if he is over twelve months a member.
7734. What other benefits do you give? Loss of tools, two-thirds of their value when new.
7735. There are no other benefits? No; but this loss of tools donation is not to exceed £10.
7736. Do you give any further benefits? No, that is all.
7737. You do not give any medical attendance? No.
7738. What amount of funds have you to your credit now? Something over £300; at the last quarterly balance it was £305, and we have had some £14 interest since then.
7739. How many members have you got? About 100 financial.
7740. Have the whole of your funds been made from contributions, or from picnics and so on? Contributions principally, though we sometimes realize on the Eight-hours Demonstration.
7741. But the whole of your funds, speaking generally, have been made by contributions? Yes, and by working the Society very cheaply.
7742. What were the receipts for last year? The total receipts, £131 5s. 1½d.
7743. What was the expenditure? £107 8s. 8d. last year; we had two members died, costing £20.
7744. Do you contribute much of your funds to strikes? We have to do it.
7745. You contribute this from the General Fund? Yes, but in very small sums, £5 and £10; we have given as much as £25; that is the most we have given at one time.
7746. Your by-laws provide for that, do they? No; I think it is done by a vote of the members.
7747. Have you had any desire to register your rules? I have not heard anything about it, though some time ago there was some talk amongst the members, but nothing definite has been done.
7748. How are your funds invested? In the Barrack-street Savings Bank.
7749. In Trustees? We have six Trustees.
7750. Have you had any defalcations? Not to my knowledge for ten years.
7751. Would it not be a greater security to your members to have your Society registered? No doubt, if it would not cost too much.
7752. You have no Branch Society? No.
7753. But members leaving Sydney? Leave the Society or send their contributions.
7754. A member of your Society would, if he went to Goulburn, lose all his contributions, I suppose? Well, a good many forward their contributions to me.
7755. Did many join the Society last year? Only eighteen last year.
7756. And how many left? Twenty-two went bad.
7757. What is the largest amount of funds you have had to your credit at any time? We have more now than ever before, some £56 or £57 since I took office two years ago.
7758. Have your candidates to be examined by a medical man? No.
7759. You take anyone? No; the member who proposes him has to certify to his health and good character.
7760. Do you have no medical examination? No.
7761. Have you found persons admitted who subsequently proved to be of unsound health? No, never.
7762. And no one has been refused in consequence of being in a bad state of health? No; every member is requested not to propose as a member one who is not a fit and proper person in every respect.
7763. Is there any age or bar to initiation? Yes, it is 3s. under forty, and 5s. over forty.
7764. Do you go beyond forty? Yes; I do not think there is any limit.
7765. You would take a member sixty years of age? I do not think there is anything to prevent such a man from joining, if proposed and seconded.
7766. There is nothing in your rules? There is nothing to prevent it.
7767. What is the object of increasing your weekly contributions? It is to raise the funds principally; we were about getting a banner, and I think that is the principal thing, and to recoup some of the losses we have had, such as the miners and carriers on strike.
7768. Then your Society is more a Trade Society than a Benefit Society? Yes, it is a Trade Society, though we give benefits.
7769. Are many of your members members of Friendly Societies? A great many—I daresay two-thirds or more.
7770. *Mr. Gelding.*] You have also other levies besides the 6d. of each member at death? Yes.
7771. I see the delegates are paid 1s. a week? That is for working the Society—the delegates to the Trades and Labour Council.
7772. How many delegates are there? Two.
7773. *Mr. Slade.*] Have you any provision in your rules for settling disputes? No, none.
7774. Has the applicability of present Act to your Society ever been considered by the Society in itself? Not latterly, to my knowledge.
7775. Is the money paid into one fund and from that disbursed? It is all in the Barrack-street Savings Bank.
7776. You do not keep a separate fund? No; we have one book, which we call the working book.
7777. Do you subscribe to support other trades out on strike? We vote the money out of our funds.
7778. To what extent? We voted £30 to the carriers, £50 to the Newcastle miners, £25 to the Seaman's Union, and we make an annual vote to the Sydney Infirmary of £5. For loss of tools there was, at a rough estimation, £241 2s. 8d. during five years; sick pay, £33; funeral donations, £51, during the same time.
7779. Is there no combination amongst yourselves by which they have a claim on your Society? None whatever.
7780. It is purely voluntary on your part? It is optional whether we give anything or not.
7781. *Mr. Newland.*] What expense is your Society under to the Trades and Labour Council? 2d. per member per quarter.
7782. Is it the intention of your Society to be registered? That I could not answer; I have not heard anything latterly in connection with it, but there is no doubt we will be registered.

Mr.
T. Comber.
8 May, 1882.

- Mr. T. Comber. 7783. *Mr. Rubie.*] Are you supposed to support members out on strike? No, we are not supposed to.
 7784. But by your 30th rule? Well, that has never been kept to; I have never known a member to be out on strike, but there is no doubt the rule would be carried out.
 8 May, 1882. 7785. Would there be an additional levy made then? No.
 7786. And would the funds you now pay be sufficient to support any number of men that might be on strike? I do not know; there never has been a case of the kind.
 7787. But suppose there were ten or twelve members, you would be bound to support them according to that rule? Yes, they would be bound to do it.
 7788. Would you exhaust the funds before you made a levy? I think they would make a levy before the funds went too far.
 7789. *Mr. Holdsworth.*] Did I understand you to say you did not consider this was a Benefit Society? It is reckoned a Trade Society, though we give benefits.
 7790. You give so much per week in case of sickness, and so much in case of death or death of a wife, you also give so much for loss of tools by trade; are you aware that these are classes of benefits specially provided for as things which constitute a Friendly Society? Yes.
 7791. Then, being a Friendly Society within the proper meaning of the word, do you not think it necessary it should be registered? It is not my place to say; I have to consult my Society.
 7792. You have a provision made here for strike allowance? Yes.
 7793. What number of members did you say you had? 100.
 7794. If a strike took place amongst the carpenters, I presume your men would be loyal and do as others did? I think they are too sensible to strike.
 7795. Then you do not think it would be possible for a strike to absorb all your funds within a month? No, I do not.
 7796. Is there any special provision in your laws by which you can levy in case of running out of funds? No, only in case of a death.
 7797. Then if you were to exhaust your funds you have no provision by which you could protect your benefit members? No; but before the funds were exhausted the members would either go back to work or there would be a levy made.
 7798. *Mr. Greville.*] Do the officers of the Society through whom the money passes give security? No; it is not taken through any officer, the money passes through my hands, and the cheques have to be signed by the Secretary and President before money can be drawn.
 7799. But do either of you give security? No; the money is placed in the Bank in 'Trustees' names, and no security is required.
 7800. *Mr. Abigail.*] The prime object of your Society is to protect members as far as their trade is concerned? Exactly.
 7801. The benefit part is a secondary consideration? Yes.
 7802. But do you think, taking into consideration the benefits you offer, that the small contribution of 4d. a week is sufficient to guarantee the benefits? We do not; that is the reason for having our rules revised now.
 7803. Have you had occasion to consult the Friendly Societies Act in any of its particulars? No.
 7804. Have you been brought in contact with the Registrar? No.
 7805. You cannot say how far that Act applies to your Society? No.
 7806. Do you propose in any future laws to provide for a guarantee from the officers through whose hands the money passes? No.
 7807. You know the Friendly Societies Act makes provision that such shall be the case? No; I have not read it.
 7808. Have any of your members entitled to the funds failed to get them? Not to my knowledge.
 7809. Do they as a rule claim the benefits when they are entitled to them? Some do and some do not; they have to be a week sick before they can claim the benefits.
 7810. But are any of them in business as masters, so that when they fall sick they do not take the benefits? Yes, they do; they are members just the same as the journeymen.
 7811. As a rule they take the benefits? Some do and some do not.
 7812. *Mr. Smith.*] You have just stated you proposed to increase your contributions; do you propose to give additional benefits for that? No; the only additional benefit will be that we shall give the book of rules away for nothing, instead of charging 3d. for them.
 7813. *President.*] You have nothing further to add to your evidence, have you? No, nothing further.

Mr. William Soderholm sworn and examined:—

- Mr. W. Soderholm. 7814. *President.*] What Society do you represent? The Scandinavian Society.
 7815. How long has the Society been in existence? Since 1879.
 7816. How many members have you? Twenty-five—that is, in the Sick and Benefit Society.
 8 May, 1882. 7817. Have you ever had a larger number? No.
 7818. What is the total value of your funds? The whole funds are £22.
 7819. What are the contributions? They were 9d., but are now 1s. a week; they were increased in order to put the Society in a better position.
 7820. What benefits do you give? Free doctor and medicine and a guinea a week during sickness; £7 10s. on the death of a member's wife, and £10 on the death of a member himself.
 7821. That is, I suppose, providing that he has been twelve months a member? Yes.
 7822. What was your total income last year? I could not say.
 7823. Do you know the expenditure? £19 15s. 7d.
 7824. Do you consider your Society in a sound financial position? I think we are.
 7825. And what is the age of your members? Eighteen and upwards; the oldest member we have is fifty-five years of age.
 7826. And is it exclusively confined to Scandinavians? Yes; none are admitted but those born in Sweden, Norway, or Denmark.
 7827. No British subject is admitted? No; only Swedes, Norwegians, and Danes.

7828. Have you ever had a larger number than you have now? No.
7829. Your Society is registered? Yes.

Mr. W.
Soderholm.

8 May, 1882.

Mr. John Fitzhenry sworn and examined:—

7830. *President.*] What Society do you represent? The Friendly Trade Society of Ironmoulders.
7831. How long has the Society been established? Since 1872.
7832. What office do you hold? Secretary.
7833. How long have you held office? Two years this time. I previously held it for twelve months.
7834. How many members have you? About eighty-five at the present time.
7835. What contributions do your members pay? 1s. a week.
7836. All pay alike? Yes, while working at the trade, if at other labour only 3d.
7837. What benefits do you give? When a man has been in twelve months we call him a free member, and if he falls out of work he receives 10s. a week; and in the event of his receiving an accident in the shop while working at the trade he receives a guinea a week for thirteen weeks and 11s. a week for the following eight weeks, and then the Committee or Society may give him a lump sum or what they think proper.
7838. Then what do you do in case of sickness? Nothing; but in the event of a member dying, if he has been a free member two years, the widow and orphans or executors receive the sum of £10.
7839. How is that made up? There is a levy of half-a-crown a member put on all round.
7840. In case of death? Yes.
7841. What is the total value of your funds at the present time? £531 5s. 10d. at the end of last year.
7842. And how has that been accumulated, from contributions only or from demonstrations? Well, from contributions only, though there was a pound or two accrued from the Eight-hour Demonstration, but nothing much, because it mainly goes in expenses. At times there are levies made to meet donations to those who are on strike. There is another item of expenditure—the Trades and Labour Council delegates, who receive a trifle for attending the meetings of the Council; and we support that body also, giving 2d. per member per half-year to it.
7843. I see you gave £44 10s. to the carriers on strike; was that made up by a levy? No, there was no levy put on the members for that.
7844. I observe your income for the year was £259 2s. 3d.? Yes, that is correct.
7845. And the expenditure was £182 12s. 11d.? Yes.
7846. That would leave a balance of £76 9s. 4d. on the year? Yes.
7847. After paying all these large sums to different Trade Societies, and donations, and so on? Yes.
7848. "Dispute donations, £2 6s. 6d."—what is that? If a member comes out about a dispute with his master—if a bad casting is made sometimes the master wants him to pay for it; and if he comes out in a case like that he gets 36s. a week instead of the 10s.
7849. There are also officers' salaries; who are the officers paid? The Secretary receives £2 a quarter. There are no fixed salaries, but for the last two years they have never been altered.
7850. What is the meaning of "Shop steward fees"? In each foundry there is one man appointed to collect the contributions from each member; he receives 6d. per night for bringing it up to the Club house, and is responsible for all such moneys received till paid to the Secretary.
7851. What is the "Advance to Moulders' Picnic Committee"? We wanted a fund to start on in getting up a picnic, and we advanced £15; it has been repaid since.
7852. The whole of these sums have been embraced, and still there is a profit of £76 9s. 4d.? Yes.
7853. Were the profits for the four previous years the same or as great as last year? No; the previous year there was a deficiency of £77 10s. 4d., the amount for idle donations being £142 1s., and a donation of £50 to the coal-miners on strike.
7854. That was in 1880? Yes.
7855. What is the previous year? Then there was a balance of £66 13s. 8d., although £111 9s. 2d. was paid for idle donations, trade being pretty bad.
7856. And in 1878? A balance in favour of the Society of £137 12s. 1d.
7857. That was 1878? Yes, 1878; we sometimes advance a member in distress a small loan if he finds two bondsmen, or we may make a gift to members.
7858. What is the largest loan you make? It has never been over £7.
7859. Have you 1877? There was a balance of £92 4s. 4d. in favour of the Society.
7860. Have you or your Society contemplated registering the Society? Yes; we have a Committee revising the rules now.
7861. With a view to registration? Yes.
7862. How is your money invested? In fixed deposits in the Commercial Banking Company, and also in the Australian Joint Stock Bank. There is a running account also in the Savings Bank. We have three trustees.
7863. Have you ever had any defalcations in your Society? No, never.
7864. Have you had any matters of dispute between the members and officers? There was one at one time about a pound that was paid in.
7865. How was it settled? There was a vote of confidence in the officer.
7866. And that settled the matter? Yes.
7867. You are aware that the Friendly Societies Act would not permit you to make these advances to strikes and so on? No, but the Trades Unions Act would.
7868. And you contemplate registering the Society under that? Yes.
7869. *Mr. Smith.*] Are you connected with any other Society of this character? No, not at present.
7870. You are not connected with the Victorian Society? No.
7871. The whole of your operations are confined to this Colony? Yes, but we have members out of the Colony.
7872. And are purely of a trade character? Yes.
7873. You have contributed to all the strikes that have taken place from time to time? I would not be certain; we may have; we are contributing to the present strike at Newcastle, and did to the last; to the Seaman's Union strike, the Carriers, and to the Typographical Society.
7874. Are you a member of any Friendly Society apart from this? Yes, the Grand United Order of Oddfellows.

Mr.
J. Fitzhenry.

8 May, 1882.

7875.

- Mr. J. Fitzhenry.
8 May, 1882.
7875. Are all the men in the various foundries members of this Society? No, not all; but I think the majority are.
7876. You do not recognize other iron-workers unless they belong to the Society? Well, we work hand-in-hand with them; we work in the same shops.
7877. But if this dispute arises between master and man, say, for instance a man makes some bad work, and the master wants him to pay for it, would you step in and assist him if he was not a member of your Society? I have never heard of a man yet who would stand a thing like that.
7878. He would leave his employment, I suppose? He would stand on his own dignity; it is reckoned a dishonorable thing in the trade.
7879. Is it within your knowledge that the majority of your members are connected with other Friendly Societies? I believe so; I know several who take a leading part in some of them.
7880. And this is purely a Trade Protection Society? Yes.
7881. *Mr. Abigail.*] You have, I see, full permission to make levies when your funds fail to meet the calls upon them? Yes; that is for the members only, not for outside of the trade.
7882. And if the levies then are not sufficient, you have power to reduce the benefits? Yes.
7883. So that according to your rules none of your members could suffer any injustice in that way? Just so; we work according to our means; but we have never had to act upon that rule.
7884. You have never had to make a levy? No, not to increase our funds.
7885. The primary object of your Society is trade protection? That is it.
7886. In carrying out this object, are you actuated by a spirit of fair play towards employer, as well as employé? Yes.
7887. In case of a dispute, do the members in that workshop have a vote in settling any dispute? They have no vote whatever, though they may come and give evidence.
7888. I see in your Auxiliary Fund Laws you make provision for giving an oppressed member £1 a week, 5s. for his wife, and 1s. for each child under twelve years—what is meant by oppressed? Well, if a man is working in a shop, and the master reduces his wages, and the majority of the members think it was uncalled for; if he makes a complaint, and it is decided he has right on his side, he may come out, and then he falls on that fund.
7889. Have you had any occasion to refer to the Friendly Societies Act in reference to your Society? No.
7890. You are not concerned with the provisions of it? No.
7891. Would you favour Government interference or supervision over Societies similar to yours, such as a Government Examiner of Accounts, and so on; do you think it would be beneficial? I do not think so; if the members cannot work it, I do not think the Government could better them.
7892. Your balance-sheets are audited by your own members? Yes.
7893. Do you ever call in outside assistance? No.
7894. Do you find them always correct? They have been in my time.
7895. *Mr. Greville.*] Is there any other benefit, such as is intended by the Friendly Societies Act, beyond that of the funeral donation? No, none whatever.
7896. Then the proportion of your funds which goes for benefits is very, very small? Yes, very small; I only remember the death of one member.
7897. So that practically all the funds of your Society go for Trades Union purposes? Yes; the idea is to accumulate funds, so that in the event of a disturbance we may be able to protect ourselves and to assist members when trade is dull.
7898. Are the members protected by the officers of the Society giving security? No; they are known amongst the members as honest men in life—in public life, and are elected; and it takes the whole of their signatures in a body to transact any business at the Bank.
7899. *Mr. Holdsworth.*] In your Society you have merely combined labour for the purpose of meeting capital on equal ground? That is it.
7900. By an "oppressed member" you mean any man who you consider has been ill-used by his employer? We do not combine to protect those who do not belong to us.
7901. You support him because his case may be yours at a future day? Yes, for if the master carries his point, it may be our turn next time.
7902. *Mr. Rubie.*] Is the levy of 2d. a member included in the 1s. a week? It comes from the funds.
7903. *Mr. Newland.*] This 2d. a week is a capitation allowance to the Trades and Labour Council? Yes; we call it the Sustentation Fund.
7904. Do you know what funds the Trades and Labour Council has? No, I do not.
7905. *Mr. Slade.*] The 1st section of Rule IV says,—“Should the members of any Branch or foundry leave their employment without having first obtained the sanction of the Executive Committee, such members shall not be entitled to the allowance provided in cases of oppression, except in cases where the employer forces such terms upon members which they are bound not to accept, and consequently have to leave through non-compliance of the same.”—To what extent does this go? It is winked at in a good many cases.
7906. Would it apply to a man leaving because he was unable from sickness, or unable to agree with his mates? No, not in that case.
7907. *President.*] Do your members prior to initiation or admission undergo any medical examination? No; they are simply supposed to be able to earn their living at the trade.
7908. You admit any person of good character who belongs to your trade? Yes.
7909. Have you had any reason for refusing members who sought admission to your Society for being of immoral character? We have refused members on account of their previous character—for dishonorable conduct as men in the trade, though it might not be immoral character; we have also refused those who stood aloof from it for years, and then tried to get in.
7910. Up to what age do you admit members? There is no particular age.
7911. Fifty or sixty would be no bar to a man's admission? It would be argued and discussed.
7912. There is no rule to prevent him from being admitted? There is no rule, but there would be a warm discussion.
7913. Do you propose in your revised rules to have a medical examination of candidates? No.
7914. I find you have paid no money away for death donations during the last four or five years? I only know of one case.

7915. *Mr. Gelding.*] If a member has occasion to leave the foundry through oppression and you consider his cause is right, do the other members belonging to your Society who may be in the same foundry strike work? As a rule every case stands on its own merits; if it gets serious we have an Executive Committee that watches it, and in every case where the laws are silent they legislate.

Mr.
J. Fitzhenry.
8 May, 1882.

7916. But under the 4th section of your 4th rule, which reads:—"Should the members of any foundry have occasion to leave their employer through an act of oppression, no other member of this Society shall be allowed to commence work in the said foundry while such oppression exists; and further, that should any member have to leave his employment through an act of oppression, no member of this Society shall be allowed to work in his place while such oppression exists; and, if in the same foundry, no other member working there shall be allowed to work at the same job; therefore, upon refusing, shall be entitled to the same allowance as the first who had to leave; and any member violating this law shall be fined or expelled, at the decision of the Executive Committee"—? That is the whole of them; but if a single member goes out there is a rule that no other member shall start on the same job as he was on.

7917. It is not necessary that every member of your Society who may be in the foundry shall leave the foundry at the same time? No, not unless ordered out by the Executive Committee.

Mr. Frank Forsyth sworn and examined:—

7918. *President.*] What Society do you represent? The Operative Bricklayers.

7919. What number of members have you? Last quarter 575, that is juniors and full. (*Balance-sheet for quarter ending February 28th, 1882, produced.*)

Mr.
F. Forsyth.
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7920. How long has the Society been established? There are no records any further back than eleven years.

7921. What are the contributions paid? 6d. a week full members, and 3d. juniors.

7922. What benefits do you give? There are no benefits, except in case of accident, when £1 a week is given, and in case of death, £12 to a full member, and £2 extra for every two years' membership over twelve months, up to £20, and £8 on the death of a wife. Juniors are entitled to half these amounts.

7923. Who are juniors? Those from sixteen to twenty.

7924. What is the total value of your funds at present? £1,200 8s.

7925. How is the £1,000 invested? In trustees—£50 each at different Banks.

7926. How many Trustees have you? Twenty, in addition to the two Savings Bank Trustees.

7927. Has the whole of this money been made by contributions? Yes.

7928. Not from any other source—from demonstrations or anything of that kind? Well, the demonstrations have been more of a loss than a profit. We have a picnic of our own, and £80 was voted for this.

7929. You pay your members for accidents? £1 a week.

7930. To what other purposes are your funds applied? Mutual benefit in case of a strike; they are not very particular about membership; there was £5 given last Lodge night to the widow of a bricklayer as a gift.

7931. Your Society is not registered? Not at present.

7932. Have you proposed to do so? Yes; a deputation waited on the Registrar in reference to it, but we have to get a yearly statement printed before it can be registered.

7933. Is it the general wish of the members to register the Society? Yes.

7934. Under the Friendly Societies Act? No, the Trades Union Act.

7935. Do you have any medical examination of your members? No.

7936. Most of your members belong to other Friendly Societies? Yes, the best part of them.

7937. Do you know what the expenditure was last year? No; this is the first balance-sheet that ever was printed. I have the book here.

7938. Will it show what the income has been for the year? Yes.

7939. Have you had many members join during last year? Well, there is always a lot joining and running out. Last quarter about forty ran out, and about the same were admitted.

7940. The contributions last quarter were £137 5s. 9d.? Yes.

7941. And propositions, £24 12s. 6d.? Yes; any members being admitted the fourth time have to pay £2.

7942. And what the first time? 5s.

7943. *Mr. Gelding.*] Did you submit the rules to Mr. Oliver when you thought about getting them registered? Yes.

7944. Did he express any opinion? He said they would come under the Trades Union Act.

7945. What is meant by "paying persons to watch jobs"? The delegates. The bricklayers are not allowed to work with non-Society men.

7946. And if a job is going on you pay a delegate to go round? Yes.

7947. And everybody who does anything for the Society gets paid? Everybody; the Secretary gets 3d. per member per quarter.

7948. *Mr. Greville.*] Are all of your members prohibited from doing any work upon a job if there is a man employed who does not belong to your Society? Yes, after Lodge nights. If he goes to work on Monday he is allowed to work till Friday, and if the party does not join, the Society bricklayer has to leave.

7949. Although there may be no other disqualification? No; we are not allowed to work with non-Society bricklayers.

7950. That rule is for the purpose of compelling all bricklayers to belong to your Society? Yes; we find it works very well.

7951. *Mr. Smith.*] Your Society is established to protect your own trade? That is all.

7952. And to carry out the eight-hour principle? Yes.

7953. And that is the object of Society men not working with non-Society men? Yes.

7954. *Mr. Gelding.*] What penalty is there levied against members who break this eight-hour rule? 5s. a day.

7955. Is the Society composed exclusively of members of your trade? Yes; though there are plenty of masons who get in, but if it is found out we turn them out.

7956. You do not admit any other than bricklayers? No.

7957. Do your rules provide for eight hours being regarded as a standard day's labour? Yes; I think our Society stands alone in that, because we are not allowed to work beyond it.

7958. If a member works beyond that is he amenable to your laws? He is fined, and if he does not pay the fine he is expelled.

7959.

Mr. F. Forsyth. 7959. Then members of your Society are only paid for the actual time they work? That is all; in summer forty-six hours, and winter forty-seven.
8 May, 1882. The Commission then adjourned until Friday, 12th May.

FRIDAY, 12 MAY, 1882.

Present:—

EDWARD GREVILLE, Esq., J.P., IN THE CHAIR.

JOHN GELDING, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,

E. J. RUBIE, Esq.

Mr. Samuel Withers sworn and examined:—

Mr. S. Withers. 7960. *Chairman.*] What Society do you represent, and what position do you hold? Independent Order of Royal Foresters. I am the Secretary.
12 May, 1882. 7961. How long have you held that position? For six or seven consecutive years; ten years altogether.
7962. Are you a member of any other Society? I am, sir.
7963. What Society? The Sons of Temperance.
7964. Of any other? Not Benefit Society, no.
7965. Have you studied the laws and workings of Friendly Societies otherwise than as they came under your notice as Secretary of the Royal Foresters? No, I have not.
7966. Is the Order of Royal Foresters a branch or portion of the Grand United Order? No, it is a local body.
7967. Is it subject to any other governing body? No; it seceded from the Royal Foresters.
7968. What was the cause of the secession? Well, as far as my memory goes, the Lodge then under the Royal Foresters was not satisfied with the management of the Supreme Court.
7969. Was it dissatisfied with the pecuniary management? It was dissatisfied with the amount of the quarterly levy upon us, and at the fact that we could get no correct statement from the Supreme Court what became of these levies, and so we decided to secede and start an Independent Order.
7970. And do you think there was just cause for that accusation? I do; I supported the resolution at the time.
7971. Are there not a large number of Lodges connected with the parent Society? I believe there are.
7972. Have you ever known any other Lodge make a similar complaint to that made by your Lodge? I have known them to make complaints; but they never withdrew, the same as we did.
7973. But were the complaints of a similar nature to that which your Lodge made, that the pecuniary explanation was not sufficient? Well, I cannot definitely answer for any other Lodge than my own.
7974. And did your Lodge apply elsewhere for an explanation as to the disbursement of the money you contributed to the Grand Lodge? It did, sir.
7975. And did the Grand Lodge refuse to give it? I do not know that they exactly refused, but we never could get any satisfactory explanation from them.
7976. And you are not aware of any other Lodge having considered it necessary to adopt a similar course? There is no Lodge except ourselves that has seceded that I am aware of.
7977. Do you now consider yourselves a parent Society, justified in issuing charters to other Lodges? Yes.
7978. Have you ever issued any? We have not, up to the present time.
7979. What is the number of your members? Fifty, at the present time.
7980. And you seceded in what year? In 1872.
7981. Is your number increasing or decreasing? Well, we are increasing, but not very fast.
7982. What is the total amount of your property? The total amount of funds is £542 8s. 4d.
7983. How is it invested? £530 11s. 5d. in the Savings' Bank, and the balance in the Treasurer's hands.
7984. To what claims are these funds liable? There is a sliding scale of funeral allowance; from one to five years he is entitled to £20, and a member's wife to £10; from five to ten years, £25; and £1 for every additional three years afterwards; the wife to £15 from five to ten years, and 10s. for every three years.
7985. And what other claim is there? Sick pay, a guinea a week.
7986. Is there any other? That is all, except medical attendance and medicine.
7987. Can you tell me what is the average age of your members? That I cannot state at present. I have not had time to get that information.
7988. What are the payments on the part of members to secure the benefits? Contributions, 1s. a week, and levy 1s. 3d. a quarter; that is on a sliding scale. When the funds are below £200, the levy is 2s. 6d.; between £200 and £250, 2s.; between £250 and £300, 1s. 6d.; and 1s. afterwards. There is now this 1s. levy, and 3d. for the Secretary's fee.
7989. Then each member pays 14s. 3d. per quarter now? Yes.
7990. Have you in your experience found that contribution to be sufficient? Quite sufficient, and it has left us a large margin.
7991. And you consider that the margin would be sufficient to meet the future claims on the Society's funds, though your members are daily getting older? I think so; since we seceded we have saved some £300.
7992. Have you ever considered the question whether a fixed subscription or one regulated by age is preferable? No, I cannot say I have.
7993. Have you ever had any disputes in your Society? None whatever.
7994. Have you had occasion to refer to the Registrar on any occasion? No.
7995. Can you say from your knowledge of the Act whether any improvement can be made in it? No, I could

Mr.
S. Withers.
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- could not; that is a matter I have not been able to bring before the notice of the members; for myself I do not know of anything.
7996. By your rules is your medical man bound to be qualified by law? Yes.
7997. Have you known him at any time to refuse candidates for admission? Yes.
7998. Many? Not many; I could not say more than two or three.
7999. That is out of how many candidates? I dare say some twenty or thirty.
8000. *Mr. Smith.*] How many years were you connected with the Royal Foresters? I am not in a position to state that. I know Court Royal Albert, which is the present Society, was formed out of the Grand United by two members, but when that was I am not in a position to say. I know it was several years.
8001. How many members did you have when you seceded from the Royal Foresters? I do not know that I could answer that question. I have not the books here that would show me.
8002. Had you more than you have at present? I do not think so; we were never stronger than we are at present.
8003. What amount of funds had you as a Lodge when you seceded? £154 11s. 3d., and there was a balance due to the Treasurer of £3 19s. 6d.
8004. That is when you seceded? Yes, in 1872.
8005. And you had then about fifty members? Between forty and fifty.
8006. What levies were you paying to the Supreme Court of your Order per member? As far as my memory serves me, it was 1s. per member per quarter.
8007. Was it in consequence of the high levies your Court seceded? It was partly that, and because we could not get any satisfactory statement from the Supreme Court as to what became of the money. They never seemed to have any money to their credit, and we could not get any satisfaction as to what became of the levies they received.
8008. Was it brought under your notice that there was any misappropriation of moneys? No, I do not say that.
8009. Do you know? I do not know.
8010. What number of members have you initiated within the last two or three years? That is a question I could not answer without going through the list. I should say about a dozen.
8011. What number of members left your Society through withdrawals or failing to pay their contributions during that period? I could not say exactly, but I do not think more than seven or eight.
8012. Do you have members take their clearances out of your Society? No, they cannot; there is no other Society for them to join just now.
8013. The other Orders of Foresters will not take them? No.
8014. There have been some seven or eight? They have run out and ceased to be members.
8015. You have never put into operation that portion of the Friendly Societies Act which allows you to sue members for non-payment of dues? No, we have never done that.
8016. Have you had many members die? There has been £45 paid for funeral allowances during the last five years up to December, 1881, and there have been two deaths this year—a member and a member's wife.
8017. Then you had not more than three deaths during the five years ending 1881? That is it.
8018. For which you paid £45? Yes.
8019. Have you any freehold property? No.
8020. Where do you meet? At the Presbyterian Schoolroom, Haymarket.
8021. What rent do you pay? 5s. per meeting night.
8022. Every accommodation is given you for that? Yes.
8023. What do you receive as Secretary? At present £5 a year.
8024. Is your Treasurer paid? Yes.
8025. What does he receive? 10s.
8026. Are any of your other officers paid? Not in the shape of money. They receive medals for services rendered to the Court.
8027. From what funds does this come? From the General Fund; a medal valued at 10s. for the Chairman, Secretary, Treasurer, and Woodward.
8028. That would be £2 paid for medals yearly? Yes.
8029. Do your officers hold office for a year? Yes.
8030. You give no pension or superannuation allowance to any of your members? No.
8031. Have you given gifts from your funds in any other shape than sick pay or funeral donations? Only in the shape of medals.
8032. *Mr. Abigail.*] You have stated you consider 1s. ample to guarantee the benefits you offer? I said 1s. and the levies.
8033. How often have these levies been made in your Society? They are made quarterly.
8034. And you have funds sufficient to guarantee all the benefits your Society offers? I think so, unless something extraordinary overcame us.
8035. Have you based that calculation on any actuarial principles? I came to that conclusion from the money that has accumulated, besides paying all our expenses.
8036. Are you aware how much you have received as interest during the last eight years? No.
8037. I find the amount is £144 8s. 11d.; that would assist you materially? Yes, no doubt.
8038. Have you made any calculation as to what are the outstanding or contingent liabilities of your members on these funds? No, I cannot say I have.
8039. What is your arrangement with your medical man—do you pay him? Yes; we pay him £1 per member per year.
8040. Have you ever had any difficulty with your medical man? We have had to change our medical officer lately.
8041. Why? Because he did not give general satisfaction.
8042. In what way? He did not please the members; it was more his manner than anything the members were dissatisfied with.
8043. Not dissatisfaction with the way in which he passed members? No.
8044. And you have never declined to pay any accounts he rendered? Never.
8045. Never kept them back for months? Never.

- Mr. 8046. Have you ever delayed the payment of sick or funeral benefits to any of your members? No, never.
 S. Withers. 8047. What time expires before the money is paid after a death? It is paid within twenty-four hours.
 12 May, 1882. 8048. Have any of your members made a habit of going on and off the sick list, in other words, loafing on the Society? No.
 8049. Are any of your members in such a way of business that when they fall sick they do not take the benefits? No; they generally take the benefits.
 8050. Do you know of any cases in yours or any other Society where the officers or members have improperly made away with the funds of the Society? No, none whatever.
 8051. Are you in favour of Government supervision of Friendly Societies, a Government officer being appointed to examine the accounts? Yes.
 8052. And would you make it compulsory to send in annual returns, and inflict a penalty for non-fulfilment? Yes, I think it is necessary to have a provision of that kind.
 8053. *Mr. Holdsworth.*] Have you any provision made for clearances if any members leave you? No.
 8054. You have made no arrangement with other Societies to accept your members? No, none.
 8055. How do you provide for a member who leaves your District? He goes on the books as a country member, and pays 9d. a week, and is charged with the levies.
 8056. Then by becoming a country member he saves himself 3d. a week, and the Lodge saves itself about 7d.? I have not calculated that.
 8057. Do you consider a single Branch or Lodge is as sound as where it belongs to a united body? No, I do not; I think it would be wise to extend the Order if possible.
 8058. Do you believe there is some truth in the old motto, that "Union is strength"? I do, certainly.
 8059. What is the greatest age at which you receive members? Forty.
 8060. How many members have you beyond that at the present time? About ten, I believe.
 8061. What is the oldest member you have? I should say somewhere about fifty.
 8062. No more? No, I do not think so.
 8063. You do not consider you have an undue proportion of old members? No, quite the contrary.
 8064. You have stated that you consider the contributions with the levies are sufficient to meet all purposes: do you judge that by the experience of the past? Yes.
 8065. You consider experience is about the best guide? Certainly.
 8066. *Mr. Rubie.*] Have you ever had occasion to levy the 2s. 6d.? Oh yes, until the funds reached a certain amount.
 8067. *Mr. Slade.*] Did you ever take the subject of graduated subscriptions into consideration? No.
 8068. Do you feel yourself in a position to give an opinion on that subject? No, I do not.
 8069. Nor upon superannuation for aged or permanently disabled members? No; we have never had occasion to take that into consideration.
 8070. Are you of opinion that it would be a good thing? Yes, I think it would.
 8071. What method for the settlement of disputes have you? A Board of Management, consisting of eight members.
 8072. Have you any superior body to appeal to, supposing the decision is objected to? No; the decision, according to the rules, is final.
 8073. Would you favour the establishment of an Arbitration Board, composed of members of different Societies, as a final Court of Appeal, instead of members or Societies going to law? I think it would be a good thing.
 8074. You are aware that members have been compelled to pay large amounts of arrears after being summoned to Court? Yes.
 8075. And do you think such a course of action is advisable? I do not.
 8076. If an amount is to be recoverable in this way, would you limit it to the subscriptions for twelve months? Yes, I would.
 8077. Do you favour suing for arrears at all? Oh yes, I do.
 8078. Have you ever taken any notice of the present form of returns to the Registrar? Yes.
 8079. What is your opinion of them—are they sufficient, or could they be amended do you think? I should think that depended on the information wanted.
 8080. Would you favour more comprehensive returns in future legislation? If they are necessary.
 8081. *Mr. Gelding.*] How long was your Branch Lodge in existence before it seceded? I do not know exactly; I joined in 1867, and it had been some time then in existence.
 8082. Are you sure one of the causes why you seceded was the bad management of the Grand Lodge? I am satisfied of that.
 8083. Did not the Grand Lodge furnish quarterly or yearly reports whereby you could see how the funds were used? No, they did not.
 8084. You have no Widow and Orphan Fund attached to your Order? No.
 8085. You consider, I presume, that being allowed to levy is a great safeguard for the solvency of your Lodge? Yes.
 8086. Do you not think it would be better that a member should know exactly what he has to pay a week, instead of having to run the risk of these levies? I cannot see that any better method could be adopted.
 8087. Are you aware that large Friendly Societies have a fixed rate of contributions which is not deviated from or supplemented by levies? I understood all Societies had levies.
 8088. I presume you are aware that the Savings' Bank interest is materially reduced at the present time? They are paying us 5 per cent. now.
 8089. I presume you have given attention to the workings of Friendly Societies? Yes, I have.
 8090. Do you think it advisable that there should be a person specially appointed to attend to Friendly Societies? Oh yes.
 8091. You believe the present system is not conducive to the interests of Societies? Not sufficiently.
 8092. *Chairman.*] Have you complied with the Act in making the annual returns to the Registrar? Yes, strictly.
 8093. Is there anything you would like to add to the evidence you have given? No sir, there is not.
 8094. *Mr. Gelding.*] Who was District Secretary at the time your Lodge seceded? I am not certain, but I think it was Mr. Hampton.

Mr. Henry Collyer sworn and examined :—

8095. *Chairman.*] What Society do you represent? The Sydney United Plasterers' Society; I am the Secretary.

Mr.
H. Collyer.

12 May, 1882.

8096. How long have you been Secretary? A year and nine months.

8097. And what is the main object of your Society? To pay money to any one receiving an accident, and to assist other trades on strike; and to assist in alleviating distress amongst our members or their widows by donations.

8098. Have you any Funeral Fund? We give £7 10s. on the death of a member only to his widow or nominee.

8099. Any Sick Fund other than for an accident? None whatever.

8100. Any other form of benefit? No, that is all.

8101. What are the payments made to secure these benefits? 6d. a week.

8102. Any other in the shape of levies? No, our rules forbid levies.

8103. And what are your accumulated funds? Close upon £200.

8104. And the number of members? 120.

8105. Is there any limit as to age? None whatever.

8106. Any medical examination? None whatever; it is a Trade Union, and not a Friendly Society.

8107. How many years have you been accumulating this Reserve Fund? Well, previous to 1870 we had several Societies, all of which broke up; but since then it has been pretty firmly established.

8108. What was the cause of the previous Societies breaking up? Insufficiency of members.

8109. Then there was an inability to meet the liabilities? There were not sufficient members.

8110. Then what did they do with the funds? Shared them amongst the remaining members.

8111. Did you know any instance in these previous Societies where a claim was made for funeral donation which was not complied with? No, I did not.

8112. Nor any claim for accident? No, I never knew it refused.

8113. I mean through there not being sufficient members to pay it? No, never to my knowledge.

8114. Could you tell us in any instance what the amount of funds was that was divided? I could only guess at it, but I should think the most was about £16 or £17.

8115. In each instance was there money to divide? Yes.

8116. Have you anything in the present rules to prevent a similar course being adopted by the Society? Yes; should the Society sink below a certain number of members, the whole of the funds are to be given, by law 42, to the Sydney Infirmary.

8117. What were your receipts for the last five years? £666 12s. 4d.

8118. And can you tell me how you have appropriated that? Accident pay, £31; funeral payments, £17 10s.; management, expenses, £66 18s. 11½d.

8119. Any other expenses? Yes, donations to sick members. There has been about £40.

8120. And what else? We vote £5 a year to the Sydney Infirmary.

8121. Anything else? We give to other Societies on strike.

8122. What funds have you in hand? £196 1s. 3d. is the exact amount.

8123. And how is that invested? In the Savings' Bank, in the names of three Trustees.

8124. Can you tell me how much has been given to other Societies when on strike? We pay 4d. a member each half-year to the Trades and Labour Council; and we gave the Seamen's Union £10; to the miners on strike in 1880, £20 2s. 6d.; to the carriers in 1881, £5; and £1 10s. was voted towards the expense of the Anti-Chinese Demonstration.

8125. Have you ever had any defalcations in your Society? No.

8126. Does the Treasurer give a bond? Yes, of £10, the full amount he is allowed to hold.

8127. Does any other member give security? The three Trustees.

8128. And to what amount do they give security? £20 each I think.

8129. During the time your Society has been in existence has there been any strike amongst the United Plasterers? Not calling for pay from the Society.

8130. Do you not think that by the payment to other Societies on strike you diminish the power of the Society to pay its own members if they are called upon to go on strike? No, because those we assist now would assist us then.

8131. Where is your place of meeting? The "Belmore Arms," Pitt-street.

8132. Have you found any evil results arise from meeting in a public-house? No.

8133. Do you allow intoxicating liquor to be brought into the room? No, nor yet smoking.

8134. What do you pay for the use of the room? 35s. a quarter.

8135. Do you observe most of your members take one or more glasses? No, I think most of our Society are teetotallers. At the last public-house we stopped at we got notice to quit.

8136. Why do you go to a public-house in preference to an unlicensed hall? Simply because we can get the night we want, and we get better suited for about half the money.

8137. Have you had any disputes in your Society at any time? No.

8138. What is your method of settling disputes? There is a Management Committee, whose decision is final.

The Commission then adjourned until Monday, 15th May.

MONDAY, 15 MAY, 1882.

Present:—

F. ABIGAIL, Esq., M.P., IN THE CHAIR.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,

JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,

E. J. RUBIE, Esq.

Mr. Lorimer Edward Marcus sworn and examined :—

8139. *Chairman.*] What Society are you connected with? The Independent Order of Good Templars.

8140. What is the date of its establishment? 1874, in this Colony.

Mr.
L. E. Marcus.

8141. 15 May, 1882.

- Mr. L. E. HARCUS.
15 May, 1882.
8141. Have you held any position in it? In this Colony I was Grand Worthy Chief Templar for two years, or Executive Head of the Order. In other parts of the world I have filled many other offices.
8142. What is the number of members connected with it? As nearly as possible 3,000, in New South Wales.
8143. What amount of subscriptions do you pay? The minimum is 1s. 6d. a quarter; we are not, strictly speaking, a Friendly Society.
8144. Do you allow any benefits? No.
8145. How is the Society managed? By an Executive Committee consisting of the eight principal officers of the Grand Lodge.
8146. You have no sick pay or funeral donation? No.
8147. No doctor or medicine? No.
8148. What is your Order for? Principally propagating the cause of Temperance; we are a Secret Society.
8149. What funds have you? I could not say exactly, but our assets exceed our liabilities by some £120, or it may be more.
8150. What is done with your funds? They are used solely for the advancement of the Temperance cause, and for the extension of the Order.
8151. In your Society male and female meet together in the Lodges? Yes.
8152. Do you think that system tends to promote morality? I think so; I know nothing definite to the contrary, although I have heard rumours that the mixing of the sexes in the Lodges has been injurious occasionally. I do not, however, believe that any harm has resulted on the whole.
8153. You have made a request to be examined before the Commission for the purpose of furnishing some information? A request has been made by the Executive Council that I should be examined.
8154. Can you state what particular suggestions you desire to make to the Commission in reference to this organization? We desire to urge upon the Commission the necessity of having some clause in any Bill that may be brought forward for the purpose of protecting the funds of such Societies as ours. Our Order is established for the purpose of improving the moral condition of the people generally, but there is, we are given to understand, no legislation at the present time under which we can get protection against the misappropriation of our funds.
8155. Have you any knowledge of any cases where the funds have been misappropriated? No, not absolute knowledge; I have heard of cases in which —
8156. Your object then is to shut the stable door before the horse is stolen? Yes.
8157. *Mr. Rubie.*] You said your Executive Committee or governing body was composed of the eight chief officers; do they belong to eight different Lodges? Not necessarily; they belong to the Grand Lodge, which is composed of representatives from the various subordinate Lodges, any third degree member being eligible for that position.
8158. Are there not the ordinary officers appointed? We have the ordinary officers.
8159. Would not the present Act give you protection, inasmuch as you are receiving money as a Society and voting it away for purposes named in your rules? The Registrar, I understand, says he has no power to register us under the Act; it has been so reported to the Executive Council by a Committee we appointed to look into the matter.
8160. *Mr. Gelding.*] I presume you would advise that, in any legislation enacted in reference to such Societies as yours, it should be provided that the male and female Branches should be kept separate? No; I should recommend an alteration in the rules giving the presiding officers more power to suppress anything like larrikinism. Personally I approve of the intermingling of the sexes in the Lodge room, believing that on the whole the presence of ladies has a good effect on the male members.
8161. What is your opinion with regard to Friendly Societies being mixed up with political, temperance, or religious bodies; do you not think they should be kept separate? No, I cannot say I do. I believe that the Temperance bodies at any rate should have their own Societies, as I consider, from what I have seen and read, that the rate of sickness is less amongst them than amongst other Societies.
8162. *Mr. Rubie.*] Where are your Lodge meetings generally held? In the ordinary Lodge rooms belonging to various Societies, and schoolrooms, either public or private. We have one hall of our own, which is to be opened within the next week or two at Lithgow. We do not meet in public-houses.
8163. *Chairman.*] I think you will find that your Lodges are entitled to registration under clause 17 of the Act. Will you supply in writing any suggestions you may have to make in reference to the Act and its operation? With pleasure.

Mr. William James Way sworn and examined:—

- Mr. W. J. Way
15 May, 1882.
8164. *Chairman.*] What is the name of the Society you represent? The Amalgamated Society of Carpenters and Joiners.
8165. And what is the position you hold? Secretary.
8166. How long has the Society been in existence here? As near as I can get at it, since 8th July, 1875.
8167. How long have you been Secretary? Three years last September.
8168. Does the Society partake of the character of a Friendly Society or of a Trade Union? Both, as much one as the other.
8169. In giving your evidence, can you speak from experience of any other Society as well as this? Yes.
8170. What Society? The Manchester Unity Oddfellows.
8171. Have you been intimately acquainted with the working of that Society? I have been Auditor at different times.
8172. Is your Society a parent Society? It is only a Branch of the parent Society in England.
8173. Do you owe allegiance to the English Society? Yes.
8174. Do you pay any contribution to the mother Society, and if so, what? Nothing; every Branch holds its own funds, but the money is equalized in each Branch throughout the world.
8175. Then what is the locality of the executive body to whom is entrusted the equalization of these funds to the General Executive Council? The Society is divided into sixteen Districts, which elect the Council. Manchester is the head office.
- 8176.

Mr.
W. J. Way.
15 May, 1882.

8176. Then if your funds became unequal to meet the claims upon them, how would the deficiency be made up? In the Colonies there is a District, and in case of any Branch being short of funds they would write to the District office, and we would order them to be paid.

8177. And would the District be reimbursed from England? No; we have the same power to give the money to the Branch wanting it as they have in the general office in England; and in America they have a District the same way. There is a general office and two District offices.

8178. What benefits do your members receive? 12s. a week sick benefit for twenty-six weeks, and 6s. as long as the illness continues; £12 per member at death; out of work benefit 10s. a week for twelve weeks, and 6s. for twelve weeks more, making £9 12s. in one year. Then there is an accident benefit; wholly disabled, £100; partially disabled, £50; and if the member loses his tools they are replaced to any amount not exceeding £20. If we are on strike he gets 15s. a week as long as the strike continues, and a member leaving his employment satisfactory to the Branch gets 15s. a week.

8179. What payments have the members to make to secure these benefits? 1s. a week, and 3d. per quarter.

8180. Are there any levies? No, unless there is a special mass meeting convened, and there must be two-thirds of all the members in favour of its imposition.

8181. Have you ever known a levy? Yes, we had one a little while ago for the carriers.

8182. What was the levy? We paid 1s. a week for a time, and then 6d. a week to support them, as a special levy.

8183. Are the rates of contribution similar throughout the Society? Yes, all through.

8184. In all parts of the world? Yes, excepting in the United States and Canada. In the former, when the Society was started, green-backs were at a big discount, 7 dollars being quoted to the £ sterling; hence here the subscription is 35 cents weekly, and in Canada 25 cents, the same benefits being received.

8185. In England are the contributions the same as here? Yes.

8186. Does it often happen that the Executive Committee are called upon to assist individual Lodges? No, very seldom; a balance is made up every year, so that if one Branch holds more money than another we equalize the amount right through the Society. In 1880 we sent away £73 to a Branch in Ireland from our Branch, and about six months ago I sent down £35 to the Port Adelaide Branch.

8187. What funds have you in hand? At the end of 1881, £368 17s. 9d.; at present we have £444 17s. 11d.

8188. How is it invested? It is in the Bank, £424 18s. 4d.; and the balance is in the Treasurer's hands.

8189. And what is the number of your members? 125.

8190. Have you any disputes in your Society? No.

8191. By whom are your accounts audited? By the members of the Lodge.

8192. Do you think it is sufficient to have the accounts audited by members of the Society? Yes.

8193. Have you known any Branch fail to carry out its engagements financially? No; you see the money is equalized every year—the whole Society helps the Branches.

8194. When you raised the money for the support of the carriers, was that reimbursed out of the General Fund? No, that came out of the members' pockets individually.

8195. And it was optional with them whether they did do so? No, we had a specially summoned meeting convened for the purpose.

8196. Suppose a Society was improvident in making contributions to other trades on strike, and by that means reduced its average at the end of the year, would the executive still make up the deficiency by contributions from other Branches? We cannot do that; if we make contributions to other Societies, we have to do it by special levy amongst our own members. If it is in our own Society, then it comes out of the General Fund.

8197. *Mr. Abigail.* Do you have a medical examination? Yes.

8198. Do you supply the benefit of a doctor and medicine? No.

8199. What do you pay the doctor? 5s. for each candidate.

8200. Are these the only laws you have? Yes.

8201. They are registered in England, I see? Yes.

8202. Have you taken any steps to register your Branch here? Yes, we applied just before the Trades Union Act came into force, but were refused.

8203. Do you propose to register your Branch under the Trades Union Act? Yes.

8204. You have a superannuation benefit? Yes, 8s. a week if you have been in the Society eighteen years, and 7s. for twelve years.

8205. And you have a Benevolent Fund? Yes.

8206. For what purpose is it used? Benefits to free and non-free members.

8207. I find that in 1877 the average is set down at £4 13s. 10³/₄d. per member, and in 1879 at £3 2s. 11¹/₄d., so that in these two years you went back £1 11s.; can you say whether since then you have advanced in your funds or decreased? We have increased; the reason of the decrease was that at the time the Manchester strike was on.

8208. That made a severe call upon your funds? Yes.

8209. I find amongst your benefits you have an emigration benefit? Yes.

8210. That is to enable members from England to emigrate to any other part? Yes.

8211. And you allow for that up to £6? Yes.

8212. Can you say whether the parent Society has based the contributions upon any principles of calculation? Yes, I think they carry out all the requirements; they have for the last twenty-two years.

8213. And you think that the amount as set forth in your rules is sufficient to guarantee all the benefits? Yes.

8214. Have you ever made any calculation as to what you are indebted to the members now? No.

8215. You simply take the year to year operations? Yes.

8216. You think if you meet your annual expenditure you are financial? Oh, we increase in general.

8217. Have you ever made a calculation as to how much you incur in contingent liability per year on your members? No.

8218. Do you think there is any liability upon those that have not been sick? No.

8219. Your laws provide for and guarantee a number of benefits to the whole of your members? Yes.

- Mr. 8220. Well, is there not a liability attaching to the Society for that? Well, if they claim the benefits they will get them.
- W. J. Way. 8221. Have you considered what your liability for death rate is? £12.
- 15 May, 1882. 8222. But considering the number of your members what is the liability? We have 125 members, and we have to give them £12 each.
8223. You said you had increased your General Fund since 1879, but in 1880 I find that there was a still further decrease, that the total worth of the Society's funds only shows £2 12s. 2½d., so that for three years there has been a marked decrease? I meant at the present time.
8224. Have you any authentic reports since then? No, not for the whole Society.
8225. Do you favour Government supervision of these Societies? We would as soon have Government supervision as not.
8226. Do you think it would be a protection to the Societies? No, I do not.
8227. Have you any knowledge of cases where the funds of your Society have been improperly used by any of its officers or members? Yes, I have read of it in the reports, but not in this country.
8228. The protection of the trade is a prominent feature in your Society? Yes.
8229. Have you ever considered our Friendly Societies Act? No.
8230. You are not in a position to say whether it answers the purpose for which it was passed or not? I think it would do so.
8231. But have you considered and studied its provisions? No.
8232. Then how can you say it would answer this purpose? Because it has carried out its effects wherever it has gone.
8233. Do you think the Act answers the purposes for which it was passed? I think it does, from what I have read of it.
8234. Could you make any suggestions for any new Act? No, all we want is to get registered and to have our funds protected.
8235. Mr. Smith.] Have many of your members availed themselves of that regulation by which you assist them to emigrate? There is only one I know of.
8236. To Australia? Yes.
8237. Have the members in England taken advantage of it as regards America? No.
8238. You only know of one instance? That is all, and he did not get it; the money was granted, but he ran out of the Society.
8239. Has your Council in England endeavoured to impress the members in England to take advantage of that law? No; the funds must amount to so much per member, and there must be a certain percentage of members out of work before the members are entitled to that benefit.
8240. Persons joining your Society must be carpenters or joiners by trade? Yes.
8241. Having served an apprenticeship? Of at least five years, except in America, where it is three years.
8242. Do your members as a rule belong to other Friendly Societies? A good many of them do.
8243. Then they do not use this specially for the medical benefits? No.
8244. More for the purpose of protecting their trade? Yes.
8245. You have only one Branch in this Colony? That is all.
8246. And that is situated in Sydney? Yes; we hold our meetings in the Protestant Hall.
8247. Do you have many members leave during the year? No.
8248. Have you ever endeavoured to establish other Branches? Not as yet, because we have had an uphill fight; there is a local Society here at the present time.
8249. What is the effect of that Society upon yours? They only pay 4d. or 5d. a week, and I do not believe they are as particular in taking members as we are.
8250. In the event of your membership running short and members leaving, what mode of winding up your Branch here would be adopted? In case we got too small to keep open, the District would take the funds.
8251. Where is the District situated? In Sydney at the present time, but it has been in New Zealand up till lately.
8252. How does this District come into existence? It is appointed by the Executive Council, though the members are elected by the votes of all the Branches in Australia.
8253. When do they meet? Once a month.
8254. Then all the business transacted passes through the District to head-quarters in Manchester? Yes.
8255. Mr. Holdsworth.] Has the number of members of your Society increased within the last two or three years? Oh yes.
8256. Taking all over the world I mean? Yes; we have increased the last twelve months over 1,000 members.
8257. This increase of members would reduce the average of your funds? It would to a certain extent.
8258. In case of a deficiency you fall back on other Lodges? Yes.
8259. And they can fall back on you? Yes.
8260. Is that not calculated to weaken you here rather than strengthen you? No; I think it strengthens us right through.
8261. Mr. Rubie.] Have the rules undergone any revision during the last few years? Yes, they were revised in 1880.
8262. Do you know whether the money payments underwent any actuarial calculation? Yes; there was an alteration of death benefits, which were made not to exceed £20, and the superannuation allowance was altered.
8263. By the same mode the actuaries make it compulsory that a certain amount of money must be invested every year to provide for these benefits? Yes.
8264. Would money advanced by you be recouped from England? Each Branch would audit its accounts at the end of each year; the money would be remitted from one Lodge to another.
8265. And by that means the actuaries would calculate that the Society will exist and be capable of paying all the benefits they promise to their members? Yes.
8266. Then the cost of the Executive must be very large? No.
8267. Mr. Newland.] What do you consider is the state of trade now in the Colonies? Very good.

8268. And for the last two or three years? Pretty good.
8269. And how comes it that in your report it is stated trade was overstocked? That was at the time the Exhibition was just finished.
8270. Do you think the trade was overstocked in 1879? I cannot say.
8271. Do you consider your members in the Colonies are placed at a fair advantage in strikes with members on strike in England? No, because it costs more to live here than there.
8272. In a strike out here your benefits would be merely nominal? We give the same amount of benefit, but the money would not go so far.
8273. *Mr. Gelding.*] I see you do not require your members to have a doctor's certificate only over thirty-five years of age? That is a certificate of birth.
8274. I see your average of funds is a fraction over £2 3s. per head? Yes, I dare say.
8275. Do you consider that a good average? Our rules say that when we go below £2 there is a levy to be made throughout the Society.
8276. If a member leaves the Colony does he get a clearance? Yes.
8277. In the event of any of your members being brought before the Courts for riotous conduct does your Society pay their fines? No, not in any shape or form.

Mr.
W. J. Way.
15 May, 1882.

Mr. William Francis Davison sworn and examined :—

8278. *Chairman.*] What is the name of the Society you represent? The Shipwrights' Provident Union of Port Jackson.
8279. What is the date of its establishment? 1862.
8280. Have you any rules? Yes.
8281. Did you bring them with you? Yes.
8282. What position do you hold in connection with the Society? I am Secretary of it at present.
8283. How many members have you? About 280.
8284. What subscriptions do you pay? We pay according to our work—a penny a day for every day we work.
8285. And what benefits do you allow? £1 a week for accident and £10 for burial.
8286. Any other benefits? No, that is all. In case of shipwreck of course we allow £10.
8287. Any superannuation benefits? No.
8288. How long does the accident benefit last? Twenty-six weeks.
8289. And nothing after that? No.
8290. You do not give any sick benefits? No.
8291. Are the members admitted into your Society by medical examination? No.
8292. Do you give any medical benefits? No, none at all.
8293. Or in the event of any of your members losing their tools? Yes, according to the value of the tools they lose.
8294. How is the Society managed? There is a President, Vice-President, Secretary and Assistant Secretary, Treasurer, three Trustees, and six members of Committee elected out of the general body.
8295. What amount of funds have you in hand? Over £2,000.
8296. How is the money invested? In the Sydney Savings' Bank.
8297. In the names of the Trustees? Yes.
8298. What amount does your Treasurer hold? He is supposed to hold £20 in hand.
8299. Do you take any guarantee from your officers? No; they are supposed to give a guarantee, but we never enforce it.
8300. Do any of your officers receive payment? Yes, the whole of the officers are paid, with the exception of the Trustees. The President, £6 a year; Secretary, £15; Treasurer, £5; Vice-President, £4; Assistant Secretary, £5; Committeemen, £4 each; Auditors, 2s. 6d. each audit; Door-keeper, £3 a year.
8301. Can you tell us what has been the total receipts for the last five years? No, I am not prepared with that.
8302. Nor yet with the funeral allowances? No.
8303. Can you say whether you have paid any funds away in assisting other trades on strike? Oh yes.
8304. You have received a paper to fill up? Yes, I have.
8305. Can you tell us the cost of management of your Society for the last five years? No, I cannot.

Mr. W. F.
Davison.
15 May, 1882.

Mr. James Joseph Donohoe sworn and examined :—

8306. *Chairman.*] What Society do you represent? The United Society of Boilermakers and Iron Ship-builders of New South Wales.
8307. Have you any rules? Yes (*produced*).
8308. What date was your Society established? About October, 1873.
8309. And what position do you hold? I am Secretary at present.
8310. What number of members have you? 230.
8311. And what amount of subscriptions do you pay? 6d. a week; and at the death of a member, if there is not sufficient money in the Contingent Fund, the members are levied 2s. per man; but if there is sufficient money in the fund, such as £15 or upwards, the levy is not necessary and is not enforced.
8312. And what other benefits do you allow? In the event of a dispute each member receives the sum of 20s. a week for himself, and if he has a wife and children, 5s. for the wife, and 1s. for each child under twelve years of age.
8313. Do you give any medical benefits? No.
8314. Funeral benefits? Yes, a funeral donation of £10.
8315. How long has a man to be a member to get that? It is not necessary to be a member any specified time; if he was initiated to-night and died to-morrow he would get the money.

Mr.
J. J. Donohoe.
15 May, 1882.

Mr. J. J. Donohoe. 8316. Are there any other benefits? A very small indirect benefit to distressed members; the Society can vote any sum, not more than £1 per fortnight, as a distress donation. The other benefits are given by the issue of subscription lists amongst the members.

15 May, 1882. 8317. But these lists are not supplemented out of the funds of the Society? No, they are private subscriptions.

8318. How is the Society managed? By its officers; there are President, Vice-President, Secretary, Assistant Secretary, Guardian, and Marshal, three Trustees, and two Auditors.

8319. Who receive salaries, and how much? The Secretary receives £10 a year, the Treasurer £5, the present President £2 a quarter, and the Trustees receive £1 per annum each, and Auditors 2s. 6d. each audit. I believe that to be correct, but it is given simply from memory.

8320. Do you wear regalia? No, not at present.

8321. Have you any provision in your rules which deprives members of the benefits if they fail to pay their subscriptions? The only provision is that every member of this Society pledges himself on his initiation to adhere to the rules as laid down there; and according to them no member is supposed to work with a non-Society man, under penalties to be enforced by the Society.

8322. But if a member fails to pay subscriptions, does not that deprive him of his benefits? If he allows himself to run into arrears he is expelled from the Society, according to the rules; but at times we find that we cannot always keep them financial; and if he is unfinancial at his death, and the Society is satisfied it is through no fault of his own —

8323. But your 14th rule makes provision that when a member is four months in arrears the Secretary shall be empowered by the Committee to erase his name from the books. Do you comply with that? Not at all times.

8324. Have you any Branches? One at Newcastle.

8325. And if a member leaves Sydney and goes to Newcastle, do you transfer him? Yes, by clearance card.

8326. But if he goes to any other part of the country, how does he come off? There are Societies in Adelaide and Melbourne with which we have arranged to take members from each other.

8327. I understand that the primary object of your Society is trade protection? Yes.

8328. Can you state of your own knowledge whether any of your members have joined your Society solely for the benefits attached to it? I could not say so of my own knowledge, but I have my own ideas about a good many of them.

8329. What is your impression? My impression is that there are a few, but they are in the minority. Of course the members of the Society as a body, for mutual protection, do not work with non-Society men.

8330. Can you tell me what has been paid for accident pay during the last five years? I could not say exactly. I have prepared the following memorandum of information for the Commission:—

Name of Society—United Society of Boiler-makers and Iron Shipbuilders of N.S.W.

Date of foundation—October, 1873.

Number of members in 1877—140

Society's funds in 1877—

September 18th—In Savings' Bank	£60 0 0
In Bank of New South Wales	510 0 0
Cash in hand	10 13 7

Total amount of Society's funds..... £580 13 7

Salaries—Secretary, £10 per annum; Treasurer, £5; Trustees, £1 per annum; Guardian, per fortnightly meeting, 2s.; Auditors, 2s. 6d. each audit; Marshal, per fortnightly meeting, 2s.

Number of members on books, May 9th, 1882—230.

Society's funds, 28th March, 1882—

Cash in Post Office Savings' Bank and Bank of New South Wales, with cash in Treasurer's hands..... £1,080 4 3

Allowed as benefits—Funeral donation on member's death, £10; distress, £1 per fortnightly meeting; in cases of dispute, member, £1 per week; member's wife, 5s.; children under twelve years of age, not at work, 1s. per week.

Paid as funeral donations since 23rd December, 1879, to date, £30.

Paid since 10th December, 1879, distress and funeral donations, about £75.

Salaries—Paid, Secretary, £10; President, £6 (not paid yet); Treasurer, £5; Marshal and Guard, each 4s. per month.

The Commission then adjourned until Friday, 19th May.

FRIDAY, 19 MAY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.

Mr. George E. Fraser sworn and examined:—

Mr. G. E. Fraser. 8331. *President.* What Society do you represent? The New South Wales Seamen's Union.

8332. What office do you hold? Secretary.

19 May, 1882. 8333. How long have you held that office? Since April 17th.

8334. Have you previously held any office? Never.

8335. How long have you been a member? Since its establishment in 1876.

8336. What contributions do your members pay? 2s. a month.

8337. Do you give any benefits? The only benefit we have ever been known to give is, if a member is injured by accident his case is brought before the meeting, and they allow him from £2 to £5, whatever they decide. 8338.

- 8338. Then your Society is purely a Trade Society? Yes.
- 8339. Composed of seamen only? Seamen of all grades.
- 8340. You give no sick pay or funeral donation? No.
- 8341. And you admit all men of good character following the sea? Yes.

Mr.
C. E. Fraser.
19 May, 1882.

Mr. Frederick William Rogers sworn and examined :—

- 8342. *President.*] What Society do you represent? The Coachbuilders' Society of New South Wales.
- 8343. What office do you hold? Secretary.
- 8344. How long have you held that office? Two months as Secretary, and three months previously as Assistant Secretary.
- 8345. Have you held any other office? No.
- 8346. How long have you been a member of the Society? Nine months.
- 8347. How long has the Society been instituted? Since 1875, I think.
- 8348. What contributions do your members pay? 6d. a week.
- 8349. What benefits do you give? If any member loses employment through dulness of trade or other circumstances, 10s. a week for thirteen weeks, and in the event of a strike one-half the regular wages for three months if out of employment within seven months from the date of the strike.
- 8350. Do you give any benefits in case of sickness? The Society had a Sick Fund in 1877, each member having to pay 1s. a quarter to it, but it was abandoned in 1879.
- 8351. Then you give no benefits for sick or funeral donation? No.
- 8352. Then you are simply a Trade Society? That is all.
- 8353. *Mr. Abigail.*] The object of your Society is to assist its members in case of strikes or disturbances arising between them and their employers? That is one object, and they are allowed 10s. a week if out of work through dulness of trade.

Mr. F. W.
Rogers.
19 May, 1882.

Mr. Levi Maidment sworn and examined :—

- 8354. *President.*] What Society do you represent? The Quarrymen's Eight-hour Protection Society.
- 8355. What office do you hold? Secretary.
- 8356. How long have you held the office? About eight years.
- 8357. How long have you been a member? About nine years.
- 8358. What contributions do your members pay? 3d. a week.
- 8359. What benefits do you give? Providing you are a member over twelve months, £5 funeral donation; and two years, £7 10s.
- 8360. What funds have you to your credit? £456 13s. 4d.
- 8361. Have you any by-laws with you? Yes (*produced*).
- 8362. How many members have you? 170.
- 8363. How many joined your Society during last year? I could not say at present.
- 8364. Do you know how many left? No.
- 8365. Have you ever had a larger number? Yes, we have had 200.
- 8366. What amount of money did you pay last year for funeral donation? That I could not tell you at present.
- 8367. Do you know what your general expenses were last year? No, but for the last quarter they were £40 7s. 7d.
- 8368. What were the receipts? £50 4s. 4½d.
- 8369. The income is sufficient to pay the cost of management and funeral donation? Yes.
- 8370. And to spare? Yes.
- 8371. Do you admit any person of good character who happens to be a quarryman? Yes.
- 8372. Without a medical examination? Yes.
- 8373. Do you contribute to assist others on strike? Yes.
- 8374. Other Societies? Yes.
- 8375. Then in every sense almost your Society is a Trade Society? Yes.
- 8376. With the simple exception that you give a donation in case of death? That is all.
- 8377. Nothing in case of accidents? No.
- 8378. Nor in case of sickness? No.
- 8379. *Mr. Gelding.*] Most of your members belong to other Societies? Yes, most of them.
- 8380. *President.*] If a member is not in the Society he is looked upon as outside the ring? Yes, the same as all other Trades Unions.
- 8381. It is to preserve the eight-hour principle? Yes, that is the only object.
- 8382. And to provide some little sum towards burial? That is the only benefit derived from it. We contribute also to the Infirmary.
- 8383. And you contribute to other trades on strike? Yes.
- 8384. And in every sense yours is a Trade Society? Yes.
- 8385. *Mr. Abigail.*] Do you know of any case, either in your own or any other Benefit Society, where any officer or member has made away with the funds of the Society? No.
- 8386. *Mr. Greville.*] Do your officers give security? No.
- 8387. *President.*] How are the funds invested? In the English, Scottish, and Australian Chartered Bank, and the Government Savings' Bank.
- 8388. *Mr. Greville.*] Does your Society meet at a public-house? Yes.
- 8389. Have you noticed any evil effects? No.
- 8390. Why do you meet there instead of at some of the halls in the city? We meet there because it is much cheaper.

Mr.
L. Maidment.
19 May, 1881.

The Commission then adjourned until Monday, 22nd May.

MONDAY, 22 MAY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. E. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.

The examination of Mr. W. F. Davison, was resumed:—

- Mr. W. F. Davison.
22 May, 1882
8391. *President.*] You have already given evidence before the Commission? Yes.
8392. You said your Society was wholly a Trade Society? That is all, sir.
8393. Do you provide benefits for your members? Yes, we have an Accident and Insurance Fund.
8394. In that respect then it is a Benefit Society? You may call it that, but the primary object is a Trades Union.
8395. Have you brought the rules with you? Yes (*produced*).
8396. What amount of money have you paid for sick pay during last five years? I produce a return filled up by me.
8397. Can you tell me? £195 2s.; and we have paid for accidents, £324.
8398. What have you paid on account of deaths? £195.
8399. What other sums have you paid on account of benefits? To hospitals and sick and distressed persons, £153.
8400. What is the grand total on account of sick gifts and donations? £867 2s.
8401. What have been the receipts during the five years? £2,478 19s. 6d.
8402. What amount of money have you to your credit now? £1,990 9s. 4½d.; that is, at the end of 1881
8403. How are your funds invested? In the Sydney Savings' Bank.
8404. In Trustees? Yes.
8405. Do your members undergo any medical examination before they are admitted to the Society? No.
8406. It is just a question of good character and belonging to the trade? That is all.
8407. What amount of money have you spent in helping other trades during the past five years? £187.
8408. Your Society is not registered? No.
8409. Has it been contemplated to register the Society? Yes, but they do not see their way clear.
8410. Not under the recent legislation passed? No.
8411. And not under the Friendly Societies Act? No.
8412. Have you had any occasion to prosecute any officer for misappropriation of money? No.
8413. Do most of your members belong to other Societies? Yes, nearly the whole of them.
8414. And the principal object of the Society is trade protection? That is all.
8415. Simply to assist members of your particular trade? Yes. We have also given £119 to members for loss of their tools.
8416. What has been the cost of management during the five years? £485 7s. 5d.; the whole of the officers are paid.
8417. How do you proceed with members who are in arrear with their contributions? Well, that is left among ourselves—there is no rule for it.
8418. Do you expel or suspend them? Yes, expel them.
8419. How many members joined during the past year? That I could not say exactly; 181 have left in the five years.
8420. How many joined? I could not say.
8421. What is the total number of members now? 283.
8422. Has there been a proposal made in the Society to register under the Friendly Societies Act? Yes, but they did not seem to care about it.
8423. Did the majority decide against it? Yes.
8424. How often has that been brought before the Society? On several occasions; it has come from the Trades and Labour Council. The fact is both cannot work together.
8425. You mean the Friendly Society and Trade Society? Yes.
8426. *Mr. Abigail.*] Do you find the effects of your Society to be mutually beneficial to both employers and employed? Yes, our career since it has been a Society can tell any gentleman that.
8427. You think that your being joined together has prevented collision between them? On many occasions.
8428. When you have expelled a member for non-payment of dues, do you proceed further with him; that is, supposing he is in an employ, do you take steps to get him discharged? No, we never interfere with him at all.
8429. *Mr. Greville.*] Do members of your Society work with men who are not members? Yes.
8430. *Mr. Rubie.*] Do the Trustees of your funds give any security? No.

William Henson, Esq., M.P., sworn and examined:—

- W. Henson, Esq., M.P.
22 May, 1882.
8431. *President.*] You are a Member of the Legislature of New South Wales? Yes, one of the Members for Canterbury.
8432. What Society are you here to represent to-day? I do not know that I represent any Society; I have been Honorary Treasurer of the Sons of Temperance for some years.
8433. Is it in connection with the discharge of your duties there that you come here to give evidence? Yes, any information in connection with that I am quite willing to give.
8434. Do you hold any position in connection with that Society at the present time? I am still Treasurer of the General Fund of the National Division.
8435. You have made some statement in reference to a Benefit Society where members have been paying in for a long period of years, and when circumstances required that they should receive the benefits promised them the funds were not available? Yes. 8436.

8436. Will you state to the Commission the particular case you have reference to? Yes. A man by the name of John Cox was a tenant of mine for sixteen years; he died some seven years since, leaving a widow and five children; he had been for sixteen years a member of Court Friendship Royal Foresters, but on his death and from that time to this his wife has not received any benefits from the Lodge of which he was a member. I saw her this morning, and she informed me that she had never received any benefits, though she was entitled to £30.

8437. Do you know whether the husband at his death was financial? I could not say, other than that he received sick pay up to the time of his death.

8438. And you are informed by his widow this morning that though he had been dead seven years, she had never received the funeral donation? No, though she has retained legal assistance to obtain it. I believe her case was nonsuited, and having no means to carry the thing on she had to suffer.

8439. Do you know the grounds of the nonsuit? No, it was a technical point of law—not on the merits of the case.

8440. Is that the only case you wish to make special reference to? That is the only case I have any knowledge of, that I can speak about with any authority.

8441. Have you any suggestions to make to the Commission that might be of service in any future legislation? I do not know that I could make any suggestions, unless in reply to any questions that may be put.

8442. From your general knowledge of the Societies you have been connected with, do you think that the sum of 1s. a week is sufficient to ensure the benefits that most of the Friendly Societies promise to their members? No, I think not, as the amounts given by Societies differ; some give £25, and others £30, and perhaps more. I do not think 1s. is sufficient beyond the £20; that is in addition to the sick pay.

8443. You think that in a Society offering medical attendance to a member, his wife, and family, together with a funeral donation of from £20 to £25 for a member, and from £10 to £15 in case of the death of a wife, 1s. a week would be sufficient to ensure the payment of these benefits in addition to sick pay? Yes, up to £20 on the death of a member and £10 on the death of a wife, if the children did not receive benefits beyond the age of sixteen instead of eighteen.

8444. Do you know the amount paid to medical men for attending members of these Societies? I know that it differs very much in the city and country, but I can hardly say just now the exact amount.

8445. What do you think would be sufficient to cover the risk of a man thirty-six years of age, insuring his life for £25 at death without any other benefit? Well, I have never studied life insurance in that particular point, my experience has been in connection with Societies in which there has been sick pay and other benefits.

8446. Do you think the medical examination in connection with Societies in the admission of candidates for membership is sufficiently searching? Yes, as far as my experience has gone, I think the medical men act very fairly.

8447. You think then the medical examination is quite sufficient for all purposes to ensure a Society against loss by the admission of persons of unsound health? Yes, where there are rules laid down for the guidance of the medical man.

8448. Do you think the occupation or trade of members admitted has anything to do with the length of life? Yes, there is no doubt that there are some occupations which shorten life more than others.

8449. Do you think it is advisable to admit all trades and occupations at the same rate of initiation fee and contribution? It is essential that Societies should receive members from all grades, or else they would not meet the want.

8450. You would not make any distinction? No.

8451. Do you favour the principle of a graduated scale of contributions, or do you prefer a uniform scale for members of Friendly Societies? Well, I think that a graduated scale meets the case better than one uniform scale.

8452. *Mr. Abigail.*] Do you know where this Lodge was situated, this Court of Royal Foresters? No.

8453. Have you heard the names of the officers? I have heard the names, but have forgotten them.

8454. Have you heard anything of the financial position of the Society at that time? Yes, I heard their position was such that they were unable to pay funeral donations at the time this death occurred, and for some time afterwards.

8455. Are you aware whether they had suspended benefits by law in any way? No.

8456. This is the case I think you mentioned to Sir Henry Parkes? Yes.

8457. Have you any knowledge of any case in connection with that or other Societies where the funds have been misappropriated by any of its officers? No, I have no personal knowledge of anything of the kind.

8458. *Mr. Greville.*] Have you heard any cause assigned by the officers of this Lodge for the non-payment of the burial money? No, I never met with them about it.

8459. But was no reason assigned to the widow? No.

8460. Was her application merely met by a point blank refusal? She was told there were no funds.

8461. *Mr. Holdsworth.*] Is the Lodge still in existence? I believe so.

8462. *Mr. Rubie.*] And no reason was assigned except the want of funds? No.

8463. Do you think, considering the benefits these Societies confer on the working classes, that they ought to be under the supervision of some Government Department? I think it would be as well if they were, now that they are increasing and becoming so important.

8464. *Mr. Gelding.*] Are you of opinion that the Government should appoint an Actuary to look after the Friendly Societies? I think it would be advisable.

8465. Have you ever considered the question of arbitration; do you think it would be advisable for Societies to have their own arbitrators, or that they should be appointed away from the Societies? I think it would be better if the arbitrators were apart from the Societies, although there are some cases in which I believe it would be as well if they were in connection with the Society; but on the whole it would be better that they should be appointed from other Societies, if it would prevent resort to Courts of law.

8466. I presume you are of opinion that the Registrar of Friendly Societies should be appointed as in Victoria; his duties being to look after these and Trades Unions and Building Societies, without having anything else to do? Yes, I think they are becoming sufficiently important to warrant that.

8467. You are impressed with the belief that the sliding scale would be superior to the system now in vogue of having a uniform rate of contribution; you do not consider that fair? No, I think a graduated scale is the best.

The

W. Henson,
Esq., M.P.
22 May, 1882.

The examination of Mr. James Donohoe was resumed :—

- Mr. J. Donohoe.
22 May, 1882.
8468. *President.*] You are Secretary of —? The United Society of Boiler-makers and Iron Ship Builders of New South Wales.
8469. You have already given evidence before the Commission? Yes.
8470. Can you tell the Commission what amount of money you paid during last year for benefits? For the last two years we paid £144 14s. 5d. on account of disputes; for sick pay we paid away £42; that was voted for a distress relief.
8471. Do your rules provide for a Sick Fund? No.
8472. What do you pay in case of death? £10.
8473. What have you paid during the last two years? The rule has only been in existence twelve months; we have paid £30.
8474. Do your members undergo a medical examination? No.
8475. What have you paid on account of trade allowances, strikes, and so on? £144 14s. 5d., as near as I can get at it.
8476. Your Society exists for the purpose of trade organization? That is all.
8477. Are you registered under the Act? Not yet.
8478. Have you proposed to be registered? It is under the consideration of a Committee at the present time.
8479. Most of your members belong to other Benefit Societies? I believe so.
8480. Has a proposal been made to register the Society under the Act? Not yet; we are comparing the rules with the Act, and there is a Committee now sitting.
8481. What amount of funds have you got? At the last audit, in March, 1882, we had £1,080 4s. 3d.
8482. How is the money invested? In two Banks.
8483. In Trustees? Three Trustees. There is a fixed deposit in the bank of New South Wales, and a current account in the Savings' Bank.
8484. You have no medical examination? No.
8485. And you admit any member of the trade, providing he is a respectable man? Yes, if he can do a day's work.
8486. How do you deal with members who get in arrears? They are first summoned by the Secretary, and then there is 1s. fine; and then, if they are about four months in arrears, we find a way of dealing with them.
8487. Is all the trade enrolled in your Society? Every boiler-maker in Sydney.
8488. No compulsion I suppose? Well, the rules prevent members of the Society working with a non-member.
8489. That is purely a trade condition? It is a trade condition.
8490. Have you found any difficulty in carrying out the rules? No, not now.
8491. I suppose at first there was some trouble? Yes, and there is occasionally a little trouble now.
8492. Did you make many members last year? About fifty I think.
8493. Many leave the Society? Well, the members of our Society travel about a good deal and draw clearance cards. We have a Branch in Newcastle; and this report (Commission's return) is only the report of the Sydney Branch.
8494. *Mr. Smith.*] Your Trustees have absolute control over your funds, have they not? Yes, they have.
8495. You take no bond or guarantee from them? No, we have had confidence in them.
8496. It would be possible for them to walk away with the whole of your funds if they chose? It is quite possible, but they are men who are well known.
8497. *Mr. Abigail.*] If any members failed to pay their contributions, would you take any action to prevent them being employed? Well, there is a meeting amongst the parties concerned and they pass certain resolutions, such as that they will not work in the shop with that man until he is good.
8498. Has that the effect on the employer of preventing him employing any but members of your Society? Yes, but we make it a rule that any man is allowed to work a fortnight before being asked for his proposition fee.
8499. But to continue in his work it is necessary and compulsory that he should join your Society? Quite so.
8500. I see by your balance-sheet that there is £977 in the Bank in the names of your Trustees; do you not think some provision should be made for these men to give a guarantee bond, so as to protect the Society against any chance of loss? Yes, I have thought so for a long time past.
8501. Would that principle apply also to the Treasurer? Yes, it would.
8502. Am I right in concluding that the combining of Societies was the means of passing the Act recently passed? I am under that impression.
8503. Have you any knowledge of the Friendly Societies Act? No, I have no knowledge of it at all.
8504. Are you a member of any other Benefit Society? I am a member of the Grand United Order of Oddfellows.
8505. Have you taken any active part in the working of that Society? No, I have not.
8506. Have you any knowledge of any instance where the funds of any Trade Protection Society have been misappropriated by any of the officers? No.

The Commission then adjourned until Friday, 26th May.

FRIDAY, 26 MAY, 1882.

Present:—

FRANCIS ABIGAIL, Esq., M.P., IN THE CHAIR.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,JOHN SLADE, Esq.,
JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,

E. J. RUBIE, Esq.

Mr. James Sheehan sworn and examined:—

8507. *Chairman.*] What Society do you represent? The Australian Holy Catholic Guild.
 8508. What position do you hold? Secretary.
 8509. What is the number of members? About 950.
 8510. What is the amount of subscriptions you pay? 2s. 4d. per fortnight.
 8511. And what benefits do you allow? A guinea a week to sick members for twelve months, and half-a-guinea if he continues to be sick for another twelve months, and then 5s. as long as he remains ill.
 8512. And is he allowed to do any light work while receiving that allowance? No, nothing.
 8513. How is the Society managed? By a Council and governing body.
 8514. How are they elected? Elected by the general body.
 8515. Representing —? Warden, Bursar, and three Trustees, together with other members.
 8516. Do any of the officers get paid? Only the Secretary.
 8517. What does he receive? £78 a year.
 8518. Can you tell us from your books anything about an error or deficiency said to have occurred in 1876? No, I am not conversant with that matter.
 8519. How long have you been Secretary? Since February last.
 8520. How long have you been a member of the Society? About twelve or thirteen years.
 8521. Were you a regular attendant at the meetings? Yes, I attended pretty regularly.
 8522. Do you know anything of a special audit having taken place in 1875 or 1876? Such a thing did take place, but I am not well acquainted with the circumstances of it.
 8523. Are you aware who made that audit? Well, I have heard it was a gentleman of the name of Carroll.
 8524. Do you know whether it was favourable to the management of the Society? I believe it was, from what I have heard.
 8525. Have you ever seen his report? No, I have never seen it.
 8526. If the special auditor concluded his report in these words, do you think it would show the Society to be well managed and satisfactory:—"I would add, in concluding this report, that the books of the Guild have been kept in a most slovenly and unbusiness-like manner, and the manner in which the cash-book has been manipulated is in the highest degree discreditable." Do you think that would apply to your Society? I could not say.
 8527. If it did, do you think it would be right to say the Society was well managed and its affairs were properly conducted? I could not say that it would be well managed.
 8528. That is the concluding part of one of Mr. Carroll's reports on your Society, while he further states:—"From the most diligent and painstaking examination of the Bursar's book, which, from the number of entries of moneys received that have been erased or struck out, and the difficulty of determining what payments should be allowed or disallowed, it has given me much serious thought to strike a balance in the Bursar's hands on the 31st December, 1875. However, I have done so, and feel satisfied of its approximate correctness in so far as it was possible to arrive at it, and I consider that to make good the above sum of £205 15s. 11d., that the Bursar's share is £46 0s. 4d., and the Secretary's share £159 15s. 7d." That shows that these two items were wanting in making up the balances; were you aware of that fact when this letter came in in which you state that the Friendly Societies Act had answered all the purposes of your Society, and that it was well managed and did not need any inquiry into? That was my impression in sending that letter. (*Letter put in and read as follows*):—

THE officers of the A.H.C. Guild, while anxious to aid the Commission in their labours, would respectfully point out that they have at great trouble furnished all information required in the *first edition* of the forms supplied to us. To fill in, even in an approximate manner, the annexed form, would entail such an amount of clerical labour, and would engross so much of our officers' time, which in the execution of their regular work would be more profitably employed, that we do not feel justified in undertaking such a task. With regard to the paragraph at the head of this sheet, we must admit we are somewhat in the dark as to what form our reply should take, but we think (and this remark does not of course affect the *personnel* of the Commission) that the whole business is a mistake, or else if there ever was any justification for the appointment of the Commission, that justification must be sought for in something utterly foreign to the experience of our Society, the existing law of the Colony having been found quite satisfactory. If this information (we allude to the erratic tabular forms enclosed) is insisted upon, the Commission might appoint a few clerks to attend, and every assistance will be given them.

We are, &c.,

RICHD. C. MEACLE, Warden.
JAMES SHEEHAN, Secretary.

May 15th, 1882.

This letter was written on one of the return forms issued by the Commission, and had the following note at the head:—"N.B.—The Commission would be glad to receive any expression of opinion, experiences, or suggestions upon, of, or for the present or any future law for Friendly and Benefit Societies."

8529. You were not thoroughly conversant with the contents of this special audit of Mr. Carroll's? I heard that it had taken place.
 8530. Did you know that this audit established the fact that the Society had been badly managed and some of the funds manipulated, when you said it was well managed? I was almost ignorant of the matter of the audit.
 8531. Had you known that such an audit and report as that had been brought in, you would not have concluded that the Society so spoken of was well managed at that time? No, not at that time, but up to the present it is.
 8532. You read the contents of that letter and know what it contains? Yes.

8533.

Mr.
J. Sheehan,
26 May, 1882.

- Mr. J. Sheehan. 8533. It is not necessary to read it to you again? Oh no.
- 6 May, 1882. 8534. You have no desire to withdraw any of the contents you have subscribed your name to? No, there is nothing objectionable in it.
8535. What is meant by "the erratic tabular forms enclosed"? It means that form of return.
8536. This form asks for the name and address of the Society,—how long it has been in existence; the average number of members in each of the last five years,—taking the number good at end of each quarter and dividing by four for the year; the number of weeks' sickness in each year; the number of members joined in each year; the accumulated ages of the joining members, being their ages added up for each year; the number of members, wives, and children, who have died in each year, giving their added ages; and the number of members at the present time, and their accumulated ages, in years only. Now, will you please to explain in what way it is "erratic"? Well, we filled in the first form that was sent out, at great personal inconvenience to us, and furnished all the information it was possible to furnish; and to go through that would necessitate a great loss of time on the part of the officers.
8537. I suppose you are perfectly aware of the objects of the Commission,—to inquire into the workings of the Societies with a view to bringing in a better Act; that being so, do you think the Societies should assist the Commission in their work? Well, without the assistance of the Societies the Commission would not be able to form any new Act.
8538. Are you aware that the Commission has full power to compel witnesses not only to attend but also to supply evidence, if they should deem it proper? I cannot say I am aware of that.
8539. Since 1876 you say your Society has been well managed. Can you tell us what progress they have made in their funds in that time? Yes; I dare say we are £1,000 better off now than we were in 1876. We have cleared off £1,000 of the mortgage.
8540. Have you had any occasion to consult the Registrar or the Friendly Societies Act? No, I do not think we have.
8541. Are your funds kept separate? No, they all go into one General Fund.
8542. Do you know that is contrary to the Friendly Societies Act? Well, our registered rules give us power to do it.
8543. But the Friendly Societies Act is in opposition to that, and no laws registered or not can override the Act under which they are framed? Well, it is a strange thing that they register the rules if they are not in accordance with the Act.
8544. Have you had occasion to consult Mr. Oliver on any matter affecting your Society? We may have asked his opinion about a rule.
8545. Do you think the Friendly Societies Act answers all the purposes of protecting and governing the Friendly Societies of the Colony? I think it is ample as far as we are concerned. There is only one matter—that of members being bad on the books. According to our rules a member can run for fifty-two weeks and then he goes off the books; but I am informed that under the Act if he dies within that time his widow can claim the amount.
8546. Have you had any case where you have erased a man's name and he has still sought to obtain the benefits? No.
8547. In the settlement of disputes do you think the present system is satisfactory in enabling members to go to the Law Courts for redress? No; it is anything but satisfactory to have these matters go into Court; they ought to be decided by arbitration, and the arbitrators' decision should be final.
8548. How would you form your Arbitration Board? According to our rules we have three, who are elected.
8549. You think the Board should be confined to the members of the Society? I think so.
8550. Are you in favour of a close Government supervision of Societies by an officer appointed to inspect the accounts? I do not think it would do any harm.
8551. Do you attach any importance to correct annual returns being sent in? Yes.
8552. Does your Society send in its returns regularly? Yes, I think so.
8553. Have you any suggestions to make that would be of benefit in framing any new law? No, I do not think so.
8554. Are you in favour of a special Registrar being appointed to supervise solely Friendly Societies apart from any other office? Yes; I could not be unfavourable to that, because I think it is very requisite.
8555. You think the Societies are of sufficient importance now to demand some step of that kind? Yes.
8556. Are you aware there is a statist and barrister appointed by the Government of Victoria to overlook and register rules? Yes; it would be a very good thing if there were a Registrar appointed specially for that purpose here, because the Registrar would take more interest in the rules when sent to him.
8557. *Mr. Greville.*] Do you understand that these returns have to be made? It is impossible for us to complete that return.
8558. Why should your Society find it more impossible than those Societies which have already done it? I cannot say.
8559. Will you point out the information required which you find it impossible to give? "The number of members, wives, and children who have died, giving the added ages." We are not in a position to give that; then "the number of members at the present time and their accumulated ages," I do not think we could give that; it would take a great deal of time to do it.
8560. Do you mean that it is impossible to give the information, or that it would take more time than you feel justified in giving? It would take up a considerable amount of time.
8561. But is it impossible? It is impossible in one respect.
8562. Where is the impossibility? "The number of members, wives, and children, giving the added ages"; there is no record kept of that.
8563. Do you not keep a record of the number of members who die in each year? Yes, we have that.
8564. And do not they show how many wives died each year? No.
8565. Do you pay anything for the death of wives? If the husbands are good on the books; but on the death of a wife direct we do not pay.
8566. And do you not keep a record of that? Yes, it is entered on the books, but we could not furnish the number of those who died who were bad on the books.
8567. But they are virtually dead and are treated as non-members? Oh no; because if they allow their arrears to exceed fourteen weeks they are bad on the books.

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8568. You can furnish the Commission, can you not, with the number of wives who died who were good on the books, and that is all we want to know? Yes, but I cannot give you their ages.

8569. *Chairman.*] The question is, can you give the number of wives of benefit members who have died? I do not think I can.

8570. *Mr. Greville.*] Do you not enter that upon your books? It would be very unjust to ask me to do that, considering I have only taken office for a few months.

8571. Are your books kept in such a way as to show the number of wives who die? Yes.

8572. Then where is the impossibility of giving us the information? Well, it is impossible for us to devote the time to hunting over the books to find it out.

8573. Now, do you keep a record of the number of children who die? No, we allow no benefits for them, and do not keep any record.

8574. When members or their wives die do you enter upon the books their ages? No, we do not.

8575. Then you cannot give their added ages? No.

8576. But your answers lead me to the conclusion that you can give me the number of members and wives who died in each year for the past five years? We might be able to do that.

8577. Are your books kept in such a state that you are doubtful whether you can give a correct return or not? They are kept very well at the present time.

8578. Will you kindly point out any other request made which you term impossible? I do not think there is anything else impossible there.

8579. Then your objection is simply that it is not impossible to fill out and give the most of the information, but that it would take up too much time? Yes, I believe it would take up too much time, and then it would be a most unsatisfactory report. You could get the number of members, but I do not know about their accumulated ages.

8580. Is a member's age not entered when he joins? Yes.

8581. Then if you add the number of years from then up to the present time, you get his age very easily, do you not? Yes.

8582. Is it your intention to furnish the information to the best of your ability, or will it be necessary to serve a notice on you to bring up all the books for them to be examined here; which would you rather do; the information must be given, and we must insist upon obtaining it; which would you rather do? We will give the information as far as possible.

8583. *Mr. Holdsworth.*] You have an annual balance-sheet? Yes.

8584. That sets forth the number of persons who die? Yes.

8585. And the number of members' wives? Yes.

8586. You have had them for the last eight or nine years, have you not? I believe so.

8587. Would it not be possible then from these to supply the number of deaths? We could do that.

8588. Would that take such a large amount of time? It would take a considerable amount of time.

8589. Are you aware there is an Australian Catholic Young Women's Society? No, I am not, I have heard of it.

8590. Assuming there is such a Society, do you think you are as well qualified to keep accounts as female members? I think so.

8591. Do you think if a female Guild could supply the return asked for you could not do it? They may not have done it; they can always get a little assistance.

8592. I understood you to say it would be very hard to ask you to do this, as you had only been Secretary a few months? Yes.

8593. Would it not be possible to get those who were there before you to do it? I think that would be quite possible, and more justifiable.

8594. Are you aware that the Commission is called for the benefit of members of Friendly Societies, for their advantage? I am aware it was formed to inquire into their workings.

8595. Do you not think then as the Government of the country is prepared to spend so large a sum, the Societies themselves should render all the assistance in their power? Yes; a Society may think itself quite secure.

8596. *Mr. Rubie.*] I suppose all this information could be obtained from the books? Yes, I think so.

8597. The only thing is the matter of the time of the individual? Yes, it would necessitate a lot of time.

8598. That would be the only difficulty? Yes.

8599. And you think the individual should not be called upon to supply all this information without some remuneration? Yes.

8600. But the whole matter in the return can be furnished from the books? Yes, I think so.

8601. *Mr. Newland.*] Are you in favour of a graduated scale of contributions in your Society? We have found the present scale very satisfactory.

8602. Would you be in favour of a sliding scale? No, I do not hold with it.

8603. Do you not have levies in your Society? We have never had occasion for them, though we have power to levy.

8604. You pay a regular contribution fee? Yes.

8605. Are you aware that the salary of £78 is an unusual amount of pay for a Secretary of a Friendly Society? No, I am not aware of it.

8606. Have you any experience or knowledge of what is paid Secretaries of other Societies? I cannot say I have hunted after them to find out what they were getting.

8607. Have you any knowledge of what is paid to Secretaries of other Societies? I am not aware what is paid.

8608. You are not aware that that is a very unusual salary to pay? It is not unusual for the unusual amount of work you have to do.

8609. *Mr. Slade.*] If a witness from your Society has stated the whole cash balance of your Society to be £179, do you think that is a satisfactory and solvent state for the Society of the size of yours? Yes.

8610. Have you any idea what are your probable liabilities with such a number of members, the risk of sickness, for instance? No.

8611. How many members have you? About 950.

- Mr. J. Sheehan. 8612. With nearly a thousand members and a cash balance of £179, do you still think it is a safe state of affairs? Yes, considering we have property.
- 26 May, 1882. 8613. Is that property of such a nature that it could be hastily realized for the purpose of paying the liabilities of the Society? If we were anxious to get rid of it I do not think we should find any difficulty.
8614. If a previous witness stated you had a cash credit at the Bank, if you required it, could you tell from that whether they thought it was sufficient? I was not aware that we had an emergency credit. Of course what we have to our credit at the Bank is our balance.
8615. Is there any other item in this return that you consider more than ordinarily difficult to make out? No, I think I have explained all the items.
8616. If the ordinary average of Secretaries have returned these papers to us perfectly filled up, do you think that argues better clerical information on their part than on yours? No, I do not think so; they may have furnished returns that are not accurate.
8617. *Mr. Gelding.*] I presume an alteration has taken place in the management of your Society; there is better supervision lately? Yes, there is better supervision the last few years.
8618. *Mr. Greville.*] Have you had any experience in any other Society? No; this is the only Society I have had experience of.
8619. You said just now that the amount of salary allowed by your Society was not unusual considering the unusual labour involved: what labour is there attached to your office that is not attached to the office in other Societies? Well, other Lodges have their different Branch Secretaries, but in the Guild there is the one general Secretary who has to do the whole of the work.
8620. Is there any other unusual labour but that? No; it is principally a matter of work.
8621. *Mr. Smith.*] You have seven Lodges, have you not, in your Guild? We have seven Districts.
8622. They form the Council? The Council is elected through the Districts.
8623. You simply discharge all the duties in connection with the Secretaryship to the Council? To the members generally.
8624. The Branches have Secretaries of their own? No; there are District Secretaries, but they do nothing, simply taking the subscriptions on pay nights.
8625. There is the Branch of St. Joseph's, at Newtown, there is a Secretary there, is there not? Yes.
8626. He receives the whole of the subscriptions payable to that District? Yes.
8627. He does all the communications with you as Council Secretary, does he not? No further than personal communication.
8628. He makes up and supplies you with the balance-sheet for that particular District, does he not? No, he does not.
8629. He summons all members of his own Branch, does he not? No, he does not.
8630. Do you do that? I have to do anything I am instructed to by the Warden.
8631. That is your answer? If it is necessary to summon them, I have to summon them.
8632. Is it a portion of your duties to do that? Certainly.
8633. And do you call on the members of the various Branches, by circular or otherwise? By advertisement, and send notices out if necessary.
8634. Do you send them to the members or to the officers of the District? They must go to the officers.
8635. And it then becomes the duty of the officers to summon the members in accordance with the Warden's wishes? Yes.
8636. Would he not have to send a summons to each member? No.
8637. Then, how would he inform his members that he has a communication from the Warden or Council? As it happens the Secretary does not call the meeting at all—it is the Chairman.
8638. But do the duties devolve upon you or upon the others? They are not Secretaries at all, except in name.
8639. All business appertaining to the Branch, and having to be done by the Branch, is done by the Branch's officers, is it not? No, I cannot say it is.
8640. It is managed by the officers of the District, is it not? I have not to communicate with the members individually; in the matter of a fine I have to send a circular.
8641. How are you made aware that there is to be a fine registered against any particular member? Well, if they are fined for a special meeting, the officers of the District make a note of those who are absent.
8642. In each District there are records kept of what is done, are there not? Yes.
8643. The President and Secretary manage the affairs of their own District? They come to the Hall and manage them.
8644. Do the subordinate Secretaries furnish you with a report of the actual working of their own Districts? No.
8645. Do they keep any minutes of the proceedings at all? None whatever.
8646. Do you do the whole of that? I have to keep every account in connection with the Guild.
8647. Do you do the whole of that work, answer yes or no if you please? Well, if I said I did I would be implicating myself. They are appointed to do a certain thing, to take the money from the members; I have to keep the books and accounts, and everything in connection with the funds.
8648. I presume you are acquainted with the working of the Order? Yes.
8649. Well, what are the duties of the subordinate Secretaries to the various Districts? They have to assist to take the contributions of the members, and to attend all meetings, to take the names of those absent and present at the meetings.
8650. And then you are furnished with the records of those meetings? Yes.
8651. And you have to compile your records from those already made or taken by the subordinate Secretaries in the District? Yes.
8652. You deal with it finally? Yes.
8653. But a great deal is prepared by these subordinate Secretaries? Oh no.
8654. Is it not a fact that the Secretary in connection with the District of St. Joseph's, at Newtown, furnishes you with a record of the number of members good on the books, the amount of subscriptions due by them, and the business generally transacted in the District? No, he has never done so.
8655. Then do you visit Newtown yourself for the purpose of recording the whole of their proceedings as Secretary? No.

8656. How are their proceedings recorded? All they have to do is to take the contributions; they hold no meetings; all meetings are called by the Warden. At their meetings they simply take the contributions.
8657. Then there is no clerical work for subordinate Secretaries to do? None whatever.
8658. The whole is performed by you as Grand Secretary to the Grand Council, is that so? In the matter of fines, they have to attend to take the names of those who are absent or present in the different Branches, which I could not do.
8659. In reply to the Chairman you said your Society was well managed now: have you a balance-sheet of a recent date or any books to show that your Society is better managed? We have not issued a balance-sheet since the end of 1881; our next will be at the end of June; we have now to our credit about £397.
8660. Have you made many new members this year? Yes.
8661. About how many since the beginning of the year? About forty.
8662. Are they very young? From eighteen upwards; the average would be about twenty-three or twenty-four.
8663. *Chairman.*] As I understand it, the duties of these Secretaries of Branches are simply of a formal character—they receive the money and bring it to you? To the Bursar.
8664. You keep a cash-book? The Bursar does.
8665. Do you keep a register of the members? No, I have not a complete register.
8666. You have to make out all balance-sheets and furnish all reports? Yes, and conduct all the correspondence.
8667. I see your return states, cash in hand £203 7s. 6d.; money lent on mortgage and in the hands of the Secretary and Bursar, £1,309 6s.: what mortgage is that? I do not know what it was lent on I am sure.
8668. Did you make out that return? It is compiled from the balance-sheets.
8669. Can you not give us any information as to where this £1,300 is placed? No, that was in 1877.
8670. You cannot give any explanation of that? No.

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Mr. Richard Charles Meacle sworn and examined:—

8671. *Chairman.*] What Society do you represent? The Australasian Holy Catholic Guild.
8672. And what position do you occupy? Warden—the highest lay office in it.
8673. How long have you been a member of the Society? Going on for six years.
8674. You were a member in 1877? I believe so.
8675. Were you in any office at that time? No.
8676. Were you conversant with the workings of the Society at that time? I think at or about that period I became an Auditor.
8677. In the return from your Society there is an item of money lent on mortgage, and money in the hands of the Secretary and Bursar £1,309 6s.? That is some money that was outstanding on mortgage and came in during the currency of that half-year; it, together with what was in the hands of the Secretary and Bursar, amounted to that sum.
8678. What became of that money? It went towards reducing the debt on the Hall.
8679. You subscribed your name to that letter (*see evidence of previous witness, question 8528*)? Yes.
8680. You know the contents of it? Yes.
8681. Did you write that letter? I dictated it.
8682. Will you point out what portion of that return you refer to as being “erratic”? The accumulated ages of the joining members; the number of members, wives, and children, who have died in each year, giving their added ages; the number of members at the present time, and their accumulated ages.
8683. Do you think there would be any great difficulty in giving the accumulated ages of the joining members? We have not the requisite facilities for doing it.
8684. Are you aware the Commission has power to enforce it? Yes, you will find that we have that contingency in view.
8685. Where is the difficulty in giving the accumulated ages of the members at the present time? It is not so much the difficulty as the amount of trouble and bother—unproductive, from our point of view, of any good—that would be entailed upon the officers in doing it; and added to that, it is questionable whether we could give any data that would be of service.
8686. You take the ages of men when they join? Yes.
8687. Would it not be easy to take the number of years since they joined and you have it at once? Certainly, but as a matter of practice there is nothing to be gained by doing that.
8688. Thus there would be no difficulty in supplying that—it is only a question of labour? We have no official record of the ages; the papers are filed and entered; and it stands to reason that, unless you keep a record and utilized that record so that members could see that it would be of some service, it would be folly of us to do so.
8689. Do I understand you to say that there is no record kept in a book? There is no book in which that record is kept; the initiation paper is filed.
8690. So that as a matter of fact you have no book in which you record the joining ages of your members? No.
8691. Do you think that is a satisfactory way of conducting business? Yes, all things considered I think the less amount of clerical labour the better, especially when it will be productive of no benefit.
8692. Supposing that a member had been ten years in, and you found he had entered under a false age by fraud, how would you proceed to show he had done so? Well, we do not see it in that light. When a member joins there is an investigation Committee, and they can judge whether his statement as to age is correct, and as there is so little difference in the ten years from twenty-five to thirty-five it would be hardly worth a member's while to prevaricate.
8693. Then you state that your books are kept in such a manner as not to enable you to furnish the information sought for in this return? Yes.
8694. And do you consider that a good state of things? Yes, as all the information you ask for we have in our possession at the joining of a member.
8695. Supposing a witness has told us your books are so kept that the information can be supplied, what position does that place you in: Mr. Sheehan has told us that the information, except as to the ages of the wives

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wives and children, can be supplied, it only being a question of labour? Yes, the information no doubt is in the office where these documents are filed, but I said that we kept no book; what I mean by that is a record in which these things are detailed—at least not to my knowledge.

8696. Do you reckon your Society has been well managed since you have been a member? Remarkably well.

8697. Has its progress been satisfactory? Quite.

8698. Have you any knowledge of a Special Auditor's report, dated 1876? I think that was previous to my joining; I know nothing about that.

8699. You have no knowledge of its contents, or what was found fault with? Well, I cannot charge myself to say I have; I may have seen it.

8700. I will read one paragraph:—"I found the District Bursar's book wrongly cast up in thirty-five instances, and in many cases did not agree with the amounts entered in the cash-book as they should do. I infer from my examination that the practice of the Secretary has been to take for granted the amounts appearing in the District Bursar's books without any attempt at checking the additions." If that is true, would you consider it a good state of things? I do not know what time that alludes to.

8701. To 1876? That was about the time I joined. I could not be very well conversant with the official routine of the Society.

8702. But since then you are conversant with the working of the Society? Yes.

8703. Has any case occurred since that time of misappropriation of any of your funds? None whatever.

8704. Any case where a member entitled to benefits has failed to get them? None that I am aware of.

8705. Have you had any disturbance occur during that time between any of your members? The only circumstance that I know of has been of quite recent date. That is, a member died, and at the time of his death he was in arrears; the widow made a claim on the Society he would have been entitled to, and the Society acting on the rules refused the application. Subsequently, however, a member acting on her behalf made an application to the Council for arbitration; that was granted, and the result was that they allowed her a portion of what she would have been entitled to, that is, £20. Her representative expressed his willingness to abide by that result.

8706. Was the amount paid? Yes.

8707. And she expressed her satisfaction? Yes.

8708. Are you in favour of disputes being settled by arbitration? Decidedly.

8709. And you would favour the award of the arbitrators being final? Well, from what I have seen of it in practice I think it would be advisable to make the award final and conclusive. If the matter went any further I do not think it would be productive of any good.

8710. Are you in favour of the Government exercising a strict supervision over Societies? I am totally opposed to that; I think the less Government interference you have with Friendly Societies the better for their own independence.

8711. Would you favour a Government-appointed officer making an annual examination of the books of Societies? No; I should be in favour of the present Registrar carrying out to the letter his duties with reference to the Societies. I believe under the present Act we have all that is required.

8712. But it makes no provision for an examination of the accounts of the Societies? Well, I do not believe in that; I do not think it would encourage that spirit of independence which is essentially necessary for the progress of Friendly Societies.

8713. If the appointing of such an officer brought about an improvement and a more careful keeping of accounts, would it not be beneficial? I think you would very likely deter many members from taking office if you placed a lot of difficulties like that in their way.

8714. Do you not think it would be an advantage to the Societies to keep men out of positions who were not competent to fill them? Speaking from experience, I never came across a Secretary who could not do all that was required in the matter of accounts.

8715. Are you aware that Mr. Joseph Carroll reports on the keeping of the books of your Society that they were kept in the most slovenly and unbusinesslike manner he had ever had the misfortune to examine? I do not exactly know what that refers to.

8716. It refers to the books? Well, if that were taken, it would be of too damaging a character for any person to rest under; the books he refers to are the District Bursar's books, and not the amounts received.

8717. But does it not prove that officers undertake the duties who are not competent to perform them? Well, I regard it this way; if a Society has a competent head it is his duty to see that the officers perform their duty. I believe they have the ability, and only need proper supervision. That has been my experience of it, as I have had a great deal to do with the books for the last four years.

8718. In these audits Mr. Carroll points out something like 140 errors of different kinds? I have nothing whatever to do with the period he refers to; my remarks are directed to the period of which I have some personal knowledge.

8719. You say the condition of the Society now is not that as referred to by Mr. Carroll? Most decidedly not.

8720. That being so, do you think there would be any harm or good arising from a Government audit; if the books were kept properly could it be injurious to the Society? Of course I would not attempt to say it would be injurious, but there is a vast difference between that and asking if it would be beneficial to them.

8721. Well, would it not be beneficial to Benefit Societies? Well, in my opinion, that is very problematical.

8722. *Mr. Slade.*] In answer to the Chairman you said you did not see the use of the information the Commission asked for? Yes.

8723. If I tell you that the information is necessary for us to compile a statement of the ages most fatal in Friendly Societies, would that alter your opinion? The answer I gave was in reference to the paragraph at the head of the Return.

8724. Does that paragraph say anything more than that the person to whom the form was addressed may be able to furnish information of value? I hold we were perfectly justified in giving our opinion.

8725. Do you think you were justified in characterizing the request for information in the somewhat offensive manner in which it is put there, as "somewhat erratic"? Well, that is the appearance it had to us, but it would be well if the Commission took the letter as a whole and not portions of it simply. We thought it would take a large amount of clerical labour and be of very little service; the concluding portion of the letter

letter will give our views on the subject :—“If this information is insisted upon * * * the Commission might appoint a few clerks to attend, and every assistance will be given them.” There is nothing offensive about it. It would be unfair to ask our only paid officer to go through records for five years that he may not have.

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8726. Is anything asked for that it is not the custom of Friendly Societies to keep? You are asking me a question on a subject on which there are very few men able to talk with authority.

8727. Are you aware that this sort of information is kept and furnished by all Societies? I am not aware of it.

8728. Do you or do you not do so? To the best of my belief we keep no official reliable record.

8729. Have you any means of distinguishing Thomas Brown of forty years of age from Thomas Brown of twenty-five; what means have you of identifying members of the same name? I do not know of any such instance.

8730. Do you not keep a record of sickness? Yes.

8731. What amount of labour would it be to fill that up? It has already been given.

8732. The rate of sick pay? That is supplied.

8733. Do not you keep a record of the number who join in each year? Yes, and it is already supplied.

8734. Is there any objection to give their accumulated ages? Well, in many cases the members would give their own ages.

8735. With regard to the number of wives and children who have died in each year; what difficulty would there be in adding to the age at which they joined the period that has elapsed since? That is very well in theory, but I look at it from a practical point of view; we do not take the ages of wives and children.

8736. Then the Secretary might have filled that up “Information not available,” would it have been any trouble? I think it would, as it would have been giving the information in an incomplete state.

8737. Do you see any difficulty in filling it up the same as the “Wandering Minstrel” Lodge, M.U., where no benefits are given to the children? The answer to this question is already contained in the letter.

8738. Would it have been any trouble to fill it up in the form? I think it is useless to show us that, when we object to it as useless from our point of view.

8739. Are you in a position to state all these matters you say have been supplied in your other return are in it; that is, the average number of members during the last five years and so on? I believe we have given the average number of members in each of the years; the number of weeks' sickness in each year I am not certain about, but the amount of sick pay in each year—and that is pretty well equivalent—has been sent in.

8740. As similar returns have been issued to all Societies and have been returned by some perfectly and clearly filled up, can you say that it is impossible for the general run of Secretaries to give us the information? I do not exactly understand the nature of that question.

8741. Is the particular mode in which your books and accounts are kept so much more difficult and technical that it makes the labour in your case so much more than in other Societies? I cannot say.

8742. Are you aware that many Societies give benefits for wives and children as well as members? I would not say.

8743. Presuming there are Societies that do so, I suppose you will see the necessity of putting the three headings there? It does not affect our case.

8744. The gentleman who has just left us says your cash balance is £390? I believe that, exactly.

8745. And you have nearly 1,000 members? Yes.

8746. Do you believe the amount of 7s. 9½d. a member, which that comes to, is sufficient to warrant the statement that your Society is in a highly prosperous and safe state? If I were to answer that question straight it might have a damaging appearance, so I had better give an explanation. I think our financial position as a Society of forty years' experience is equalled by very few Societies at present in the Colony; and that our members having the power to levy upon themselves in case of an extraordinary period of sickness, is an additional security, added to the large amount of money that we have invested in the freehold property; that is an additional security to the members that we are able to pay our way.

8747. If other Societies as long established as your own can give a record to the day of every member who has joined it, do you justify the expression that your Society is better managed than theirs? Yes, in view of the fact that there is no utility in the information, however elaborate it may be.

8748. If this Commission deems it one of its duties to compile, for the information of Friendly Societies, a table of ages of members and localities that are most fatal to life and most productive of sickness, does that justify your statement now? From my point of view, certainly.

8749. *Mr. Newland.* Are you aware that Friendly Societies in Great Britain are compelled to have valuations of their affairs periodically? I have no knowledge of the Societies in Great Britain, nor do I think it is absolutely necessary that I should.

8750. If Friendly Societies in Great Britain are compelled to have these valuations, do you not think it right that it should be so? I cannot say.

8751. *Mr. Gelding.* You believe in the free and easy government of Friendly Societies—let every one do as they please? Most decidedly not.

8752. Have you studied the Friendly Societies Act? I have read it.

8753. You believe it to be thoroughly perfect? I believe it would be worked satisfactory to us.

8754. Have you followed its provisions in all integrity? As near as any one can do.

8755. Who pays the money to your sick members? Our general Bursar.

8756. Have you any Trustees in your Society? We have three.

8757. Are you aware that the Act makes it a distinct portion of the duties of the Trustees to disburse all the money? They do so as a matter of fact; they give authority for it and the Bursar pays it.

8758. Do you not think it would be far better for Societies to carry on their operations without the privilege of levies? I think if they could be obviated it would be all the better; as a matter of fact, no levy has ever been made in our Society, although we have the power.

8759. I would like to ask your opinion of the sliding scale: do you think it just that a young man should pay the same contributions as an old man? Yes, I do, I think there should be no distinction.

8760. Have you any Widow and Orphan Fund attached to your Society? Yes, but it is a Widow and Orphan Fund in name only, as it is combined with the General Fund.

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26 May, 1882.
8761. As regards your finances, is not the apparent prosperity of your Society due more to the great rise in value of property than to the actual contributions paid in by your members? No, I have not considered the increase in value of freehold property as one of our stand-bys in case of need; and we have not added anything on to the value of our property beyond what it has actually cost us.
8762. Have you given any attention to the question of what is a fair average for Societies to hold to ensure something like solvency? No, I cannot say I have; I have an opinion.
8763. What is your opinion? My opinion is that any Society that can show £5 a head over 500 members is in a solvent state.
8764. Have you read anything in reference to the statistics of Societies in Victoria? No.
8765. Are you aware that the Government officials there state that nothing less than £10 is an approach to solvency? Well, it is a matter of opinion.
8766. You believe that the present system of having a Registrar is sufficient? I believe the Societies are supposed to send in certain returns. If they are sent in I think it as much as the Government has a right to demand.
8767. Has the present Registrar ever complied with the Act in sending returns to Parliament? I am not alluding to that; I mean as far as the Societies are concerned.
8768. Have you ever seen a return furnished to Parliament? I cannot say I have.
8769. Do you not think the rules should be registered free of cost? I do not think we labour under any great disadvantage in that; if we want the Government to do anything for us, we should pay them just as we would pay any private person.
8770. *Mr. Rubie.*] You keep no records of the ages of the members? I believe there is no official record kept.
8771. And therefore none of the wives and children? I do not think the ages of members' wives are asked for.
8772. Have you any form of application? Yes.
8773. Is there not on that form a column to be filled up with the name, age, and everything of that sort? No; there is the name, age, and occupation of the member, and whether married or single.
8774. But not the ages of the wives and children? I do not think so; I am not certain.
8775. *Mr. Holdsworth.*] I think you said you did not agree with a Government audit? I said I did not see that there was any necessity for it.
8776. Are you aware that in a balance-sheet of yours there is a sum of £1,495 said to be a deficiency? I know nothing whatever about it.
8777. This £1,309, is it not included in the price of the Guild Hall? No, it is a sum of money which was out on mortgage.
8778. Was it not spent in building the Guild Hall? No, the Hall was built then.
8779. Your accounts are kept all in one? In one fund.
8780. Do you think that is a wise course? I have seen no reason to doubt the wisdom of it.
8781. Do you not think it would be wiser to show what the profits or losses from special properties were? That could be obtained by any person scrutinizing the balance-sheet.
8782. But would it not be better to keep the accounts separate? I do not know—I could not say.
8783. Your Guild Hall, by the balance sheet, is estimated at £7,597 14s. 2d.? Yes.
8784. There is a Savings' Bank mortgage of £2,000, which leaves £5,597 14s. 2d., which has been spent out of your Guild funds? Yes, I believe that is how the money can be accounted for.
8785. By the balance-sheet it appears that the rental was £260 for the half-year, I presume that was correct? That is £520 a-year.
8786. The expenditure for the half-year was £230, leaving a balance of £30; is that a fair interest on £5,500, the sum spent on the Hall? You must remember that the main Hall is let, and that we have a house and the greater part of the front for our meetings.
8787. Would it not be wiser to keep the items separate? Yes, it might.
8788. It would be more easily understood by your members? I think not.
8789. You have spoken of being in a prosperous state, and I presume, if you have not such an amount of cash balance, you have any amount of funds available at any moment by means of your property? We could have an advance at any time upon it, or sell it straight off.
8790. Have you ever given any consideration to the question of graduated payments? I could not approve of it.
8791. Are you aware that the sickness of a man of fifty is more than four times that of one of twenty? I cannot say that I am, and I scarcely think it is so.
8792. You have the power to levy, and you look upon that as a safeguard in an extreme case? Yes.
8793. *Mr. Smith.*] Are you aware that in 1874 your Society numbered in this city 1,000 members? I am not aware of that.
8794. Are you aware that at that time they had in cash £6,000? No; and that is a period appertaining to which I can give no information whatever.
8795. It is not within your knowledge that they had a property in Liverpool-street, valued at £2,000? No.
8796. Making a total value of £8,000? No.
8797. Is it within your knowledge that they then paid the Secretary £30? No, I have no personal knowledge of the matter.
8798. Do you know that you pay your Secretary now £78 per annum? Yes.
8799. And that you provide him with a house and lighting free, in addition to that salary? Yes.
8800. Which is equal to about what per annum? I should imagine that the quarters and accommodation he receives is equal to about 7s. 6d. a week.
8801. Do you not think it is worth £120 per annum in all? Yes, and I think we are paying now what we are justly entitled to do to obtain the services of a man of any ability at all.
8802. *Chairman.*] Do you know that under the Act the tables of Societies have to be certified to by an actuary? Yes; that is, the tables of Societies about to be started, I believe.
8803. Were your tables certified to by an actuary? I could not say; it was before I was born.
8804. Are you aware that the Friendly Societies Act makes it imperative that the funds shall be kept separate under distinct headings? If the Act makes that special provision, how is it they allow us to make rules of a contrary nature; in answer to the question, I think I have read of that before.

8805. But your Society is not acting up to that provision? No, we have acted up to our own rules.

8806. It also states here that the Society shall every five years transmit to the said Registrar a return of the rate or amount of sickness and mortality experienced by such Society within the preceding five years, in such form as shall be prepared by the said Registrar? Our Society has never been furnished with the returns, and I am not aware that previous officers were acquainted with this section of the Act.

8807. Have you made any application for the returns? No.

8808. Do the Trustees and Treasurer give a bond? Not the Trustees, who are elected by the members; the only person who gives a bond is the Bursar or Treasurer.

8809. The Trustees give no bond? No.

8810. Do they hold the property? They do.

8811. You have nothing else to add by way of recommendation? I think the Act answers all the purposes for which it was passed, though it is capable of extension very much.

8812. Do you believe Benefit Societies are a saving to the State? Undoubtedly; and that is my reason for hoping that the State will have nothing whatever to do with our Friendly Societies in this Colony. I do not believe in State interference at all.

8813. Are you in favour of Benefit Societies being permitted to invest funds subscribed for sick and funeral benefits in building, places of meeting, without reserving a certain amount to meet their just liabilities? Decidedly not.

8814. About what amount do you think they should keep in hand? That would depend on the intelligence and energy of those at the head of affairs.

8815. Have you made any calculation as to the rate at which the contingent liabilities of a Society accrue to the Society per year? No, I have not; but I take the intelligent view that we have an average age amongst us that justifies us in looking at our position as a good one.

The Commission then adjourned till Monday, 29th May.

MONDAY, 29 MAY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.

Dr. Andrew Houison sworn and examined:—

8816. *President.*] You are a duly qualified medical practitioner? Yes.

8817. Registered under the New South Wales Board? Yes.

8818. I believe you are Secretary to the Board? I am the Secretary of the New South Wales Medical Board.

8819. Have you held that office long? I think about seven years.

8820. Is it a fact that the medical gentlemen passed a resolution in connection with the Board having reference to Friendly Societies? Most decidedly not in connection with the Medical Board.

8821. Are you aware of any resolution that has been passed? No, I am not. I suppose you are aware that the Medical Board is merely a Board of Registration, having nothing to do with medical men, their ethics, or anything of that kind.

8822. Are you aware of any resolution having been passed by a number of medical gentlemen, having to do with Friendly Societies? I am not, though I have seen something in the paper to that effect.

8823. Were you present? I was not.

8824. You have had large experience attending different Friendly Societies? I have.

8825. Do you think that the examination of candidates seeking admission, made by the medical men, is sufficiently full and satisfactory to protect the Societies? Speaking for myself, I can say the examinations have always been of a very stringent nature; generally speaking, I think they are not sufficiently strict. In some, the majority of Societies, the absence of some form for examination is a very great want.

8826. Of what Society or Societies are you at present the medical officer? There are several, but I would rather not give the names.

8827. But you are the officer of several Societies? Yes.

8828. Do you think the payments made to the medical gentlemen who have to deal with these Societies is sufficient and on a right basis? Decidedly not sufficient as a rule, and not on a proper basis.

8829. I presume you have not gone into the question of contributions and the payments made by members, as to whether they are sufficient? No, I have never gone into it practically, but it has struck me that the payments have not been on a proper basis.

8830. Not sufficient to secure the benefits? No, decidedly not.

8831. Are you prepared to make any suggestions to the Commission that would be of service in any future legislation? I should hardly like to do that—it is more a matter for an actuary. I should hardly like to commit myself to any statement as to the basis on which Societies should be constituted.

8832. In the performance of your duties as the medical officer of different Societies, have you found any inconvenience arising in giving effect to your prescriptions and advice amongst members or their families? In what way?

8833. Not due observance? Oh yes.

8834. More than amongst ordinary patients? Decidedly so.

8835. Have you found any attempts on the part of members to sham sickness? Decidedly—only too common.

8836. Do you think it is a wise thing for members to be permitted to join several Societies? I do not.

8837. Are you of opinion that it holds out an inducement for deception and practices of that kind? Decidedly.

8838. There is nothing that strikes your mind that you would like to give the Commission the benefit of in connection with the Societies? Well, I have hardly given the matter sufficient thought.

8839.

Mr.
R. G. Meacle.
26 May, 1882.

Dr. A.
Houison.
29 May, 1882.

Dr. A.
Houison.
29 May, 1882.

8839. Do the medical men, as a rule, give the same amount of attention to members of Societies as they do to their ordinary private practice? I think so, from my experience.

8840. Just as much attention and care is paid to them? As to their own private patients.

8841. And in the dispensing of prescriptions, what has been your observance? Where I can be sure that a thoroughly reliable chemist has been obtainable, and the Societies have been willing to pay a reasonable price for medicines, there has been no trouble. I may mention that in the case of several Societies that I have, the method of providing medicines is at so much per prescription; that is to say, the same drugs precisely are used as for the chemist's private patients, and the chemist reduces the charge by one-third; and at the end of the quarter, if reasonable expedition is used in paying it, a further reduction of $2\frac{1}{2}$ per cent. is made. By that means you may be perfectly sure of having a first-class article.

8842. Have you given any attention to the mortality amongst members? No, I have not.

8843. *Mr. Abigail.*] I would ask if in your knowledge the sick payments are promptly made in the Societies you represent? Well, in all cases, except, I think, two Societies, which are very lax in their payments indeed. In these cases, sometimes people who have been in destitute circumstances have been kept in some cases nearly a month without any payment at all.

8844. And that must necessarily be a great hardship? It has been a very great hardship.

8845. Have you ever known a case in which a sick member really entitled to benefits failed to get them? Not permanently.

8846. In the cases you refer to, does the delay result from a want of funds, or dilatoriness on the part of the officers? Decidedly the latter.

8847. You have stated to the President that you object to a man belonging to a number of Societies: would you limit it to one or two? I think two would be in reason. If he belongs to more, it is a great chance that he will in many cases be constantly on the funds.

8848. It would pay better to be on the Sick Funds than to work? Precisely so.

8849. Is the practice of members procuring weekly certificates general? No.

8850. Do you think it beneficial? I do.

8851. Have you known any case in any of the Societies you have been associated with where the officers have misappropriated the funds? No, I have not.

8852. Do you think the present arrangement between the medical men and Societies is established on a satisfactory basis, in the mode of their payments and the amount they pay? No, I do not.

8853. You think it would be more beneficial to pay them a lump sum? Well, the sum paid by a great many Societies now is much too low for efficient work. It cannot be done at the price that I believe some medical men are now tendering for Societies, and I do not approve of tendering for Societies at all. Some of them have tendered at as low a rate as 12s. per member per annum, and it is impossible to give efficient work for that.

8854. You think by a system of that kind the members would naturally suffer? They do suffer undoubtedly.

8855. From your experience, do you think the association of men together in Societies is beneficial to them? That is rather a difficult question, and one that I can hardly answer. I have not associated sufficiently with them to know that.

8856. Your visiting them does not give you an opportunity to know? I should fancy, theoretically, it would be prejudicial to their interests.

8857. Do you not think it enables them to get benefits they could not get as individuals? No doubt of that, but it removes the principle of self-reliance to a great extent.

8858. Do you think working-men with families, such as we find, could pay for their medical attendance if they were isolated? Decidedly not, but the question was as to the moral effect on the men.

8859. Yes, moral and social? No doubt socially it is a very great benefit, but morally, I am afraid it is not what might be desired.

8860. *Mr. Greville.*] Were you ever connected with Friendly Societies in Great Britain? No.

8861. Are medical changes frequent in Societies? I can only speak with regard to my own. The Societies I hold now I have held almost ever since I have been in practice; I do not change at all.

8862. But, from what you hear? Some of them are constantly changing.

8863. And these changes, do you think them prejudicial? Decidedly.

8864. And are they caused by the Society, or by the medical men abandoning their position? I could hardly say, but I believe from what I have heard from medical men who have held these changing Societies that they do not pay sufficiently well.

8865. Then it arises from the medical men giving them up? On account of inadequate remuneration. I believe so, but I cannot say positively.

8866. I want to know whether the various Societies often take the initiative in removing a medical officer? Very rarely indeed, I believe.

8867. I presume medical men often take these Societies for the purpose of getting into practice, so that the remuneration is a matter of indifference to them at the commencement? That is the fact.

8868. How are these frequent changes prejudicial? Just in the same way that frequent changes of your own medical man would be prejudicial to your own health. Naturally the one who has attended you for years past will be more competent to deal with the case, and in the course of a long experience in a Society you become acquainted with the constitutions of the various members.

8869. Then many young practitioners take the Societies for the purpose of getting not only into practice, but also for the practice itself? Precisely so.

8870. Do you ever find complaints made by the members of too great strictness on the part of the medical man in giving certificates? No, I do not.

8871. Is there often collusion between the officers and members to cases of malingering? Oh, decidedly.

8872. And do you think, as a general rule, that the medical officers set their faces strictly against it? Oh yes, I believe so.

8873. But has that not sometimes the effect of bringing them into collision with the Lodges? With regard to myself, I throw the Lodges on one side and do my duty simply.

8874. I have heard that medical men are not sufficiently careful, fearing what the members may say of them? Fortunately that is not my position.

Dr.
A. Housion.
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8875. Have you any idea that malingering is carried on to a great extent? It is of course extremely difficult in all cases to detect.
8876. Then after all the great practice of medical men, the funds are in this way largely misappropriated? Yes, in that way they are largely imposed upon—there is no doubt about that.
8877. Do you not think members' wives ought also to be examined when the husband is admitted, considering that on her death the husband can claim on the funds? Decidedly, in all cases with which I have to deal I have insisted upon it.
8878. And have you been able to carry your point? Always; that is, before the wife is registered on the Funeral Fund.
8879. And has that prudent act on your part saved the Society many calls which otherwise would have been made? Decidedly; cases of consumption have been detected, as well as other diseases in several cases, and the Society has been protected to that extent.
8880. Do you recommend that it should be a rule in all Societies for the wives to be examined? Decidedly.
8881. And would you recommend it for the children? Well, that is another matter. I would recommend that the question be put—"Are the children in good health?" In some of the examination forms, the Oddfellows especially, there is a question "How many children have you; are they in good health?" If that were done in all Societies it would certainly be some safeguard.
8882. Have you ever heard that the admission of members is performed by some medical men in a perfunctory manner? I believe it is.
8883. Is there any special fee paid for examination? Only in one Society with which I am connected.
8884. Do you not think a medical man should be paid a special fee for that special service? I think so.
8885. Are you supplied by the Societies with a series of questions to be asked the candidates? In some cases only, in others not. The Oddfellows and Foresters do, not the Sons of Temperance.
8886. Is there the same rigid examination given to candidates that there would be if an insurance policy was in question? No, the examination there is much more searching. Each examination in case of an insurance policy takes at least a quarter of an hour, generally twenty minutes. Of course the chief part of the time is taken in writing answers to questions which have to be put to the candidates; and I think, for the matter of that, some similar examination form is necessary in the case of a Friendly Society. I do not suppose any of us examine so strictly for a Friendly Society as for an Insurance Society, but if a special fee were paid it would be another matter.
8887. Do you see any reason why the examination should be more lax in one than in the other? No, except that there is a higher responsibility in the one. The examination, I may say, is a thorough one so far as physical condition is concerned.
8888. Is it the case that thirty or forty persons have been examined in one night at the opening of a Lodge? I have never heard of it, and I do not think it is possible to do it. It is possible by giving such an examination as I should not care to give.
8889. You stated that there is constant malingering on the part of members: what remedy do you propose? I am afraid it would be very difficult to remedy it.
8890. *Mr. Holdsworth.*] You consider it is preferable to pay the chemist for the medicine received, to the more common system of so much per head? Decidedly.
8891. Have you ever found it necessary to point that out to patients? I have pointed it out to the Societies and to the patients also.
8892. It has been a conviction of yours for some years? Yes.
8893. Are you aware that chemists as a rule insist upon members of Lodges taking bottles for medicines? Yes.
8894. Do you think that is right? I think so.
8895. Do you not think it would be better for a larger sum to be paid and for the chemist to find the bottles? That is a question for the Society to deal with; it is a great saving, the bottles cost 2d. each and are the most expensive part as a rule.
8896. You say the sick payments are not promptly met at times, and that there is much inconvenience suffered? Yes.
8897. Are you aware whether there has been any infringement of the rules at the time? No, not to my knowledge; I believe in a case—I have a special case in my mind now where the rule is that the money shall be paid weekly, where the payments have been delayed very much. In a great many cases great complaints have been made to me of the dilatoriness of the officers.
8898. Do you know this of your own knowledge or from hearsay? I hear members complaining.
8899. You say the medical men do not give that attention they ought to in some cases, on account of the low prices? That is hearsay.
8900. You consider the price too low? Decidedly.
8901. What would you consider a fair rate per annum? From 18s. to £1.
8902. Are not as a rule Societies supplied by tender? Yes.
8903. Then is it not the medical men who make the low prices? Decidedly.
8904. You are medical officer for Temperance and other Societies? Yes.
8905. Have you noticed any difference in the Temperance and other Societies? I have had more cases of brain disease in the Temperance Societies within the last twelve months than in all the others together. One case died a few weeks ago of disease of the brain, and I have two or three others. I believe in these cases they have been drunkards previously.
8906. Do you think it was total abstinence that caused the brain disease, or the effects of drink prior to them becoming total abstainers? I have not attended the cases sufficiently long to know, but I believe in the case that died, it was the result of previous drinking. Total abstinence could not cause brain disease.
8907. The question was asked whether you know of cases where forty or fifty persons had been examined in a single night? Yes.
8908. Have you ever examined members after a Lodge was formed, they having been admitted subject to being passed by the medical man? No.
8909. You stated that from 18s. to £1 would be a fair remuneration? Yes.
8910. Would that include medicine? No.
8911. And the medical men generally are more or less dissatisfied with remuneration of Friendly Societies? I believe they are.
8912. Do you not think a capitation tax would be better than a lump sum? Decidedly.

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8913. *Mr. Gelding.*] Do you not think the dispensers connected with Friendly Societies are as competent to dispense as chemists? Decidedly, but the question is are they supplied with as good medicines from the wholesale houses.

8914. Are you aware that there are certain chemists who keep bottles mixed up for Friendly Societies? I am not.

8915. What do you think is a fair rate to pay a chemist for medicine? I think that the rate of one-third less than the chemist charges ordinary persons. If a quinine mixture is ordered you cannot get it for nothing, as a drachm of quinine costs the chemist about 2s. 6d., therefore you cannot expect to get it for 1s. 6d., so that when a sum for each member is paid I am afraid in many cases the quinine is left out and something else substituted.

8916. You are not in favour of Societies combining together to form dispensaries of their own? No, decidedly not.

8917. And you are in favour of members attending at the medical gentlemen's own homes instead of at the Society's Hall? I am.

8918. Do you not think it is quite sufficient for a man to belong to one Society instead of even two? I do.

8919. You consider they are kept up not to keep men, but simply to give them sufficient money to support them without going begging? That is the chief object as I understand it.

8920. You have no doubt that the more money is dealt out the more likely they are to malingering? Yes. There is one thing with regard to the payments of Societies to medical men, and it is a matter I have spoken about; there is no fee payable for large accidents; a doctor has to attend any case, a bad compound fracture of the thigh for instance, and receives no remuneration whatever, when it probably requires a daily attendance for a period of at least three months. The following is the scale of extra surgical fees allowed by Poor Law Board in England:—

1. Treatment of compound fracture of thigh, £5.
2. Treatment of compound fracture or compound dislocation of leg, £5.
3. Amputation of leg, arm, foot, or hand, £5.
4. Operation for strangulated hernia, £5.
5. Treatment of simple fractures, or simple dislocations of thigh or legs, £3.
6. Amputation of finger or toe, £2.
7. Treatment of dislocations or fractures of arm, £1.

Allowed for—

5. Fracture of neck or thigh bone, or of malleolus externus.
7. Dislocation of shoulder, elbow, and wrist: fracture of humerus, or ulna and radius.

Not allowed for—

5. Fracture of tarsus, metatarsus, toes, or patella.
7. Fracture of elbow, carpus, metacarpus, fingers, or thumbs: fracture of clavicle, scapula, and acromion.—
Walsh.

8921. I presume you are seldom troubled with that? Indeed I am troubled with it.

8922. About accouchement cases, do you think they pay sufficiently to ensure that benefit? I do not think it is sufficient; they should pay more.

8923. And then they would get better attendance? No, I could not say that.

8924. What do you think they should pay? The lowest fee should be at least two guineas. In one Society the fee is charged according to the amount of work done. If instrumental labour is necessary a double fee is charged.

8925. *Mr. Newland.*] Do I understand from you that it is the young members of the profession who charge the low rate per annum? I only speak from hearsay; I only know such tenders have been sent in.

8926. Have these been from young members? I could not say.

8927. *Mr. Slade.*] Here is a form of certificate:—

MEDICAL CERTIFICATE OF HEALTH,

And declaration to be signed previous to any person being admitted a member of any Court in this District.

Name? Age? Residence? Occupation? Married or Single?

What is your wife's age? What has been the state of your wife's health?

What has been the state of your health the last two years?

What was the nature of your last illness?

Have you, or any of your family, been subject to fits?

Have you ever had, or are you subject to piles, ruptures, spitting of blood, asthma, gout, or rheumatism?

Do you know of any hereditary or constitutional disease to which you may be liable?

Have you been refused admission into any Society in consequence of ill health or otherwise?

Are you aware of any circumstance which, in justness or fairness you ought to communicate to the Society, either in regard to your own, or wife's (if any) state of health, which on reference to the rules of such might raise a question as to your eligibility?

Are you aware that if at any time hereafter it should be proved that the answers above given are not correct, you will expose yourself to the liability of being expelled the Society?

And I do hereby agree that this Declaration shall be the ground of contract between this Order and myself, and if any of the averments herein contained are not true, or used any kind of deception, or withheld anything the knowledge of which would prevent my admission into the said Order, I shall have deservedly forfeited all moneys paid by me to the same, and they will be justified in expelling me from the Institution. (Signed)

MEDICAL CERTIFICATE.

This is to certify that I have carefully examined Mr. _____ and am of opinion he is in good health, and I consider him a fit and proper person to become a member of Court

and I am of opinion that his age is _____

Medical Officer.

Yes, we have been using that for the Foresters.

8928. Do you think it is a good form? I think it is a very good form.

8929. And the certificate at the bottom in which you give your certificate as to age? I do not think that is much to be relied on; it is a matter merely of opinion what a man's age is.

8930. Could the 6th question be satisfactorily amended by the insertion of the words "pleurisy" and "venereal disease"? It would then be more comprehensive.

8931. Do you think diseases arising from venereal causes as a first cause are common? Yes; syphilis is not mentioned here, and it is the cause of many of the diseases in this country.

8932. Would you be favourable to an Act of Parliament compelling all Societies to have a similar examination to that? I should like to see it more stringent even than that.

8933. If a medical man is attached to a Society for fourteen, ten, six, or four years, it should be taken as a proof that he considers the remuneration sufficient? Decidedly.

8934. And do you think a Society of 200 members, half of whom are single, and quarter country members, should pay £1 a year; would that be a fair rate? Decidedly, that is without medicines. 8935.

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8935. Do you think it necessary that an arbitrary form of contract should be made between a Society and the medical man? Well, I think it would be advisable; I always try to have such a contract. In one Society they wished me to pay visits to Petersham; I declined, and resigned in consequence. They re-elected me, and admitted then the distance which was to be 1 mile by land from the city boundary.
8936. At what age would you withdraw a member's children from attendance? The age at which the sons can join a Society themselves.
8937. That being as a rule 18, would you think it sufficient? Yes; as for the daughters, I could not say, but I think they should be allowed to remain in for a longer period.
8938. *President.*] What is the greatest number of members you have had to attend on in connection with the various Societies of which you are the officer at present? I have always 600 or 700.
8939. How long have you been medical officer for these Societies? In the majority of cases, ever since I have been in practice.
8940. What has been your average attendance on members? It has varied extremely; during the epidemic of measles and scarlatina it was very heavy. At the present time I think I pay ten or twelve visits a day for the Societies.
8941. Do you think it feasible to examine candidates and their wives after dark? That does not make much difference; it is not a question of seeing, but of hearing.
8942. But do not medical men, as a rule, prefer daylight for the examination of candidates? I think not, except in the case of colour-blindness, when that is a matter of the greatest importance.
8943. Would that not consummate itself in total blindness? Oh no; it may be very difficult to detect. A slight lesion of the nerve may cause it without affecting the sight in any way.
8944. Are you not aware that many medical men stipulate they must have daylight? I am not aware of it.
8945. Do you think provision should be made, in any new Act, to prevent giving benefits to members of Societies who may through their own misconduct bring on sickness or disease? Decidedly; in some Societies is is specially guarded against; Court Royal Oak has the following as Rule 50:—"Should any member die from syphilis or any other loathsome disease, or disease brought on by his own misconduct, or have concealed any disorder or bodily infirmity he was afflicted with during his lifetime, such member shall be deemed to have forfeited all moneys paid by him and all benefits accruing therefrom; and his widow, nominee, executor, or administrator shall be entitled to no benefit whatsoever from the said Society."
8946. You think such a provision should be incorporated in any future legislation? Decidedly, although I do not approve of the wording altogether of that.
8947. You are quite strongly of opinion that such provision should be made? Decidedly.
8948. Is there any special sickness or ailment that you find operates more in Friendly Societies than among your ordinary private patients? Well, I think not; I do not keep any special return.
8949. Have you anything further to communicate to the Commission? There is only one matter; in accouchement cases some of the Societies say in their rules "in no case shall the medical officer refuse to attend." It seems to me that is rather hard; in one case, through a family trouble, I was unable to attend a confinement, and the man was sent to another medical man by me; he did not go, and on the following day when I called to see the patient I was told I was not wanted, the confinement was over. A complaint was lodged against me that I had refused to attend the case, and the result was that I was fined no less than £5 5s. In this case I was shown this note at the bottom of the rule "in no case shall the medical officer refuse to attend." I think that in any future legislation some more careful oversight should be exercised in the formation of the rules.
8950. Have you refused to pass many persons? Yes, a great many.
8951. What has been the percentage? I could hardly say that, except where there is some special form such as this of Court Royal Oak's.
8952. You have refused a good number? Yes.
8953. *Mr. Smith.*] You said that a large percentage of the sickness amongst the members of Friendly Societies you are attending results from syphilis: can there be any mistake about the answer? No, I believe I am thoroughly within the mark in saying that, although it is probably unknown to the members themselves, and we hardly dare tell them.

Dr. Thomas Bowerman Belgrave sworn and examined:—

8954. *President.*] You are a duly qualified medical practitioner registered in New South Wales? Yes.
8955. I understand you have had much experience as a medical officer? I have.
8956. Are you medical officer now to any Friendly Societies? Several.
8957. How many? Eight or nine.
8958. What number of members would there be altogether? I think not more than 350.
8959. How long have you been connected with these Societies? During the greater part of the time I have been here—eight years.
8960. And you have, since you have lived among us, taken an active interest in these Societies? Long before that. The firm I was connected with in London founded the principle of the Family Friendly Society. I allude to the late Rev. Theodore Williams and Dr. Holgate. It is about eighty-five years since they first established that principle.
8961. Have you frequently with your pen and your voice advocated these Societies? I have on many occasions.
8962. What is the average number of visits to the members of these Societies—the average daily attendance upon members and their families? Probably fifteen visits a day, besides from twenty-five to thirty consultations a day.
8963. What is your opinion with reference to the payments made to the medical men who happen to be the officers connected with these Societies? I think they are insufficient.
8964. Not sufficient to ensure good medical attendance? I do not think that, but a man once placed in the medical profession must live. Medical men have obligations to meet, and therefore they would probably take these Societies even if the payments were less than they are now; in consequence, however, of the inadequacy of the payments they are unable, in spite of their goodwill, to do justice to their position.
8965. What do you consider a fair rate per annum to pay a medical man? Well, the rate varies a good deal

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deal in different countries. In England I think the payments might be less than here. I think the payments here might be £1 per member per year, and either 30s. or £2 2s. for midwifery cases, with additional payments for important operations, such as fractures and surgical operations. In all cases there should be a kind of combination of clubs to provide apparatus and surgical instruments. The fact is the mechanical resources of surgery are very extensive now, and there is no single firm in the Colonies which does anything like justice to it. Before I came to the Colonies the hospitals were certainly most insufficiently supplied with surgical instruments, but in consequence of the persistent advocacy of Dr. Cecil Morgan and myself we have now a large and adequate supply in the Sydney Hospital. I am quite sure that the Friendly Societies of New South Wales might derive great advantage from availing themselves of the great improvements that have been made in surgical instruments.

8966. Do you think that medical men who are medical officers of Friendly Societies devote as much time to their Society patients as they would to their ordinary private patients? It may be thought otherwise, but my own opinion is that practically they do. Medical men, in their zeal for a case, lost sight of the question whether the sufferer was a private patient or a club patient, or a relative or a friend. I am speaking of the generality of medical men. The impression on their mind is such that fortunately their principal desire is to see the patient recover.

8967. If they are Society patients, the sooner the better to a certain extent? Yes.

8968. Do you approve of the present system of examining candidates? I think it is insufficient.

8969. Do you think that members' wives should be examined as well as the members, seeing that they participate in the benefits? Yes, undoubtedly they should; and indeed the children might also be examined.

8970. Do you think it would be wise to make provision, independent of the ordinary charges, to pay medical men for some such examination? I think in England it is done to a certain extent for a very moderate fee; in no case I have heard of has the fee exceeded 5s.

8971. Do you think it would afford greater security to the Societies if these examinations were made more searching? Yes; on the basis of the life insurance paper.

8972. Have you had occasion to refuse applicants? A fair number.

8973. What percentage? I would say I had probably refused to pass about 10 per cent. of the candidates.

8974. Have you found healthy men whose wives necessitated constant medical attendance? Yes, I have often done so.

8975. Have the prescriptions been made up to your satisfaction? On the whole they have been made up to my satisfaction so far as I have been able to ascertain, but not to the satisfaction of many of my patients.

8976. What has been the mortality among the members of your Societies? Very moderate indeed.

8977. Has it compared favourably with similar Societies in the old country? Yes.

8978. And the sickness? There has been a considerable amount of sickness, and especially among the men.

8979. Is there any special class of sickness? I think the sickness among the men has arisen for the most part from habits of intemperance, which habits seem to have a stronger hold in this Colony than in any other part of the world I have been in.

8980. Do you think provision should be made to prevent Societies being imposed upon in that way? I am quite sure it is impossible for the medical officers to guard the Societies against the tendency to intemperance on the part of the members. During the past few weeks I believe I have discovered a patient who has been intemperate for a month or six weeks. I had no legal evidence such as would satisfy a Judge that such had been the case, but I told the officers of the Club, and I think they discovered collateral proof. I believe the matter now is established that he had been drinking; and I have known similar cases occur several times.

8981. Do you keep statistics of the nature of the cases, &c.? No, only the names of the patients and the days of attending them, but no statistics as to consultations.

8982. Do you believe that the members of the Societies here are, as a rule, healthier than in the old country? Those who are temperate—yes. I think that among women there is a vast amount more of indefinite sickness than there is in England, and of a very incurable character and very obstinate indeed. It is not a sickness that has a name—it is an indefinite kind of constitutional debility.

8983. Are you aware of any cause? I think it is the climate.

8984. It does not arise from the habits of the people? I think not.

8985. Do you find a desire among members of Friendly Societies to be placed on the sick list when they are really not sick? In some few instances I have, but such cases are not very numerous.

8986. Do you favour the practice of one man being at the same time a member of more than one Society? No; I believe that such a practice is productive of cases of imposition. In England, at least in my neighbourhood, such a practice was not possible.

8987. Do you think that the payment of 1s. per week per member is sufficient to ensure the rendering of all the benefits that these Societies promise? I am quite sure it is not.

8988. Have you anything to suggest to the Commission that would be of service in any future legislation? I have, but I should be glad of having an opportunity of committing it to paper and handing it to you.

8989. Then will you do so and furnish it as an appendix to your evidence? Very good.

8990. Do you favour the practice of dispensing the prescriptions at a dispensary, or having them made up by a chemist or medical man? I think the Clubs themselves would derive very great benefit by having the prescriptions dispensed at their own dispensary. Such an institution might also keep a good stock of surgical instruments for the use of the medical men and patients.

8991. Do you believe it would afford greater security to the members if they had a united or joint dispensary? Yes.

8992. *Mr. Smith.*] You stated, in reply to a question asked by the President, that the prescriptions were made up to your satisfaction, but not to that of your patients? Yes, the patients have frequently complained to me of the prescriptions not being properly dispensed, but I never saw any evidence confirmatory of those complaints. The only confirmatory evidence has been where the prescription has been taken to a private chemist and there has been a difference, perhaps of colour in the medicines supplied, but not necessarily a difference in quality.

8993. Have you yourself discovered any difference, or is it your opinion that the medicines supplied to Lodge patients is of the quality that it should be? I think it cannot be, in the nature of things. We cannot rely so much upon the quality of medicines supplied by a druggist under the contract system as we could upon the

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the quality of medicines supplied from a dispensary under the control of the Clubs, where the element of profit would not enter so much into the transaction. I should think it not improbable that a druggist who had expensive medicines to supply would seek to have those medicines made up in the least expensive way, whereas a Club dispensary would not give the matter of cost so much attention.

8994. Have you in any cases in which you have had to prescribe an expensive medicine such as quinine, found the prescriptions satisfactorily made up, or do you think that, if you prescribed a 6-oz. bottle of such a medicine for your patient the prescription would be made up with medicine of the very best quality? That is a medicine we very frequently prescribe, and I have taken some trouble to ascertain whether that medicine has been made up, but I have invariably found that the prescription has been satisfactorily made up.

8995. Have you never found quassia bark substituted? Quassia is substituted, but I have never found an instance.

8996. You stated just now, in reply to the President, that you had noticed, as the result of your practice and observation, that the sickness that predominated among the male members of Friendly Societies had resulted from intemperance? Yes, either before or during the time they were members. That is a matter which very much affects the Temperance Societies, who very often have proposed as members men who are now temperate, but whose constitutions have nevertheless been shattered by their previous habits, and such men are frequent patients.

8997. Then would that statement apply only to the Temperance Societies? No, not exclusively so. The membership of Friendly Societies of all classes is productive of a considerable amount of good, and exercises a beneficial influence over the moral character and conduct of a man who becomes a member. I notice that the moment a man becomes a member of a Benefit Society and has something out of his home to think about and take an interest in, his general character improves. Men who become members of a Society, whether a Temperance Society or otherwise, usually become more temperate than they were before.

8998. You have had a large experience here as well as in England? Yes.

8999. Could you give us the benefit of your experience as to the moral influence which these Societies exercise over their members? I think the influence is most excellent. It contributes to a feeling of self-respect, habitual orderly conduct, and both in their family and in their position in society I think they become very much better men.

9000. Of course you have had an opportunity of seeing them in their domestic life? Intimately.

9001. You think that a better state of things results from the fact of the husbands being members of a Benefit Society? I am quite sure of it. I have had occasion to observe that where there are several brothers, living perhaps in the same neighbourhood, those who were members of Societies led orderly lives, and both they and their families lived comparatively comfortable, while the others, who were not members of any Benefit Society, and made no provision for sickness or death in their family, led less orderly lives and very often became paupers and dependent upon charitable assistance.

9002. Then the operations of Friendly Societies are a relief to the State? I am confident they are.

9003. Do you think that in these Colonies they should have greater protection at the hands of the State than they have had? I am sure they should, and such is the opinion of those medical men who have taken the matter up. The great diminution which has taken place in the number of persons receiving outdoor relief in England is, it is believed, due in a great measure to the patronage which the system of Friendly Societies has received in England. I believe the difference in the members of the relieved of the character I have mentioned has been upwards of 200,000 persons.

9004. Do you know of any competition existing among the medical profession here in reference to securing the practice of Lodges? There is competition among us, but it varies very much. The competition itself would not be any disadvantage to the Societies if the system of tendering were not adopted. At the present moment the custom is to let the doctors tender, and they therefore tender under one another. I think if the Societies were to adopt a fixed sum as being what they deemed fair remuneration for the medical services, they would be able to select a medical man not because he happened to be the cheapest but upon personal and professional merits.

9005. Is it within your knowledge that the younger members of the profession use these Societies as a means of gaining a practice? Yes, I believe that that is rather the rule than the exception in this Colony, and indeed it is in England also.

9006. How would that affect the Societies? Well, the poor rather like much attention, and they have not the means of discriminating very much in the matter of the quality of that attention. As a rule, therefore, I have noticed the working-classes prefer young men just entering upon practice, because they receive more visits and more personal attention than they would from an old practitioner, although the quality of the services in the case of the young man may not be quite as good.

9007. Has it ever been brought under your notice that doctors are often called to visit patients when their visits are not absolutely required? That is a thing which is every day taking place. It does not rise from any wrong intent, but from inability to discriminate a real illness from one that is of no consequence.

9008. In your extensive practice here with some eight or nine Lodges, has it come under your notice in any marked degree that syphilis is the primary cause of a great deal of the sickness existing among families? No, quite the contrary; I have been very much struck by the absence of syphilitic evils; in private practice, both among men and women, I meet with many more cases than among the working-classes.

9009. Of course you would have gained knowledge of this particular form of disease in the old country? Yes, I was assistant to Henry Lee, who was the principal authority in London for many years on that particular matter.

9010. Would you give the Commission the benefit of your experience, contrasting your knowledge of the population of these Colonies and of England? I think there is decidedly less syphilis here than there is in England among the same classes. I have come to that conclusion carefully, bearing in mind the fact that the Clubs do not permit sufferers of that class to consult the medical officers; nevertheless, in very many instances they do consult the medical officers of the Club and voluntarily pay for the medical attendance they receive. However, bearing all that in mind, I am confident there is very much less syphilis among the working-classes here than in England.

9011. *Mr. Abigail.* I understand that the fact of men associating in Friendly Societies has a good influence upon them, morally and socially? Yes.

9012. Do you consider that Provident Societies in this Colony have been a success or a failure? A failure.
9013.

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9013. Why a failure? I have only eight or nine Societies now, but several of my Societies have failed because they had no funds. Some failed, some have been robbed by the Treasurers, some failed because of much illness, and some confessed that their rate of subscriptions was not adequate to the demands made upon them.

9014. Have the failures been of recent date? Yes.

9015. Would you give the names of the Societies that have failed through want of funds? When I say failed, I mean that they failed to pay the moneys that they promised to pay. One belonged to the Daughters of Temperance, the Princess Alice Lodge. The Native Rose Lodge, also belonging to the Daughters of Temperance, is not in a satisfactory financial condition. I will say this under correction, but a Lodge called, I believe, the Perseverance Lodge, of the Sons of Temperance, are not paying sick money now. Then the Hebrew Mutual Benefit Society are giving no sick payments now. There are others called the Loyal Love of Liberty Lodge, and Court Fortitude, from whom you ought to inquire; but I do not know to what Order they belong. Then there is another, Court Friendship, Royal Foresters, with which I am connected, and which is not in a good financial position. I do not wish to convey the impression that these Societies are absolutely bankrupt, but they find themselves not in a satisfactory condition. There is one comparatively new Lodge, the North Star Lodge of Oddfellows. They paid me only £3 last time, stating that they had had sickness and were out of funds.

9016. *Mr. Gelding.*] They belong to the Independent Order of Oddfellows, do they not? I believe so.

9017. *Mr. Abigail.*] Then the failure to pay had been in consequence of the Lodges not having sufficient funds? Yes, their funds have not been found to be adequate.

9018. Has an excessive amount of sickness been the cause of this lack of funds in these Societies? In the Princess Alice Lodge they become bankrupt every time they have a death.

9019. Then do I understand that your remark that Provident Societies have been a failure had reference to those you have mentioned and not to the general body? I should be very sorry to be understood as saying that Provident Societies as a body have been failures; I think quite the contrary; I think they have been one of the greatest agencies of modern times in alleviating pauperism.

9020. Do you know the names of any persons connected with defaulting Societies? I do not know that I could remember their names, but that information could be obtained from the police. There was a coloured man who was once Secretary to the Perseverance Lodge who took £50 of the Lodge funds. He was brought back by the police. After the police had gone to the expense of bringing him back, the Society, in order to prevent the matter becoming too public, condoned the offence upon condition that the defaulter entered into a written agreement to refund the £50 by monthly payments. The police were very indignant at such an arrangement, but the man was set at liberty, and very soon afterwards he again decamped. That Lodge, I was informed the other day, was not now paying sick money.

9021. Do you know of any other case? Yes; I think the Treasurers of the Native Rose Lodge have twice gone off, though it may be that I am confusing that Lodge with another. However, I know there were two female Treasurers of two Temperance Women's Lodges that I was connected with who took money from the Lodge funds, and that money was never recovered. I know one of the Treasurers was connected with the Native Rose Lodge, and I think both of them were. There was also a baker named Marshall, in Lower George-street, who bolted with the moneys of a Lodge that I was connected with.

9022. Do you know what the circumstances were? No, I do not; but the police I have no doubt could give all the necessary information in reference to those cases. There was another case with the Treasurer of the Miller's Point Lodge of the Independent Order of Oddfellows I think. The Treasurer becoming bankrupt the money was lost, but whether it was eventually recovered I am unable to say. At all events the Treasurer had in his possession upwards of £40 or £50 of Lodge money, and that I consider most improper. Mr. Moore, a gentleman well known in England in the medical profession, told me, as the result of his experience, that the stability of these Societies was very short-lived. We were discussing the principles upon which Clubs are founded, and their relation to medical men. I said I thought their relations with medical men very unsatisfactory. He said, "What does it matter? Every one of these Lodges fails in the course of fifteen or sixteen years. When they become old and young men refuse to join them, these Lodges fail." I believe that it is a fact in England that during the decline of life of the members of those Clubs they find that they have not sufficient stability without a constant accession of young members, and failing to get that they break up.

9023. Do these remarks apply to Clubs or to Sick Benefit Societies? I am speaking both of Clubs and Sick Benefit Societies, but the remarks did not apply to Family Clubs, which did not exist at that time, at least in those parts of the country where I was at that time.

9024. Then the remark applied to the state of the Clubs, not in the Colonies but in England? My friend's remark was applied of course to Clubs in England.

9025. Does that principle apply to large or small Orders? Chiefly small Orders.

9026. How many times was the Loyal Love of Liberty Lodge unable, to your knowledge, to meet its engagements? I cannot say, but I notice they always manage to pay their medical man ultimately, even though they have a difficulty in doing so.

9027. Do you know of any case in which a man has had to part with his little property which he had saved for a rainy day? Yes, I know one remarkable case which occurred at Balmain. The man had typhoid fever, and the Club did not pay him for several weeks. The sufferer, having no other means, was compelled to sell the little land he had in order to keep the household. After four or five weeks I believe the money was forthcoming.

9028. What is the name of that Club? I do not know. The name of the man I know, and I could subsequently furnish you with the name of the Club.

9029. Is that the only case? No, that is rather a common thing than otherwise, especially with some Clubs. The larger and well organized clubs pay more readily, but great difficulty arises from the patients or their friends being unable to find the Treasurer. In the first place, they can only attend to this business in the evenings. Where there is a large Society they can have a kind of office where the members can go to transact their business, but in small Societies there is often great difficulty in getting the money.

9030. In those cases it would only be a question of convenience? Exactly.

9031. Was it through want of funds in the Club that this man had to sacrifice his little property? It may have been negligence on the part of the officers in not paying the money promptly, or it may have been from fear of going into a house where there was typhoid fever.

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9032. I understand you to say that there are a great many loafers on Friendly Societies? No, not a great many, but several.

9033. How do they act? Well, if they belong to two or three Societies at the same time, they draw more money during the time they are sick than they would when at work. We cannot always discover this class of cases, even when there is no external evidence of physical disease. A man may complain of pain. Well, pain cannot be seen, and as we are not always able to discover whether any cause for the pain exists we are often at their mercy.

9034. Do you know that the Friendly Societies Act limits the benefit receivable by men to £2 per week? I was not aware of that, but even if that law were carried out it would not prevent men getting money from Trade Societies.

9035. Do you not know that most of the Trade Societies allow no sick benefits, except in cases of accident? I did not know that.

9036. Do you know of any cases where these Societies are made use of by rich men to get the benefits intended only for the poor? Not a few. In many cases when these men became members of Friendly Societies they were not in very good circumstances, but ultimately they became rich. I think the so-called Religious Lodges, such as the Catholic Guild and the Protestant Alliance, have many members who join those Lodges apparently with the view of promoting their religion, but really for the purpose of receiving benefits intended for poorer people. Mr. Theodore Williams and Dr. Holgate laid it down, in their first attempt to found these Societies, that any person receiving more than £3 a week should not receive medical attendance. There is a kind of compact on the part of the medical profession to assist the working-classes, but we maintain that the rich people are not entitled to these benefits.

9037. Is it not a mere matter of business with the medical profession? This is a concession, and not a pure matter of business.

9038. If a man joins a Friendly Society and pays all the dues, and if he happens to be a successful business man, is it understood that he should not receive the medical benefits for which he has paid and still pays? Medical attendance ought to be entirely separate from the provident portion of the objects of a Friendly Society.

9039. Ought to be, but is it? It is not; and it is an abuse that a man of large means should take advantage of social arrangements which are only intended for the poor.

9040. You say that if a man improves in his circumstances he should give up his position in the Benefit Societies? No. In the No. 1 Dayspring Lodges there are two divisions, in one of which the members subscribe to the fund which secures them medical attendance; and in the other, those who are sufficiently well off to pay for medical attendance do not subscribe to the Medical Fund.

9041. Is it not a fact that in the Dayspring any man can obtain the medical benefits upon payment of a small registration fee? He could, but it would be an abuse of the privilege for a man in good circumstances to do that. It is considered a matter of honor, certainly in that Society, that if a man is in good circumstances he should not belong to the Medical Fund.

9042. Has your intercourse with the working-classes led you to infer that there exists any widespread distrust as to the financial stability of existing Friendly Societies? I am sorry to say there is. They regard a Society in this light, that when it becomes old and is not largely recruited by the introduction of young members, it will not be able to stand the calls upon its funds, and must either continue to exist in a bankrupt condition or break up.

9043. Are you of opinion that, if these were by force of law placed on an actuarially sound basis, that membership would become more general among the working-classes? Yes.

9044. Do you think whatever popular distrust exists may in any degree be traced to circumstances other than those connected with the existing actuarial arrangements of Friendly Societies? No, I think not.

9045. Would you support an actuarial investigation by a Government officer? Certainly.

9046. Do you know whether the funds of Clubs have been employed for purposes of amusements, such as dinners, suppers, or picnics? I am unable to answer that question. I think that amusements of that kind take place frequently, but that provision is made for them outside the ordinary funds. On the other hand, I have heard that the profit derived from some of these amusements or picnics have gone to augment the Sick Fund.

9047. So that if these demonstrations are held, the cost of them is not defrayed from the funds of the Society? No.

9048. Do you think, notwithstanding all defects and disadvantages, that Club membership has saved many a life and preserved from dispersion and absolute ruin many families? I am confident it has.

9049. Have you found any exceptional advantage arising from membership in a Friendly Society by widows or the elder sons of fatherless families? Clubs, although they legally are not in any way connected with the widows of members, often look after them and give them a helping hand.

9050. Do you think that such membership has been a great pecuniary advantage to the State? I am confident it has. In England I know that such has been the case to a very considerable extent; and in this country, I am sure it has saved the country many thousands of pounds.

9051. Have you any knowledge of any other hindrances than those you have mentioned to the prosperity of Friendly Societies? Yes; I think it is a great drawback that so many of them meet in public-houses. The wives of many working men persuade their husbands not to join, because of the inducements to drink which they would have to encounter.

9052. Have you noticed any particular consequences in connection with the preliminary medical certificates? Yes; I have found that not one of the Friendly Societies I have been connected with here has supplied me with a properly designed certificate. In England that is not the case.

9053. What consequences have you observed to follow the practice of associating medical attendance with the other Lodge benefits? I have observed that the rich people have derived great service from the medical attendance intended only for the poor, and that there has been a feeling of dissatisfaction on the part of medical men.

9054. Here is the form of medical certificate, and form of member's declaration, in the Court Pride of Australia, A.O.F.

Name? Age? Residence? Occupation? Married or single?
 What is your wife's age? What has been the state of your wife's health?
 What has been the state of your health the last two years?
 What was the nature of your last illness?

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Have you, or any of your family, been subject to fits?

Have you ever had, or are you subject to piles, ruptures, spitting of blood, asthma, gout, or rheumatism?

Do you know of any hereditary or constitutional disease to which you may be liable?

Have you been refused admission into any Society in consequence of ill health or otherwise?

Are you aware of any circumstance which, in justness or fairness, you ought to communicate to the Society, either in regard to your own or wife's (if any) state of health, which on reference to the rules of such might raise a question as to your eligibility?

Are you aware that if at any time hereafter it should be proved that the answers above given are not correct you will expose yourself to the liability of being expelled the Society?

And I do hereby agree that this Declaration shall be the ground of contract between this Order and myself; and if any of the averments herein contained are not true or used any kind of deception, or withheld anything, the knowledge of which would prevent my admission into the said Order, I shall have deservedly forfeited all moneys paid by me to the same, and they will be justified in expelling me from the institution.

Would you say that such a certificate as that would answer the purpose for which it is intended? Yes, I think this is very good.

9055. Would you suggest any addition to that? I think it would be desirable to ascertain a little more about the state of the lungs.

9056. Do you think it would be necessary to make any addition in reference to syphilis? It would be just as well to have it inserted.

9057. Do you think the rivalry of Lodges has promoted provident principles in New South Wales? It has among the people, although it has had the effect of diminishing the inducements they can legitimately offer.

9058. How do you think the funds of Societies could be effectually protected from fraud? No Treasurer should be permitted to keep more than £5 in his possession at one time. There should be a Bank in large cities—a kind of Industrial Bank, and this Bank should be open in the evening for the transaction of business, and people should be able to write cheques for less than £1. Many of the inconveniences I have referred to would thus be obviated.

9059. Do you think sick members really entitled to benefits occasionally fail to get them? Yes, I think so.

9060. In the Societies you represent, is it the custom to have weekly medical certificates? Not all of them, but I would recommend it. I have known several cases where that rule does not obtain.

9061. Have you noticed any serious results from no provision being made for extra payments, for fractures, dislocations, and important surgical operations? No payment whatever is made for these special operations, and many of these cases ultimately find their way into the hospitals.

9062. In your opinion—as a man of the world and a practitioner in medicine, have you noticed any connection between existing social demoralisation and pauperism, and neglect to make provision by insurance against accident, sickness, and death? I have noticed that people who are members of Friendly Societies usually make an effort to keep their family intact and to live properly, whereas those who have not these associations are much more careless.

9063. Have you observed this exclusively among the working-classes, or do your observations apply also to the more and most affluent classes? Well, in Ireland, where I resided for some time, the people have no Clubs, and consequently they are, in times of distress, completely dependent upon the State. The State in the British Empire is, I believe, freed from claims upon it to a very great extent by the prevalence of this system of Family Clubs; it teaches the people self-reliance and to depend upon themselves for assistance.

9064. Have you noticed many attempts to withhold sick benefits justly due on frivolous pretexts? I think so, in Societies where the funds were low.

9065. Have you studied the Friendly Societies Act? I have never seen it, and was not aware until this Commission was appointed that there was such an Act.

9066. Would you favour complete Government supervision over Friendly Societies? Certainly, even more complete than that which obtains in England.

9067. *Mr. Greville.*] Having had large experience of the working of these Societies both in England and New South Wales, do you consider that the management here is good? I think it is quite as good as in England.

9068. Do you consider syphilis any more prevalent among the labouring-classes in the Colonies than in England? I do not think so.

9069. Does that apply to the wealthier classes also? I think it does.

9070. Then you mean that syphilis does not prevail so much in the Colonies as in England? I believe it does not, but I do not think my observations would apply to Melbourne, if what I am informed about that city is correct. Early marriages are so much more the rule here, and medical men attribute the difference largely to that circumstance.

9071. Do you find in your experience that a large proportion of the diseases you are called upon to deal with arise in any way from syphilis, constitutional or otherwise? No, on the contrary, it is quite rare.

9072. You find that diseases arise very largely from intemperance? Yes.

9073. Then in your opinion syphilis is not the foundation of any very large number of cases? I am quite sure that it is not.

9074. Have you heard that in some Lodges the medical examination of candidates is performed in a perfunctory manner? Well, there was a discussion about that matter at the New South Wales Branch of the British Medical Association, when it was stated that examinations of that kind were made. A report to that effect was brought up, but the Society would not agree to it, and the report was sent back to the Committee. They drew up another report, but I believe that they came to the conclusion that the examinations were unsatisfactory and insufficient. The complaint is that a sufficient number of questions are not supplied to the medical men to submit to the candidates, but the candidates do not as a rule like what they consider an unnecessarily strict investigation, and desire that some kind of authority should be shown for putting these questions to them.

9075. Do you think it proper that in each instance this examination should be of a strict character? Perhaps not rigidly strict, but certainly stricter than they are.

9076. And that the medical men should receive a special fee for each case? Yes.

9077. Have you known any instance in which a Society itself has given its medical man to understand that he need not be strict in his examination of applicants for admission? I have, but not in these Colonies.

9078. *Mr. Holdsworth.*] Do you look upon Friendly Societies as Charitable Institutions or Insurance Societies? As Insurance Societies.

9079. Are not Friendly Societies based upon certain principles of calculation? They ought to be.

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9080. Then if an individual becomes a member of a Friendly Society and pays a certain subscription for a number of years for the purpose of receiving certain benefits in certain cases, is he not entitled to receive those benefits? Certainly.

9081. Then what becomes of the statement that if a member of a Friendly Society should happen to improve in circumstances and become a little richer, he should not avail himself of the benefits to which he is entitled by payment of his subscriptions. The two matters are distinct. Medical attendance is entirely different from the other benefits promised by Friendly Societies—in fact I do not look upon that as insurance at all. The Sick Fund I look upon as insurance, but you will see that that is entirely different from medical attendance, which is supposed to be secured in this way only for the benefit of the poorer classes who could not command medical attention in time of need, if it were not for some such system as this. I think the system will never be on a proper footing until the two matters are separated and properly defined. At the present time, one of the Temperance Lodges actually maintains a separate policy of insurance as distinct from the medical attendance.

9082. Are you aware that in the calculations under which contributions are levied upon members, a certain sum is put away for the purpose of securing medical benefits for the members, and the residue is allotted to the funds for sick pay and funeral expenses? I am aware that there is an arrangement of that kind, but I do not think it sufficiently well devised.

9083. That is another affair altogether. You spoke just now of the Dayspring having two separate funds. I am a member of the Dayspring. Are you aware that any member may register for the doctor and entitle himself to medical attendance by the extra payment of 1s. per quarter? Yes.

9084. Are you aware that if a member does not enter himself on the medical register the doctor loses the 1s. per quarter and the Lodge Fund gets the benefit of it? Then I pity the fund.

9085. Are you aware that there are a number of members who do not register? I think so.

9086. In the cases where members do not register I presume they go to a medical man as private patients, because they thereby ensure better attention? I do not know about that, but I believe that many of them do that from motives of honor. They decline to take advantage of an institution made to secure medical benefits only for the poorer classes who could not afford to procure them otherwise.

9087. Do you think there is any honor in a man not taking the benefits which he has secured for himself by years of payment of certain subscription to an avowedly Benefit Society? It is frequently done, however, by members of Lodges in this country, and I believe from just the motive of honor that I have indicated. I have been a member of Lodges at various times and entitled to receive payments, but I have not felt that I would not be justified in asking for them.

9088. Then do you think that if you had received those benefits you would have been guilty of a breach of honor? I did not need the benefits, and therefore I did not avail myself of them. If I had been in unfortunate circumstances I would have readily availed myself of the assistance to which my membership entitled me.

9089. Then you look upon a Friendly Society as a charitable institution? No, quite the reverse. I recognize just the difference between honor and the assertion of an individual right in connection with these Societies. There are many things to which one is entitled to as a mere matter of absolute right, but to which a man will, from a feeling of honor, not assert his right.

9090. You have referred to the Princess Alice Lodge of the Daughters of Temperance: are you the medical officer of that Lodge? No.

9091. Do they owe you anything? No.

9092. Are you aware as a fact that sick money is not being paid by that Lodge? I know one poor woman who had great trouble two or three times to get the money she was entitled to.

9093. Did she not get it in the end? Very likely.

9094. The Princess Alice is a very small Division? Yes.

9095. Do you think they should be allowed to form these small Divisions? No. I know one Lodge which has only five members.

9096. The Princess Alice Lodge has always been in difficulties when any of its members die? Yes.

9097. Then if provision was made for those particular cases, the Princess Alice Lodge would be in a good position? Probably they would.

9098. You say the Treasurer of the Native Rose Lodge absconded with the money, and you mentioned the Perseverance Lodge also. Do you know these things of your own knowledge? Yes.

9099. You mentioned as one of the difficulties connected with the working of small bodies that the members did not know where to find the Treasurer, as the Society would not have an office? Yes.

9100. Do you know anything about the actual working of Benefit Societies? I know that the Treasurer has to pay the money to the sick members entitled to receive it; but first of all the Secretary has to take cognizance of the application for payment from the funds, then a visitor is sent to inquire into the circumstances, and if the visitor's report confirms the application, an order is given to the patient's friends for the sick money, and the patient's friends then have to find the Treasurer.

9101. Are you aware that special provision is made for the money to be taken to the sick member? No.

9102. You spoke about certificates of examinations. You have had great experience I think in connection with these Societies? Yes, I have had great experience in New South Wales, and long experience in England.

9103. Would it not be well if the medical man supplied the Society with just such a set of questions as he thought should be asked each candidate for admission? I think that the form which was just shown me would supply all that is required. In this city we have a great number of persons suffering from affections of the lungs, and if questions relating to those complaints were included in that form I think it would suit admirably.

9104. *Mr. Rubie.*] I understand then that one of the difficulties among the medical profession is the fact that for a low scale of fees they often have to attend wealthy people who happen to be members of a Friendly Society? The members of the medical profession do not like it.

9105. Do you think it would be judicious if the heads of the different Lodges could meet those members of the medical profession who are interested, and see if they could not adopt some mode of regulating the payments to doctors upon some more satisfactory scale? I think that would be an excellent plan.

9106. Do you think from your experience of your medical brethren that there would be any difficulty in getting

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getting them to adopt such a plan? I think it might be done with great advantage through the medium of the New South Wales Branch of the British Medical Association. I know the parent Society in England has studied the question.

9107. Has the Medical Branch here given consideration to that question? Yes.

9108. Would they object to supply this Commission with the result of their experiences? No, on the contrary, I believe they would be very willing.

9109. *Mr. Gelding.*] Do you attach much importance to examinations? It is a guide to the Society, and the candidates see that it means something.

9110. If they wanted to get into a Society, could they not answer questions to suit themselves? A paper such as that which has been shown me would stop that. The applicants would have to strip, and the medical officer would have to examine them very carefully.

9111. I presume a great quantity of poor people in the city and elsewhere would have to depend upon the Government for medical assistance if they were not members of Friendly Societies? Yes, a very large number.

9112. By joining Friendly Societies they secure medical attention from private medical practitioners? Yes.

9113. Then although the medical profession only get a small amount per head from the Friendly Societies, it is virtually money in the medical men's pockets? It is undoubtedly.

9114. Is it not a fact that most of the medical men now in independent positions made a start with the aid of Friendly Societies? I think not, but rather the contrary. A medical man requiring means has to have recourse to these Societies, but the tendency is actually to the disadvantage of the medical man, both personally and professionally. If he is not able to ascend the ladder of success except by the aid of Friendly Societies, he will not do it that way.

9115. What do you think is a fair average for medicines? I should say that 12s. would be about the lowest, though I disapprove of the plan entirely in large cities. I think it would be much more advantageous for the Societies to have their own dispensary.

9116. Something like the Manchester Unity? Exactly.

9117. Do you think that such a dispensary would be sure to get good medicines, or that the wholesale dealers would give inferior medicines? Quite the contrary; I believe that a dispensary, if the management is equal to the business, has quite as good opportunities as any other establishment of getting good medicines. There should be a combination of Societies, and the members would be more certain of obtaining good medicines from such a dispensary.

9118. Do you believe in a man belonging to more than one Society at the same time? Certainly not.

9119. Under such circumstances, might not the money doled out to a member in the shape of sick pay be sufficient to keep him in a better position than if he were at work? Yes.

9120. And a temptation to malingering would thereby be offered? Yes.

9121. *Mr. Newland.*] You referred to the Loyal Love of Liberty Lodge as one of the unsuccessful Societies did you not? Yes.

9122. Do they owe you anything? No, I did not accuse that Lodge of anything of the kind.

9123. You stated that that Lodge had failed to pay its sick members? No, I spoke of the Perseverance Lodge.

9124. You mentioned it as one of the Lodges that had failed to fulfil their engagements? I mentioned it as one of the Societies that I thought inquiries should be made about.

9125. What made you leave that Society? I cannot say exactly now.

9126. Did you desire at any subsequent period to become its medical officer? Not to my knowledge.

9127. Did you not forward to that Lodge an application for the appointment, and stating that when you were previously the medical officer of the Lodge you were conducting Dr. Fortescue's practice, and consequently you had not been able to give that attention to the Lodge patients that you would be able to give if you were again appointed? I was not aware that I had applied at all, and I certainly cannot remember what I stated on the occasion.

9128. Have you tendered lately to become the medical officer of any of the Lodges? Yes, twice during the last two years.

9129. Did you tender for the Travellers Home Lodge? Yes.

9130. Do you remember the fee you tendered for? 16s.

9131. Was it not 10s? No, it could not have been. I rather think it was £1.

9132. I understand you to say that the examination of candidates need not be very strict, but it should be comprehensive? I mean that the examination should not be too strict, because if, for instance, the paper of an Insurance Society were adopted whereby to test candidates for admission to Friendly Societies a very large number would not stand the investigation. You must be much less strict with your candidates for admission to Friendly Societies, especially with working men, many of whom are engaged in industries in which they have their ribs broken or their figures distorted.

9133. Do you not think that the stake of the poor men in the Friendly Societies is as great as that of the wealthier men in the Insurance Societies, and just as necessary to protect? Yes, relatively, but if this absolute strictness were insisted upon, the Societies themselves would suffer, for they would be very much reduced in numbers in consequence of so many candidates being refused.

9134. Are there certain occupations, the followers of which should not be admitted as members of Friendly Societies? There are probably some. I think this is a very important matter. My own opinion is that the payments should be graduated. Stone-masons and drapers should pay a rate different from that paid, say, by butchers. Drapers are, in consequence of the floss flying about the shops, liable to certain diseases, such as consumption, and stone-masons also are liable to stone-mason's consumption.

9135. Firemen engaged on board steamers are not a very desirable class of numbers in point of health? I think that as a rule they would not be profitable members.

9136. I understood you to say that a large number of the members of Friendly Societies are men who have previously had their constitutions shattered by drink. Does not that statement cast a reflection upon the character of the examination conducted by the medical officers when those men have been candidates for admission? No, it would require very careful examination to discover the real nature of the candidates' constitutions, and besides, these Societies exist for them as well as for healthy men.

9137. *Mr. Stude.*] Have you any idea of the police regulations in reference to sickness? Not in this Colony.

9138. Do you know the proportion of their pay that they receive when they are sick? Two-thirds.
9139. Then if a man belongs to the Police Force and to the Friendly Societies, and receives from the former two-thirds of his salary and a guinea a week from the latter, would he not be likely to be under the temptation of becoming a malingerer? Yes, undoubtedly.
9140. Would it be etiquette for you, as the medical officer of a Benefit Society, to override the certificate of the police surgeon? No, but it would be my duty to state what I knew.
9141. Would you endorse his certificate without examination? No; but it would be wrong to place two medical men in that position. Each should state the result of his independent examination; and the disagreeable duty of determining upon what course to pursue should devolve upon the police authorities or the Benefit Society, as the case might be.
9142. In the event of the two certificates clashing? Yes.
9143. Do you not think that as a police constable's pay would, under the circumstances I have mentioned, be larger when sick than well, they are not a desirable class to have as members of Friendly Societies? I think there should be a limitation.
9144. Do you know that most of the Societies in England have special objections to constables belonging to them as members? I was not aware of it; but there is a law in the Police Service in England that constables should not be members of Friendly Societies.
9145. Regarding the term for which medical men are elected as officers of these Societies, would it not be better that, instead of being elected for a fixed time, they should continue to hold office as long as the Societies they were connected with were satisfied with them? Yes.
9146. What is your opinion of the practice of chemists refusing to make up the same prescription a second time unless it has been endorsed by the medical man? I think such a practice is necessary, otherwise many patients would be killed.
9147. If in some Societies they permit a chemist to do that, you believe such a practice is fraught with danger? Yes.
9148. You say that medical men lose in status by becoming officers of Friendly Societies? Yes; that is undoubtedly the case.
9149. Have not many of the most eminent medical men we have in New South Wales founded their position by their connection with Friendly Societies? They founded their positions in spite of it.
9150. Then am I to understand that the medical profession only use the Friendly Societies so far as they suit their convenience? No, some do it as a matter of duty as approving of the principle; others, young men, do it as a beginning, and all of us are more or less influenced by the desire to keep our hand in, and they retain their connection with these Societies, not for the sake of the gain, but for the sake of the work.
9151. *Mr. Abigail.*] From your examination to-day, do you think that this Commission has any desire to shirk any portion of the duty of inquiring into the working of Friendly Societies? From my examination to-day I think quite the contrary, and I believe the Commission has every desire to elicit all the information they can in order to have the Act made more perfect.
9152. *President.*] Do I understand that you approve of this provision in regard to the form of medical examination as set forth in the rules of the Order of Foresters which you have just seen? Yes.
9153. Do you think the form should include chest measurement, height and weight? I think chest measurement might be included, and there is no objection to have the other.
9154. Do I understand that the examinations in the past have not been as fully searching as they should be? Exactly, in the interests of science as well as of the Societies.
9155. You think that members' wives who participate in the benefits of a Society should be examined? Yes.
9156. You favour a graduated scale of payments for the admission of members? Yes.
9157. And a graduated scale of benefits according to the occupations of members? Yes.
9158. You believe that in order to ensure a Society being on a sound financial basis it is necessary to have sound principles embodied in its rules? Yes.
9159. You promise to furnish the Commission with a statement containing suggestions for improvements? Yes; I also wish particularly to state that I wish that too much importance should not be attached to the references I made to certain Lodges. As far as the Loyal Love of Liberty Lodge and the Perseverance Lodge are concerned every inquiry should be made. Court Fortitude is another.

The Commission then adjourned till Friday, 2nd June.

FRIDAY, 2 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Dr. Thomas James Pickburn sworn and examined:—

9160. *President.*] You are a duly qualified medical practitioner? Yes.
9161. Registered by the New South Wales Board? Yes.
9162. You are the medical officer of several Friendly Societies? Yes, I am still the officer of some.
9163. Of several? No; I was of a great many, but I have only two now.
9164. You have had a large experience in connection with these Societies? Yes, ever since I have been in Sydney.
9165. What is the largest number of members you have had under your care? The largest number was when I was connected with the Oddfellows, when I first came to Sydney. Then I had a large number of mixed Societies.
9166. Have you any idea of the gross number? I dare say I must have had from 1,500 to 2,000.
9167. What would be the average daily visits you would have to pay for a number like that? It would depend

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depend upon the season; during the time of an epidemic, from sixty to seventy visits a day, but usually about twenty.

9168. Would that include consultations at your house? No, I might put down the same number for consultations.

9169. I presume you always made a careful examination of candidates? Yes, I made it a rule to reject a man unless he was a very good life indeed.

9170. Were there many cases came under your notice? Yes; certain trades I used to object to, such as plumbers, painters, and publicans.

9171. You regard these occupations as dangerous to health? Certainly.

9172. And therefore to the Societies? Yes.

9173. What has been the general mortality of the members of the various Societies under your care as compared with a similar number at Home? I think the mortality is very light indeed, but I have no experience of Societies at Home.

9174. Would it bear favourable comparison with the mortality of private patients? Yes.

9175. Have you preserved any statistics as to your visits in dealing with Societies? No; of course I have my daily journal or case-book, but that is all.

9176. Do you think the questions prescribed by the rules of the various Societies that the medical man has to put to candidates before they are admitted are sufficient? No, I think the majority of Friendly Societies have no form at all to guide the medical officer in his examination of the patients. As a rule it is looked upon as rather a matter of form, Societies themselves being anxious, not to get healthy lives, but increased members and increased initiation money.

9177. Do you think that feeling exists? To a very large extent. I have on several occasions been pooh-poohed for rejecting persons.

9178. Do you think it is necessary, seeing that the wives of members are participants in the benefits given that they also should undergo an examination? That is a very difficult thing to say, because if there is to be an examination it should be a perfect examination, and to this a large number of wives would object. No doubt it should be the case.

9179. You know there is a donation in case of the death of a wife? Yes.

9180. And in case of the death of a member? Yes.

9181. Seeing that in case of the death of a wife the husband would receive a funeral gift, would it not be necessary that the wife should have a certificate of health? There should be one, but there is so much difficulty in the way. The examination should certainly include the womb, which might be extensively diseased, but there would be very great objection to that, and it is not every woman who would allow it.

9182. But, where a Society provides medical attendance and chemistry to the whole of the children as well as the wife of a member, they participate in its advantages? Yes.

9183. Do you not think it is therefore necessary that they should undergo a medical examination? Well, there is an inquiry made of the candidate as to her health.

9184. Have you found a larger proportion of bad lives amongst members' wives than amongst the members? No, I do not think so, but a woman may have considerable disease of the kidneys or uterus, and we know nothing about it, without careful examination and tests.

9185. Do you strip candidates and measure the chest? I strip them, but do not measure the chest.

9186. You do not take the weight or height or chest measurements? No, it would take too much time.

9187. But do you not think, in order to have a full and searching examination, some provision of that kind should be made, and that the medical officer should be paid for the examination? Yes, I think so.

9188. Do you think it would be a means of serving the Society if a more searching examination was made? Yes, I should think it would, but at present it is looked upon as too much a matter of form. To make a thorough examination would take a quarter of an hour or twenty minutes, so for the sake of the Society and myself I make the broad rule, "a good life or no life at all."

9189. Do you think there is a disposition amongst the members to sham sickness in order to be placed on the funds? Yes, there is a very great readiness on the part of some to do that sort of thing, but it is a very small percentage.

9190. With regard to the salaries paid to the medical officers, do you think they are sufficient for the services required? That depends. The salaries vary, but, as a rule, I think they are very insufficient. The Oddfellows only give about 7s. per member, which includes attendance on the member and perhaps thirteen or fourteen children. But that is the cheapest of all the Societies.

9191. What do you think would be a fair sum per annum per member? I think £1 is a fair thing. I take no Societies under.

9192. And with reference to the dispensing of your prescriptions, have they been faithfully made up? It all depends on the chemist, and what he receives. There are some who give good things, and others who give rubbish.

9193. And you have found your prescriptions have not been faithfully dispensed in cases where the price was so low that the chemist could not do it? Yes.

9194. Would you favour a general dispensary? Yes; it would be cheaper, and members would secure good drugs.

9195. You feel strongly with reference to certain trades? Yes.

9196. Would you be in favour of disqualifying their admission absolutely, or would you create a special scale of contributions and benefits for them? I would disqualify them absolutely.

9197. You would not load them with a graduated subscription? I am looking at it from a medical man's light, employed by a Society.

9198. Have any complaints been made to you about want of attention on your part as the medical officer? I almost forget, but it is possible there have been.

9199. What has been your general practice with reference to attending members of Societies; have you given the same attention as to your ordinary private patients? Yes, as a rule. When you have a Society some time, you know your members and can tell whether you are really required at once or not. In all Clubs there is so much of the cry of "wolf" that it discourages a doctor.

9200. I presume it would be your desire to get your patients cured as rapidly as possible, so as to get them out of hand? Most decidedly.

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9201. Would you make any distinction with reference to surgical operations or cases of accident? Yes, I think accidents, such as bad fractures, should be paid for extra; otherwise one tries to shirk them and send them to the Infirmary.
9202. And you think provision should be made by the Societies to make exceptions under these two heads, so that the medical officer should receive some additional consideration? I think so.
9203. Have you ever read our Act? No, I never have.
9204. Are you prepared to make any suggestions to the Commission that might be of service for future legislation? I think that the medical officer's salary should be a better one; but the system of competition is bad for the Societies altogether; because some of them are only taken for a time until they can be thrown up. If it were a fixed good rate men would look upon them as worth having, but now they look upon them as "necessary evils," to be thrown off as soon as possible.
9205. I presume most of the medical men take Societies simply to create a practice? Just so; I built my practice upon Societies, but I have been very glad to drop them. The compulsory work is unpleasant in connection with Societies.
9206. You would not recommend any change in the present system of dealing with cases of accouchement? Yes, I think the ordinary fee is too little. I receive two guineas for one Society, and that is little enough. As it is I shirk a Club midwifery case—it is not worth while going to.
9207. You have a large private practice now? Yes, it has been built up entirely by Societies.
9208. They serve a purpose for a time? Yes, I suppose it is the case with most medical men. I took them when I first came at 14s. a year. I also took the Oddfellows.
9209. Is that the rate you had from the Oddfellows? They paid a salary, and there are 2,000 members.
9210. *Mr. Smith.*] Are you acquainted with the amount of contributions paid by members of these Societies to the various Lodges? Yes, I think so; some pay 1s. or 1s. 3d., and others 6d.
9211. Have you any knowledge of the benefits they are to receive for this? Yes; £1 or £1 1s. a week in case of sickness, and in the event of death a funeral gift of £15 or £20.
9212. Do you think the amount paid is a fair amount, seeing the large benefits they receive? No, I think the amount per member should be increased; some actuarial calculation should be made.
9213. Do you think that would put the Societies on a better financial basis than the present system? Yes, especially with some which pay only 6d. a week, such as the Daughters of Temperance, who are always more or less in a state of insolvency.
9214. Have you had much to do with female Societies? Yes, at one time I had five Branches of the Daughters of Temperance; and sometimes I had to wait six months for salary, and sometimes they did not pay their sick at all.
9215. You attribute that to the fact that they did not contribute sufficient for the benefits given? Yes.
9216. In your very large experience, what has been the principal cause of illness of members and the families of members? The actual members are seldom sick, and if the attendance were confined to them it would be very light indeed for the doctor; the chief work is in the family, children are very often sick, and when there is an epidemic the doctor's work increases tremendously.
9217. Have you in your experience discovered syphilis existing to any very great extent with Club patients? In the primary contagious form I have not seen it to a very great extent, because as a rule those cases seldom come to the Club doctor. If they get delirium tremens or venereal disease they are not entitled to our services.
9218. Have you had members come to you privately for that particular treatment? Yes, not only privately but ignorantly, thinking themselves entitled to the benefits.
9219. Do not all the illnesses result from that having existed in some form or other? Scarcely. It is very hard to answer a question like that; the taint is so delicate that it is hard to fix a particular illness on that taint. One does not see so much of it as at Home.
9220. Then you do not think it exists here to any great extent? No.
9221. The illnesses from which members themselves most frequently suffer, what is the cause; is it intemperance? Not actual intemperance perhaps, but the mistaken idea that so much liquor a day is good for them; dietary causes generally.
9222. *Mr. Abigail.*] Have you had any opportunity, in your extensive visiting of working-people's homes, to form an opinion as to whether Friendly Societies benefit them socially and morally? I am sure of it; it is a man's duty to himself and the State to provide for himself and his family in time of sickness and death.
9223. And you think the State should protect the Societies by seeing that their accounts are placed on an actuarially sound basis? Quite so, yes.
9224. Can you say whether it is a general practice to treat members of these Societies as if they were paupers? I am sure it is not, because like myself many medical men build up their practice entirely on Clubs, and we must treat them well for our own sake.
9225. I suppose a great deal of private practice arises from these persons? Yes, some.
9226. Do you find any impression with these people that if any serious case arises they would rather go to a private doctor than to a Club doctor? Yes, there is often that impression.
9227. Have you learned whether there is any popular distrust in the minds of members of the soundness of their respective Societies financially? I do not know anything of that.
9228. Have you known any case where members entitled to sick pay have not received it? Yes, more especially in cases where the Society has been so poor that they could not pay it. That frequently occurs amongst the Daughters of Temperance, as their fees are so low.
9229. That is a necessary consequence of paying small contributions and giving large benefits? Yes.
9230. Have you known any cases where the officers have misappropriated the funds? Not of my own knowledge.
9231. In reference to the Oddfellows, you stated that they give 7s. or about that: do you know how many members are attached to the medical part of the arrangement? I do not know now, but in my time there were about 2,000.
9232. And how many out of them were you called upon to attend? Well, there are three medical men who attend the whole; a popular man does all the work, and the others do nothing.
9233. They attend at the institute on alternate days, do they not? Yes; four days a week, I think.
9234. Do you think established Societies need a thing of this kind (*document produced*)? No, I do not think so; it is simply a try to catch members, not sound healthy lives. 9235.

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9235. In a case of that kind they would not be beyond any acceptance? Very likely the Secretary would give the doctor a hint.
9236. But if doctors acted on the same principles you say you go on, no matter what hints they got, they would not pass an unsound man? For their own sakes, not.
9237. But the keen competition amongst medical men leads to this sort of thing? I do not think so; a man who has got a Club is not likely to admit an unsound life; he does not consider the Society, but himself.
9238. You have no doubt that medical men generally give the same attention to members of Societies as to private patients? They must do so.
9239. *Mr. Holdsworth.*] I understood you to say that you had 1,500 members? Yes.
9240. You had an average of twenty visits a day and twenty consultations? Yes.
9241. That would be one out of thirty-seven and a-half? Yes.
9242. And make your fees almost nominal? Yes.
9243. Have you found sickness more prevalent in times of strike, and when work is scarce? Yes; when work is scarce men get sick, but I have had no experience of times of strike.
9244. Is it not a fact that some time ago the medical men of Sydney formed a sort of trade union, and fixed the price at £1? Oh yes, but it never came to anything.
9245. You spoke of the Daughters of Temperance: you attended some of them who keep along in a state of chronic insolvency? Yes.
9246. They were small Societies, I presume? No; some large Societies.
9247. Do you consider it is possible for any Society, at 6d. a week, to pay half-benefits, considering they have to pay full rates for everything else? No.
9248. Are you aware they have been altered lately? No.
9249. Reference was made to the half initiation fees of a particular Society: do you think the fee is a matter of any moment if the contribution were fixed at a suitable rate? No, I do not think it would be. I suppose Societies do this in order to raise their sinking funds.
9250. Do you approve of this system of introducing persons to raise the funds? No.
9251. Must it not destroy the object they have in view? Yes, I should think so.
9252. *Mr. Langley.*] Are you aware that this document refers to the establishment of a new Lodge? Yes, I am now.
9253. And that full benefits are not given until the end of six months? Yes.
9254. You spoke of the Oddfellows paying 7s. per annum to the doctor? Yes, that is what it comes to. They pay a fixed salary of £250 a year, exclusive of midwifery fees.
9255. Do you know any other Society that pays less than £1? Yes, I should say the majority do.
9256. May I ask what the *Herald* Benefit Society are paying now? 18s.
9257. From the answers you have given, it would appear as if you thought young doctors gave more attention to Lodge practice than those who have a regular outside practice? I think so, because they have probably more time for it.
9258. Then it would be more advisable to have young doctors than medical men having a large practice? Certainly. Those who have a large private practice have no time for Club practice.
9259. Are you aware that in nearly all cases in which doctors are called for there is great competition indeed? Yes, I believe so.
9260. Do you know that in some instances the doctors actually get their friends to canvass for them amongst the members? Yes, I believe so; that is bad for the doctors and bad for the Societies.
9261. What in your opinion would be a fair charge for medical men attending Clubs or Lodges requiring medical attendance? 20s. per member per annum, and I do not think it should be any less.
9262. *Mr. Rubie.*] Have you had any experience in other Colonies? No.
9263. Is any sickness of any particular nature more prevalent here than anywhere else? No, there is always a certain amount of mild typhoid fever.
9264. Are you obliged to give certificates to members before they declare on the funds? Yes.
9265. Have you had any application for certificates when you have been obliged to refuse? Yes, frequently.
9266. Are there cases where it is difficult for medical men to say whether they are malingering or not? Yes, in cases such as lumbago or chronic rheumatism.
9267. Could you suggest anything by which Societies might be protected from this? No, except that they should be carefully watched and kept strictly under the eye of the doctor.
9268. When they do not get certificates every week they may be on the funds a long time after they are well? Oh yes.
9269. *Mr. Langley.*] Do medical attendants of Lodges take strict care to take patients off the funds when well? Yes, most men are only too glad to go to work themselves.
9270. *Mr. Gelding.*] You stated to the President that a proper medical examination would take a quarter of an hour? Yes.
9271. Are your instructions not to give every candidate a proper examination? Yes; still there are many things, as the President suggested, such as measuring the chest and taking the weight, which no doubt should be done.
9272. But stripping the candidate, should not that be properly done? Yes, I make it the rule always to strip the candidates; sometimes they object and go away.
9273. You imagine that some Societies give instructions not to be particular? Yes.
9274. Could you name any Society that has given such instructions? Yes, there was a Society once which was forming and I had to examine the members; it was the Waverley Lodge of the Protestant Alliance.
9275. You mentioned the accouchement fees: I presume you are aware that the majority of persons who join the Societies are labouring men? Yes, the majority are.
9276. And if you attended a great number of them you would get no money at all? Yes, very probable.
9277. And is it not better to take these cases at a reduced fee than to get no fees at all? But I do not see why it is necessary to get nothing for medical attendance unless in the case of paupers, and these are not.
9278. What do you think is a fair thing to pay for medicines? I do not think it should be less than 10s. a year, while many only receive 6s.; and then there must be imperfect dispensing and very bad drugs.
9279. When you go away from Sydney the low rate does not apply, are you aware of that? I have no experience of that.

- 9280. Do you believe that examinations should be paid for? Certainly, it should take up a great deal of time if a form is to be filled up, showing the state of the candidate's health.
- 9281. Would you make the candidate or the Lodge pay for that? I do not know about that.
- 9282. Have you any faith in the candidate answering these long questions? I think their statements go a great way, and one verifies their statement by one's own examination afterwards. They answer the questions honestly as a rule.
- 9283. Were these forty candidates you mentioned all examined the same night? Yes, whatever the number was. I was told they did not want much time spent, as the candidates had to be initiated.
- 9284. Do the Daughters of Temperance undergo an examination? Yes.
- 9285. Not a very strict one? No, they naturally object to it.
- 9286. *Mr. Slade.*] Do you examine by any regular form, or by just such questions as suggest themselves at the time? Some Societies have a form—the Protestant Alliance have a very good form. Having got the personal statement, one goes on with the physical examination according to method.
- 9287. Have you seen the Ancient Order of Foresters' form? Yes.
- 9288. Do you approve of such a form as that? Yes, I think it is a very good form, though there is a good deal in it the patient does not know the meaning of; but it should be much more elaborate to be of any use. It is nothing more than a personal statement.
- 9289. Do you not think it is useful in drawing the medical man's attention to a line of questions he might otherwise pass over? Oh yes, I think so.
- 9290. Could you state what diseases are most prevalent and fatal in this Colony amongst the members of Friendly Societies; are they diseases arising from the peculiar modes of employment? No, principally accidents, diseases of the lungs, and fevers.
- 9291. As the death rate in Societies is eleven in the thousand, while the general mortality is twenty-two in the thousand, does that indicate that Friendly Societies' candidates are more healthy or better examined? Partly because they are a more healthy class, but principally the result of careful examinations.
- 9292. One thing is complained of, that members have to go to the medical man again for the renewal of a prescription? I think it is very necessary for the protection of the Society, and especially for the patient's sake.
- 9293. What is your opinion about bandages, leeches, and so on, should they be included in the pound? No, that belongs to the chemist's side.
- 9294. Regarding the examination of wives, do you think an affirmation by the husband under penalty would be sufficient? Yes, I think so.
- 9295. As many of the profession have stated that they consider the Friendly Societies' practice to be instructive I should like to have your opinion? Oh yes, there is no doubt about that; it gives a large field of experience which is most valuable.
- 9296. Your estimate of £1 per annum is on the supposition that all the members are married and have families? Yes, and I do not think it should be anything less.
- 9297. *President.*] Do you think that the kind of inquiry made by medical men when passing candidates for life insurance would not be a more full and searching inquiry? Yes, I think there should be some form of that kind.
- 9298. Which should be filed as an official document? Yes, I think so.
- 9299. And you think the medical statement should be part of the initiation? Yes, it would bind the candidate to what he has stated.
- 9300. *Mr. Abigail.*] If the life assurance system were adopted, do not you think it would debar half the men who join, who might have some trifling ailment that would not make them permanently sick members? I think it is the duty of a medical man not to admit a man with any organic ailment, however trifling.

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Fickbürn.
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Dr. William Edward Warren sworn and examined :—

- 9301. *President.*] You are a duly qualified medical practitioner? Yes.
- 9302. And have had a large experience in connection with the various Friendly Societies as medical officer? Yes, during the last five years in this Colony.
- 9303. Have you had any experience in the old country? No, I have in New Zealand.
- 9304. Had you a long experience in New Zealand? About eighteen months.
- 9305. What is the mortality here comparing the Societies with those of New Zealand? I should think they would be very much about the same.
- 9306. What has been the largest number of members under your care? I think the largest number would be about 600 members, without wives and families.*
- 9307. What would be your daily visitations to these members, their wives and children? Including visits outside and those inside, I should think twenty a day, or probably twenty-five.†
- 9308. With reference to the examination of candidates before admission, do you think the present system is full and sufficient to ensure the Societies against fraud? In some instances the forms are very good.
- 9309. Have you had occasion to refuse a recommendation to any number of candidates? Frequently.
- 9310. Persons who are unsound in health? Yes, and also those whom I knew to be intemperate.
- 9311. Do you make a rule of objecting to the admission of candidates on account of occupation? No, I do not think so; I have never objected to any one on that ground.
- 9312. But some occupations are injurious to health, and shorten life? Some are.
- 9313. You have never taken exception? I have never had an instance requiring it.
- 9314. What is your opinion as to the manner in which your prescriptions have been dispensed? In some instances they have been dispensed in an honest straightforward manner, but in other instances the dispensing has been simply disgraceful.
- 9315. How does that arise? I believe it is for the want of proper payment; it is not sufficient to ensure good drugs.
- 9316. Does it not place the medical officer of a Society in a false position if his prescriptions are not properly dispensed? Very, I frequently have to recommend patients to pay for their medicines. 9317.

Dr. W. E.
Warren.
2 June, 1882.

*NOTE (on revision) :—I find that I have attended as many as 800 members, not including wives and families.—W.E.W.
 †NOTE (on revision) :—Upon reconsideration, I believe that my average with 800 members would be about forty consultations and visits per diem.—W.E.W.

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9317. The prescriptions you speak of, have they been made up by chemists or by some large establishment, such as a dispensary? All the Clubs I attend get their prescriptions made up by chemists.
9318. Would you favour a general dispensary for all the Societies? Yes, that would be a good idea, or if they paid a good rate they would get good drugs.
9319. Would you favour having a more searching inquiry into the health of candidates than at present? I would make it compulsory on them all to have a proper medical form containing a personal statement.
9320. Somewhat similar to life assurance? Yes, but it need not be so full.
9321. With reference to the allowance made to medical officers, what would you consider a sufficient sum to ensure faithful attendance to members and their wives? I think about a fair thing would be £1 or £1 ls. a year.
9322. You are aware that it is done for a very much less sum now? Yes, very much less.
9323. As far as your knowledge goes, do you think the medical officers of Societies devote as much attention and care to patients who are members of Societies as to private patients? Yes, where they know there is a genuine case of illness; but in consequence of such a large number of Club patients applying for medical advice who are not in need of it, a medical man is more liable to slur over a case amongst them than if a private patient came to him; but in all genuine cases of illness there is as much attention given to a Club patient as to a private patient.
9324. Then there is a good deal of imposition amongst some persons? A great deal of it.
9325. You cannot give the Commission any information as to the comparative mortality between the number you have had under your control here and a like number in the old country. No, I cannot.
9326. Is there any special sickness that creates a greater mortality here than in the old country? I do not think so.
9327. You think the people here are as healthy, if not more so, than in the old country? Fully.
9328. And the same would apply to New Zealand? Yes.
9329. Have you found, during your experience as a medical officer, a disposition amongst some members to be placed on the funds when there is nothing the matter with them? Frequently.
9330. Is it wise to permit persons to be members of more than one Society? No, I find that in the majority of instances has led to malingering.
9331. And there has been a good deal of that kind of thing existing? I have seen it tried on a good many times.
9332. And in some cases it is impossible to detect it? Yes.
9333. Have you read the Friendly Societies Act of New South Wales? I have not read the whole of it, but I have read parts of it.
9334. You have also seen the rules of most of the Societies you have been medical officer of? Yes.
9335. Have you formed any opinion as to the financial basis of these Societies? From my own knowledge I know a number of cases where it has been insufficient.
9336. As a matter of opinion, do you think 1s. a week is sufficient? I do not, but I think an actuary should be consulted on that point. From my knowledge I have formed the opinion that the subscriptions in a great number of instances are insufficient.
9337. You are aware of the benefits that are given? Yes.
9338. You are fully satisfied in your own mind that the contributions are not sufficient to ensure all those benefits? I do not consider them sufficient in a considerable number of instances.
9339. Have you anything to suggest that might be of service in any recommendations that may go from the Commission to the authorities? I think there ought to be some means adopted to ensure members getting sick pay, for in a great number of cases they do not get it.
9340. What is the reason? In some cases want of funds; in others, neglect.
9341. Are there any of the Societies under your control where the cause has been want of funds? No, they have gone bankrupt.
9342. What was the name of the Society? There was one called the Australian Total Abstinence Society; it merged into another, but they had to get rid of a number of old members, as they could not go on as they were.
9343. Any others? Yes, I know of one which was a woman's Lodge, a Temperance Society, also called the "No Surrender," and they had to haul down their colours. They had also to dissolve, as they could not carry on.
9344. Any other Society? I know of another Lodge. That was another woman's Lodge, which was in a critical condition about twelve months ago; it was called the Australian United Sisters' Benefit Society.
9345. Where were they located? I do not know. It was a small Lodge. I am very particular about putting people on the Sick Funds in every instance, but in some instances where I have done it, the officers have waited on me to ask me to take them off, as the Society was hardly strong enough to stand it. There is another thing I might mention. I have known one instance where the Treasurer of a Lodge has made away with the funds, and I heard of another last night. I will not say it was the Treasurer, but one of the officers of a Lodge called the Abou-ben-Adhem Lodge, I.O.O.F., succeeded in making away with some of the funds.
9346. Do you know the amount? I do not.
9347. Was it a considerable sum? They succeeded in recovering a good bit of it. The other one I heard of was another of the same Order at Miller's Point, in which one of the officers succeeded in making away with nearly £70. I do not know the name of the Lodge.
9348. You do not know the names of the parties? No, I do not.
9349. Are there any others? No, I do not recollect any other case. That second Lodge I mentioned I know nothing of, but I was informed of it by a patient last night.
9350. Then you think it would be necessary for officers of Societies to give a fidelity guarantee? Yes, a bond.
9351. So as to ensure the funds against members who might make away with them? Yes.
9352. *Mr. Abigail.*] In your connection with Societies in New Zealand, did you ascertain whether the laws there were similar to our own? No. I think they were about the same, so far as I recollect now.
9353. Did any agitation take place for an investigation into the Societies? I do not know.
9354. Are you aware that it has taken place since? No, I am not.
9355. Is there any particular cause for the sickness occurring in the Societies you attend? No; they seem to suffer from the prevailing sickness.
9356. If it has been said that syphilis was the prevailing cause of a large quantity of the sickness, would that

that accord with your experience? No, though a good many suffer more or less from the effects of drink, but not more among Society people than amongst the general public.

9357. *President.*] You have nothing further to add to your evidence? No, nothing at present; but I may say that the British Medical Association Branch here have had a report drawn up to be submitted on this question. It is to be presented to the Branch this evening.

9358. Will you kindly send a copy to the Commission? Yes, that can easily be arranged. The following is the report, as furnished by Dr. O'Reilly:—

REPORT of the Committee appointed by the New South Wales Branch of the British Medical Association, to investigate and report on the medical working of Friendly Societies.

The following are the conclusions which your Committee, after careful consideration, begs to submit to you, acknowledging the valuable suggestions contained in the report of the former Committee:—

1. It recommends that a form of examination paper, similar to those used for purposes of life assurance, be furnished to each person proposing to join a Benefit Society, for presentation to the medical officer, in order to ensure a thorough report on each case, and that a reasonable fee be paid for each examination.

2. That medical benefits be confined to mechanics, labourers, journeymen, small traders, and to people with small incomes, as it finds that large numbers of people with considerable means—merchants, bank managers, members of Parliament, builders, contractors, &c.—at present avail themselves to a very large extent of the medical benefits intended for their less affluent brethren.

3. Your Committee recommends a uniform payment to the medical officer and chemist of every Lodge; that in the case of the former it should not be less than £1 per member per annum for medical attendance on each member, his wife and family, and that extra fees should be paid for fractures, dislocations, and surgical operations. It is also of opinion that the minimum midwifery fee should be fixed at £2. 2s., and that this fee should in all cases be paid through the Lodge. Your Committee is satisfied that the ordinary payments at present made to druggists are quite insufficient to secure patients being supplied with the best drugs. It recommends that distinct provision should be made for furnishing patients with expensive forms of medical and surgical apparatus.

4. It is not desirable to permit patients to belong to more than one Society, as the practice tends to encourage fraud, it being possible for a member of several Lodges to acquire sick payment in excess of his earned income.

5. Your Committee believes the subscriptions of members of several Societies to be not only insufficient, but considerably below what the insured are both willing and able to pay. It finds that, in consequence of the inadequacy of the weekly subscriptions, some Lodges become bankrupt. This usually happens after a struggle of some years, embittered by painful disputes and frequent injustice, e.g. the temporary discontinuance or diminution, from want of funds, of the sick allowance. The bankruptcy of a Lodge usually occurs at a time when many of the original or earlier members have become old and past work, and when no Lodge will accept them as candidates.

6. With a view to more perfect security, your Committee is of opinion that the Medical Officers' and Chemists' Fund, should be quite distinct from the Benefit Fund, particularly as it is desirable that every man should subscribe to the latter, while only a portion of the community is morally entitled to the former, it having been originated and continued for the exclusive benefit of those only whose incomes are of moderate amount.

Your Committee desire particularly to point out the advisability of the formation in Sydney and other large centres of population, of a Friendly Societies Bank (to be kept open every evening), into which all moneys should be paid, and on which it should be made legal to draw cheques for amounts less than a pound. Such an institution properly conducted might prevent the possibility of defalcations, and would be a most welcome convenience to the sick, who now frequently do not receive their payments during the time they are most urgently required for the purpose of medical comforts, &c., but during convalescence.

7. In order that the report of the Commission on Friendly Societies now sitting may thoroughly represent all the interests concerned, your Committee thinks it is very much to be desired that the Commission should be enlarged by the appointment of two actuaries and two members of the medical profession, and it would suggest to the Council the propriety of bringing the matter under the notice of the Government.

WALTER W. J. O'REILLY, M.D., Hon. Sec.,

New South Wales Branch, British Medical Association.

25th May, 1882.

Dr. Andrew John Brady sworn and examined:—

9359. *President.*] You are a duly qualified medical practitioner? Yes.

9360. Registered under the New South Wales Board? Yes.

9361. You have had considerable experience as medical officer to a large number of Friendly Societies? Yes.

9362. And you are still medical officer to some? Yes.

9363. What is the largest number of members that have been under your control at any given time? About 600, I should think.

9364. Have you had any similar experience in the old country or the other colonies? No.

9365. You have no means then of judging the mortality here as compared with that at Home? No, I have not.

9366. What has been the general mortality of the institutions under your control? I do not think it has been exceptionally high; it has been low comparatively, particularly in the Temperance Societies.

9367. What proportion of sickness has there been in the Societies as compared with your outside patients? Oh, there is usually much more in Lodges; at least they consult the doctors more than private patients.

9368. They consult him on all trifling matters, I presume? Some of them do.

9369. With reference to the examination of candidates seeking admission, do you consider the present means sufficient? No, I do not.

9370. Some examinations are anything but full? Yes.

9371. And they are short of what we ought to have? Yes.

9372. You have seen, in connection with some of the Societies, a personal statement of questions put to candidates? Yes, I have. I think they ought to be strictly enforced in all Societies.

9373. Should there not be a medical statement also filed? I think there might be a short medical statement, but I look upon the personal statement as being an important thing. A man goes to a doctor who may be subject to periodic attacks of rheumatism or some disease liable to recur periodically, and the doctor may not be able to discover it; but if these questions were correctly answered he would refuse him.

9374. Have you had occasion to refuse a large number of candidates? Yes, a considerable number; not a large number.

9375. What percentage would there be? Not more than about 5 per cent. of those who apply to me.

9376. And has that been principally on the ground of being unsound in health? Yes; heart disease, or having suffered from rheumatism, or a bad previous history. I have no doubt, if a strict personal statement were enforced, and they were given clearly to understand that they would be expelled if they gave incorrect answers, a larger proportion would be refused.

9377. What is your opinion with reference to members' wives; do you think they should also be examined? As I believe a member receives some payment for them when they die, I should think it would be desirable.

9378. What has been your experience with reference to the manner in which your prescriptions have been dispensed?

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Brady.

2 June, 1882.

dispensed? Some of the chemists do it very well, and others do not. I have had to complain of certain chemists, and to get the Lodge to change them; but there are two chemists now who have been dispensing for Lodges I have been attending for years, and I find they do it very well.

9379. Is it not a most serious thing for prescriptions to be given by medical men and imperfectly dispensed by the chemist? Undoubtedly, in some cases.

9380. I presume the price paid is the cause principally of the prescriptions not being faithfully and honestly dispensed? Yes, that is the case; they cannot give the medicines below a certain price and give the right thing. It is impossible to tell sometimes whether a compound mixture is properly dispensed.

9381. Would you favour a general dispensary for Friendly Societies? Yes, I believe they would get better medicines in that way, though it might not be always convenient for them to send to a central depôt, but the quality of the drugs would be better.

9382. The Oddfellows dispense their own drugs, do they not? Yes.

9383. And that is more likely to give general satisfaction than to have these cheap chemists? I think so.

9384. With reference to the allowance made to the medical officer, what would in your opinion be a sum sufficient to ensure faithful medical attendance to members, their wives and families? I think £1 a year would be a fair thing. That is the general opinion of the members of the profession.

9385. Members of the medical profession, young men coming to the Colony, have taken Societies to build up a practice? Yes, and do not care very much what they get them for.

9386. And many of our best medical men have been successful in that respect, have they not? A good many of them have.

9387. You consider £1 or a guinea a year would be sufficient to secure good attendance? Yes.

9388. What is your experience in visiting the members of these Societies; do you give them the same medical attendance and care as you would to your ordinary patients? Yes, when they are really ill I do. They often come when they do not require it, but when a person is really ill I make no distinction.

9389. I presume you favour the principle of Friendly Societies, men combining together to secure these benefits, if they are secured on a proper basis? Yes, I think it is a good thing, doing away with the pauper system that exists so much in England, though it is liable to abuse when rich men are in the Lodges.

9390. Do you find that the better classes who are members of Societies take the medical benefits? Yes, in some Lodges they do.

9391. But are there not many members of Societies who do not take these benefits? In some cases there are.

9392. Have you ever heard of any of the officers making away with the funds of the Societies you have had anything to do with? Yes, the first Lodge I got the Treasurer ran away with the funds.

9393. Much? £30 or £40.

9394. What Society was that? No. 2 Division Sons of Temperance.

9395. Any other Society? That is the only one I know of.

9396. Have you any suggestions to make to the Commission? Well, in reference to certificates putting members on the funds—

9397. I was going to ask you that. Have you found a disposition on the part of members to go on the funds when there is nothing the matter with them? Yes, very frequently.

9398. And the best medical man could be deceived? Yes, there are some diseases that are obscure, and you do not like to injure a man by accusing him of fraud.

9399. Do you favour permitting persons to be members of more than one Society? No; when the weekly pay is such that it equals a man's earnings, it is a temptation to him to go on the Sick Funds.

9400. And it holds out an inducement to imposition? Yes.

9401. And should be provided against? Yes.

9402. Have you anything further to add? I think sick certificates should be renewed every fortnight, if not every week.

9403. What has been your experience with reference to members receiving their sick pay? Except in one Lodge they have always received it promptly, and then that Lodge was in financial difficulties.

9404. What was that Lodge? A female Society.

9405. In connection with a Temperance Society? Yes.

9406. What was the name of the Society? Equity Division Daughters of Temperance.

9407. And were they subsequently in a position to pay? Yes, they are now paying their members as usual. There was a lawsuit over it.

9408. What was the amount of the lawsuit? I think £40.

9409. Have you ever heard of any member not receiving his sick pay? In this Society it was so.

9410. No other case has come under your observation? No, that is the only one.

9411. Have you anything further to add to your evidence? I think when men are on the Sick Funds they should be strictly looked after, and if a man is found drunk while in receipt of the funds he should be dealt with severely; and if he repeats the offence he should be expelled. One man kept himself sick by drinking within my experience; he was found out, but was not expelled.

9412. Do you think, in connection with what you state as a sufficient payment for a medical officer of a Society, that there should be any distinction made other than the guinea now paid for accouchement cases? I myself do not care for confinements at a guinea; I prefer to be without them, frequently asking them not to send for me. The general opinion is that it is too little.

9413. What do you consider would be fair to the profession and to the Society? I think two guineas; of course outside the Societies we never attend for so low as that.

9414. Do you also think it necessary to make any distinction between surgical cases and ordinary cases? Yes, I think there might be a small fee paid for them, as there are expenses connected with them in the way of instruments, splints, and so on, unless a Lodge provided these themselves; but I could hardly say what fee ought to be charged.

9415. In cases of accouchement you said I believe that two guineas would be a fair consideration? Yes, I think so.

9416. But suppose a member did not send for you in a case of accouchement, would you not be compellable to attend a wife after the accouchement? As medical officer if I were engaged to attend at the confinement it would be my duty if called on, to attend after the confinement, even if I had not been called to attend at the event.

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9417. With reference to the examination of candidates, have you been requested by any of the Societies to make a more searching or fuller examination than had been your practice previously? No, I have not. They have told me sometimes to be careful about admitting them.
9418. They have not expressed then a desire that there should be a more searching examination? No.
9419. Have they ever asked you not to be too exacting? I have found them asking me why I refused a man, as if they would have preferred that he should have been passed.
9420. You have not made occupation a bar to admission? I have not, but I have recommended Societies to consider whether they would admit a man who was a mason, which is an unhealthy employment, and they have admitted him.
9421. Plumbers and painters are generally unhealthy, are they not? Yes, but the Lodges would not be satisfied if we refused men on these grounds. I have found that Lodges preferred me to pass them.
9422. *Mr. Smith.*] If it was stated to the Commission that syphilis existed amongst members of the Friendly Societies to a very great extent, would that be a true statement? I do not think it exists to a great extent, but it does exist undoubtedly; I have two cases now under my care.
9423. Has your experience shown that it has been productive of a large amount of sickness amongst the families? No, I cannot say that it has been the cause of a large amount of sickness.
9424. Then in your opinion it would be confined to young men joining? I have had it occur in men who have been married for some years, but not to any large extent.
9425. What is your impression as to the moral effect of these Societies upon the members and their homes? I think they have a good effect.
9426. When contrasted with those who are not members? Yes, they are usually a more prudent set of men? It shows they must have some intention of providing for their families if they join these Societies.
9427. *Mr. Langley.*] In your experience, taking an equal number of persons outside a Friendly Society and those inside it, do you think syphilis exists any more amongst the members of Friendly Societies than it does outside? I do not.

Dr. Alfred Shewen sworn and examined:—

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9428. *President.*] You are a duly qualified medical practitioner? Yes.
9429. Registered under the New South Wales Medical Board? Yes.
9430. You are the medical officer of some Benefit Societies? Yes.
9431. How many? Five or six, I think.
9432. What is the gross number of members you have under your control? Between 200 and 250, I think.
9433. Have you had any previous experience in connection with Societies? I had [a few Societies in England for a short time only.
9434. Can you tell us what the mortality is here as compared with a like number of persons under your control at Home? I do not think I could give any accurate opinion on that point, as I had so few Societies in England, and for a short time only.
9435. What is the general mortality of the members of Societies under your care? I could not give you figures.
9436. Is their health good? It varies a good deal in different Societies.
9437. Is the death rate higher here than in the old country; that is, amongst members of these Societies? I had so little experience in England that I could not give any opinion. It is ten years since I was in England.
9438. What is the kind of examination that you put your candidates through before you pass them; is it a full and searching examination similar to that necessary in Insurance Offices? I do not go into so many particulars, such as the measurements of the chest, but, as a rule, the examination is, I consider, quite equal to that for life insurance.
9439. Have you had occasion to refuse many candidates? A good many.
9440. What would be the percentage of those you have refused? Not more than 1 or 2 per cent.
9441. And, as a rule, have you found the health of members of the Societies very good? The health of the members I have passed is very good.
9442. But those passed before you took charge? It varies very much in different Societies. Some Lodges are remarkably troublesome and unhealthy. The Lodges belonging to the Temperance Societies are a great trouble, and very unhealthy.
9443. How do you account for that? I think a great many of the members belonging to the Temperance Societies have been old drunkards.
9444. And it is principally arising from the fact that they were old drunkards? I think it is almost entirely the fact, if not entirely.
9445. Do you find a disposition amongst the members of the Societies you represent to be placed on the Sick Funds? Particularly with the women.
9446. They are anxious to be placed on the funds? Very much so.
9447. Do you find any attempt on their part to deceive the medical officer? Very much so. The greatest difficulty I have is to prevent imposition on the part of the Lodges I have consisting of the tectotalers.
9448. Do you think it a prudent thing to permit them to be members of more than one Society? I do not think a man should be allowed to receive the benefits from more than one Society.
9449. Do you find the better classes of people—I mean the wealthier classes—who are members participate in the medical and other benefits? Not to a large extent.
9450. Do you find many of them dispensing with the benefits? A considerable number do not partake of the benefits.
9451. They simply remain members to give countenance to the work, which they consider to be deserving of sympathy? So I presume.
9452. Have you heard of any officer or member making away with the funds? No, I have not.
9453. Have you ever heard of members on the Sick Funds having a difficulty in getting their pay? I have had one Lodge which has been unable to meet the demands upon it.
9454. What Lodge is that? The Princess Alice Division of Daughters of Temperance.
9455. Are they much in arrears, so far as you know? I do not know, but they have had to give members notice that they would be unable to pay them if they were placed on the funds.
9456. That is the only case that has come under your observation? That is all.

9457.

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9457. With reference to the payments made to medical officers of Societies, what do you consider sufficient to ensure due and proper attendance from the medical officer? Personally I care very little what I am paid; I should keep them in any case, as I look upon them as a stepping-stone to a practice.
9458. It is not a question of remuneration? Not with me; it is but a means to an end.
9459. And you expect to make that out of members of these Societies? I have done so.
9460. And I presume that most of the medical profession who have come here are glad to get Societies as a means of assisting them to make a practice here? A great many medical men come here with scarcely any funds, and are glad to get Benefit Societies to keep the pot boiling; they not only do that but keep it boiling in the future.
9461. Then if it has been stated by a medical man that he and the profession generally regarded Friendly Societies as a hindrance to the profession, and as a necessary evil, do you agree with such an opinion? Oh no, I do not.
9462. You do not look upon them in that light? No, not at all, though at the same time I think they are capable of a great deal of abuse, as a great many people belong to Societies who should not belong to them; they do so because it is a cheaper way of getting a doctor.
9463. But many of the working-classes by their own perseverance, and sobriety and industry, have made their way in the world, and have grown with the Society; have come to be better off, and have not left the Society, your remarks would not apply to them? Oh no, I have defended these. The Australian Union Benefit Society consists principally of men who started this way, and who now are largely wealthy men.
9464. Your remark would not apply to them? No, not at all.
9465. Do you favour the principle of the working-classes combining together in this way? Yes, decidedly.
9466. And you think it is good for the members themselves and society generally? Most decidedly.
9467. It encourages a spirit of self-reliance and thrift? Yes.
9468. And has it a good moral effect on the people? I think so, decidedly.
9469. Have you read our Act that governs our Societies? I did not know there was one.
9470. You know the amount of contributions paid by the members of different Societies? It varies from 1s. to 1s. 3d. I think.
9471. Do you think from your experience that that sum is sufficient to ensure due fulfilment of the obligations of the Societies? I believe 1s. 3d. is quite sufficient.
9472. I mean to put them on a sound financial basis? I think 1s. 3d. would do.
9473. What do you think would be a fair consideration for medical services? I think about £1 a head; I do not think a medical man would be paid under that.
9474. Would it be worth his attention? Yes, it is worth while for the experience gained, but if he looks upon it as a matter of pounds, shillings, and pence, I think £1 would be a fair consideration.
9475. You do not think it wise that medical officers should be changed frequently? It is rather a good thing sometimes.
9476. But do they not become acquainted with the constitution and habits of their patients? I do not think there is very much in that. It does not take five minutes for a good medical man to find out the constitution, although there is a popular delusion to that effect.
9477. You do not place much faith in that? None at all.
9478. With regard to the prescriptions you have prescribed, how have they been dispensed; to your satisfaction or otherwise? I have heard patients complain, but personally I have had no cause to complain.
9479. How are your patients supplied with their medicines, by chemists or from a dispensary? The largest Society I had was the Oddfellows, where they had their own dispensary.
9480. Which is the most satisfactory mode? The dispensary decidedly.
9481. You think so? Well, the most satisfactory plan is one that two Lodges, at my suggestion, have taken; they have the prescriptions dispensed at a regular charge, and the chemist takes off 33 per cent.
9482. Is that as satisfactory as having a dispensary? I think so—quite as satisfactory and quite as cheap; and members have told me that it does not cost a penny more than paying so much a year per head.
9483. But is it not important that the prescriptions should be faithfully dispensed? Certainly.
9484. Would you favour a general dispensary for Friendly Societies? I think it would probably answer best.
9485. Would it afford greater security to the members? I do not think so, if the payments to the chemist were sufficient.
9486. Is it not a fact that some chemists are taking the prescriptions for a very small sum? I do not know; I do not even know what the chemists of my own Lodges get.
9487. Have you any suggestions to make to the Commission in addition to your evidence already given? There is one point I feel strongly about—that is, when Lodges fall down in numbers below a certain point they should be compelled to unite with some other Lodge; they should not be allowed to go on dragging on a miserable existence. The Princess Alice Division has been haggling with another Branch as to whose name they should take. They are simply bankrupt, and yet they will not join another Lodge. I think that is a very important point.
9488. Anything else that strikes your mind? No, I do not remember anything at present.
9489. You do not remember any officer or member making away with any of the funds? No, I do not recollect a single case.
9490. Can you tell the Commission of any speciality in the sickness that has troubled the members differing from that outside your private practice? No.
9491. Is there more sickness amongst members than amongst your private patients? No, except amongst the Daughters of Temperance, as I have mentioned.
9492. *Mr. Abigail.*] I want to ask you if you can trace the sickness in the Societies you are attending directly to syphilis? Not a large amount, certainly.
9493. Half the sickness? Oh no.
9494. You could not state the percentage? No.
9495. Can you state if it is more than you meet in your general practice? I think not.
9496. In framing any new Friendly Societies Act, would you have a provision preventing Societies starting upon an inadequate basis? Most decidedly.
9497. You are opposed to Societies being permitted to start without being on a sound basis? Most decidedly.

9498. *Mr. Langley.*] Do you think any Societies started with contributions of 1s. 3d. a week would be sound? I know one Society that I do not think was sound, but I think the fault was mismanagement.
9499. But, with anything like proper management, you think a Society based on contributions of 1s. 3d. should be sound? I think so; we have proved it in town.
9500. *Mr. Gelding.*] You stated you recommended two Societies to which you were medical officer to join together and pay a private chemist, charging full rates and getting 33 per cent. cut off. Are you aware of the relative cost to those Societies and to those in connection with the Medical Institute of the Manchester Unity? I do not know what the cost of the Medical Institute is, but I believe the cost of the system I mentioned was slightly in their favour, compared with the sum Societies generally pay to the chemist.
9501. *President.*] You have nothing else to add? Nothing, sir.

Dr. A.
Shewen.
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The Commission then adjourned until Monday, 5 June.

MONDAY, 5 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Angus Cameron, Esq., M.P., sworn and examined:—

9502. *President.*] You are a Member of the Legislative Assembly? I am.
9503. And Chairman of Committees? Yes.
9504. What Society are you a member of? I have been a member for the last thirteen years of the Grand United Order of Oddfellows, but I do not know whether I am a member now or not, as I have not been there for some time.
9505. Have you held office? All the offices in my Lodge, and for two years I was Grand Master.
9506. You have always evinced a lively interest in connection with these Societies? I have.
9507. You are aware of the benefits given by the various Friendly Societies to their members? Most of them; I could not accurately describe them all.
9508. The Society of which you were a member, you are aware of the funeral and sick benefits provided by their by-laws? Yes.
9509. What sum per week are the contributions? They have varied at times from 1s. to 14d.
9510. As a matter of opinion, do you think the sum paid is sufficient to secure the payment of all the benefits provided for by the Society? Yes, I think so. Perhaps the best answer would be that, during the whole of my experience of the Society and as far as I could learn, there never has been a case of repudiation.
9511. There has been no Branch of the Society failed for want of funds to meet its obligations? Not that I am aware of.
9512. None of them have dissolved in consequence of want of funds, as far as you know? I rather think there was one Lodge failed through the members falling off.
9513. Do you remember what the funeral donation is? It varies according to length of membership, from £10 up to £30 or £40, if you belong to the Widow and Orphan Fund.
9514. And the amount in case of the death of a member's wife? I think that goes as high as £25.
9515. And the sick pay is how much per week? £1 for the first six months; 15s. for the next six months, and a superannuation fee of 5s. as long as he remains ill.
9516. And there is also medical attendance and medicines for members, their wives and families? Yes.
9517. And you are of opinion that the sum paid is sufficient to pay all these benefits? I think so, with due regard of course to economy.
9518. Do you think any person at the age of (say) thirty-six could insure his life for (say) £40 at 1s. a week? I could not say.
9519. You are well acquainted with the present Act? Tolerably.
9520. Do you think its conditions are sufficient to ensure all the protection members of the various Friendly Societies require? I think not.
9521. How do you think it fails? During my tenure of office as Grand Master I found the whole of the Registrar's office seemed to be uninged. I think in June, 1877, in the Legislative Assembly, I moved for a return giving the number of Lodges in the different Societies, the number of members in each Lodge, and the whole of the particulars relative to the working of the Act that could be furnished by the Registrar, and were supposed to be furnished to him. That has never been produced, because of the inability of the Registrar to get the returns from the Lodges; that seems to be one of the difficulties that the majority of Friendly Societies are unable to cope with.
9522. Do you think the Act is thoroughly administered? No, I do not.
9523. Is there any other particular in which you think the Act might be amended? It is far too cumbrous and intricate; a much more simple measure would work more beneficially. These Societies which are formed by working men are unable to come up to the many petty requirements of the Act, which are not absolutely necessary for the protection of the Societies themselves.
9524. Do you favour a uniform or graduated scale of contributions? Well, I am rather in favour of a graduated scale.
9525. Making members pay according to their ages? According to their ages, the same as the entrance fees are now regulated.
9526. Has it struck you that candidates seeking admission into Societies have not received that medical examination they should receive? Very often.
9527. Are you aware that some trades and occupations are more injurious to life and health than others? I am.
9528. Would you make any distinction between these occupations and trades in persons seeking admission? I think I would.

A. Cameron,
Esq., M.P.
5 June, 1882.

- A. Cameron, Esq., M.P.
5 June, 1882.
9529. Would you do it by making them pay a larger contribution, or by lessening the benefits they should receive? I should imagine by the amount of contribution.
9530. Have you expressed a desire to be examined here? I never have.
9531. Have you anything to suggest to the Commission that might be of service in its recommendations? Not to any great extent. It has always struck me that the attempts made to assume a quasi-Masonic character necessitate, in the matter of regalia and books, a large expenditure which ought to be applied to the Sick and Funeral Funds. During the time that I had the management of the Order it was no uncommon thing for goods of a particular pattern to be made and shipped into the country, and then returned on our hands. Of course, as we had to pay for them, we were compelled to make the Lodges responsible to us, and this involved not only a useless waste of time, but an almost criminal waste of money.
9532. But was it not the practice of the Society to apportion a part of the funds for purposes of regalia? Oh yes; the money was voted by the Lodge as a lump sum.
9533. But the contributions are received for a specific purpose? I always understood so.
9534. To ensure the benefits? Quite so.
9535. And a portion has been voted for purposes foreign to that? If the purchase of regalia and books containing lessons for deciphering the pass-words are outside purposes, they certainly have.
9536. Would you be in favour of one general system of by-laws to govern the whole body of Friendly Societies, with reference to funeral gifts, sick pay and medical attendance, and all the different gifts provided for in a general code of rules? I am afraid, under existing circumstances, which characterize all the various organizations, it would be hardly practicable.
9537. Would it not simplify their working? Undoubtedly it would, if found practicable.
9538. You have nothing further to add? Nothing.
9539. *Mr. Gelding.*] What is your opinion about the Government appointing a special Department to look after the Friendly and Trade Societies of this Colony? I have not given the question a very great amount of consideration from that standpoint, but I would hardly see my way to be in favour of such a step.
9540. I presume you hold that the Friendly Societies relieve the Government very much of various expenses? Undoubtedly.
9541. Do not you think the Government might spend a little bit of money in properly looking after these Societies? I do, but I think it could be done without the appointment of a specific Department.
9542. Has there ever been a report submitted to Parliament during the existence of the present Registrar? Not to my knowledge.
9543. You have the idea that the Friendly Societies have virtually been allowed to do as they like? Pretty much I think.
9544. What is your opinion about arbitration; do you think it advisable after members have exhausted all the tribunals of their Lodges, Districts, and Orders, that they should be allowed to go to the District Court to try the cases there? It would be better if they could be settled by arbitration.
9545. I suppose you are firmly of opinion that a sliding scale would be a better system than what we have at the present time? It would be more equitable.
9546. You have seen the forms sent out by the present Registrar? Yes.
9547. Are you of opinion that the matter contained therein is sufficient to give the Government information respecting the workings of Friendly Societies? I could not say at this moment, as I have forgotten what the heads of information asked for are.
9548. You are not acquainted with the law in operation in Victoria, are you? No.
9549. *Mr. Stode.*] Have you taken the question of graduated contributions into consideration? I have not thought the matter out.
9550. Do you think a graduated contribution would be more advisable than a general fixed rate having regard to age? I think so.
9551. Do you consider the Act itself to be so faulty as its administration? I think the Act too intricate, and the administration of it by no means what it should be.
9552. Do you consider that if the returns as provided for by the Act had been compiled and were to hand, they would have furnished the information required by you in your motion before the House? I think not.
9553. Then do you consider the form in which the information is called for by the Registrar is faulty in not embracing the information you required? No, I cannot exactly say that. I think it is quite possible for the State to hamper the Societies too much by asking for too much petty detail.
9554. You think any attempt to make the management too intricate would result in possible injury? Yes.
9555. You think a simple short Act embracing a few fundamental principles is all that is necessary? Yes; the standpoint I would take would be that all the State has to do is so to legislate as to protect the individual members from being rogued in any way, as when it goes beyond that it has a tendency to hamper the freedom of the members themselves for good.
9556. Would you advocate any interference with the internal management of Societies from an actuarial point of view? If I did, it would be of a very limited character.
9557. Are you in favour of the appointment of a tribunal which would have the effect of preventing Societies from going to law? I would be glad to see all disputes referred to arbitration, and the Government might fairly be empowered to appoint a tribunal of two or three persons to act as arbitrators.
9558. In your experience of these Societies, have you found them as a rule honest and well-intentioned? Certainly, to a degree.
9559. And speculation and sharpening the exception, and not the rule? I never knew but one case, and I only know of that by report; it was before I became a member.
9560. What is your opinion of the health of members of these Societies? I think it is very good.
9561. Above or under the average? I could hardly answer that accurately.
9562. What is your opinion of the moral character of these people? Very high. It seems to me that the man who has the forethought to provide against a day of sickness and death has something to recommend him.
9563. In your experience of Friendly Societies, are you aware that the members are more prone to disease of a venereal kind than any other class of the community? Not that I know of, and I do not believe it.
9564. *Mr. Newland.*] You stated that the Society of which you are a member gave £1 a week sick pay for the first six months, 15s. for the following six months, and then 5s. as long as the member remained ill? Yes.
9565. Are you aware that the 5s. ceases after twelve months? I am not; if it is so, there must have been an alteration in the law since I took an active interest in the Society.

9566. Have you ever heard of a misapplication of the funds of the Society? No, except such as may be a matter of opinion; such as getting up a picnic, which I maintain is a misapplication, though others think not.
9567. Have you noticed any mismanagement in connection with their affairs? Yes, a great deal.
9568. In what way? That is a question that will require a rather lengthened answer. In my opinion the majority of our Friendly Societies suffer from over-government; there are too many distinct bodies with charges on them that might be done away with. First of all, a man belongs to his Lodge; there is a levy in some Lodges of 1s. a quarter, to go to the Funeral Fund, in addition to the usual weekly contribution. Then there is another body which dispenses this fund, called the District Committee, composed of delegates, who are paid for the evenings of their attendance. Over and above them is a body called the sub-committee of management, the members of which are also paid. It has thus often struck me that these Societies are suffering from over-legislation, and that much of the expense might be done away with by restraining their forces a little, but that is of course only my individual opinion.*
9569. Then you think they are mismanaged by having too many distinct bodies working under them? Not under them, but over them—too much administration. There is an Association in Sydney, I believe, composed of people of the German nation; they do not manage their business with any paraphernalia of regalia and so on. A member goes and pays his contribution; the Secretary sits there, and the man hands in his money and goes away, and there is no further expense.
9570. *Mr. Rubie.*] You stated that you had moved in the Legislative Assembly for certain returns through the Registrar of Friendly Societies, which you never got? That is true.
9571. Did you ascertain the reason? Yes; I waited on the Registrar and he told me that he was actually administering the Act with a loss of money to himself, that he could not get from the various Lodges or executive bodies the heads of information that I required.
9572. Considering that, do you not think it would be requisite to have somebody or some individual who would be looked up to as either Registrar or something of Friendly Societies, through whom all information might be furnished to the Government? I certainly do, but that is a different thing from forming a specific Department of Government.
9573. Would you be in favour of an Actuary or that the Registrar should be an Actuary, or that there should be a code of actuarial tables formed under the rate of which no Society should be registered? I think it would be a good thing if the Government took such action as would ensure to members that they were members of a financial organization.
9574. And that we should have some authority which would say "we will not register your Society, because your contributions are not sufficient"? Quite so. Many of the Societies are kept afloat by members coming and going. In the Daughters of Temperance, a Society which has done a great deal of good, young women have joined, and after being in a few years have married and gone away, and their contributions have gone into the general revenue.
9575. Then you think there should be some head? I think so, an officer under one of the responsible Ministers.
9576. And do you not think it would be requisite that the Registrar should have the power of sending an official auditor to inspect the books? That power might be vested in the Minister if any doubts arise as to his subordinate.
9577. But I mean in Lodges? Oh, certainly.
9578. A clause to that effect ought to be inserted giving the Registrar power to insist upon having the books examined? I think so, and I would guard that by insisting upon having a certain number of members to ask for it.
9579. Are you aware that in Victoria they have not only a Registrar but an Actuary? I am not aware of that, but I know they have a Registrar.
9580. Would you be in favour of such legislation here? Of any legislation that would place the Societies on a more solid footing than they now occupy.
9581. *Mr. Langley.*] I presume you are aware there is a Revising Barrister in Victoria, to whom all the regulations and by-laws are submitted? Yes.
9582. You stated that you were in favour of making the Friendly Societies Act of a less complex character than at present? I am.
9583. Do you think it would be sufficient if the financial portion of Friendly Societies' workings were laid down by law, and the details of the working were left to the Societies themselves? I certainly would not be in favour of legislating for matters of detail. The only duty the State has to perform is to see that members are protected from misappropriation and embezzlement.
9584. As to a Board of arbitration or reference, do you consider that it would be more advisable to have a Board composed of members of different Friendly Societies rather than a legal tribunal? I would be in favour of the appointment of men unconnected with the Societies at all.
9585. You spoke just now about Societies being of a quasi-Masonic character in the matter of regalia and so on; but suppose there may be Societies that can claim to have regalia of quite as long standing as the Masonic bodies, what would you do in that case? I would like to withdraw the expression, and say there is too much formality.
9586. Would you compel Societies who think it best to wear regalia to come under the Act, if they did not wish to come under it themselves? No, I would not attempt to legislate for anything so paltry as wearing regalia, but must express the opinion that it is a matter of taste and economy.
9587. Would you compel all Societies to come under the Act whether they wished it or not? Certainly those of a friendly character taking funds to provide against sickness and death should come under the cognizance of the Government, as far as their financial affairs are concerned.
9588. *Mr. Holdsworth.*] I understand you that it would be sufficient for the Government to lay down certain first principles, so as to protect the Societies from wrong? I have already said so.
9589. And in reference to regalia, you are of opinion that it would be wise for Friendly Societies to invest their money in a more profitable manner? Quite so.
9590. *Mr. Greville.*] You spoke of over-legislation as one of the defects which characterized the present Societies? I did.
9591. Does that exhibit itself in unnecessary laws being passed, or in unnecessary expenditure of the funds? Most assuredly in the latter.

A. Cameron
Esq., M.P.
5 June, 1882.

9592.

* NOTE (on revision):—This answer, of course, applies only to the Society with which I have been connected. I cannot speak so positively with regard to others, although I believe the evil of over-government to be pretty general.

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9592. You spoke as if there were other defects, but only mentioned that one? Well, there are incidental defects springing from this, such as a conflict of opinion between the governing bodies and the passing of by-laws conflicting with one another.
9593. I gather that you consider that anything which concerns the financial position of these Societies comes properly under the cognizance of the Government? I think so.
9594. Then if so, should there not be an actuarial basis on which these Societies should be framed? I think I have already expressed an opinion tantamount to that.
9595. You admit that if the tables are not scientifically based the Society itself cannot work well? I have already admitted that.
9596. *Mr. Abigail.*] I understand that you would not describe the enforcing of the annual returns as a matter of detail,—you would enforce them? I think so.
9597. And properly audited accounts? Yes.
9598. And a scale of fees certified to as sound? I presume that would come under the head of the actuarial investigation alluded to by Mr. Greville at the starting of a Society.
9599. You have no doubt of the moral advantage accruing to members by joining Societies of this kind? None whatever—I think very highly indeed of them.
9600. Are you of opinion it is an immense saving to the State? Undoubtedly.
9601. Has it ever come under your notice that a good deal of loafing takes place? I have met occasional instances of it, but they are very few and far between.
9602. Such cases are exceptional? Very exceptional indeed.
9603. Do you think the working-classes have a widespread doubt as to the financial status of the Societies? No, I think the security they now possess arises from the fact that we very seldom hear of any cases of repudiation of a just claim. There may have been cases where members thought themselves hardly dealt with, but I have never heard of one clear case of repudiation.
9604. Have you gone into figures to know at what rate funds should accumulate in Societies with the accumulation of the ages of members? No.
9605. Have you any doubt that as age increases the liability increases? I have no doubt of it, though it is counterbalanced to some extent by the admission of young members.
9606. Do you favour the present system of the Registrar of Societies having no salary attached to his position? I do not; you never get things done unless you pay for them.
9607. You think he should have a salary and that the fees should not go into his pocket? I think he should have a salary without fees.
9608. *President.*] You have nothing further to add? No.
9609. *Mr. Gelding.*] Speaking about regalia, are you not aware that, with the exception of two or three suits provided for the officers of Lodges, the regalia is paid for by members themselves? Not in the Order to which I belong.
9610. Are they obliged to wear regalia? No, not obliged, but a motion has been passed in the Lodge of which I am a member, that every member shall wear a scarf according to his rank as he goes in; and the country Lodges have thus spent a good deal of money.
9611. Then your answers were simply applicable to Lodges like your own? Undoubtedly.
9612. Do you not think, considering the great saving Friendly Societies are to the Government, they should have their rules registered free of charge? It struck me at the time the questions were asked; I think the fees should be reduced to a minimum if not altogether abolished.

Mr. William Walker sworn and examined :—

- Mr. W. Walker.
5 June, 1882.
9613. *President.*] What Society do you represent? I am Past Grand Master of the Protestant Alliance of Australasia.
9614. What office do you hold now? Past Grand Master.
9615. How long is it since you held the office? I was elected in 1879 and 1880.
9616. You are still a member of the Society? Yes.
9617. Have you expressed a wish to be examined here? Yes.
9618. On what point? That the registered laws are not being acted up to.
9619. Will you describe how? The laws distinctly state we should divide the Order into Districts; I did so, and got the opinion of the Registrar that this division was the only legal and binding one, and they denied it all.
9620. Has there been any misappropriation of money? Yes, several of them.
9621. But we must have some specific statement made? The first was when I was first elected, and was by the Grand Secretary, about £276.
9622. What was the Grand Secretary's name? John Bibb.
9623. Is he still employed in the public service? Yes, and the Society got all the money.
9624. He made the amount good? As far as we found out then.
9625. Have there been any discrepancies in the amounts since? I think so, but they refused to go by the laws and go over the accounts with me.
9626. You are speaking of the Grand Lodge officers? Yes.
9627. What action was taken by the Grand Lodge to compel Mr. Bibb to disgorge this money? I think we sent him a lawyer's letter and gave him notice that we should take criminal proceedings, and we got it in three or four different payments.
9628. Did you have any difficulty in the inquiry? The Auditors had to go through the books again. I saw that the balance-sheet could not be correct, as it stated that the amount due by Lodges to the Grand Lodge was £530, which was impossible (Report of Annual Meeting, March 5, 1879).
9629. You knew that amount must be wrong? Yes, or three-fourths of the Lodges must be unfinancial; so we had the Auditors go through the books again.
9630. And what was the result of that inquiry? That about £276 was wrong.
9631. And was that amount refunded by Mr. Bibb? Yes.
9632. Were there any other defalcations in connection with the Grand Lodge or private Lodges? Several in the private Lodges. 9633.

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9633. Can you name any of them? Well, in No. 25 I heard say their Secretary was wrong; I went and saw that the ledger was kept in pencil.
9634. During the time you were a Grand Lodge officer a communication was made to you that the Secretary of No. 25 had embezzled some of its money? Yes.
9635. And you paid several visits and found he kept the ledger in pencil? Yes.
9636. Do you know what the amount was? From memory I think I have heard them say something over £150; but I also heard it was nearly £300; but they discovered £150, I think.
9637. Was that money made good? Not that I have heard of.
9638. What action was taken by the Grand or subordinate Lodge to compel him to pay? The Grand Lodge did not interfere; I was there once or twice; one man brought up his book, which stated he had paid a guinea, and he had put it down 10s.; the Secretary paid the 11s. at once; the lawyers advised them not to go to law, as the books were kept so badly.
9639. Is there any other Lodge you know of? I think there were several Lodges which did not come under my notice.
9640. Do you know where the officers reside who it is alleged made away with these moneys? No, I could not; I heard one was in the Harbours and Rivers Department; the other one I believe is in Sydney, as I saw him the other day.
9641. What amount of funds have you to your credit now after all these peculations that have taken place? I looked for the balance-sheet this morning but could not find it? There is £4,398 in the Grand Lodge in the balance-sheet for 1881; the revenue for 1880 was £2,302 5s.
9642. And what was expended in that year? £1,398 10s. 5d., showing an accumulated cash balance of £2,999 15s. 1d.
9643. Now you wish to bring under the notice of the Commission something else, do you not? I take it that money paid in is the property of the members and has to be invested in accordance with the Friendly Societies Act, which in the 42nd clause is plain on the point that it shall not be in any joint stock company. Now we have had something over £1,000 invested for years without interest in this manner. The Grand Lodge has £279 in shares in the Hall, and the private Lodges have £1,257 invested in the same way, contrary to this clause.
9644. What action did you take under that clause—did you bring it under the notice of the Registrar? I am not aware that I did; I have consulted him, but have been told I must consult my solicitor.
9645. Have you objected to the investment of the money in this way? I always did; we were getting 6 per cent. some two years ago, and then it came down to 4 if I recollect right.
- The witness retired and the Commission deliberated.
- The examination of the witness was resumed.
9646. Will you read the answer you got to your objection to the Registrar in reference to the appropriation of money for Hall shares? I did not put that before him in writing, but simply said the laws were ignored. We ignore the whole of the registered laws.
9647. Have you anything further to add? Well, if you do not go into the question that we totally ignore the laws, I can have nothing further to do with the Commission.
9648. Have you anything to suggest to the Commission that might be of service in any future legislation? I do not think there is sufficient care taken in appointing Secretaries and Treasurers, and that has led to the accounts being in a disordered state.
9649. Do you approve of the present system of auditing the accounts? No, I do not.
9650. Do you think it would be a wise thing for the Government to appoint a professional Auditor? I think so, and have suggested that there should be a permanent head to the Friendly Societies. The laws are being ignored, and the Registrar says he cannot interfere.
9651. I suppose you have looked through the Act and see he has not much power, and that the Act is defective? Well, he says the laws are in accordance with the law.
9652. That is not an answer to my question—have you observed that the Act is defective? Not in any particular; it goes into the main points.
9653. And do you think the Act in its present shape is sufficient for the good government of Friendly Societies? Oh no.
9654. Have you any suggestions to make? I have just to state distinctly that the registered laws of the Society should be adhered to in every particular.
9655. *Mr. Smith.*] In the several matters you have brought before the Registrar, did you make any specific charge of misapplication of the funds? No, I went into the laws.
9656. But did you point out specifically the particulars in which the laws had been disregarded? No, I do not think so.
9657. Then you simply applied to him for an interpretation of the law? I asked what steps should be taken if the laws were disregarded, and he said he could not interfere—I must consult my solicitor.
9658. You have placed no specific charge before the Registrar? No.
9659. What year were you Grand Master? 1879 and 1880.
9660. What year did the Lodges begin to invest their funds in shares? Years before that.
9661. *Mr. Abigail.*] Were you a member when they commenced? I think so.
9662. When you were Grand Master did you point out that they were acting contrary to law? I think I did many a time, because the reply made was that they had already taken legal advice on it.
9663. While you were Grand Master did you not have to sign cheques for the payment of any moneys? Not for Protestant Hall shares.
9664. But did you not have to sign all cheques for disbursements? Yes.
9665. Did you refuse to sign any cheques? I never recollect doing it.
9666. If a cheque was produced with your signature? I would be satisfied.
9667. But you are satisfied you protested? Yes.
9668. Are you a member of Grand Lodge now? According to law I am.
9669. Do you hold the position and take your place at their meetings? I do not go to them.
9670. Were you deposed from your position? I was, illegally.
9671. By vote of the Grand Lodge? No.
9672. How then? By a band drawn together.
9673. Is there any record on the minutes? Yes, I have it here.

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9674. You have never attended any of their meetings since? Oh yes.
9675. And taken part in the proceedings? I do not know; I was at the annual meeting before last.
9676. In the matter of the misappropriation you referred to, where the amount was some £270, was the man mentioned charged with misappropriating the funds? I think so; he was to execute a mortgage.
9677. As an officer of the Order, when you became cognizant of this misappropriation you suppressed it? All the members knew it.
9678. You suppressed it from your reports? Yes.
9679. So you were a party to the suppression of a felony? The law says if he does not pay, it is a felony; but if he does pay, there is an end to it.
9680. Where does the law say that? It is rule 182 of our Society's rules.
9681. And you acted upon that law? Yes.
9682. And he refunded the money? In one instance; there were several other acts.
9683. By the same man? I did not say that.
9684. Several other cases? Yes.
9685. Can you supply the Commission with the names of the parties? Some Lodges at the outsides of the town I know.
9686. Are they of recent date? May be a year.
9687. And have you taken any action to bring them under anybody's notice? Most decidedly not.
9688. Why? Because I wanted to see whether these were the laws, and now I am told they are not the laws.
9689. But must that not be in opposition to all laws? Well if they do not pay after we have called upon them to do so. He asked for time and we gave it to him.
9690. Is this act you are now taking the result of any personal feeling? Not that I know of; I laid it before the Registrar in February, 1881.
9691. When were you deposed from your office? In September, 1880.
9692. The President of your Society when under examination referred to a previous President who had been suspended, and said the cause of the suspension was drunkenness (*question 4873*); does that refer to you? No.
9693. Has there been any other President suspended? No, not that I am aware of.
9694. And did the Executive take any proceedings against you for the recovery of property? Yes.
9695. And they succeeded, did they not? Yes, but they did not get the collar; I refused to give the collar up.
9696. Then you acted in opposition to the order of the Court? No, I paid the money.
9697. You paid the value of the collar? Yes.
9698. Then they virtually did succeed? Yes; they swore it was their property.
9699. Is there any portion of the Act which prohibits Lodges investing their funds? Yes, clause 42.
9700. Does that do so? Yes, in joint stock companies.
9701. And with the knowledge that the Society was doing an illegal act, you did not bring it specifically under the notice of the Registrar by laying a charge against them? I told him the laws were totally ignored.
9702. Did you tell him they had invested their funds in opposition to the Friendly Societies Act? I could not say whether I did or not, but I believe I did.
9703. *Mr. Greville.*] You spoke of a deficiency of £276 in the accounts of a certain Secretary? Yes.
9704. Were you the first to point out that deficiency? I said when we were at Newcastle that I would stake my existence that the balance-sheet was not correct.
9705. At the time you pointed it out had the balance-sheet been examined, submitted to the members, and generally received? No, it was submitted to the Auditors and signed by them.
9706. At the time you pointed out the error had it been audited? Yes.
9707. Submitted to the Council? Yes.
9708. And to the members generally? Oh no.
9709. But submitted to the Council and received as correct? Yes.
9710. And issued to the members as correct? Yes.
9711. What steps were taken by the Council when you pointed out the error? We did nothing at all. We came back to Sydney, when the Executive took it in hand; we had the books re-audited, and went through all these balance-sheets and found this deficiency.
9712. Then the audit for practical purposes was worse than useless? Yes, of course; it was not worth a half-penny.
9713. Were the Auditors paid for the audit? Yes.
9714. Can you tell what they were paid? £2 2s.; £1 1s. each.
9715. Were they members of the Society or independent of it? Members of the Society.
9716. Has it come to your knowledge that other audits have been performed in an equally neglectful manner? Yes, in connection with subordinate Lodges.
9717. Do you draw from that the deduction that the men who generally audit these accounts do it in an insufficient or a neglectful manner? They are not competent.
9718. Under these circumstances, do you not consider it would be right for the Government themselves to have these accounts audited? Yes.
9719. You spoke of another instance, Lodge No. 25, in which there was a deficiency of from £150 to £300? I heard so in the Lodge.
9720. Did it come under your own notice that the entries in the ledger were written in pencil? Yes.
9721. And were they in pencil at the time the Auditors examined the accounts? They never examined that book. He never brought to light the rough waste-book, or we could have perceived the receipts each evening.
9722. You say that the Auditors did not examine the ledger? In that particular Lodge—they stated so to me.
9723. When did they state so to you? In the Lodge, in my presence.
9724. At the time you examined the ledger, was that after the audit had taken place? Yes.
9725. In that instance also were the Auditors paid? I should think so.
9726. Is it within your knowledge that either of the Auditors who signed the balance-sheets has been again employed

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- employed by the Society? No, I think not; fresh Auditors were elected; they were employed at the special audit.
9727. Do you think the manner in which these audits have taken place is a sample of the manner in which the accounts generally are audited? In nine cases out of ten. When I was Grand Master I used to visit many of the Lodges, and always had a look at the books; many of the Secretaries are totally unfit and the Auditors are the same, but there is pay attached to it.
9728. You complain that there has been an unlawful investment of the funds of the Order generally; when that investment took place did you raise any objection to it? No, I was not in the Grand Council when it first took place.
9729. Did you raise your voice against it at the time the investment was made? I did in the subordinate Lodge.
9730. But you were not a member of the Council? No, I do not think so, but I was a member of the Order.
9731. To whom was your protest given? It was given in several of the Lodges I visited.
9732. Will you state, as shortly as you can, where the investment transgresses the law? Because it is a joint-stock company.
9733. Then it was on that ground you protested? Yes.
9734. Are you aware that before the Lodges invested their money that way they took a legal opinion as to the propriety of it? No.
9735. Have you ever heard that such was the case? When I mentioned it in Grand Council I was met by the assertion that advice had been taken.
9736. And that they were justified in so investing their funds? So they said.
9737. Did you hear the name of the counsel who gave the opinion; do you know who was stated to have taken the opinion? No.
9738. But the opinion was taken by whom? I think the Trustees said they had done so.
9739. Then if that be correct, the Trustees acted under legal advice in doing that? Yes, if that be correct.
9740. *Mr. Holdsworth.*] If a wrong is done in your Society, is not some provision made to remedy that wrong? Yes.
9741. Did you adopt that course? I did in reference to the case of the Grand Secretary.
9742. *Mr. Rubie.*] You say that the whole of your rules are ignored? Yes.
9743. By whom? By the Executive.
9744. Your Society was formed as a Benefit Society? Yes.
9745. Do they not carry out the benefits? Not according to law.
9746. What particular law do they violate? It says the money shall be divided *pro rata* for the Funeral Fund, and each District shall take its own. That is not done.
9747. Is there any means of moving the members by a meeting? I took Mr. Darley's opinion once.
9748. But I mean in your own Society, cannot the members be called together to protest against it? They do not interfere—they think it useless.
9749. Then at that rate members must be aware of the fact and agree to it? No, that is not a fair conclusion.
9750. Is there any means of the general body moving its officers, supposing they violate the rules? The general body could dismiss them, but they are scattered all over the country, and you could not get them here.
9751. You have a great number of Lodges in Sydney, have you not? Yes.
9752. Could they not do the work? It would not be a meeting of the Society. Some years ago we called a meeting, and there was like a ministerial side and an opposition side, and three or four of us went to expense. Mr. Brown laid the case before Mr. Darley; and it cost me £6 8s. 6d., and I was not inclined to do any more.
9753. But this alleged misappropriation of funds, was that legal of the governing body? I think not.
9754. Your officers were in charge of this great amount of money for a certain purpose? I think so.
9755. And it was not till years afterwards it was found out? Oh yes, a great number of us have been kicking up a noise about it for years.
9756. But was it done by consent of the majority of members? Oh no.
9757. Then the Grand Council did it on their own account? I think the Executive did it.
9758. Have they not the means of calling in the money or disposing of it? I heard one of our Lodges had twenty shares, and all that was offered was £5 for them.
9759. The fact is that a loan was granted by the former members of the executive body? Not a loan.
9760. The present members disagree with them? A great number do because there is no return.
9761. But as it was done by their own officers, and there was no protest, it is one of those matters that must be taken for better or worse? I do not see it.
9762. *Mr. Newland.*] There are general meetings held every year? Yes.
9763. Is it not in the province of any Lodge to bring any business forward at these meetings? Yes.
9764. Have you ever moved your Lodge to bring this matter before the annual meeting of members—this misapplication of Lodge Funds? We called a monster meeting, and it ended so noisily that we went no further.
9765. Did you ever cause a notice of motion to be sent to consider this question? I cannot say, but I know it was carried in our Lodge that it was illegal, and advising the members to take it up.
9766. Has it ever been brought before the Executive? I have often mentioned it myself, and the reply was that they had taken advice on the matter.
9767. What position did you hold on the Executive? Grand Master.
9768. And by virtue of your office you could bring this forward? Yes.
9769. Is it in the province of the Grand Master to sign cheques? Yes.
9770. And you refused to sign a cheque? I did once, but I do not remember what for.
9771. No money was used for this purpose while you were Grand Master? Not that I am aware of.
9772. *Mr. Slade.*] Did any of the officers ever take action in the Courts by proceeding against the Trustees about these investments? No.
9773. Did it ever occur to you that the Friendly Societies Act gave every member the right to proceed against the Trustees in a matter like that? I was not aware of that, but how many of them could give the time and expense?

- Mr. W. Walker.
5 June, 1882.
9774. Are you not aware that the Act says any member of a Society may proceed against the Trustees? I dare say it does.
9775. The 42nd clause decides how the money may be invested? Yes.
9776. And could not any member have proceeded against the Trustees for investing in any other way than that there described? I think so.
9777. You say that one of the officers who misappropriated the money entered into a book (say) only half the amount received, and when discovered threw the balance on the table, and it was accepted? No, one night when I was in No. 25, I found the funds did not agree with the card of one of the members, and he gave the balance up.
9778. *Mr. Gelding.*] Have you a Lodge at Waverley? Yes.
9779. Were you at the opening of that Lodge? I do not think so.
9780. You are not aware that the first batch of members admitted underwent no medical examination? I am not aware of it.

The Commission then adjourned till Friday, 9 June.

FRIDAY, 9 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

[Prior to the arrival of the President the Chair was taken by Mr. Abigail, who is designated "Chairman."]

Mr. Alfred John Pinel sworn and examined:—

- Mr. A. J. Pinel.
5 June, 1882.
9781. *Chairman.*] What Society do you represent? Court Friendship Royal Foresters.
9782. What number of members have you? Nineteen.
9783. Have you had a larger number? There were some years ago about 120.
9784. Can you give us any reason why it is reduced to such a small number as nineteen? I am a new member, and cannot give the reason.
9785. Are you connected with a District? Yes, we are connected with the supreme Court.
9786. How much funds have you? None; we are just dissolving; it is our last meeting-night next meeting.
9787. You are going to dissolve your Society and join other branch Courts? Yes, by clearances.
9788. Can you tell us if any of your members entitled to benefits have failed to get them for any time past? Not that I know of. All members clear on the books, if anything happens to them it is the supreme Court which has to pay.
9789. But what about sickness? We have to pay that.
9790. How do you pay that? We had funds till about a fortnight ago, but if we lose our funds the supreme Court is supposed to pay the loss.
9791. Have you had any serious drain by way of sickness? Yes, we have lately had three at a time.
9792. What amount of contribution do you pay? 1s. a week, and 1d. for the Widow and Orphan Fund.
9793. Does your experience go to prove that 1s. a week has been enough to carry on the operations of your Society? It has till this last meeting or two.
9794. But the sickness you speak of has consumed the whole of your funds, surplus and all, and left you without any means? Yes.
9795. Have you any knowledge of a case in connection with your Court where a member died, and the widow being entitled to a funeral donation, failed to get it? No.
9796. John Cox was the name? In my books going back to 1876 there is no such name.
9797. Is there any at an earlier date? No, not in my books.
9798. But in any case I understand you to say that the Court would not be responsible for funeral donations? No, it is the District. We pay 2s. a quarter to the District for the funeral donation.
9799. What is the name of the District Secretary? Mr. Hampton.
9800. I suppose if such a case had occurred he could give the particulars? Yes, he would be the best person to go to.
9801. To what do you attribute the falling off in your Court from 120 to nineteen members? It was before I went into the Court they began to fall off.
9802. How long have you been a member? Three years.
9803. Have you studied the Friendly Societies Act? No.
9804. You are not in a position then to offer any opinion as to whether it answers the purposes for which it was passed or not? So far as I know I think it does, but it is a wrong idea to have small Courts with twenty or thirty members. Courts with fifty or sixty members can manage. That is the great fault of the Societies.
9805. Then in your opinion small Courts or Lodges cannot carry on satisfactorily and make due provision for the liabilities? It is impossible; there are too many expenses attached to them.
9806. What is the particular expense attached to the working of small Lodges? Rent, stationery, and quarterage to the supreme Court, Sick Fund, and doctor's fees.
9807. What have you been in the habit of paying the doctor? 4s. a member a quarter.
9808. And what do you pay the chemist? 3s.
9809. In your experience, has that amount of money gained to the members efficient medical attendance and good medicines? Yes, so far as I know; we have a good doctor and a good chemist.
9810. Who is the doctor? Dr. Belgrave.

9811.

9811. Have you had any cases where any of your members have been sponging on the funds of your Society, by making themselves appear sick when they are not so? No.

9812. You have had no complaints of the quality of the medicines? No, not so far as I am aware.

9813. Have you known any cases in connection with your Society or any other where misappropriation of the funds has taken place by any of the officers? No.

9814. Have you had any disputes in connection with your Society among the members? No, not since I belonged to the Society.

9815. And so far as this case of Cox's is concerned you can give no information? None whatever.

9816. *Mr. Newland.*] Has the Court any other books besides those you have? I have not got them in my possession.

9817. Are they in possession of the Lodge? I could not say.

9818. *Chairman.*] How is it the books are not in your possession? I have them since 1876.

9819. *Mr. Newland.*] How long has the Court been established? I could not say.

9820. *Mr. Gelding.*] You have stated to the President that you think Is. a week is sufficient. On what principle do you base that assertion, considering that your Lodge has not a penny to its good? Is. a week is plenty if there is a membership of fifty or sixty, but not in a small Lodge.

9821. To what do you attribute the dissolution of your Lodge? Because we have been unable to carry on, and several members have left and gone bad on the books.

9822. *Chairman.*] Do not the books disclose the addresses of the members? Yes, but they have left.

9823. And altogether the Court is in a thoroughly disorganized state? Yes.

9824. *Mr. Gelding.*] Brought about by the fact of members leaving and no new ones joining? Yes.

9825. Will the Grand Court grant clearances? They will.

9826. Free of cost? No; we have half-a-crown to pay I believe.

9827. Where is your Lodge held? At the Protestant Hall.

9828. What rent do you pay? 3s. a meeting night.

9829. *Chairman.*] To what do you attribute the want of attention on the part of the members? Some of the members would not bring new members in, they happening to be Roman Catholics, because the meetings were held in the Protestant Hall; they would rather be seen coming out of somewhere else than the Protestant Hall.

9830. The feeling was against the building and not the Society? Yes.

9831. Do I understand that the supreme Court will grant clearances to members irrespective of their ages, and that it is compulsory on other Courts to accept these members no matter how old they may be? The supreme Court is bound to take care of them.

9832. So the members can be at no loss? None at all; if they are sick the supreme Court is bound to take them.

Mr. Edward William Parsonage sworn and examined:—

9833. *Chairman.*] What Society do you represent? The Independent Order of Oddfellows, Miller's Point Lodge.

9834. What position do you hold? Secretary.

9835. What number of members have you? By the last returns, forty-five financial and nine unfinancial.

9836. How long have you held the position of Secretary? I think about eighteen months.

9837. How long has the Lodge been established? Since January, 1879.

9838. What amount of funds have you now? At the end of the year £112 5s. 4d.

9839. And what benefits do you give? Sick benefits, £1 a week; funeral benefits for males, £20, and females, £10.

9840. No benefits for children? None.

9841. And how is the Society managed? There are officers called the Noble Grand, Vice-Grand, Treasurer, and Secretary, with other subordinate offices.

9842. You have received a return to fill up? Yes.

9843. Has it come to your knowledge that any one of the officers of your Society has made away with any of the funds? No, no further than our Treasurer had a certain amount of money in hand that he could not pay when called upon. But the Society had a guarantee bond for nearly twice the amount, so we did not lose anything.

9844. But nevertheless the Treasurer did abscond —? No, he did not abscond; when called upon he could not give the money. He made a statement that when shifting he had lost some £20 out of his pocket.

9845. What was the amount he was found short? £36 odd.

9846. Did he give any explanation as to the other £16? No, not that I could say.

9847. Then did the Society take any steps against him? We wrote to the Guarantee Society claiming the amount, and we were advised to try and get it out of him, to give him as much time as possible; they could have prosecuted him. The Lodge was not in any way at a loss.

9848. Did you call upon him to pay the amount? I believe the Trustees did.

9849. Did he do so? No.

9850. Has he done so yet? Not the whole, he has paid £25 odd.

9851. Then you received the whole amount from the Guarantee Society? We have not done so yet, but can whenever we call upon them.

9852. Did you take any legal steps to compel this man to pay the amount, or to punish him for misusing the funds of the Society? No, we did not; we wrote to the Guarantee Society telling them this money was deficient, and we had an interview with the Society, who said they would like to get out of him as much as possible without prosecuting him.

9853. They were not particular about compounding a felony so long as they got the money? I cannot say.

9854. They did not urge criminal proceedings? No.

9855. They advised you to get as much out of him as you could, and to take no steps? They advised us to get as much money as we could without taking proceedings.

9856. Is this man still a member of your Society? Still a member, but is unfinancial.

9857. But he is still a member of the Lodge? Yes.

9858. You have taken no steps to expel him in any way whatever? No.

9859.

Mr.
A. J. Pindel.

June, 1882.

Mr. E. W.
Parsonage.

June, 1882.

- Mr. E. W. Parsonage. 9859. Have you studied the Friendly Societies Act? No, I have not; in fact I have not got a copy.
9860. In your experience as Secretary of your Society, have you anything to suggest in the framing of a new Act for the general benefit of Friendly Societies? There is only one thing I should like to see done, and that is that some uniform method could be adopted of keeping the books of Societies, as members are now elected into an office and do not know how to proceed with keeping the books, and they are left in the state their predecessor had left them, and they cannot work them up. I should like to see some idea get about that Lodges could have some system of keeping the books.
9861. That the Government should adopt a form of book for all Societies? Yes, I think so, because when Secretaries are appointed for only six months there may be a number of different ways of keeping the books.
9862. You find that the fact of different men keeping the books in different manners brings about a jumble in the end? Yes.
9863. Do you find the balance-sheets and audits are generally satisfactory? Yes.
9864. Would you favour Government supervision in the way of an examiner of the accounts of Friendly Societies? I would have no objection to it.
9865. Do you think it would be an advantage to have a competent man? Yes, I do.
9866. Would you be in favour of a provision in any new Act that no Society should be permitted to start without an actuarially based system of contributions; that is, an amount fixed by calculation that would render the Societies positively sound for any given time? Yes, I would.
9867. Mr. Langley.] Has your Lodge received from the party who was a defaulter any security for the money due to you? Yes.
9868. In what shape? A promissory note was given for the amount, indorsed by a gentleman of good position in Sydney.
9869. Then that covers the whole of the deficiency? Yes.
9870. If a statement has been made that any other portion of your funds has been made away with, is it true? No.
9871. Have not the whole of the funds been made good? Yes.
9872. Mr. Rubie.] Will that member be kept or expelled? If he does not meet his contribution by the end of the next quarter he will by the constitution fall out, being over twelve months in arrears.
9873. Then by the fact of his paying back this money you have condoned the offence of his keeping it? We have not done anything in regard to the member one way or another.
9874. You have not tried him in any way? No.
9875. Was it found out at the annual audit? Yes.
9876. Was it discovered then how long it was since he was a defaulter? It was not many weeks, I think.
9877. Mr. Newland.] Am I to understand that the Society had a guarantee from a Guarantee Society? Yes.
9878. How was it they did not pay the amount? They would have paid the amount had we compelled them, but of course the Lodge wished to try and help them as much as possible to get the money out of the Treasurer, and they were still protected, and could force them at any time to pay the full amount.
9879. Would compulsion have been necessary? No, I do not suppose it would if we had called upon them to pay the amount.
9880. Were they ever called upon to pay it? No.
9881. President.] What was the name of this defaulting member? J. J. Horan.
9882. What action did you take to recover the money? We informed the Society that this amount was deficient, and a deputation waited on them about it, and they advised us to assist them in getting the money without taking legal proceedings.
9883. But did the Society hold any investigation themselves? The members of the Lodge did so.
9884. In open Lodge? I believe so, but would not be positive about it.
9885. You were not present at any investigation? Not that I remember.
9886. This is the only case of defalcation you know of? Yes.
9887. Do you take a guarantee from all your officers? From the Secretary and Treasurer of £50 each.
9888. There has been no complaint in reference to the nonpayment of sick pay? No, none whatever.
9889. Has the medical officer been paid regularly? Yes.
9890. No complaint on his part? It may not have been paid at the time, the accounts being held over to be audited.
9891. How often do you have an audit? Every six months.
9892. Then you do not pay the accounts until after they have been audited at the end of six months? The Finance Committee pass the accounts every quarter.
9893. Do you think a half-yearly audit is a sufficient security to the Society and its members? I think quarterly audits would be better.
9894. In reference to the defaulting member, did the members accept the excuse of the loss of money? They had to accept it—they could not do much else. They knew he had been moving, and his explanation was that he had this money in his hip pocket and had lost it.
9895. Did the members believe that statement? I think there were some doubtful about it.
9896. But they accepted it? Yes, they had to make the best of a bad job.
9897. Do you consider your Society in a sound financial state? Yes.
9898. Able to meet all its liabilities? Yes, this term we have been adding greatly to our numbers and finances too.
9899. What amount of money had you over and above all your charges last year? The accounts were paid up last year, and there was a balance to the credit of the Lodge of £112.
9900. You cannot tell the Commission that was over and above on last year's operations? No, I cannot.
9901. Still it was sufficient and left a balance? Yes.
9902. Have you anything to add to your evidence? I do not know of anything.
9903. Mr. Abigail.] Is the contribution you pay fixed by the advice of any actuary? I could not say; our Lodge was instituted by warrant from the Grand Lodge of Victoria, and the amount of contribution is fixed in the constitution.

Mr. John Smart sworn and examined:—

9904. *President.*] What Society do you belong to? The Independent Order of Oddfellows, No. 12, Abou Mr. J. Smart, Ben Adhen Lodge.
9905. You are the Secretary? Yes.
9906. How long have you held the office? Eleven months.
9907. What is the financial position of your Society? Pretty fair just now.
9908. What is the amount of funds to your credit? £153 16s. 9d.
9909. What is the number of members? Fifty-three financial at the present time.
9910. How long has the Lodge been established? Three years next August.
9911. What had you over and above your expenses and liabilities last year? £100 in the Bank.
9912. But what was the credit balance on the year? I forget the amount just now.
9913. You had a balance, had you? Yes.
9914. You do not know the amount? No, not the exact amount.
9915. But you brought forward £100? There was £136 altogether from the time we started till the end of last year.
9916. Have you had any of the officers or members making away with the funds? Yes; the la Secretary and Treasurer both.
9917. What were the names of these officers? Bernard Carroll, Treasurer; and William Anderson, Secretary.
9918. What was the amount of their defalcations? The Treasurer's, £34; the Secretary's we could not exactly get at, but it was something like £8 or £9.
9919. And what steps did you take to recover these sums of money? They went to the Secretary and Treasurer, and got £5 from the Secretary and £24 from the Treasurer, and a promissory note for £10 more backed by Mr. Barnett in the Post Office, but both went insolvent before the note became due.
9920. You took no steps to prosecute them? No; the Trustees went to the Guarantee Society, who advised them to try and get what they could from them, as if they took it in hand they would show them no mercy.
9921. Did the Guarantee Society make good the balance? No; we have not received any of it.
9922. Is it the intention of the Society to apply for the balance? I did not know that they ought to pay us.
9923. £24 you received from the Treasurer? Yes.
9924. Out of how much? £34. We have also received £3 7s. 6d. out of the insolvent estate of Mr. Barnett.
9925. You have not applied for the balance? No; I do not think we were aware that we could do so.
9926. Are you not aware that you could still recover from the Guarantee Office? I was not aware of it, and I think the members are under the impression they could not.
9927. Have you, in consequence of these defalcations, had any inconvenience arise in the management of your Society? None whatever.
9928. Has the medical officer been paid regularly? I think so.
9929. How long after his account is presented does payment take place? Not more than a few days.
9930. Do the members of your Society who are on the Sick Fund receive their pay regularly? Some of them, but some who were on when the late Secretary was in office did not; he received the money and put it in his own pocket, but they have had the money since.
9931. No cause of complaint has arisen in that way? Yes, we did not know that until this affair came out.
9932. How often are your accounts audited? Generally the balance-sheet every quarter; the regular audit is half-yearly.
9933. And was the discovery made by the Auditors? No, some of the members had the idea things were going wrong, and there was a special audit.
9934. Who were the special Auditors? Mr. Cannon the Grand Secretary and Mr. Perry.
9935. And was it from the audit that then took place that the disclosures were made? Yes.
9936. And you consider the Society in a good financial position? Yes, I think so.
9937. And able to meet all its liabilities? Yes.
9938. All your members are subject to a medical examination before admission? Yes.
9939. You understand the Act, I presume? I am not very well up in it.
9940. You have read it? I have read a little of it, but have not studied it.
9941. Have you found any inconvenience in your Society arising from any defect in the Act? No, I do not think so.
9942. Your benefits are similar to those of other Societies? Yes, but not so large as in some.
9943. What do you give? 20s. a week sick pay.
9944. And funeral donation? £20 for a man and £10 for a woman.
9945. A fixed sum? Yes.
9946. It is not graduated according to the length of membership? No.
9947. And doctor and chemist? Yes.
9948. What are your contributions? 1s. 3d. a week.
9949. Covering everything? Yes.
9950. Have you anything to suggest to the Commission that might be of some service in any future legislation? I do not know of anything at present.
9951. *Mr. Abigail.*] You say you have not read much of the Friendly Societies Act? No, I have not studied it.
9952. In clause 13 there is full provision made for the punishment of fraud in any of the members withholding the moneys, and any two Justices may commit them for three months in gaol. Have you any doubt that the two parties named come under that clause? I have no doubt of it.
9953. Did they come before the Lodge to answer those charges? The Treasurer appeared, but the Secretary did not.
9954. Did the Treasurer make any excuse? No; he said he had made away with the money to meet little things that he owed.
9955. Is he still a member? No, they were both expelled.

- Mr. J. Smart. 9956. When the Guarantee Society told you that if the matter was left to them they would prosecute to the utmost, did that exercise any influence in preventing the Lodge from taking steps? I do not know.
- 9 June, 1882. 9957. Did the Trustees refer the matter to the higher Executives of the Order for their opinion? I think there was something, and that they came to the conclusion that as the Treasurer had promised to make everything good and had given his promissory note they were satisfied to do it in that way.
9958. As a member of a Society, do you think it beneficial that officers misappropriating the funds should be let off in this way? No, I do not think so.
9959. You think it would have a salutary effect if they were punished? Yes, I think it would be better.
9960. In connection with your Society, have you had any cases of members defrauding the funds by living on them? Not that we have known of.
9961. Are your members generally satisfied with the medical attendance and medicines supplied? Yes, I believe so.
9962. In serious cases they go to the Lodge doctor? Yes.
9963. Who is the doctor? Dr. Warren.
9964. Mr. Holdsworth.] You took a certain sum of money and a promissory note representing the deficiency? Yes.
9965. And you looked on that as a settlement of the claim? Yes.
9966. You considered that when you took that you exonerated the Guarantee Society? I suppose that was the idea.
9967. What Guarantee Society is it? I do not know; Mr. Smith is the Manager.
9968. Mr. Langley.] You stated that you believed this matter was referred to the executive officers? I think there was something brought before them, but I am not sure.
9969. May I ask when? After the affair was found out I think it was.
9970. Are you sure of that? No; it was not referred to the Grand Lodge officers.
9971. When any doubt was thrown upon the integrity of these parties, did it come before the notice of the Grand Lodge officers? I think the Grand Master and Mr. Perry were the only persons who knew of it.
9972. What steps were taken when it was first brought before the notice of the Grand Master? I believe a special audit was ordered.
9973. And was any reference made back to him about the result? I could not say.
9974. Do you not think, after a special audit was thus ordered, it was the duty of the officers to report the result to the Grand Master? I am not very well up in the working of the Order, but I should think it would have been desirable.
9975. Are your officers at present under guarantees also? Yes.
9976. Mr. Rubie.] Does your Lodge intend to apply for the balance to the Guarantee Society? I do not know.
9977. Mr. Newland.] What do you pay your doctor? 16s. a year.
9978. What salary do you pay the Secretary? £10.
9979. And Treasurer? £2.
9980. President.] You have nothing further to add? Not that I am aware of.
9981. Who was the Grand Master at the time you referred these cases to him? Mr. Langley.
9982. Mr. Langley.] Were you a member of the Lodge when Mr. Audet was a member of it? No; he never was a member of that Lodge.

The Commission then adjourned till Monday, 12th June.

MONDAY, 12 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JAMES F. SMITH, Esq.,
FRANCIS ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
P. J. NEWLAND, Esq.,

JOHN SLADE, Esq.,
JOHN GELDING, Esq.,
E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.,

EDWARD GREVILLE, Esq.

Mr. William Harrison sworn and examined:—

- Mr. W. Harrison. 9983. Chairman.] You wish to give some evidence, I believe, Mr. Harrison? I am here because I want to give evidence in connection with the Protestant Alliance.
- 12 June, 1882. 9984. Are you still a member of that Society? I have not been for some time.
9985. To which Branch of the Protestant Alliance did you belong? Lodge No. 25, Young Australia.
9986. How long is it since you were a member? By my own desire I ceased to be a member about two and a half years ago; but the Society after that thought fit to institute proceedings against me in the Police Court, and recovered a verdict, for non-payment of dues, after my paying up and telling them that I should not be a member until I was satisfied about a certain matter; after that they put the bailiffs into the house.
9987. Did they recover the money? No.
9988. What then was done? There were no other proceedings.
9989. Did they take the bailiffs out? Yes.
9990. What was the amount? About £3 9s. I declined paying any further into the Society, and they sued me, after being one of its founders.
9991. Was it in consequence of any defalcations? Yes.
9992. In what way? I cannot give you any precise account. The books were never put into my hands. One evening the matter was brought before the meeting by the Secretary, who said it was a matter of two or three hundred pounds. They called upon the late Secretary for an explanation, which he refused to give, saying

Mr.
W. Harrison.
12 June, 1882.

saying he had not got the books. I insisted that there should be some satisfaction, as I found that there were some transactions unfit for a Friendly Society. One member said his money was not paid in according to the books; the Secretary threw down the money, and said he would pay it rather than make a bother. No doubt, if the member had died, the widow would not have had the benefit.

9993. Is that the only case? The past Secretary, Mr. Perry, would be able to give you further particulars on the matter.

9994. Was he the Secretary afterwards? He followed, and found out that some defalcations had taken place.

9995. Were those complaints investigated? By the Society, as far as my knowledge extended, at the meeting. I wished to know how it was, and the matter was to be put into the hands of a solicitor, but I fancy that the whole error was that the money was not found missing by the Trustees and the Auditors. I was informed that the Auditors took the books in pencil, and that the Secretary refused to give his pence-book up. Any man would know that was not right. Of course I protested, and I paid I think 16s. 6d., and said that until the matter was thoroughly settled I should not be a member any more.

9996. Are you aware that any inquiry was made? I am not. I was told that some notice was taken of it here. Some months ago I spoke of it to Mr. Farnell, and he told me if I wrote, the Commission would be glad to hear anything I had to say. My sole reason is that there should be safety, and that this should not happen again.

9997. Do the Trustees give any guarantee? I think there was a small bond given by the Secretary, but I do not think they came upon the bondsmen.

9998. Was there no guarantee from the Guarantee Office? I cannot exactly tell you.

9999. You are not aware whether there has been any subsequent inquiry since you left? Only from what I have heard.

10000. Is the Secretary you speak of still a member of your Society? I do not know.

10001. Do you remember his name? Yes.

10002. Have you any objection to give it? I would rather not, if it is not absolutely required of me. I am not in a position to say that the Secretary took the money; I only say that these defalcations took place, and they were discovered apparently by the Secretary, Mr. Perry.

10003. You are not prepared to say who made away with the money? Of course not.

10004. You say that as far as you know there was no inquiry made? Not up to the time I left.

10005. Not by the Lodge? I think they went to a solicitor. I thought they were bound to push the matter, seeing that there had been negligence. It is patent that if Trustees and Auditors take books in pencil there must be something wrong about it.

10006. Who were the Trustees? I do not know the names of all of them. I think Mr. Harie was one, but I am not quite sure.

10007. Do you claim to be a member of the Society now? I do not according to the rules. I think this matter of the books is worth the attention of the Commission. I was one of the founders of that Lodge. I had paid in for a number of years; they had had all my money and I had nothing, and at my age it is a disadvantage to take a man back. If I liked to leave, why should they not let me?

10008. Were there others left besides you? There were several.

10009. Was judgment obtained in any other cases? I think it was.

10010. Did you resign in writing? No, I told them the night I paid the 16s. 6d. that I should resign unless the matter was thoroughly settled.

10011. You regarded it a hardship to be subjected to those proceedings. Decidedly.

10012. More particularly after having intimated that you desired to cease to be a member? Yes, I told them it would be better for them to prosecute members who had robbed them, not members who did not wish to remain in the Society.

10013. Do you disapprove of the provision in the Friendly Societies Act giving power to sue? Yes; but if a man is a debtor then he might be sued.

10014. Do you disapprove of the present provision? Yes; I think it is quite against the friendly interest.

10015. I suppose you would favour the principle of a member twelve months in arrear being struck off? Most decidedly.

10016. *Mr. Smith.*] Was this matter of the defalcations cleared up before you left the Society? No; if it had been I should have gone on paying my contributions.

10017. Then you left the Society in consequence of that? Yes.

10018. Are you positive of the amount being about £200? No, I am not. I was told it was £200 or upwards.

10019. Was that at a meeting? Yes, at a Lodge meeting.

10020. Was a report brought up? I think a resolution was passed that the Trustees should go to a solicitor about the recovery of the money.

10021. How did the meeting become aware that there was £200 deficient? I think that the Secretary in going through the books found that the working expenses, the sick payments, had been much greater, and they had more in hand. He wondered how it occurred, and went through the books. In the pence-book and the Treasurer's book there were some payments in the one and not in the other.

10022. Then it was the Secretary or the Treasurer that discovered the defalcations? Yes.

10023. And he reported the matter to the Lodge? Yes.

10024. Did they insist upon a special audit? No, I think they simply gave instructions to the Trustees to get a solicitor. After finding on two occasions that no steps were taken, I paid up, and objected to have any further transactions with them until it was settled.

10025. With the exception of that was the Lodge in a financial condition? I cannot say that. The members were taken in at a very great age at first, which was certainly against the Lodge. Afterwards they took a large number of young members. If the money had been properly dealt with the Lodge would have been in a financial state.

10026. Have you had the opportunity of contrasting the working of that Lodge with any other Friendly Society? Yes, I belonged to another, and I think it is much more substantial.

10027. Are you a member of a Friendly Society at present? I am.

10028. What particular one? The Ancient Order of Foresters.

- Mr. W. Harrison.
12 June, 1882.
10029. How long have you belonged to it? About twenty years—rather more.
10030. You were a member of that when you assisted in establishing the other? I was.
10031. Was it established purely for benefit purposes? Yes, as far as my knowledge was concerned. There was one man who acted as Chairman, and we worked the Society on those principles.
10032. Do you think it a wise thing that a man should be a member of two Societies? I think so.
10033. Do you not think it is open to lead to very great abuses? Not if the officers do their duty.
10034. Have you ever found any instances? Not in the two more than one. They are very rare.
10035. Returning to the Society in which these defalcations took place; did any of the other members leave through that? I cannot tell you.
10036. Were there many others sued? Several others as well as myself.
10037. *Mr. Abigail.*] When you were sued, did you state to the Court the reasons why you left the Society? They had a solicitor, and they would not hear my reasons. I took the rules that I entered upon. Of course I simply said that that was my defence.
10038. Do not the laws make it optional with the Society whether they shall erase the names of members or not? Unless in particular cases, it says they shall be erased.
10039. What was the date of that meeting when it came out that the £200 was deficient? About three years ago last January.
10040. How long had you then been a member? About five or six years—since its foundation.
10041. Did you make any representations to the Registrar of Friendly Societies after that meeting? No, I did not.
10042. Are you conversant with the provisions of the Friendly Societies Act? I have read them, but I cannot remember many of them.
10043. Do you know that in the 13th clause of the second part of the Act provision is made for dealing with any cases of misappropriation of funds? No.
10044. Did you take any steps to bring it under the notice of the Council? No; seeing that the Trustees were aware of it.
10045. You contented yourself with protesting in the Lodge on the nights when the matter came up? Yes, so far as it went.
10046. Who took and handled the money? It was the Treasurer; I cannot tell you his name.
10047. Can you not remember the names of the Treasurer and the Trustees on that particular occasion? No; I had been away in the country some four or five years; but my payments had been made and sent in.
10048. In what month was that meeting? In January or February.
10049. How was it disclosed that there was a deficiency? The Secretary finding that there had been more sick pay than was shown on the books, wondered how it was.
10050. Did they bring up a balance-sheet? No; it was not quarterly night.
10051. It was a statement by the Secretary that he had found out a certain thing shown by the books? Yes; Mr. Perry wanted to get out of it. There was a nomination for Secretary, and I strongly objected to the former Secretary being appointed again.
10052. What was the name of the former Secretary? His name was Pettit.
10053. On that night you said you would not pay any more until it was cleared up? Not on that night. There are usually meetings once a fortnight. I left the book I had at the Police Court when they sued me, or I could give you the date.
10054. Who sued you? The Trustees, I suppose; the Secretary represented them.
10055. Where are the meetings of this Society held? At the Protestant Hall.
10056. How many members are connected with it? I cannot tell you that; about 150 members or more.
10057. Have you taken any active part in the working of the Foresters? Well, I have taken all the offices.
10058. Would you favour, in any new Friendly Societies Act, having an officer appointed to examine their accounts at given periods? Not at given periods.
10059. At what periods? Periods not known to them. No Society ought to mind its books being examined.
10060. Do you attach any importance to the sending in of annual returns? Yes, I think it is very important.
10061. Would you inflict a penalty for non-fulfilment? Yes, I think some slight penalty should be inflicted.
10062. Are you in favour of the Registrar having the fees charged as at present? I almost forget. I think at one time I did have some objection to the fees; some I thought rather arbitrary.
10063. Are you in favour of the fees going into the pocket of the Registrar or into the public Treasury? I think into the public Treasury.
10064. *Mr. Holdsworth.*] Did you know of this misappropriation from your own knowledge or from hearsay? Hearsay in the Lodge.
10065. And after discussing the matter for two nights you paid up and resigned? On the second night I paid up and resigned conditionally.
10066. You were a founder of the Lodge? One of them.
10067. Yet you took no part in clearing up this matter, which was mere hearsay? I could not. The Trustees were the parties. I could only urge upon them to do it.
10068. You say you paid up and resigned conditionally: then if you had thought fit a month after you could have gone back and paid again? Yes.
10069. Then you did not resign according to the Friendly Societies Act? I thought so.
10070. Did you think according to the ordinary principles of common sense that you had resigned? Yes. I thought according to the ordinary principles of common sense that if I refrained from paying my money that would be quite sufficient.
10071. Have you not heard of men drawing large sums of money from Friendly Societies and then resigning? No, I have not.
10072. You took no means to try and remedy the matter you complained of? I did what I could. I stood up against the re-election of the Secretary.
10073. Do you not think it would have been more just if you had stood to your post and tried to unravel it? Yes, but when you are fighting it by yourself they satisfy you by taking the matter out of your hands

Mr.
W. Harrison.
12 June, 1882.

10074. *Mr. Langley.*] How many weeks were you in arrear? About two and a half years.
 10075. Are all the rules the same? I cannot tell you that. The various Lodges may differ a little.
 10076. Are you aware that by the 14th rule it was compulsory that you should be expelled at the end of the thirty-ninth week? I think from reading the rules that I was not a member after the expiration of twelve months; I considered then that I was expelled.
 10077. Did you plead it in Court? I pleaded that word "shall" in Court. That was my defence.
 10078. And although this Constitution is so clear the case went against you? Yes, and they followed it up by putting the bailiffs in.
 10079. Do you think the Friendly Societies Act can be worth much if such a defence as that can be pleaded and rejected? I do not see how it can be.
 10080. You stated that you found the Foresters' control over the books was different? Yes, from my experience.
 10081. Do you consider that the control exercised by the Executive and their officers over the accounts is sufficient to guarantee it? A Government officer would be a still further check upon them.
 10082. Do you consider the control exercised by the Executive of the Foresters sufficient? No, or I should not advocate a Government officer.
 10083. Are you still a member of the Foresters? Yes, and I should be sorry to give them up.
 10084. How long is it since you were sued for that amount? About three months ago.
 10085. Do you think there was anything that could possibly vitiate such strong evidence as you gave in that case? No, I do not think so, seeing that the word "shall" was so definite.
 10086. Had you any other legal suit going on about then, in connection with anything? No, not just at the time.
 10087. Just prior to it? I had a heavy lawsuit going on previous to that.
 10088. *Mr. Rubie.*] Am I to understand that you, having paid your subscriptions, the Lodge summoned you for arrears? Yes.
 10089. And the reason you left was because of some defalcations that were brought forward? Yes.
 10090. Have you ever heard whether the Lodge prosecuted the matter? Only that I heard they saw a solicitor, and I believe he said the matter had better drop, or that they could not recover the money.
 10091. And the money was never recovered? Not to my knowledge. If a fair attempt had been made I should have been satisfied.
 10092. And you have never heard that it was cleared up? No.
 10093. *Mr. Slade.*] Would you favour the recovery of as much from the members of the Society as they are liable for before the name is removed from the books? Yes. I would even go as far as six months.
 10094. When you were sued for your arrears, was that before or after the other matters at the Supreme Court? After them.
 10095. Have you any idea whether your view of the case was refused on account of any doubt of your veracity? No, I have none.
 10096. Can you tell upon what ground it was decided against you? According to the Friendly Societies Act.
 10097. *Mr. Gelding.*] Did you belong to the medical branch? No, I did not.
 10098. *Chairman.*] You state that you were summoned for £3? I think it was £3 9s.
 10099. And you state that the contribution was 1s. per week? Yes, not belonging to the medical branch.
 10100. What do members pay who are in the medical branch? That depends upon the cost of the chemist.
 10101. What was it when you were a member? About 5d. or 6d.

Mr. Joseph Townshend sworn and examined:—

Mr. J.
Townshend,
12 June, 1882.

10102. *Chairman.*] What Society are you a member of? Waratah Lodge, Order of Druids, at Ryde.
 10103. You have written to the Commission, asking to give evidence? Yes.
 10104. What is the evidence you wish to give? I wish to state that about four years ago the Lodge was established, and I found on the next meeting there was a sort of party. On the next Lodge night there was a bill for this party, and we decided to make it up by collection. The bill was paid by collection, to the amount of £35; it was paid for in instalments. There were a few concerts, and members began to come in with their fees. All at once it began to give way; some were bad on the books, and some were taken to the Police Court for arrears of fees.
 10105. Were you one of them? No, I was not.
 10106. What do you wish to tell the Commission? About the last summoning case, where the Lodge gained a verdict, and a member was put into gaol. The Grand Lodge paid this money, which they wished us to pay, and we declined. They had a special steamer to instal officers.
 10107. Did they make a demand? Yes.
 10108. Did you pay it? No. There was a dispute as to who should pay this. Some said the Grand Secretary; some said our Secretary; and our Secretary said he must have £2 for doing this.
 10109. You complain of the charge of £35 for the formation of the Lodge? Yes.
 10110. What funds have you got in your Lodge now? I was Auditor on the 31st January. We had £71 12s. in the Bank.
 10111. How many members have you? We have had as high as sixty-four. At the present time there are twenty-four.
 10112. What is the average age of the twenty-four who are left? I cannot say. Forty is the highest they will take.
 10113. What contribution do you pay? 13d. a week.
 10114. What benefit do you get? In sickness, £1 a week and the doctor.
 10115. In case of death? That comes out of the District Funds.
 10116. *Mr. Abigail.*] Who rendered the account of £35? That was the bill that came in.
 10117. From whom? From the District.
 10118. Does that go to the District Funds, or is it divided among the officers? I cannot tell you. We get the bills, and we are supposed to pay them.

10119.

Mr. J. Townsend. 10119. Have you known any cases of misappropriation of funds in your Society? No. I charged a member with not giving me credit for 6s. 6d., but he said I was correct. He left office about that time.
 10120. Have you known many cases of that kind? No, only my own.
 10121. Have you known any cases of members being sick, or shamming sick, to get the sick funds? Yes, there was a case. I was appointed sick visitor; I found a brother sick, and the doctor declined to attend him, and he got Dr. Beattie from Parramatta to attend him; he wished to charge the Lodge and they declined to pay it; after a little bother the members got up a concert and paid it.
 10122. Mr. Langley.] Were the arrears of those members who were put into gaol at Parramatta to go to the Lodge or to the District? To the Lodge.
 10123. Mr. Gelding.] What were the items in the bill? Gowns, beards, and acorns.
 10124. What did the officers charge for going up to open that Lodge? It cost £3 for a special steamer.
 10125. And the majority of the bill simply appertained to the paraphernalia for opening the Lodge? Yes.
 10126. Did you think that amount excessive? We did.
 10127. Did you think you could do without those beards? Yes.
 10128. They did not enhance the stability of your Lodge—you could do as well without them as with them? Yes, we could.

Mr. John Watson sworn and examined:—

Mr. J. Watson. 10129. Chairman.] You are a chemist and druggist, Mr. Watson, are you not? Yes, I am.
 10130. And have been for many years? For about thirty years in the Colony.
 10131. Have you had large experience in connection with dispensing prescriptions for Friendly Societies? Yes, more or less during the whole of that time.
 10132. Are you chemist for any of those Societies now? Yes, for I think about fifteen of them.
 10133. What is the general average of prices paid per member in these Societies to the chemist? I have just drawn up a little statement that will show you:—

Name of Lodge.	No. of Mem- bers.	Amount for Quarter ended July 1, 1881.	October 1, 1881.	January 1, 1882.	April 1, 1882.	Total for 12 months.	Average per Member per Quarter.
United Brothers' Lodge, M.U.	500	£ 61 9 0	£ 56 11 0	£ 49 0 0	£ 54 11 0	£ 221 11 0	M.U. 2s. 2½d. per Quarter.
Native Rose	162	.....	£ 4 10 9	£ 8 15 0	£ 14 12 6	£ 27 18 3	M.U. 1s. 1½d. " "
Mariner's Rest	106	£ 6 14 3	£ 8 1 6	£ 8 14 0	£ 8 13 6	£ 32 3 3	G.U.O. 1s. 6d. " "
German Association	126	Sept. 1, 1881. £ 17 17 10	Dec. 1, 1881. £ 23 12 5	Mar. 1, 1882. £ 19 15 2	June 1, 1882. £ 23 3 0	£ 84 8 5	3s. 4½d. " "
Court Royal Oak	186	£ 16 19 6	£ 17 18 2	£ 18 4 0	£ 19 18 4	£ 70 0 0	R.F. 1s. 10½d. " "
Royal Oak	90	£ 7 10 6	£ 7 2 8	£ 5 3 0	£ 6 12 0	£ 26 8 2	G.U.O. 1s. 5d. " "
Travellers' Home Lodge	125	£ 13 14 0	£ 11 19 5	£ 10 17 0	£ 8 15 8	£ 45 6 1	G.U.O. 1s. 10½d. " "
Sons of Perseverance	83	£ 14 19 6	£ 16 1 3	£ 14 3 0	£ 12 7 6	£ 57 11 3	3s. 5½d. " "
Wyckliffe Lodge	31	.....	7 months from Aug. 26, 1881, to April 1, 1882.	£ 1 8 9	£ 1 8 9	£ 1 8 9	about 6d. " "
Excelsior	93	.....	£ 11 0 10	£ 11 16 0	£ 23 16 10	£ 23 16 10	2s. 1d. " "
Herald Benefit Society	111	£ 7 5 0	£ 11 9 7	£ 8 12 6	£ 8 8 6	£ 35 15 7	1s. 7½d. " "
Loyal United Brothers	146	£ 12 4 0	£ 17 12 6	£ 16 13 0	£ 14 19 0	£ 61 8 6	2s. 1d. " "
Neptune	84	£ 4 13 0	£ 2 14 5	£ 4 6 6	£ 4 0 6	£ 15 14 5	G.U.O. 11d. " "
Court Victoria	52	£ 3 0 7	£ 5 0 8	£ 6 12 0	£ 3 0 6	£ 17 13 9	R.F. 1s. 8½d. " "
Protestant Benefit Society	26	£ 1 13 5	£ 1 17 2	£ 2 8 5	£ 2 3 2	£ 8 2 2	1s. 7d. " "
Scandinavian ... ..	.....	No list	.....	.....	.....	.....	.....

Average about 1s. 9d. per member.

The general average of the fifteen Societies that I dispense for amounts to 1s. 9d. per member per quarter.

10134. Do you think that is sufficient payment to ensure a proper dispensing of the different prescriptions? Yes.
 10135. And it will pay the chemist? It will pay him. There is no difference in the medicines I dispense for the Lodges, than if I dispensed for the Governor. I do not take them at so much per head. I enter every prescription in my books, and extend them at the same price that I would charge to an ordinary customer, giving them the advantage of prices a little less. The United Brothers' Lodge I have put down here at 500 members; I think it averages a little more than 500. I have taken the quarters ending the 1st July and 1st October, 1881, and the quarters ending the 1st January and the 1st April, 1882, making a year complete. Although there are 500 members, they are not all on the sick list. The amount for the first quarter is £61 9s.; for the second quarter, £56 11s.; for the third, £49; and for the fourth, £54 11s.; making a total of £221 11s., and I allow them a discount of 33½ per cent. off that. That total gives an average of 2s. 2½d. per member per quarter. Next is the Native Rose Lodge, with 162 members. I have had them only for three quarters. For the first quarter, ending on the 1st October, 1881, the amount charged was £4 10s. 9d.; the second quarter it was £8 15s.; and for the third quarter, £14 12s. 6d.; making a total of £27 18s. 3d., or an average of 1s. 1½d. per member per quarter. The Mariner's Rest Lodge has 106 members. The amount charged for the first quarter was £6 14s. 3d.; for the second, £8 1s. 6d.; for the third, £8 14s.; and for the fourth, £8 13s. 6d.; making a total of £32 3s. 3d., or an average of 1s. 6d. per member per quarter. The German Association has 126 members, and its quarters are one month later. The charge for the first quarter was £17 17s. 10d.; for the second, £23 12s. 5d.; for the third, £19 15s. 2d.; and for the fourth, £23 3s.; making a total of £84 8s. 5d., or an average of 3s. 4½d. That high rate is accounted for by the nature of the medicine their medical men prescribe. Then comes the Court Royal Oak, with 186 members: first quarter, £16 19s. 6d.; second, £17 18s. 2d.; third, £18 4s.; fourth, £19 18s. 4d.; total, £70; average, 1s. 10½d. The Royal Oak has 90 members: first quarter, £7 10s. 6d.; second, £7 2s. 8d.; third, £5 3s.; fourth, £6 12s.; total, £26 8s. 2d.; average, 1s. 5d. Travellers Home Lodge. This Lodge I have dispensed for for the last thirty years, with the exception of one quarter; they have 125 members.
 The

The charge for the first quarter was £13 14s. ; second, £11 19s. 5d. ; third, £10 17s. ; fourth, £8 15s. 8d. ; total, £45 6s. 1d. ; average, 1s. 10½d. Sons of Perseverance, 83 members : first quarter, £14 19s. 6d. ; second, £16 1s. 3d. ; third, £14 3s. ; fourth, £12 7s. 6d. ; total, £57 11s. 3d. ; average, 3s. 5½d. The next is the Excelsior Lodge, which I have only had for the two last quarters, for which the charges were £11 0s. 10d. and £11 16s., making a total of £22 16s. 10d., and an average of 2s. 5½d. The next is the *Herald* Benefit Society, 111 members : first quarter, £7 5s. ; second, £11 9s. 7d. ; third, £8 12s. 6d. ; fourth, £8 8s. 6d. ; total, £35 15s. 7d. ; average, 1s. 6½d. Loyal United Brothers, 146 members : first quarter, £12 4s. ; second, £17 12s. 6d. ; third, £16 13s. ; fourth, £14 19s. ; total, £61 8s. 6d. ; average 2s. 1d. Neptune Lodge, 84 members : first quarter, £4 13s. ; second, £2 14s. 5d. ; third, £4 6s. 6d. ; fourth, £4 0s. 6d. ; total, £15 14s. 5d. ; average, 11d. The Wyckliffe Lodge I have only had for seven months. There are 31 members, and their total charge amounts to £1 8s. 9d., making an average of about 6d. each. The Court Victoria has 52 members. The charges were : first quarter, £3 0s. 7d. ; second, £5 0s. 8d. ; third, £6 12s. ; fourth, £3 0s. 6d. ; total, £17 13s. 9d. ; average, 1s. 8½d. The last is the Protestant Benefit Society, 26 members : first quarter, £1 13s. 5d. ; second, £1 17s. 2d. ; third, £2 8s. 5d. ; fourth, £2 3s. 2d. ; total, £8 8s. 2d. ; average, 1s. 7d. Taking the aggregate of the lot, and dividing by the number of Lodges, that gives a general average of 1s. 10d. per member per quarter.

10136. Do you prescribe for these Societies the same kind of drugs that you do for your private customers ? I do not keep two sorts.

10137. You dispense them just as they are prescribed ? Just as I would any private prescription.

10138. Do you frequently have to provide cod liver oil or quinine and other costly medicines ? Whatever the doctor orders. Some of them prescribe quinine very freely.

10139. You have no substitute for those drugs ? No.

10140. Have you heard anything to lead you to believe that many of the chemists do not faithfully prescribe the medicines ordered ? I have heard it remarked.

10141. Have you had any personal knowledge of it ? I have not.

10142. What is the practice with regard to the members who come to you for a renewal of the prescriptions ? They must get an order for their renewal. They come with a prescription. I have my labels so constructed that I can keep their prescription, and I copy the original on the label. I also furnish them with slips or prescription papers with name of Lodge printed on each. Unless they have a fresh order they cannot get the medicine repeated—unless they have them they do not get it. They have to supply their own bottles.

10143. In addition to the members, you have their wives and children up to a certain age ? Yes.

10144. What has been the general average of sickness, as far as you know, among members of Friendly Societies, as compared with your private customers ? I cannot say—I have no mode of observation.

10145. You have not kept any statistics ? No ; I keep the books for a certain time—for some two or three years.

10146. Then the payments you have indicated are quite sufficient to satisfy your wants ? I am quite satisfied.

10147. It leaves a profit, I presume ? It leaves a fair profit.

10148. Have you anything to suggest to the Commission ? I do not see that there is anything I can suggest.

10149. And you have carried on this practice of charging the ordinary prices to these Societies and taking off a discount of one-third for a long time ? Yes ; I refuse to do it at so much a head. The same charge is made for all Lodges.

10150. *Mr. Smith.*] Do you not think that your position as a dispenser to such a number of Societies is an advantage over that of a dispenser with only one or two ? Decidedly ; but I do not depend upon the Societies only.

10151. And that enables you to take them at a low rate of profit ? I do not consider it a low rate. Out of the whole number I do not suppose in five years there is a remark made about my mode of dispensing.

10152. *Mr. Abigail.*] Have you any doubt that other chemists can dispense at the same average prices and get the same profit ? Most undoubtedly they can.

10153. You possess no particular advantage over any other chemist ? I do not consider that I have.

10154. Some Societies call for tenders for their medicines ? They do.

10155. And the tender is at the rate of so much per head ? Frequently.

10156. Is there any other form of tender ? I am not aware of any other form.

10157. You allow 33½ per cent. : have you known any other druggist to do it at a greater discount ? No, I do not know that there is another druggist besides myself who does it on same terms.

10158. Then the usual way is to tender at so much per head ? I believe so.

10159. Do you think that freight with so many objections that you would not entertain it ? I would not do it.

10160. What is the highest rate you have heard of as being given at the rate of so much per head ? I have no way of knowing that.

10161. Is there reputed to be very keen competition in the trade for supplying these Societies ? I believe there is, but I never ran after them ; they come after me generally.

10162. *Mr. Holdsworth.*] Was that year an exceptionally healthy one ? No.

10163. Is it a fair average year ? Yes.

10164. *Mr. Rubie.*] How long have you continued this practice ? For thirty years. The first Lodge I had was the Travellers' Home.

10165. *Mr. Newland.*] During those thirty years have you ever heard that any of those members had any difficulty in getting their sick pay ? No, I have not. I believe on one occasion there was some defalcation, some twenty years ago, but it had nothing to do with me.

10166. Do you ever experience any difficulty in getting your money ? I never had any difficulty. I always give them their own time, and they are always most punctual in coming up.

10167. *Mr. Slade.*] Have any of the medical men complained that the medicines have not been faithfully dispensed in other quarters ? Not particularly ; I have heard remarks.

10168. Would the substitution of other drugs be attended with danger ? It might retard the cure. For instance, they frequently prescribe opium liniment. They prescribe quinine again. That makes it pretty expensive. If they do not get it the patient does not know. On more than one occasion they have come to me with the prescription papers, and I say, "We do not dispense for this Lodge." If they come for it they pay for it.

10169.

Mr.
J. Watson.
12 June, 1882.

- Mr. J. Watson.
12 June, 1882.
10169. In the course of your dispensing, have you noticed that members of Friendly Societies and their families have been more troubled with venereal diseases than others? No; that is very rarely the case indeed. I have drawn attention to a prescription coming in of a suspicious character. I have asked, "Is this person entitled to such a medicine?" and I have heard no more of it.
10170. Can you give us any information as to the members of the trades which require the most medicine? No. I cannot tell you the trades of any.
10171. *Mr. Gelding.*] I suppose you know that the majority of the members of these Societies are working-men with limited means—Do you not think that many of your averages are very high for them to pay out of the funds—I suppose you know what they pay? I do not. I simply supply medicines and nothing else.
10172. What is your opinion of Friendly Societies dispensing their own medicines, such as the Odd-fellows? I cannot say particularly. Traveller's Home once broke off for one quarter, but came back to me again, and they are highly satisfied with the mode of treatment. There is no difference made between ordinary customers and Lodge patients, and they are taken in rotation as they come.
10173. I suppose you are not aware, with regard to the United Brothers, that paying you leaves them with only a few pounds in their hands every quarter? I have no way of knowing that.
10174. I assume that you are aware that people generally believe that if they go to a private chemist they stand a better chance of getting good medicine? I think they are better pleased.
10175. Although the medicine is quite as good as yours? I cannot say. I have my doubts; I have never been behind their counter.
10176. They have as good a chance of obtaining medicine as you have? They ought to. But there is one thing that makes people like to come to a chemist; at the other places they have a certain number of hours in the day, and the door is closed, after that time you cannot get any medicine; I have been told so.
10177. *Mr. Langley.*] Do you find as a rule that medical men have a preference for private establishments rather than public ones? I think they are rather in favour of private ones.
10178. Is it not in your knowledge that medical men prefer certain places, and that some of them are in the habit of getting a discount? I have heard that they do. I have been told of one medical man in particular that he got 25 per cent. I have always declined.
10179. If that statement is correct, would not medical men prefer a private establishment to a public one where they got no discount? I do not think it; I believe they have greater confidence in a private dispensary than in a public one.
10180. Do you not think it unwise to have a dispensary close at 9 or 10 o'clock at night? Most undoubtedly; if a person requires medicine he must have it. I have two assistants who reside on the premises.
10181. *Chairman.*] You have in these joint Societies 1,921 members—what would be the average of their families? I have no idea.
10182. There would not be less than (say) four in each family on an average—that would make 7,684 persons in all? Yes.
10183. And you received in that year £754 5s. 7d. from them? Yes.
10184. It shows the amount covering the risk of so many persons? Yes.

Mr. Arthur Robins sworn and examined:—

- Mr. A. Robins.
12 June, 1882.
10185. *Chairman.*] You are Dispenser at the Oddfellows Dispensary, Manchester Unity? I am.
10186. What is the greatest number of members you have to dispense for? Something over 2,000.
10187. What is the average number of prescriptions made up daily? I should say about seventy, take it all the year round, every day, Sunday and all.
10188. Are the prescriptions of a similar class to those dispensed by a private chemist? Yes, we dispense for all the doctors in the city.
10189. No matter what medical man, so long as he is duly qualified? That is the only restriction.
10190. Is the class of drugs dispensed by you equal or superior to those obtained in an ordinary establishment? It must be equal, because it is the best we can get.
10191. Quite equal to any to be got anywhere? Quite; we get it at the best houses.
10192. Do you import? No, but we get original packages.
10193. Has the present system given general satisfaction to your members? Yes, it has.
10194. Have you had any complaints from the members of the way in which prescriptions have been dispensed? I do not know of one; none have reached me.
10195. How long have you held that position? For four and a half years.
10196. What is the cost of your establishment, including drugs—the dispensing portion—the average per year? It has been about 4s. 6d. per quarter, including drugs and medical attendance.
10197. What proportion is paid to the medical officers? They get a stated salary, £250 a year each, three of them.
10198. What is the cost of drugs alone? It ranges from £75 to £112 per quarter.
10199. Have you any assistant? Yes, one assistant.
10200. What is the cost of your department? I cannot say; the departments are amalgamated.
10201. What are the salaries? I get £150, and the assistant gets £2 5s. per week.
10202. Do the patients have to provide their own bottles? Yes.
10203. Do you provide bandages and splints? Ordinary bandages and splints.
10204. Have you had any complaints from the medical officers? No; only one solitary exception.
10205. What was the nature of that? It was simply that the doctor did not know what he was saying.
10206. No complaints as to the manner in which you dispense the prescriptions? No. I could get certificates from any of them any day.
10207. Do you think it is more likely to give satisfaction to have a general dispensary than to have medicine dispensed by private chemists? Under some restrictions, I think it is.

Mr.
A. Robins.
12 June, 1882.

10208. Would it afford greater security to the members? I think so. We have no benefit whatever to reap by giving an inferior article.
10209. You are aware that certain chemists give large discounts? I am aware of it.
10210. You are also aware that some take them at so much per head? I am aware of it. I know of one that takes Lodges rather low.
10211. Is it likely to give more satisfaction to the members to tender at so much per head? I should think not.
10212. Were you assistant to a chemist in town previously? Not in Sydney. I was at the Hospital for a little while.
10213. You know nothing of dispensing medicines for Friendly Societies in private establishments? No.
10214. *Mr. Abigail.*] Can your patients get medicine at all hours in urgent cases? Yes.
10215. How long do you generally keep the members waiting for their medicines? The longest time is about an hour, I think.
10216. Is there comfortable provision made for them while waiting? Yes.
10217. A place that is sheltered from the weather? Yes.
10218. Have you known cases where the doctors have recommended a patient to go to the Institute in preference to a private establishment? I have heard of them.
10219. You get your drugs from Elliott Brothers? Yes.
10220. Have you any instructions that you are to get the very best? It is so stated in the laws.
10221. Are you in the habit of substituting one medicine for another? No. If we have not got it we give an order on A. J. Watt & Co., and they get it there.
10222. What system is adopted in paying Mr. Watt? I believe he charges the same as he would charge to private persons, taking so much off.
10223. Are the prescriptions he dispenses generally satisfactory to the members? I have heard no complaint.
10224. Does he dispense many? No, a very few.
10225. Is the Institute shut up during any hours in the day? No, it is open from 9 to 9.
10226. Suppose there is a number of members waiting at 9, I suppose you continue to dispense until you have finished? Yes.
10227. *Mr. Greville.*] Are the drugs you receive from Elliott Brothers the very best quality? Yes.
10228. Is any abatement made by them to the Institute? I believe there is some. Mr. F. Elliott, one of the firm, abates the whole of our goods himself.
10229. From your experience you say the drugs are of the very best description? They are the very best we can get.
10230. Do the public outside the Institute ever come to you to have their prescriptions made up? No.
10231. Do you find the members object to go the Institute because it has a sort of eleemosynary character about it? Some of them object; some would object to anything.
10232. Is the objection so great in some people's minds that they prefer to go elsewhere? I think not.
10233. Are all the members of your Institute bound to have their medicines made up at the Institute? No.
10234. What if they go elsewhere? They have to pay.
10235. Have you heard that some object so strongly to waiting that they prefer to take their prescriptions elsewhere? I have not heard of any.
10236. From your experience of prescriptions, do you think that the officers of the Institute prescribe less expensive medicines than they would to private patients? No, I think not. They have no restriction, and it would not benefit them.
10237. *Mr. Langley.*] Do you mean that you have the best drugs in Sydney? The best we can obtain in Sydney.
10238. Have you ever tried anywhere else than Elliott Brothers? No.
10239. Then how can you say? It is really the best in Sydney. There is nowhere else to go to.
10240. Have you ever heard of some medical men in Sydney almost making it a *sine qua non* that patients should go to places where they import their own drugs? No, not in Sydney.
10241. Have you ever heard it anywhere else? Yes.
10242. Do you not think that private individuals who import their own drugs are in a better position to supply first class drugs than those who are compelled to go to one house in Sydney and take what they can get? I think not. If they import them they must go to the same houses, and therefore the drugs must be the same.
10243. Are you not aware there are some specialties obtainable at private establishments before the wholesale houses get them out? I have not heard of them, but it is quite likely.
10244. *Mr. Slade.*] Is there any difference in the quality of the drugs made up by different houses? Many houses have a specialty.
10245. In applying to Elliott Brothers, do you specify the best kinds of the several drugs? Yes.
10246. Is not the strength fixed by the Pharmaceutical Society? Yes.
10247. So that a private firm could not get out different drugs to what Elliott Brothers do, except in the case of some specialty which other firms do not make? You cannot get better drugs than those you get from Elliott Brothers.
10248. Do you think customers could be more faithfully served in a private establishment? I do not think they could.
10249. Has it come to your knowledge as a dispenser that diseases of a venereal character are frequent? We do not do anything in that way.
10250. *Mr. Gelding.*] There is nothing connected with pauperism in the way you dispense your medicine? I do not see how it could be.
10251. With the exception of members finding their own bottles, they are treated the same as they would be at a private chemist's? Yes.
10252. And the labels are put on them, and they are put in paper and sealed? Not sealed. The only difference is that we write the prescription upon the label.
10253. And the packages you get from Elliott Brothers are unbroken, and bear the makers' names upon them? Yes.

- Mr. A. Robins.
12 June, 1882.
10254. You never substitute quassia for quinine? We should get nothing by doing so.
10255. What is prescribed is dispensed? Yes.
10256. You never keep members waiting longer than you can help? We get them off quickly for our own benefit.
10257. You believe that you dispense quite as quickly as private chemists do? Quicker, I think.
10258. *Chairman.*] How many prescriptions can you dispense in a day? I have done 110 by myself.
10259. How many could you do with the help of your assistant? About 220 I suppose.
10260. Your assistant is competent? Yes.
10261. What has been the greatest rush you have had at any time? During the last epidemic of measles.
10262. What was the largest number? I do not remember.
10263. Can you tell what was the largest number you have had during any given quarter? Something over 7,000 I think.
10264. What convenience have you for people who are waiting to get their prescriptions dispensed? The dispensary is a room about 16 feet by 12 feet; there is a partition up one side, and there is a long settle and a short settle.
10265. How many people can you accommodate in this place? About a dozen to sit down. People often leave their bottles and call again for them when they are made up.
10266. Has there been any complaint of people not being able to get their prescriptions dispensed? I have not heard of it. Of course at times people may have gone away while something had to be made up. If there is a decoction to make we tell them to call again.
10267. There has been no case of urgency where persons complained of not being able to get the medicine? No, none whatever.
10268. *Mr. Gelding.*] Do you not think that 2s. 2½d. per quarter per head for drugs is very great? It would be rather heavy.
10269. *Mr. Newland.*] Has there been no complaint made by the medical gentlemen of being underpaid, seeing that they are paid under 6s. per annum? They are always complaining of that.
10270. *Mr. Smith.*] Do you manufacture your own pills? Some of them.
10271. And the salves? Now we do.
10272. And blistering ointments? We purchase them—we do not make them.
10273. Do you use any patent medicines? None whatever; we do not go beyond the Pharmacopœia.
10274. Are they ever prescribed by the doctors? No.
10275. Do you ever prescribe mineral waters? No.
10276. Do you get them? No.
10277. *Chairman.*] You stated that the medical men receive £250 a year: have you had any difficulty in procuring good and qualified men at that salary? No; there are always several applying when there is a vacancy.
10278. And as a rule you have been able to secure the services of good men? Yes; we have a Bachelor of Medicine, and a member of the Royal College of Surgeons. We have now Dr. Durham, Dr. Hankins, and Dr. Norric as our medical men.

FRIDAY, 16 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. B. LANGLEY, Esq.

The following Progress Report was, after discussion, adopted:—

PROGRESS REPORT.

TO THE RIGHT HONORABLE LORD AUGUSTUS WILLIAM FREDERICK SPENCER LOFTUS, G.C.B., G.C.M.G., &c., &c., Governor-in-Chief of New South Wales.

May it please Your Excellency,—

The Commission appointed under the Great Seal of the Colony of New South Wales to inquire into and report upon the working of the Friendly Societies Act of 1873 and the condition and management of the Societies registered thereunder, begs to submit the following Progress Report:—

The Commission has, up to the present date, held fifty-two (52) sittings, at which eighty-one (81) witnesses have been examined, a list of which is enclosed herewith. These witnesses include the Registrar of Friendly Societies, his assistant, the principal officers of the various executive heads of the different Friendly Societies, as well as several officers of certain Branches, whose affairs, it appeared from the evidence taken, required some investigation. There are also in the list a number of the medical gentlemen of the city, whose experience in connection with the Societies makes their evidence upon the questions submitted to them of a valuable character; as well as several of the representatives of a large number of the Trade Societies of the Colony, and a number of other gentlemen, who it was understood were able to give the Commission some important information in reference to the questions laid before them.

Mr.

Mr. M. A. Black and Mr. Richard Teece, actuaries, of this city, have been summoned to give evidence during the present week, and it is anticipated that their evidence will be of a valuable character in showing the principles upon which the financial bases of Friendly Societies ought to be constructed.

From the evidence which is submitted herewith it will be seen that the financial position and modes of management of the different Societies have formed a considerable portion of the investigations of the Commission, while in cases where a decline in funds has taken place it has been its object, as far as possible, to ascertain the cause of that decline. The actuarial basis of the rates of contribution necessary to enable a Society with due economy to guarantee a certain rate of sick pay and funeral donations to its members will receive due consideration at the hands of the Commission, when witnesses skilled in such questions are before it. Some statistical information upon this subject has already been furnished us by Mr. W. Barnett Smith, of Mudgee, and it will be found in an appendix to his evidence. The desirableness of adopting a sliding scale of contributions, graduated according to the age of a member on his entrance into a Society, has been urged upon the Commission by several of the witnesses, and Mr. Barnett Smith has furnished it with a scale, calculated by himself, which he says is suitable for this purpose. This question will receive the careful attention of the Commission when it comes to prepare its final report. Another important question which has received the attention of the Commission is that of the most economical as well as most satisfactory method of enabling the disputes, which must arise in all Societies, to be settled. The witnesses are nearly unanimous in their opinion as to the impolicy of allowing these disputes to be the subject of investigation by the Law Courts of the Colony, a reference to arbitration being recommended in nearly every instance. There is a very large proportion of the witnesses hitherto examined in favour of the appointment of a Board of Arbitration, to be composed of representatives of the leading Societies of a beneficiary character in New South Wales. As, however, the Commission has not yet had an opportunity of deliberating upon this question, it is not at the present time prepared to recommend the adoption of this or any other definite proposal. The questions of the suitability of the present Friendly Societies Act to the purposes for which it is intended, and of the mode of its administration at the present time, have received careful attention, and it is more than probable that in a subsequent report specific alterations in the Act itself, as well as in the method of its administration, will be recommended.

In reference to the information to be gained from the actuaries who may be examined, it is necessary to state that forms of returns have been issued to the whole of the Societies in New South Wales of which the Commission has been made aware, with the view of obtaining full particulars of their workings for the past five years. A large number of these returns has been sent back filled in, and after classification will be submitted to an actuary for his report as to the soundness of the financial basis on which the Societies are constructed.

In view of the peculiar character of the Societies in the Hunter River district, and of the number of miners who are members thereof, it is intended to hold two or three meetings of the Commission at Newcastle, with the object of ascertaining the necessity or otherwise of a special financial basis for Societies composed, to such a large extent, of persons employed in what is usually regarded as a somewhat hazardous occupation.

Numerous cases of defalcation and fraud in various Societies have been brought under the notice of the Commission, and are now receiving careful attention at its hands. In one instance so glaring was the fraud on the part of the Trustees that the Commission brought the matter under the notice of the Honorable the Attorney General, who has informed the President that he will cause immediate proceedings to be taken against the Trustees of the Society referred to.

Dated at Sydney on the 19th day of June, 1882.

LIST OF WITNESSES EXAMINED.

DATE.	NAME.	DATE.	NAME.
1881.		1882.	
Nov. 25	Mr. Alexander Oliver.	Jan. 20	Mr. William Edward Langley.
" 28	" "	" 20	" Philip James Newland.
Dec. 2	" "	" 23	" George Bretnall.
" 5	" Edwin Lewis Scott.	" 27	" William Barnett Smith.
" 9	" Edwin Schofield.	" 30	" Phillip Risby Holdsworth.
" 12	" John Gelding.	Feb. 3	" Charles Thomas Peirce.
" 16	" "	" 6	" "
" 19	" Alfred Lees Smith.	" 6	" Nathaniel Pidgeon.
1882.		" 10	" William Owen Fox.
Jan. 9	" "	" 14	" John Hampton.
" 13	" Richard Cannon.	" 17	" John Mitchell.
" 16	" William Edward Langley.	" 20	" Thomas Joseph Murray.

LIST OF WITNESSES—*continued.*

DATE. 1882.	NAME.	DATE. 1882.	NAME.
Feb. 24	Mr. Thomas Joseph Murray.	" 5	Mr. P. Salmon.
" 27	" Jeremiah Crowley.	" 5	" Thomas Etherington.
" 27	" Wm. Brady.	" 8	" Thomas Comber.
" 27	" Edward Joseph Rubie.	" 8	" William Loverholm.
Mar. 3	" John Andrew Kean.	" 8	" John Fitzhenry.
" 3	" Henry Massey Makinson.	" 8	" Frank Forsyth.
" 6	" John Hugh Davies.	" 12	" Samuel Withers.
" 10	" Arthur Walker.	" 12	" Henry Collyer.
" 10	" George Gibson.	" 12	" William James Way.
" 10	" Mark Thomas Ronan.	" 15	" Lorimer Edward Marcus.
" 13	" John Francis M'Donald.	" 15	" William Francis Davison.
" 13	" John Felix M'Crory.	" 15	" James Joseph Donohoe.
" 17	Nil.	" 19	" George E. Fraser.
" 20	Mr. John Felix M'Crory.	" 19	" Frederick Wm. Rogers.
" 20	" James Robert M'Keown.	" 19	" Levi Maidment.
" 24	" Thomas Cowlshaw.	" 22	" William F. Davison.
" 27	" Frederick Alexander Morgan.	" 22	" William Henson.
" 31	" Albert B. Fordham.	" 22	" James J. Donohoe.
" 31	" William Benton.	" 26	" James Sheehan.
April 3	" George Lucas.	" 26	" Richard Charles Meacle.
" 3	" Peter Forbes.	" 29	" Dr. Andrew Houison.
" 14	" Robert Dixon Sippe.	" 29	" Belgrave.
" 14	" George H. Green.	June 2	" Thomas James Pickburn.
" 14	" Otto Murer.	" 2	" William Edward Warren.
" 17	" James King.	" 2	" Andrew John Brady.
" 17	" William Dike.	" 2	" Alfred Shewen.
" 21	" Augustine A. Fitzpatrick.	" 5	" Mr. Angus Cameron, M.P.
" 21	" Thomas Forsyth.	" 5	" William Walker.
" 21	" James Root.	" 9	" Alfred John Pinel.
" 24	" Stephen Mallarky.	" 9	" Edward William Parsonage.
" 24	" James King.	" 9	" John Smart.
" 24	" Thomas Percival.	" 12	" William Harrison.
" 28	" George Lillic.	" 12	" Joseph Townshend.
" 28	" Thomas Forsyth.	" 12	" John Watson.
May 1	Mrs. Ellen Mary Lawrie.	" 12	" Arthur Robins.
" 1	" Mary Ann Baker.		

The Commission then adjourned until Monday, 19 June, 1882.

MONDAY, 19 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. John Hampton sworn and examined:—

- Mr. J. Hampton. 10279. *President.*] You are District Grand Secretary of the Order of Royal Foresters? Yes.
10280. You have already been examined before the Commission? Yes.
10281. Have you any knowledge of a man of the name of John Cox? Yes.
- 19 June, 1882. 10282. Who was formerly a member of Court Friendship Royal Foresters? Yes.
10283. Could you tell us why his widow did not receive the funeral donation? Yes, they did not receive the funeral donation because they had not complied with the rules of the Order; they were suspended from all benefits.
10284. Was he not financial at the time of his death? I do not know; I believe he was, but I am not in a position to tell.
10285. Do you know that he received sick pay to the day of his death? That I do not know, but I believe he did.
10286. But would not a member who was suspended from all the benefits of a Society be suspended from sick pay? Certainly not. I think, Mr. President, I had better make a statement, and then I will answer any questions that may be put to me upon it. In 1875 the Society of Royal Foresters amended its rules, had a revision of the rules; slips of these rules were prepared by the printer and delivered to every Branch in the Order, amongst them Court Friendship. They had a certain time allowed them to consider these rules, and when this time had elapsed, Court Friendship requested further time, which was granted; at the expiration of this second period to consider these rules they requested a further time, but the majority of delegates of the various Branches considered the Court had had equal time to consider the rules that they had, and refused to grant any further extension, and came to the decision of immediately considering the rules. At the next meeting of the District, on the financial night when we met to receive the fees from the various Branches for the Funeral Fund, on the name of Court Friendship being called out, the representatives of that Court stated that the members of the Court had come to the conclusion not to pay any more quarterage to the District, in consequence of the indignities which they considered had been heaped upon them in not allowing them further time to consider these rules. This being only a verbal message the Supreme Court refused to take it, and directed me as Supreme Secretary to write to the President of the Court, informing him of the statement that had been made by their representatives, and requesting that a special meeting should be called of the whole body—there being 100 members whose interests were involved—before whom the case should be laid, and the result communicated to me. No communication was received in reply to my letter. The meeting of the Supreme Court was adjourned for a reply to this letter, but when the meeting was held, I stated in the minutes that I had complied with the request of the meeting and had sent a letter to which I received no reply. The Secretary of the Court who was one of the representatives handed

handed to me a copy of the original resolution which had been passed, not to pay any more money until they had received what they considered justice from the Supreme Court. The District then directed me to write again requesting them to call another special meeting at which the District officers should attend. This I did, and the officers attended in accordance with the resolution, and remained at the meeting till 12 o'clock at night, but no steps were taken to rectify the misunderstanding. At the next meeting of the Supreme Court the result of this meeting was reported; several resolutions were brought forward with amendments, and it was resolved that in consequence of Court Friendship not having paid up all dues and demands, every member of the Court should be suspended from all benefits belonging to the Funeral Fund. This was communicated by me in a letter to the Court, and we had no connection with them; they intended to carry on, on their own footing, but unfortunately for them they had not been on their own footing but a few weeks when the Secretary's wife died, and they had to pay the funeral donation; they paid part of this first one; but then Mr. Cox died, and the friends of course made application to me as Supreme Secretary for the funeral donation. They not being in compliance with the District the money was refused; subsequently Mrs. Cox, through her solicitor, summoned me to the District Court for the funeral money, but on the case being called before the Judge it was proved that they were not a registered Society. The other Branches of the Society had registered themselves under the new rules, but Court Friendship having refused to adopt them was out of compliance, and was not registered, and the case was dismissed at once with costs, which have never been paid to the Society, as Mrs. Cox removed all her valuable property from her residence.

Mr.
J. Hampton.
19 June, 1882.

10287. That is the only reason you can assign? That is the proper reason.

10288. But you are quite aware that up to the time of Cox's death his widow received sick pay? I believe she did.

10289. And that he was financial on the books of his Lodge? Yes. I may say that the Branch to which he belonged is now defunct. They were afterwards registered, but six weeks ago a letter was received saying that after using all available means to raise their funds, their sickness had been so great that they were compelled to dissolve.

10290. Has any other similar case happened in connection with your District? Not one.

10291. Does it not seem a hardship to punish the widow and orphans because of a misunderstanding which existed between the Court and the District? It does not belong to us to pay; we do not recognize individual members; when a death takes place the Secretary sends the certificate of the death of the member, and the money is paid to the Branch to which he belonged. If the Court had had sufficient funds it would have been their place to have paid it.

10292. Then the District permitted the widow to suffer? The District had nothing to do with the Court, because they had refused to make the payments which support the Funeral Fund.

10293. Are you aware that the widow of the late Mr. Cox took steps to recover the sum of £25? I have stated already that I had been summoned for that money.

10294. And what position does the case stand in now? Simply that the Court is not in existence.

10295. Do not all Courts vest their funds in the District Lodge for the purpose of paying these funeral donations? Yes, quarterly—2s. per member.

10296. And simply because the Lodge and the officers failed to make the contributions this unfortunate widow is left without receiving the donation? It was done by resolution of the Court. They intended to separate themselves from the District altogether, and by resolution had done so.

10297. What becomes of the members of the Court now that it is defunct? They are dispersed among the various Branches.

10298. What status do they occupy in the various Branches? A similar position to that they occupied in their own Lodge.

10299. Was Mr. Cox a party to this? I do not think so; I believe he was sick at the time.

10300. The fact of his illness would preclude him from being a party to the non-payment of the usual contributions? Yes.

10301. And consequently made it a very great hardship to the widow? It is a very great hardship to her.

10302. Is it not the intention of the District Lodge to pay the widow? We cannot, because they were not in compliance at the time, though every step was taken by the District to bring them into compliance.

10303. You do not regard the case as an exceptional one? I should think it was a very exceptional one, because I have never known such a case occur before.

10304. Then would not that warrant the District Lodge in paying the money? We could not pay it if they were not in compliance.

10305. Seeing that the husband was financial and so sick as to be unable to be present at the meeting where the Lodge passed this resolution, and that death intervened, is the widow to be prevented from obtaining her rights? If the Society of which he formed a part had had sufficient funds they would have paid her out of their own funds, but they had not the money.

10306. Do you know how long he had been receiving sick pay prior to his death? Fully six months.

10307. He was an old member of the Society, was he not? About twelve years, I think; indeed I think I made him.

10308. For all you know he had been a good member? He had been a fair member up to that time.

10309. *Mr. Slade.*] How many members do you say there were at the time? There were upwards of a hundred.

10310. And there were two quarters due when they were suspended? No, one quarter was due; but before they became attached to the District again two quarters elapsed.

10311. Did they pay up the arrears for the two quarters? I am glad you have asked me that question. They never paid it up themselves, but one of the individual members of the Court made a cheque out himself on purpose to enable the Branch to become in compliance, and he has never been paid that cheque back again.

10312. But has the District received the two quarters' levies? They have.

10313. *Mr. Newland.*] Do you know whether the Court had carried a resolution not to pay their levies? Yes.

10314. Was it unanimous? Unanimous.

10315. Seeing that your District had been paid the arrears and levies, do you not think they should have paid this liability? It is not what I think, but the resolution they came to not to pay it.

- Mr. J. Hampton. 10316. Although they had received the levies? They did not receive the levies from Brother Cox, who was dead and was not a member.
- 19 June, 1882. 10317. But you have received the levies up to the quarter of his death? Previous to the suspension of the Court.
10318. And during the suspension? Not his levies.
10319. There were only one quarter's levies due on Brother Cox? There were two at the time.
10320. *Mr. Gelding.*] I presume you reinstated the Lodge when the two quarters' levies were paid? Yes.
10321. And did not that take all responsibility off any members who might have died during that period? The members thought not.
10322. As a matter of justice do you not think it should have been so? No, because they withdrew themselves.
10323. What was the reason the Supreme Court would not pay the back levies of this poor fellow that died? Because the Branch of which he was a member at the time he died did not belong to the Society.
10324. Do you think that was right and just? I do not think you should ask me for my individual opinion, and I refuse to answer a question as to my own opinion.
10325. *Mr. Langley.*] May I ask if at the time Cox died you held in your possession any funds in the shape of funeral moneys belonging to the Court to which he was attached? Of course the rule states that every Branch of the Order shall pay so much quarterly towards the Funeral Fund. The Court he had belonged to did so, and up to the time of their suspension they had received the benefits.
10326. At the time that Mr. Cox died had your Supreme body any money in the shape of Funeral Funds belonging to the Court to which he was attached? Not specially.
10327. Was there an amount contributed to the credit of that Court at all? I have already stated that up to the time of the suspension they had paid all dues.
10328. Then were there any funds to the credit of that Lodge? Certainly not—not specially.
10329. Then you mix the whole of your moneys up? Yes, certainly.
10330. When that Court was out of compliance did you make any special arrangements that any claims that had arisen between the two periods should be ignored? They specially understood that if any claims came upon us during the time of suspension they would not be paid.
10331. But after you admitted them did you stipulate that you would not pay any claim? It was understood that it was not to be done.
10332. Did you then know that this claim had arisen? Most certainly.
10333. And by passing such a resolution as that, the widow was debarred from suing the Lodge or the Supreme Court? No, she was not debarred, but she did it.
10334. But as she lost the case virtually she was debarred? She was, because the Branch had not registered itself.
10335. May I ask if when they paid their last moneys prior to this they were not registered? They were not.
10336. And yet you took their money at that time? Yes. Prior to the revision of these rules one single registration was sufficient for the whole body, but a new law had come into force whereby every Branch had to be registered, and their new rules had been accepted by the whole of the Society except Court Friendship, and they refused to take them.
10337. Has there been anything done from that day to this to compensate this widow for the moneys she has been deprived of? Not that I am aware of.
10338. Were these moneys subsequently paid in by that Lodge that would make up the amount of money due to this widow? No, it was not specially paid.
10339. But was sufficient money paid by them? No, they never pay sufficient money—they only pay a certain amount quarterly.
10340. *President.*] Were the usual quarterly payments made? Yes.
10341. *Mr. Langley.*] Could you not have stipulated that the Lodge should pay all claims that had been incurred in the interval of their suspension before receiving them back? We told them we could not pay them.
10342. Could you not have stipulated that you would not take them back unless they discharged these responsibilities? We did not think it was necessary.
10343. But could you not have done it? I cannot think it was necessary when they came back; they came back under the new rule.
10344. Could they have forced you to take them back? I think not.
10345. Then if they could not have forced you to do so, could you not have stipulated they must discharge the claims accrued during the interval? When we took them back it was on the consideration that they would have to abide by the laws of the Society.
10346. They then rejoined you on the same terms they went away upon? Except that they went away under the old laws, and came back under the revised laws.
10347. *Mr. Holdsworth.*] Your Funeral Fund is a General Fund? Yes.
10348. You have nothing to do with individual members? No.
10349. You do not keep a separate Lodge account for each Lodge? Only the receipts.
10350. You do not open a ledger account? No, certainly not.
10351. It is a Re-insurance Fund then? Yes, every member is registered on the Funeral Fund.
10352. The Courts re-insure their risks in your General Fund? Yes.
10353. This Court that you refer to re-insured their claims up to a certain time, and then by a formal resolution declined all connection with you? Yes, they passed a resolution to pay their own funeral money.
10354. And consequently they had no claim upon you? Not the least.
10355. *Mr. Abigail.*] How many members were connected with the Lodge and were returned the quarter prior to them declining to pay the amount? I do not know exactly, but more than a hundred.
10356. And at that time the Funeral Fund of the District was responsible for the debts for the whole of these 100 members? Yes.
10357. So as a matter of fact, if fifty of these members had died, then, you would have had to find the money to pay them? We should.
10358. So you were largely responsible to the individual members? No, not to individuals.

10359. If the Secretary of a Lodge makes a demand, you do not pay the money out on that demand? If he sends me the certificate of death, and they are in compliance, they receive the benefit.
10360. So at that time there was a large credit due to the Lodge—the responsibility was due for the whole of the 100 members and their wives? Yes.
10361. When the case was taken into the District Court against the District, was it dismissed on the merits of the case? No.
10362. They were not entered into? They were not entered into.
10363. You have stated that the District thought this was a hard case, but that in consequence of the largeness of your operations you were compelled to take what appeared to be harsh measures? Yes.
10364. *Mr. Smith.*] The fact of a squabble going on between the Court and the District over the registration of their laws deprived this man's widow of the money? That was the excuse the Court made for not paying the money.
10365. Is your District not responsible for the funeral levies for each member for twelve months after they give notice of cessation? No, the law says that if they don't pay up quarterly they and every member shall be suspended from all benefits. No time at all is allowed.
10366. Is that the ground of your objection? That is the ground.
10367. And did you raise that when the widow sued you? Yes.
10368. That the Society was not registered? No, certainly not; we should not have troubled ourselves about that.
10369. How long before Cox's death was the Society in good standing? He had never been out of good standing until that time.
10370. But how long before his death was it that they were out of compliance? About four months, I should think.
10371. *Mr. Langley.*] Was this quarterage of Cox's paid for the end of the quarter prior to the time he died? No.

Mr.
J. Hampton.
19 June, 1882.

Mr. Richard Teece sworn and examined:—

10372. *President.*] You are a member of the Institute of Actuaries? I am not a member of the Society.
10373. But you are an actuary? Yes.
10374. You are connected with the Australian Mutual Provident Society? I am Chief Clerk in that Society.
10375. Have you devoted any attention to the working of Friendly Societies? Principally theoretically. I have not been connected with the internal management of any of them.
10376. You have seen their by-laws and rules? Yes.
10377. You know the amount of contributions paid and the benefits given in return? Yes.
10378. Have you given the financial basis of the Societies any attention? I have.
10379. Have you prepared any paper that you might furnish the Commission with—any audit? I have not done so; perhaps you would allow me to explain that some five years ago I was commissioned to write some articles in the Press on the condition of the Societies in this Colony, and I made application to the Registrar of Friendly Societies for the necessary information, but was informed that it was not accessible, so all I could do was to take the contributions of two or three of them and compare them with the promised benefits, and these I assume to be a fair index of the whole. I did not meet with any that in my opinion had contributions sufficient to insure the benefits promised.
10380. Do you think that a Benefit Society providing for its members in case of death £25, in the case of the death of the wife of a member the sum of £10 or £15, and also providing sick pay for six months or a guinea a week, reducing the amount to 10s. for the next six months, and to 5s. as a Superannuation Fund afterwards, to members who may be sick, together with medical attendance and medicine, not only for the member and his wife, but also for the family up to the age of eighteen, do you think 1s. or 1s. 3d. per week would be sufficient to insure all these benefits to its members? That would depend very much on the relative ages of the members in the Society.
10381. At an average age (say) of thirty-six years? I think not, possibly a contribution of that amount might be sufficient to provide the pure benefits spoken of, but the element of medical attendance and cost of medicines is one that is scarcely susceptible of calculation.
10382. I may say that the cost of the medical benefits would be somewhere about 16s. per member per annum, and about 6s. for medicines? Then I am quite certain it would not be sufficient—1s. 3d. would not.
10383. And you are quite satisfied a shilling would not be sufficient? Decidedly.
10384. What would be the cost in your opinion to insure payment to (say) 2,000 members of a funeral donation of £20, taking their average age at thirty-six? I should not like to answer that now; but if the Commission will state any specimen benefits concerning which they would like to have information, I shall be happy to supply the rates I think necessary to provide them.
10385. I may say that it is the intention of the Commission to refer the whole of the statistical information we have to yourself and Mr. Black, with the view of obtaining from you a joint report on the condition of these Societies; you would have no objection to undertake a task of that kind? Not the slightest.
10386. And you would be prepared to work in conjunction with Mr. Black? Certainly.
10387. What could a man thirty-six years of age insure his life for a payment of £20 for at your office? Well, we would not take a weekly payment, but I think, as far as I remember, it would come to 3d. or 4d. per week, because in our Society there are, in the majority of instances, profits accruing that do not accrue in a Friendly Society.
10388. In some Societies they have a graduated scale of donations, going in some instances as high as £50 if the member remains in the Society for a certain period of time? But I presume he is supposed to pay an equivalent contribution and not the same as one who receives an uniform sum no matter what time he dies.
10389. No, you are not correct in that? Of course similar benefits are provided in ordinary insurance offices, but the insured pays a contribution graduated to that benefit.

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10390.

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10390. What has been your experience of the mortality in New South Wales as compared with older countries? As far as the mortality among assured lives has been ascertained we have found it very much less than in other parts of the world, so small indeed that I do not think it can continue at that rate; it is abnormally small.
10391. Have you found any great difference in the mortality among the different trades and callings of the working classes? Our experience has not been sufficient to be reliable in that particular, because we find that those trades which are generally acknowledged to be the most hazardous and to tend most to shorten life have with us been remarkably healthy ones, but I attribute that to the paucity of data with which we have to deal.
10392. What are the trades and callings that you take exception to as having a tendency to shorten life? Notoriously, publicans; and medical men are not good lives, plumbers, painters, and journeyman bakers, stone-masons to some degree, and millers. The butchers are everywhere regarded as bad lives, but they have been the best lives we have had in our Society.
10393. What is your opinion with the principle being applied to Friendly Societies that there should be a distinction made in regard to these occupations? In some cases I think it should be done.
10394. Would you favour the principle of loading them? I think so.
10395. Would you prohibit them from participating in the benefits derived? No, I would not do that under any circumstances.
10396. Would you favour the view of graduating the payments and benefits to be given to persons of these objectionable classes? If there was a Society composed entirely of one class of occupation it should certainly be done, and there would be no difficulty; but if there is only a small element of a particularly hazardous calling I do not think it would be necessary to make any modification at all.
10397. I presume you favour the principle of encouraging the working classes and others in joining together in this way? Certainly I do; I think every encouragement should be given to them.
10398. And I presume you understand the object of the Commission is to ascertain the real position of the Societies, and see that they are placed on a sound footing, so as to insure payments of the benefits promised? Yes, I do.
10399. Has any one of the Societies to your knowledge become defunct or been unable to meet its obligations? It has not come under my observation. I have never been consulted, and I do not know of any other actuary who has; and as we have never had a return submitted to Parliament in accordance with the Act, we cannot get information on the subject.
10400. What do you think is the proportionate mortality to the 1,000 among lives in New South Wales? Among adult lives in our Society and among assured lives generally it has only been about eight. I do not think it would be more than twelve or fourteen among adults.
10401. You have little knowledge of the sickness? No.
10402. You would know nothing of the working of Friendly Societies practically? No, nothing whatever.
10403. But you have always taken a lively interest in their success and prosperity? Yes, I have given a good deal of attention to the subject.
10404. I presume that if the statistical information—the returns that the Commission has had procured—are handed to you, you would be able to furnish the Commission with an exhaustive report of the position of the Societies? Certainly, if the necessary data are there.
10405. Seeing that wives of the members of the various Societies participate in the benefits, a funeral donation of from £10 to £15 being given at their death, do you think it necessary for them to undergo a medical examination? I think it would be highly desirable.
10406. You are aware that at present it is not the practice? I believe not.
10407. You would not in your office, take a member and his wife on their joint lives unless both underwent a medical examination? Not exactly; but I believe there was a Society started here some time ago which accepted members under these conditions, but it has disappeared for some time.
10408. But you think it is necessary they should undergo an examination? I see no difference between the case of a member and his wife; it is a question of degree only, a higher payment being given on the death of a member than on the death of his wife.
10409. In order to ascertain the true average of the ages of members it would be necessary to obtain the age of each individual member? Yes; I presume every member's age is given on entering a Lodge, so that if the date of his entrance is known, it is an easy matter to obtain his present age.
10410. In order to get the information the Commission is anxious to get from you it will be necessary to obtain information of that kind from the different Societies? Yes, the number of members at each age.
10411. Could you give the reason why it should be necessary to obtain the ages of the members in the way you describe? All the information and experience we have relating to sickness and death has been collected in respect of the ages of the persons under observation. The amount of sickness or liability to death of a number of persons will increase with the age, and we know therefore that the liability incurred by a Society which has old members is larger than that of one with young members who have been on the books for corresponding periods of time; the liability to death is also affected by the period of time the members have been on the books—the liability to die of a person who entered five years ago is greater than that of one now entering at the same present age. In every Society the average vitality of members on entering is very much greater than that of the general population, but after the lapse of five years it is no better. After members have been in an Assurance Society for about five years they are no better lives than an equal number picked indiscriminately out of the general population. To arrive at thoroughly reliable results you would want to know, not only the ages of members at the present time, but also the ages at which they entered. The Actuary attached to the Friendly Society's office in New Zealand has found that the Societies there show a rate of sickness much less than other standards. He attributes this to the recent selections of members, and thinks that when they have attained to the average duration of the Manchester Unity, they will show almost an equal amount of sickness. In Victoria things have shown that the sickness is a little less than it is in England.
10412. Then it would be necessary to give you the number that have left the Society as well as those who have joined? That is not so important; there is a desire on the part of officers of the Societies to bring forward this question as the one which is to set them right, but I do not think in an ordinary Friendly Society

Society any actuary, either in this country or in England, will be found in favour of taking this into account in fixing the element of contributions; it has only been done in one Society in England, the Royal Liver Society, but that is only a burial Society, and not a sick Society. Mr. R. Teece.
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10413. What would be a fair stand-by for a Society to have, supposing the members' average age was thirty-six? That would depend upon the age of the Society, and the time for which the average of members have belonged to it. Some might be solvent with £2 per head, and others insolvent with £10.

10414. A Society twenty years old? I could not say that.

10415. *Mr. Slade.*] Say a Society of 10,000 members, paying 5*s.* per annum, and averaging thirty-six years of age, could they pay a guinea per week and £20 at death? I am sure they could not.

10416. If a Society of such a number has done so of forty-five years, and has a large bank balance at present time, to what would you attribute their present position? That would not show whether their position was solvent or insolvent.

10417. Do you not think forty-five years or a life and a half should be considered a proof of the soundness of the transactions of these Societies? There is no proof, except an actuarial valuation.

10418. Are you aware that in all cases the actuarial estimate of what these Societies should have has been some 200 per cent. more than really what they have existed upon? I am not aware that it is so. A Society may exist a long time and still be in an insolvent position.

10419. Do you set any value at all on the experiences of these Societies? In this Colony certainly, if collected. I mean the experience relating to the amount of sickness and the number of deaths among the members.

10420. Suppose a Society could not furnish to you any reason for the success of its operations but simply a fact of forty-five years' existence, and, having paid all these claims which you say are excessive, have met all their engagements honorably, and have large credits in the Bank, would you not take that as something in favour of their system being sound? No, I would not attach any importance to that. I need not say that at the valuation of the Manchester Unity in England, in 1871, they had a fund of over three millions sterling, and yet there was a deficiency of about a million and a quarter, and they are now making up that deficiency.

10421. Are you aware that is not by an increase, but by a changed form of contribution? No, I think it is by an increase.

10422. Is it not rather a graduated subscription? No, they have been graduated many years—I know they were in 1853.

10423. Have you seen the calculations of the Ancient Order of Foresters? No.

10424. Are you aware that these graduated contributions are optional? That I do not know. I know there is no law to compel them to have graduated contributions.

10425. And are you aware that their rate of subscription is something like 50 per cent. less than what Ratcliffe says is necessary? It may be; if so, probably they are insolvent. The actuarial calculations are based on the experience of the Societies themselves, and if sickness in the future is to bear any fair proportion or relation to that in the past there can be no doubt about the actuarial calculations. I could understand it if an actuary followed the practice of taking assured lives, but if he used tables which represent the experience of Societies themselves it cannot be far out.

10426. Do you wish us to understand that the tables used are those of Friendly Societies? I know they are.

10427. What should you consider the average age at which members die? That will vary. If a man at a certain age—say a man at twenty—expects to live thirty years, or to the age of fifty, when he gets to the age of twenty-five he expects to live beyond fifty, and so on. The expectation of life varies with every year of life.

10428. But the record you have kept—what does that come to? I think our average has been very low.

10429. Would you think an average age of forty-seven and a quarter at death showed a healthy rate among the members? Yes, if they entered at young ages I should think so.

10430. This extends over a number of 200 members and a period of forty-five years? Well, the data would be too small to base any reliable calculations on at all.

10431. Do you think the occupations of persons who join a Society make a difference in the liability? If you have a large number of members of a hazardous occupation to influence the whole it would, but if they were only in small numbers I do not think so.

10432. Is not the class so largely insured with you largely drawn from clerks and people of sedentary occupations? No. We have a very large number of labourers and farmers, and graziers, and tradesmen of all kinds.

10433. Do you not think the Friendly Societies are much more largely recruited from the ranks of working-men? Yes.

10434. Would not their occupation be largely in favour of their health, and thus render it necessary to take less subscriptions from them? No, I do not think so.

10435. What is your opinion of the Ancient Order of Foresters' examination of candidates? I think it is sufficient, but I think you should have the family history a little more complete than that.

10436. Do you think diseases should be more specially mentioned than that? You want to know if the parents or brothers or sisters have been subject to any hereditary diseases, but I think almost an examination by a conscientious examiner would be sufficient.

10437. *Mr. Newland.*] When actuaries examine the tables of a Friendly Society, are they aware that when a member dies the liability of the Society to his wife ceases? If that were told them they would value it so; they would not assume anything.

10438. You see a member insures himself and his wife for certain sums payable at death, and if the wife dies the member receives the assured sum, but if he dies first all further liability in respect to the wife ceases? Well, if an actuary were told that he would value it so.

10439. Are you aware whether that fact has been taken into consideration? He would not be much of an actuary if he did not take it into consideration.

10440. *Mr. Gelding.*] I presume you have studied Ratcliffe's tables, have you not? I have.

10441. What is your opinion of them? I think they are the most reliable we have. I mean those contained in the Supplementary Report of 1872.

10442. I presume that you are aware that all the Manchester Unity men are subject to them at the present time? I do not know that. 10443.

Mr. R. Teecc. 10443. Have you ever studied the difference between the amount of money paid and the amount of money we pay here under our weekly contributions? No, I do not think I have given much attention to making comparisons between them.

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10444. You firmly believe in the sliding scale of system as put forth by him? I should think any other system very iniquitous.

10445. What extent of experience would you consider necessary to furnish actuaries with sufficient information by which to work to bring forward a report? I think if the experience for ten years of the Societies of this Colony were collected the data would be fairly reliable.

10446. You think that it would be sufficient? I think so.

10447. You would not consider the medical expense, and the expense of working the Lodge? No. We should confine ourselves simply to the benefits and the contributions necessary to provide those benefits.

10448. You are aware, I presume, that the Management Expense Fund is reimbursed by secession by members leaving the District? Well, I fail to see how it could be legally done; if there is a special contribution for each fund the advantage to the Society from secessions should be an advantage to the benefit portion of the Society, but there is not always an advantage from secessions; sometimes it is the other way.

10449. Do you place any importance on the initiation fees? No; if the graduated scale of contributions is sufficient for the benefits no entrance fee is required, but they are intended, I believe, to equalize the contributions of members.

10450. You are firmly of opinion that a sliding scale should be adopted in all Friendly Societies to place them on a sound basis? I think so; indeed it is so clear that I do not see any room for a difference of opinion of the point.

10451. I suppose you are aware that the statist in Victoria allows all the Societies five years as a sort of probation? Yes.

10452. Do you approve of that? Yes; I think a fair time should be given to Societies in order to enable them to reform themselves and to give valuers an opportunity of going through the work.

10453. I suppose you have not seen the report of the Manchester Unity of Victoria lately? I understand there have been no valuations done under the Victorian Act yet.

10454. You do not think there would be any difficulty in keeping books on this sliding scale? Not the slightest.

10455. Just as easy as the present arrangements? Just so.

10456. *Mr. Rubie.*] Are there any statistics in the Colony from which you could obtain the information you require? Not of sufficient extent—there are none in this Colony.

10457. In order to present a report to the Commission you would want statistics of Societies for ten years? No, I would assume some other experience. You could not get the experience now sufficiently accurately to construct a table upon. All you could do would be for the future to get the experience. I do not think you could go ten years back and get the information with sufficient accuracy.

10458. In adopting your own table of life have you adopted the Carlisle or Northampton table or is it based on the experience of Societies in this Colony? On the experience of twenty English and Scotch offices; this is admitted on all hands to be the largest and most reliable that exists.

10459. But would it not be better to take the average of the general population than even that of the Societies themselves? No; the experience of Societies of a kindred character is the best.

10460. Then as we have no data that can be relied upon here we should have to refer to something of that sort? We should have to begin anew.

10461. So the statistics which are acknowledged to be imperfect which the Commission has now got would be scarcely any use? Well, I think so, because you would have to have the statistics in reference to the ages of members in any event; but what you want to do is to know the number of people who are in receipt of benefits, the benefits to which they are entitled, the conditions under which they get these benefits, and the contributions to provide these benefits; you then value these by the tables representing the sickness which have been constructed on the experience of the past. To construct a mortality table or a sickness table is a different thing from valuing a Society after you have such a table. If you want to get what the probability of dying is of a number of people, you have to take all those at a given age entering at the beginning of the year. You have to take note of all who pass from observation during the year, and of those who die; by that means we get what is equivalent to the number of men living through the whole year; those who begin the year will not live the whole year, but we apply a modification to that to get the number of those who enjoy a full year of life, and out of that get the number who die, and that will give you the probability of each man dying that year. It is a cumbrous process to construct the tables, but when once done they are done for ever.

10462. Then we should have to get the respective ages of some very large Society, and take the average of each age? No, you would get the number of members at the various ages, and assume they are going to be sick or die in the same proportion as they have been sick or have died in the past. If a Friendly Society came to me I should assume Ratcliffe's last tables of the Manchester Unity, as they are the best that exist now, and until we get our own experience, which can only be got by degrees.

10463. Then in that case the statistics which we now have will be of very little use? I do not say that; we have a mortality experience of our own, and we have tables just as they have, but we think these the more reliable because we do not think we have sufficient data.

10464. You just now said that your average was more favourable than the general average of the Colony? Yes.

10465. And yet you assume after a man has been in your Society five years the average is the same? Yes. The reason is that a large proportion of members has recently joined our Society. During the first fifteen years we did not issue as many policies as we now get in a year; some of these go out and they are under observation only for a short time, but in the general population they cannot go out—they must die.

10466. Do not most Societies attach a great deal of importance to lapsed policies? Every policy which lapses in the Society is a loss to the Society. If every member who has joined our Society had remained in we should have been in a better position than we are now.

10467.

10467. Then until statistics have been obtained for about ten years we should not be able to get a perfect set of tables? I think not. You would have to adopt Ratcliffe's tables. Now they have in New Zealand five years' experience, and any one valuing a number of Friendly Societies from them would test his valuation by these tables and if there were great discrepancies he would investigate further to find out how they arose.

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10468. Of course in Friendly Societies they attach a great deal of importance to secessions because they are not responsible for any further payments? I think as a rule they are a benefit, but in very many cases they are the contrary. If a Society charges a uniform contribution, say of a shilling or thirteen pence a week, that might be too much to take from a man of twenty but not enough from a man of thirty-five, and if the largest number of secessions are among the young men the Societies would thus lose.

10469. *Mr. Langley.*] Following up that, are you aware that the heaviest claims for sick pay in the experience of some Societies arise between the ages of eighteen and thirty-six? I have heard so, and I conclude that is because they have not had a sufficiently extensive experience.

10470. Is there not this difference between an ordinary Life Insurance Society and a Friendly Society, that in the one case you are paying in until death without anything going out, the member receiving no benefit until death, while in the other case the principal claims upon the Society are probably those for sick pay. Does not that make the question of secession materially different? I do not think so. A man who insures his life in a life insurance office and goes on paying without dying sometimes comes to the conclusion that he has made a bad investment; but if he goes to a fire office and insures his property he does not make the same conclusion, and yet the cases are precisely analogous; and so in the case of those who get sick, they have the security that if they fall sick these payments will be made to them.

10471. Is there not a very material difference between the rate per cent. paid in a fire insurance and a life policy? There is a difference in this way, that when a man pays a premium for a life insurance policy at first he pays more than is necessary for the risk, in order that he may be charged a uniform contribution through life, while in a fire office there is always just the same risk; a man gets his equivalent in this way, that if after paying for a few years he wants to draw out he gets back the surrender value.

10472. Do all Societies base their surrender value on the same principle? I think so.

10473. May I ask if, as medicine and doctor form a very important factor in the benefits afforded by benefit Societies, you would not take that question into consideration in your tables? If it were understood that the contributions were to pay for this, of course it would have to be taken.

10474. *Mr. Holdsworth.*] Would the amount of sickness and the death rate materially affect the contributions? Certainly.

10475. Has your attention been called to the fact that the Temperance bodies, as a rule, have a lighter sick and death rate? Yes.

10476. So you would make a special difference in their rate of contribution? Well, I do not know. I would not unless I had the experience collected exclusively from these Temperance Societies, but I would equalize it subsequently on the valuation of the Societies; if I found any contributions I had fixed left the Society with a large surplus, I would arrive at the conclusion that it would be desirable to reduce them.

10477. It would have to be taken into consideration? Certainly.

10478. The number of members resigning you would not consider an important fact in the calculation? Not in a valuation.

10479. You would require certain statistical information on which to base your calculations? Yes.

10480. Do you imagine the sick or death rate here is greater than in England? I should imagine it was very much lighter.

10481. Reference has been made to the increase of the Funeral Fund. Do you think that is a safe system? It does not say anything one way or the other. I think it is safe if the contributions are sufficient for it.

10482. But the same contribution is given all the way through? A uniform rate for each age—that is where the error is. You may have several persons of different ages, and a uniform rate for these increasing benefits.

10483. But is it not necessary that there should be some proper calculation made? Certainly.

10484. Do you consider the experience of the Societies themselves of value if carefully collected. I do.

10485. For ten years I think you said? Yes. I think that would be of a valuable guide; the longer the experience the more valuable it will be.

10486. If some of the largest Societies in the Colony, numbering from twelve to twenty thousand, were to lay before the actuaries the experience for ten years, would it be sufficient? I should not like to answer that question unless I had the information before me.

10487. It would be, I take it, a very valuable basis? I think that would be valuable.

10488. I understand you are in favour of introducing a graduated scale of payments according to age? Certainly.

10489. I am safe, I imagine, in taking Ratcliffe's tables as they appear in Neison as correct, requiring £2 4s. 2d. to give £1 a week and £11 17s. 9½d. at the age of sixty? That would be correct, but they are calculated at 3 per cent.; a higher rate of interest could be assumed in these Colonies.

10490. You imagine we have not experience enough here to justify ourselves in forming a code of rules? I do not think so.

10491. Therefore you would recommend Ratcliffe's last tables? I would.

10492. Do you think in future returns provision should be made compelling Societies to set forth the ages of the members at their entrance, at the time of the various sicknesses, and at the time of death? They should be compelled to furnish returns in a form which any statist with a knowledge of the subject would provide for them.

10493. In 1871 it was declared that the Manchester Unity was insolvent, and that it required upwards of a million to make it up in Great Britain. Are you aware that a similar inquiry was made in 1843, or in 1844, and a similar statement was made? Yes; it has been notorious for many years.

10494. And they have lasted and every year have increased their surplus? Yes; and they might last for another fifty years, as long as they could continue to bring in a number of new members.

10495. You said you did not think it important to lose members. Are you aware that in one year the Manchester Unity lost 60,000? That is not very much out of half a million.

10496. In making your calculations I take it you would make them in the ordinary way—at what it would require for £1 at the death of a member, and £1 a week for sickness, and £1 at the death of a member's wife, assuming so many wives to so many members? Yes.

10497.

Mr. R. Tseece. 10497. Are you of opinion there should be a distinct department in reference to this matter with a statist and actuary attached? I have thought of that matter, and my opinion is as follows:—The Commission are no doubt aware that in the matter of statistical information we are the reproach of the Colonies. We should be in a position to show everything we have which would give a fair idea of the social condition of the people, and one great thing would be the condition of these Friendly Societies, another the condition of the Building and Investment Societies; and if we had a Government department presided over by a Government statist who would be charged with the collection and arrangement of all these statistics, a most valuable department would be created, and one which is conceded to be necessary in almost every civilized community except this Colony. A barrister does not know anything of the statistics of Friendly Societies; and in Victoria the whole of the work of the department is done by Mr. Hayter, and his reports are models of their kind. In New Zealand there is a special department for Friendly Societies alone; and to each of these departments there is attached a gentleman who has a knowledge of actuarial science. It would be much better to have these things collected by men accustomed to the manipulation of statistics, so that all statistics should be collected by one department specially charged with them, and that the care of the Societies generally should be part of the work of the head of that department.

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10498. That is, that there should be a Statistical Department? I think so.

10499. Are you aware that the number of members of Friendly Societies exceeds 80,000? I have heard so.

10500. And that there are 120,000 dependent upon them? Yes.

10501. Do you not think that makes them of sufficient importance to warrant the Government in providing a special department for them? Yes, I do; but I think it would be more advisable if we could have other matters in connection with it under the same department.

10502. That is, that the Statistical Department should have a special branch devoted to this? Undoubtedly.

10503. With so many persons interested in the well being of these Societies, is it not desirable that there should be some person appointed to whom they would go for advice in law matters? I think so; and I think it is important that they should be allowed to conduct their operations as cheaply as possible, as these persons cannot afford to pay large expenses. Before an Act was passed in England, which made it possible to have a valuation on the part of every Society in the land, it was stated in evidence that out of 20,000 Societies not more than 500 had consulted an actuary, and not more than 100 did so regularly.

10504. Would not such a department be a great saving to the State? I think it would.

10505. Creating habits of self-reliance among the people? Well, people look more to getting an equivalent for what they pay.

10506. *Mr. Greville.*] If you have not been consulted personally by any Society, do you know of any other actuary who has? I never heard of it.

10507. From the nature of your profession you understand something about the internal working and present condition of these Societies? I have not been connected with the internal working of any of them, but I know the main principles upon which they must be worked, and have had the opportunity and means of forming an opinion as to what these conditions must be.

10508. Are you aware of the legislation which has taken place in England, New Zealand, and Victoria? I am.

10509. Do you think legislation in this Colony might follow on the same lines? I do; I think they are admirable guides.

10510. Which do you prefer? They merely require special modification to meet the special circumstances of this Colony.

10511. Have you read the reports of the various Commissions? I have read the whole of the evidence given before the Commission in England.

10512. Have you read those of Victoria and New Zealand? Not that of Victoria.

10513. Have you obtained official data of the New South Wales Societies sufficient as to enable you to speak of their working? No; it is not accessible.

10514. Have you ever tested the rates of contribution? I have several times.

10515. Do you think the contributions sufficient? I do not think they are.

10516. I presume you consider it necessary that it should be made compulsory on all Societies to make annual returns to the Registrar? Certainly, and every Society should be compelled to register under the Act.

10517. Would you have the same form of return used by every Society? Yes, except in special cases. 10518. Do you think it would be prudent to allow all Societies to vary their rates of contribution and benefits, the same as Insurance Companies do, provided they did not go below a certain minimum fixed by actuarial calculation? Yes; I think they should have as much power as possible to fix their rates, but I am not quite sure about any compulsion in the matter—the principle of compulsion is repugnant to the British mind, but it would be an advantage to have the tables of contributions properly certified to as correct.

10519. Would you enforce an actuarial investigation every five years? Yes, I would.

10520. Would not the expense be an obstacle unless done by a Government officer? Yes, it would be.

10521. Then, if the Legislature determined to have more permanent supervision than at present, could not a set of tables for the use of valuers be framed by which the value of Societies could be calculated with little cost? Yes; if one or two Societies came to me now to ask me to value them it would cost me an enormous labour, but it would be very little more labour to value one or two hundred of them, because I should have to construct a lot of tables. This should be done by the Government for the use of valuers, and it would then take very little to value the Societies.

10522. Then you would have the set of tables I speak of provided as one of the first things to be done? Certainly; that would be absolutely necessary.

10523. Would you in framing these tables make allowances for withdrawals? No, I would not, though I do not know whether it would be worth while to construct tables showing the effects of withdrawals, but I would not take them into consideration.

10524. But they do form an important element? But if you took it into consideration you would assume it to continue, but if you did not continue you would have a lot of leeway to make up, because you would have anticipated the benefit of these secessions for all time.

10525.

10525. Still if in examining the accounts of various Friendly Societies in this Colony you found the deficiency of contribution was compensated for by the number of withdrawals, would you not then be justified in taking that into consideration? That would necessarily be so, because if at the valuation it appeared that the Society was solvent, and it had been assumed that the contributions were insufficient, that would show that for that Society the contributions were sufficient. Mr. R. Teece.
19 June, 1882.

10526. And if the experience of all Societies were to the same effect, that the contributions were below the proper mark, but that the secessions prevented the Society from becoming insolvent, any actuary would be justified in taking that into consideration? He would be justified in allowing the rates of contribution to be sufficient.

10527. In the English calculations, do you think that was taken into consideration? No, it was not.

10528. But the labour market being so different here from what it is in England, would it not be right that it should be taken into consideration? I do not think so—not in fixing the tables of contribution.

10529. As an actuary you would take into consideration the circumstances concerning a man's life, and as to where he lived? Yes.

10530. And if you find that a Society depends on the state of the labour market, should they not be considered? I do not think so, because you cannot in establishing a Society take into consideration any disturbances that are going to occur in the labour market.

10531. In calculating tables for Societies in this Colony, might we not more safely adopt the experiences of New Zealand and the Australian Colonies rather than those of England? At present they are not sufficiently extensive; the only experience we have is the experience for five years of Societies in New Zealand.

10532. Ultimately, I presume, the Life Offices here will adopt Australian experiences? I presume they will.

10533. And so ultimately Australian Benefit Societies may be framed on Australian experiences? Certainly.

10534. How many years' experience would you require as an actuary? I think with the number of Societies there are in the Colony ten years of their experience would give you a fairly reliable table.

10535. Are you aware that in the Societies provision is made to level the apparent injustice by means of a sliding scale of entrance fees? I believe so.

10536. Do you consider the sums for each separate benefit should be kept distinct? Undoubtedly.

10537. Would you limit the age up to which sick allowance should be granted? I would. There comes a period when a man is unable to work simply because he is worn out, but it is not sickness.

10538. Looking at the funds of these Societies, what conclusion do you arrive at relative to the financial position of the majority of Societies in this Colony? I incline to the opinion they are not solvent.

10539. Would you restrict the amount of sick pay to be paid to each member? Yes; I think it should be considerably smaller than the amount of wage he is able to earn, so that no inducement should be held out for pretended sickness.

10540. *Mr. Abigail.*] When you applied to the Registrar five years ago, did you tell him what you wanted the information for? I think so.

10541. Did he offer to supply any information that he had? No; I did not press him. He could not tell me how many Societies were registered, and whether there were as many unregistered.

10542. Am I right in concluding that if you had been supplied with the information some valuable conclusions would have been given to the public? I was going to be paid, and should have gone on as long as I was paid.

10543. If application had been made to you for a form sufficient to base sound calculations on, would you have supplied it? Certainly.

10544. Are you of opinion that in making any calculation the contingent or expected liabilities in respect of the benefits would form an important consideration? Most important.

10545. Is it true that an actuarial investigation has generally set forth that Friendly Societies are not in a sound financial position? That is the fact.

10546. Is that on account of any ill-feeling towards these Societies on the part of actuaries? No.

10547. Have you ever heard that stated? Never.

10548. Some reference has been made to Mr. Ratcliffe's estimate of the Manchester Unity in England in his last report; are you aware that since he issued these reports every Lodge in Great Britain has come under them, thereby proving that they believed in their correctness? I knew that a large number had done so, and that nearly all actuarial valuations made since have been made with these as a basis.

10549. Now, in reference to secessions, I understand your reason for not taking them into account is that you do not believe they are any gain to a Society? They would be a gain to a Society with properly graduated contributions, but under present circumstances I doubt whether they are a gain.

10550. Are you in favour of an enactment that new Societies should base their tables on actuarial calculations? I think so.

10551. In getting the information to form a correct estimate, would it be necessary to have the whole of the expenditure of a Society? Oh, no; in forming a table of contributions it would be necessary to provide the benefits from it. If a new Society were going to start I should adopt Ratcliffe's tables, and give it to them in twenty-four hours, because I have by me a number of tables that I have made based on Ratcliffe's tables, with an increase of the interest from 3 per cent. to 4, 4½, and 5 per cent.

10552. But to ascertain the correctness of Societies in New South Wales, would it not be necessary to know how they spent their money? Yes, of course it would.

10553. *Mr. Holdsworth.*] You say we may take 4 or 5 per cent. as the interest payable here; are you aware that most of the money is invested in the Government Savings Bank? No; I understood a good deal of it was invested in Government bonds and mortgages.

10554. *Mr. Rubie.*] Do you not think that the success obtained by most of the Societies here of long standing has been through the large interest they receive? I do not think they have achieved success; the ability to pay their way does not prove that they are not in an insolvent condition.

10555. Another source of profit has been in connection with these secessions, the gain of the entrance fees? Yes, that might be so, if they were not taken from the members as some equivalent for the small contributions. If a uniform contribution is not demanded from members of all ages, it might be equalized by the entrance fees.

10556. *Mr. Langley.*] Have you ever seen the returns required to be sent in to the Government of Victoria? Yes.

- Mr. R. Teece. 10557. Have you seen the return sent in to our Registrar of Friendly Societies? No, I have not.
- 19 June, 1882. 10558. Do you think, for all statistical purposes and giving a sufficient amount of information, the returns which are called for in Victoria would be sufficient if adopted here? Generally, certainly.
10559. You consider they would be suitable to this Colony as well as to Victoria? I think so; I think they are admirable returns.
10560. *Mr. Abigail.*] Will you supply the Commission with a form of the information you require to base your calculations upon? Certainly.
10561. *Mr. Smith.*] If it were shown that a Lodge had existed for forty years, having five or six hundred members, a freehold property worth four or five thousand pounds unencumbered, and having a very large sum of money to its credit at the Bank, do you not think that would be proof in itself that the Society was based on a proper basis? It would not be any proof whatever; that could only be decided by ascertaining what their liabilities now are. I can name to you Societies which have gone on for many years with enormous funds, which have been transacting a business of an apparently most successful and brilliant character, but when the end came these funds melted away into nothing. The latest instance of this that we have was the failure of the European and Albert Offices, which were supposed to be two of the most successful Societies, though actually it was known they were insolvent. No actuary, however, had the courage to say so, because he knew if he did he would be prosecuted for libel.
10562. Then it would be necessary to get the liability of each Lodge as to the longevity of its members? Yes, you would have to know what liability they have in respect to the benefits they have to pay in future; a member may have been paying into a Society for five years and never have received a sixpence, but no man pays in his money for nothing.
10563. This is not fully borne out by the Friendly Societies in New South Wales? Perhaps not; it would be a fatal error to allow persons only to join who were in want of the benefits.

The Commission then adjourned till Friday, the 23rd June.

FRIDAY, 23 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

J. GELDING, Esq.,	JAS. F. SMITH, Esq.,
E. GREVILLE, Esq., J.P.,	F. ABIGAIL, Esq., M.P.,
P. J. NEWLAND, Esq.,	P. R. HOLDSWORTH, Esq.,
JOHN SLADE, Esq.,	E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.	

Mr. Christopher Rolleston, C.M.G., sworn and examined:—

- Mr. C. Rolleston, C.M.G. 10564. *President.*] You are the Auditor General of New South Wales? Yes.
- 23 June, 1882. 10565. I understand you formerly held the position of Registrar General? I did, yes.
10566. During the time you held that office the Commission have learned that you took some interest in the calculations with reference to the basis on which the Friendly Societies were working? Yes; I inquired into the system in vogue, and collected the Quinquennial Returns which the Act of that day required to be sent in to the Crown Law Officers. I got them, and analyzed them in so far as I was able to do, and made a report to the Colonial Secretary on that analysis, together with such tables as I could prepare, and that Return was laid before Parliament. It will be found in Volume II of the Votes and Proceedings of 1861-2, page 1055.
10567. Do you remember the substance of the inquiry? There were only five Societies had sent in returns; the particulars will be seen by reference to that report.
10568. Have you given any special attention to the working of Societies since then? No, I cannot say I have.
10569. Then you cannot tell the Commission as to their financial position now? No; I have no means whatever of knowing it.
10570. Is there anything you would like to give the Commission the benefit of—any suggestions you might make? No; since the time I was Registrar General I have not followed it out at all, and I am not in a position to offer any observations that would be of any value to the Commission in connection with these Societies.

The Commission then adjourned till Monday, the 26th June.

MONDAY, 26 JUNE.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,	P. J. NEWLAND, Esq.,
E. GREVILLE, Esq., J.P.,	F. ABIGAIL, Esq., M.P.,
JOHN SLADE, Esq.,	P. R. HOLDSWORTH, Esq.,
JAS. F. SMITH, Esq.,	E. J. RUBIE, Esq.,

Mr. James Prior, Secretary of the Rose of Petersham Lodge, Grand United Order of Oddfellows, sworn and examined:—

- Mr. J. Prior. 10571. *President.*] Have you the rules of your Society? Yes.
- 26 June, 1882. 10572. What office do you hold? I am Secretary of the Lodge.
10573. How long has the Lodge been in existence? About fifteen months.
10574. What number of members have you? As nearly as possible, sixty-five financial members.
10575. What are the initiation fees of your Society? I do not know from memory; it is stated in rule 96, page 53. 10576,

Mr. J. Prior.

26 June, 1882.

10576. From 16s. to 20s. ? Yes.
10577. Graduated up to 105s. from 39s. to 40s. ? Yes.
10578. Did you not at the institution of the Lodge accept candidates at lower rates than these ? Yes, at half these fees.
10579. Then you admitted some members between sixteen and twenty at 4s. ? Yes, and we have admitted members since the opening at half-fees, about six months ago.
10580. When did this rule come into operation ? I cannot say.
10581. I mean as far as your Lodge is concerned ? I was not in the Lodge then.
10582. But you say you have within the last six months admitted members at half-fees ? About six months ago we did, having applied to the Council for permission, and got that permission for a given number of weeks.
10583. Then you admitted persons six months ago at the age of forty for £2 12s. 6d. ? Yes.
10584. What are your weekly payments ? 1s. a week.
10585. By all members ? By all the members.
10586. Young and old ? Young and old.
10587. What is the value of the funds at present ? I could not answer that question ; the Treasurer has that book.
10588. Do you know the amount of income received last year ? For the half-year ending December the balance at the credit of the Society was £54 11s. 4d.
10589. What had been the receipts for the year ? £211 17s. 11d.
10590. And what the expenditure ? £157 6s. 11d.
10591. What would be the average age of your members ? They are mostly young men ; I should say it would not exceed thirty-two.
10592. Had you any deaths during the year ? No.
10593. Any amount of money paid on account of sick pay ? £4 13s. 10d.
10594. What was the amount of the working expenses ? £26 11s. 6d.
10595. Is this document (*produced*) the return you sent in ? Yes.
10596. What is the meaning of the sum under the head of management, £80, for 1881 ? That is the amount received and paid to the Management Fund.
10597. What benefits do you give for the shilling per week ? Medical attendance and medicines for the members, their wives and families, and £1 per week sick pay.
10598. And what the death of the member ? £20.
10599. And on the death of his wife ? £10.
10600. What do you pay to the District ? 2s. 3d. per member per quarter, but I think it varies slightly sometimes, from 2s. 3d. to 2s. 6d.
10601. The balance you have to go for management and sick pay ? Yes.
10602. And by paying this amount per quarter to the District you secure the payment of the funeral donations ? Yes.
10603. Is that the only contribution you make to the District ? That is the only contribution, except that they supply us with books, and so on.
10604. Have you been a member of any other Society ? Yes, of the Protestant Alliance.
10605. Are you still a member of that Society ? Yes.
10606. *Mr. Abigail.*] Upon what basis did they arrive at the conclusion that 1s. a week was sufficient to guarantee the benefits ? I do not know ; that was handed down to us by the Grand Council. They decide that, and the Lodges have nothing to do with it. There was a discussion on the point, and we went into the matter and found it was sufficient to guarantee all the benefits. I have a statement which I read before the Lodge in reference to that matter.
10607. You say the Council decided the matter of contributions, but they did not tie you down not to charge more than that amount ? No.
10608. You could charge as high as 1s. 6d. ? Yes, if we like.
10609. You have considered the matter ? Yes.
10610. How did they consider it to arrive at the conclusion that 1s. was sufficient ? They took the receipts and expenditure, and averaged the different funds.
10611. Did they make any allowance for the contingent liabilities attached to each of the members ? I do not see the drift of your question.
10612. When you arrived at the conclusion that 1s. was enough, did you in arriving at that set any sum apart to meet the contingencies of those who might fall sick ? Yes, we took that into consideration.
10613. What allowance did you set apart for that ? 22 per cent.
10614. The Council is responsible for all debts, I suppose ? Yes.
10615. Do you as a Lodge give any benefits on the death of a wife ? No, not unless there is dire distress.
10616. No amount on the death of children ? No.
10617. You give distress gifts if any extreme case comes before you ? Yes.
10618. And you took all that into consideration, and then found you had sufficient ? Yes.
10619. How long have you been a member of the Protestant Alliance ? About twelve years.
10620. You have taken an active part in the working of that Society ? Yes, in Victoria.
10621. Was a shilling a week found sufficient there ? A shilling a week and a shilling a quarter.
10622. Is that the uniform rate—do none pay as much as 16d. a week in Victoria ? I think there are two or three that I know of, but not many of them.
10623. Have you knowledge of how much per head the Government Officer in Victoria states that Societies should have to render them thoroughly solvent ? No.
10624. Are you aware that he says it should be £9 ? No.
10625. Do you think that could be attained by the payment of a shilling a week ? It would take a long while to do it.
10626. Have gone into figures to ascertain how much per year the contingent liability increases for each individual member ? No, I have not made any calculation to that effect.
10627. You are not aware that any actuarial opinion was taken to guide you to arrive at the conclusion you have come to ? No.
10628. Are you in favour of the Government exercising a close supervision over Friendly Societies ? Yes.
- 10629.

- Mr. J. Prior.
26 June, 1882.
10629. What do you pay in your Society for a doctor? We pay him a pound a year per member.
10630. What do you pay the chemist? 8s. per year per member.
10631. About what percentage is the management and other expenses in connection with your Society. What do you pay for rent, for instance? 2s. a meeting night.
10632. How many meetings do you have? Sometimes six and sometimes seven in the quarter.
10633. That will be twenty-six meetings a year? Yes.
10634. Do you pay your officers? None but the Secretary, who gets 2s. per year per member.
10635. What would the other expenses represent? The expenditure for the past year for the Management Fund is equal to 92 per cent. of the receipts; that includes medical attendance and medicine, levies, and goods.
10636. *President.*] You mean 92 per cent. of expenditure has come from that fund? The whole expenditure of the Lodge is charged to that fund, and the 8 per cent. left is the surplus. We have made 8 per cent. profit on the Management Fund, and have a profit on the other fund. The total amount received is £114 9s. 5d. for the Management Fund; out of that amount we have paid £105 16s. 11d., or equal to 92 per cent. of the receipts of that fund, leaving us a balance of £9 3s. 5d.
10637. You mean of what you have received for the Management Expense Fund you have expended 92 per cent.? That is it.
10638. And that includes nearly all the disbursements of the Lodge? Very nearly.
10639. *Mr. Abigail.*] What becomes of the other sixpence that goes to the Sick and Funeral Fund? It goes to the District, and for the payment of the sick money.
10640. Your accumulated surplus results from simply the ratio of sick during the year, lower than the general proportion? That is it; our expenditure out of this fund was 53½ per cent.
10641. Did you start with young members? I could not say; I have only been six months in the Lodge.
10642. Have you had sufficient experience to say whether you would favour a uniform system of book-keeping being made compulsory in all Societies? Yes.
10643. Would you favour a close Government supervision over them? Yes.
10644. Do you think Societies starting should be compelled to have an actuarial certificate of the sound basis of their contribution, supposing the Government paid for it? Yes.
10645. *Mr. Holdsworth.*] Did I understand you to say that you had a contribution of 1s. per week? Yes, I said so.
10646. Your funds are divided into two—the Management and the Sick and Funeral Fund? Yes.
10647. And 6d. a week goes to each? Yes, with one-half of the initiation fees.
10648. Out of the Management Fund you pay the medical man and for the medicines? Yes.
10649. And 2s. per year for each member to the Secretary? Yes.
10650. 20s. for the medical man, 8s. for medicine, and 2s. for the Secretary is 30s. in all, how do you pay that out of 26s.; do you make it up out of the initiation fees? Yes, and out of the fines, which are sometimes very large.
10651. Then if it were not for the initiation fees and fines your contributions would be too small? Yes, for the Management Fund they would.
10652. Thus you have to depend for the Management Fund upon extraneous sources? Yes, just so.
10653. Out of the 6d. a week that goes to the Sick Fund what do you pay? The sick and funeral money—the Funeral Fund is 2s. 3d. per quarter.
10654. Have you any idea what the general average of sickness in Benefit Societies is? No, I have not. I have tried to get the information, but could not.
10655. Would it surprise you if I were to tell you it is over six days a year, taking one Society with another? That is above the amount I should have thought it would have been.
10656. Assuming it at that, and that is a low average to pay, that is £1 per week and 9s. for the funeral money, how do you receive your fund, because it exceeds your contributions? We should have to obtain them from the half initiation fees and the interest on the money in the Bank.
10657. Your Society, I think you said, was eighteen months old? Yes.
10658. How long has a member to belong to your Lodge before he gets the benefits? Six months, I believe.
10659. Then only a certain portion of your members are entitled to benefits? Yes.
10660. And for the first six months none were entitled to benefits? No.
10661. Then do you think that your eighteen months' experience is sufficient to justify you in forming a scale under that of the general average of other Societies? Hardly so.
10662. Have you not taken a scale under what is supposed to be the general average of the Grand United Order of Oddfellows? It is the same as nearly as possible.
10663. You took the lowest scale they would allow you to take? Yes.
10664. *Mr. Rubie.*] Have you Trustees in your Society? Yes.
10665. What amount of funds are deposited in their names? All the funds are deposited in their names, with the exception that the Treasurer is allowed to hold £10 in his possession for pressing necessities.
10666. Have you any funds in hand? Yes, we have from £50 to £60.
10667. And you are only eighteen months established? Yes.
10668. How many members have you got? Sixty-five financial members.
10669. Does the whole of the initiation money remain in the Lodge or go to the District? It all remains in the Lodge.
10670. *Mr. Slade.*] Your rules divide the sum total of your contributions into two exact portions? Yes.
10671. And you pay 20s. to the doctor, 8s. to the chemist, 2s. to the Secretary, and 2s. District levies for management? Yes, 2s. or 2s. 3d.
10672. As far as your figures go, I can only make you to have some 8s. left after you have paid your dues, that is, two and a quarter days' sick pay per member; is that sufficient according to your average? We have had very little sickness to make an average by.
10673. Have you ever taken the question of graduated contributions into consideration? No, I have not.

10674. Are you in a position to give an opinion on the advisability of such a system? No; I have never gone into figures in reference to that matter.
10675. Have you considered the advisability of having a Pension Fund for aged or permanently disabled members? No.
10676. *Mr. Gelding.*] What did it cost to open your Lodge? I do not think I can give you that.
10677. *Mr. Slade.*] Are there any similar Societies to yours in the neighbourhood? Yes.
10678. Have you any idea of their rates of contributions? The Protestant Alliance charges 1s. a week and 1s. a quarter; that is the only one I know of. There is a branch of the Manchester Unity, but I do not know what their contributions are.
10679. Is there a branch of the Foresters there? Not to my knowledge.
10680. *Mr. Gelding.*] Do you think these half-fees are desirable? It is a desirable thing if the Lodge is low in funds, or if members are falling off, as it is a good way of inducing persons to join the Lodge.
10681. Did you join in the interim between the first half-fees and the second? No, I joined when they were cheap.
10682. The second time? Yes.
10683. Do you think it is justice to those who might have to pay the full fees that those who come in afterwards should pay only half fees? I do not know about that.
10684. What do you think about it? It is not just, I think.
10685. Do you not think a Society would be established on a more firm basis if they adhered to the regular scale? It is very often the means of keeping the Society together.
10686. What is your opinion of a Society that would collapse if it were not for these half fees—is it based on sound principles? It is based on good principles enough; but if you have not the members in a Lodge you cannot have the funds.
10687. What was the number of members at the commencement of the year? Thirty-five before the last half-fees began.
10688. *Mr. Abigail.*] Have any of your members entitled to sick pay failed to get it from any cause? Not to my knowledge.
10689. Do you know of any case where the funds either in that or other Societies have been misappropriated by other officers? No.
10690. *President.*] You have nothing to suggest to the Commission—no amendments in the present Act or anything of that sort? No.

Mr. J. Prior.
26 June, 1882.

Mr. Patrick Curran sworn and examined:—

10691. *President.*] You are a member of the Hibernian Australian Catholic Society? Yes, and have been a member for about ten years.
10692. You have written to the Commission asking to be examined? Yes; at that time I thought the Commission might do some justice to my case, but since then I have placed my grievances in the hands of a solicitor.
10693. What is the nature of the complaint you wish to make? The grievance I have first took place about June, 1880, when I protested against a certain amount of money illegally going out of the funds, and on that occasion I was fined heavily. I was told by the Chairman of the Division that I wanted to throw some dark shadow over the members' eyes, but I was not. There is a law if a Branch or number of Branches are about to form a District there shall be a specially summoned meeting of each Division, and if they unanimously agree that such should be done each member of each Division carrying such a proposal shall pay 2s. 6d. per head to form a fund for the District and to pay the expenses that might be incurred at the opening of the District. I protested against the illegal voting of £9 odd from the funds of the Lodge without ever making a levy at all.
10694. You objected to the way in which the money was spent? Yes; it should never have been taken from our fund.
10695. Then it should have been raised by levy? Yes. That was the first commencement of my grievances. I was fined heavily on that night, and the Chairman, when I said, "You will have to pay this back again," overruled me, and said their funds were great enough and they could pass the money.
10696. And has that been recouped by levy since? On the next summoned meeting of the Division they had the Registrar's letter to me, which I had received in reply to one I wrote to him, and I put this with my own appeal before the Judicial Committee against the fines; they saw by that that the Registrar said they could not vote the money out of the funds of the Lodge, and it was put in every member's summons immediately a levy of half-a-crown; and the members then began asking what it was for, coming to me for an explanation. I said, "You did not take any notice of me when I protested, but you now see the result." The fines were accordingly remitted, on account of the decision of the Registrar. That passed over; and then the Chairman refused to take an amendment from me when the vote was before them again, while I was a benefit member. Although the law says that any Chairman refusing to put to the vote a resolution proposed by a financial benefit member shall be liable to a fine; he declined to receive my amendment, and said I could vote against the resolution. There were other minor grievances from that time up to the special summoned meeting held on the 7th June, 1881. As I entered the room I presented my contributions to the Secretary, which he refused to take; when I asked him the reason, he said that he could not say, but it was by the instructions of the Chairman. On that night I owed 2s. legally, although 8s. 4d. was on my summons. I should have been willing to pay the half-crown levy if it had been collected in the proper way.
10697. Were you declared unfinancial in consequence of these fines? Yes, in consequence of these fines and other things.
10698. Which were subsequently remitted? They were remitted before this, and other fines were illegally put on me again to the amount of £2 odd.
10699. What were they for? I appeared in the presence of Mr. Coonan to go and see how the District worked. They held their meetings at St. Benedict's school-room; they were claiming from the Division £94 for the Funeral Fund; this was brought before the meeting on three occasions, and refused each time by a majority of the Division, as some of us looked upon the District as having been illegally formed.

Mr.
P. Curran.
26 June, 1882.

- Mr. P. Curran,
26 June, 1882.
10700. I want to know why you were fined? I am coming to that. We went to the meeting to see how they were working, and sat there until about the closing. Everything in relation to the business was completed, and the Chairman was in the act of closing the meeting when Coonan and I and Kelly, we knew there was nothing to hinder us, passed out. The Chairman seeing us called us back. He told me to take off my hat, and the only words I spoke in that room were, "Out of respect to the regalia you wear I will." The result was such abuse as I never got from any man as that Chairman. I told him to respect his position, and he called me out of my name every way possible. I turned for the door with Coonan and Kelly, when I heard a step coming after me, and saw this Chairman with a stick in his hand held over my head. I told him that if he struck me I should return the blow, as I had done no wrong. I was presently surrounded by others, and had as much as I could do to get away. At the next meeting they fined me 2s. 6d., and conveyed the fine to my own Lodge, against which I protested. One or two meetings afterwards I received a letter summoning me to attend before the District meeting to answer some frivolous charge which I was supposed to have made against these officers. I did not attend, but wrote a letter to the District Secretary telling him that I could not think of appearing before such a body of men, and that all they could do they might do in my absence. They fined me two guineas, and transferred the fine to my own Lodge.
10701. Is there any rule giving the District power to fine a private member? Yes, if he commits himself at a District meeting.
10702. But you were not a delegate? No.
10703. The District had no control over you? No more than that if I had been deserving of a fine I could have been fined at that moment.
10704. You were fined two guineas, and that made you unfinancial? Yes.
10705. Have they since removed the fines? No.
10706. Are you financial now? No.
10707. Have you required the benefits since? Yes.
10708. And have had to incur expense? Yes.
10709. You have had to employ other medical men? I had to go to the Infirmary for out-door relief. On that night, the 7th of June, I was proposed for two offices, but the Chairman refused to take the nominations after refusing to take my contributions.
10710. You have protested against the fine and appealed against it? Yes.
10711. And you have the Registrar's opinion that they had no right to inflict such a fine? Yes.
10712. You have instituted proceedings against the officers of the Lodge? Yes; at least I have instructed Mr. Coonan, the solicitor, to do so.

Mr. Thomas Coonan sworn and examined:—

- Mr. T. Coonan,
26 June, 1882.
10713. *President.* } What Society are you a member of? The Sacred Heart Branch of the Hibernian Australian Catholic Benefit Society.
10714. You wish to give evidence before the Commission? I really do not know; I was brought here through some complaint that Mr. Curran had to make. Any questions that you may ask me I will answer.
10715. You were Treasurer at the time Mr. Curran was fined? Yes.
10716. And you were aware that Mr. Curran was made unfinancial? I believe that is the case.
10717. Has your District power to inflict fines of that kind upon members of the Society who are not members of the District? Yes, if we commit ourselves.
10718. Did he commit himself? I do not believe he did at the time he was fined; it was after the meeting was broken up.
10719. Did you see the Registrar's letter stating that the Society had no power to inflict the fine? No.
10720. Has Mr. Curran been a good member of the Society or a troublesome one? He has been a good member—a hard-working one.
10721. You remember the District being formed, when some £9 was voted instead of being called up by levy? Yes.
10722. Were you present? Yes.
10723. Did Mr. Curran protest against the payment of the money? Yes.
10724. It was contrary to the rules, was it not? I am not prepared to say.
10725. What was the result of his protest? The money was voted, and after a few meetings was paid away.
10726. Was there a subsequent appeal made to members to pay 2s. 6d. each? There was a levy of the money.
10727. That was to make good that £9, was it not? I am not prepared to say.
10728. Then you do not know much about the circumstances at all? No, I do not.
10729. Are you aware of any defalcations in connection with your Society? No, not that I am able to give.
10730. You have nothing more to state to the Commission on the subject? No.

The Commission then adjourned till Friday, 30th June, 1882.

FRIDAY, 30 JUNE, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

J. GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

J. F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.

Mr. Robert Webber sworn and examined:—

Mr.
R. Webber,
30 June, 1882.

- 10731. *President.*] To what Society do you belong? The Grand United Order of Oddfellows.
- 10732. What office do you hold? Secretary.
- 10733. How long have you held the office? Since January, 1881.
- 10734. What number of members has your Society? Forty-seven were good on the books at the end of 1881.
- 10735. Is that the largest number that you have ever had? Yes; it is the largest number that has been returned to the District.
- 10736. What amount of funds have you to your credit? £60 0s. 3d.
- 10737. Is that the largest amount you have ever had? Yes, since our Lodge was opened; we are only a new Lodge.
- 10738. And what contributions do you pay? 1s. a week contribution, and 2s. a quarter levies to the Contingent Fund.
- 10739. What benefits do you give? A guinea a week sick pay, doctor and chemist, and a funeral donation of £20 on the death of a member and £15 on the death of a wife.
- 10740. And are you of opinion that the sum you pay is sufficient to ensure all these benefits? Yes.
- 10741. Is the Society, in your opinion, well managed? Well, in my private opinion, it could be managed a little better.
- 10742. It is not so well managed as it might be? I think not, but very near; there are one or two improvements we might have.
- 10743. Do you pay much for rent? Yes; that is the great evil we have; we pay 35s. a quarter.
- 10744. Do you pay your officers? One officer only.
- 10745. Your funds are entrusted to the care of Trustees? Yes.
- 10746. Have you previously been a member of any other Society? About sixteen years ago I was a member of the Manchester Unity.
- 10747. You have had a good deal of experience then? No, I have not had very much, because I was only about eighteen months or two years a member of that Order, having to travel about during the war in New Zealand, where I then lived. I had no opportunity to learn anything.
- 10748. Have you found during your experience that the present Act is sufficient for the working of Friendly Societies? I have not had any time to study the Act; I have not paid any attention to it.
- 10749. Do all your members or candidates seeking admission undergo a medical examination? Yes, and a thorough examination.
- 10750. *Mr. Gelding.*] On what grounds do you base your calculations that 1s. a week and the levy is sufficient to give all the benefits? I have never entered into the subject at all.
- 10751. What do you pay the medical officer for attendance and medicines? 7s. per quarter per member.
- 10752. What do you get? 6d. per member per quarter.
- 10753. Each member pays a trifle over 1s. per quarter for rent? No, it is not 1s. a quarter.
- 10754. Did you admit members at half fees after the Lodge was opened? Yes.
- 10755. Have you recurred to it again? Yes, we did so once.
- 10756. Were the members of the Lodge falling off when you applied for half-fee system a second time? No.
- 10757. You had no occasion to do so? No, not any actual occasion; we did it for the benefit of the poor people or parties who could not afford to pay the full initiation fees.
- 10758. How long has your Lodge been opened? Since the 30th September, 1879.
- 10759. Have you ever had any other levies besides that 2s. a quarter to the Contingent Fund? We have had no levies except the management levies of the District.
- 10760. I suppose you pay the same levies as the other Lodges to the Grand Lodge? Yes.
- 10761. What do they amount to? Sometimes 3d. and sometimes 6d a quarter.
- 10762. Does that satisfy the management expense and the funeral levy as well? The funeral levy is separate from the contingent levy.
- 10763. What do you pay for the funeral levy? On an average 2s. a quarter.
- 10764. Is there any other fund you have to subscribe to in the Grand Lodge? No.
- 10765. Does your Lodge ensure benefits on the death of a child? Yes.
- 10766. What do you give them? £2.
- 10767. How soon do your benefits come into operation, as soon as the Lodge is open? After six months I think, but I would not say positively whether it is six months or twelve months.
- 10768. Just look at the rules, will you, please? Six months I find it is.
- 10769. Could you inform the Commission the number of members you had when the system of half initiation fees was first brought into operation? Sixteen on the opening night.
- 10770. And what was the number of members you had when you reverted to the half-fee system the second time? Thirty-one good on the books.
- 10771. At what period was that? December, 1880.
- 10772. Are you making many members now? Not many now.
- 10773. How do you account for that? I suppose there are not many people wish to join.
- 10774. Do you not think it would be an improvement to have a uniform rate of contribution for all these Societies? It would be a great deal better.
- 10775. Do you believe in the competition that goes on now in Friendly Societies? No.
- 10776. *Mr. Newland.*] Are you aware that one of your laws provides that you shall pay not less than 6d. per week to the Sick and Funeral Fund? Yes.

- Mr. R. Webber.
30 June, 1882.
10777. That would come to 26s? Yes.
10778. And you pay the doctor 7s. a quarter? Yes.
10779. And that would be 28s.? Yes.
10780. Then how can you pay this money? By raising a levy of 2s. per member per quarter to defray the contingent expenses.
10781. Are you aware that the initiation fees of the Grand United Order of Oddfellows are far higher than those of any other Society? When I joined they were less than the Manchester Unity, but in 1880 or 1881 the Manchester Unity lowered their initiation fees.
10782. The fees to join your Order are higher than most other Friendly Societies? I don't know the value of others.
10783. Mr. Holdsworth.] Your contributions are equal to 1s. 2d. per week? Yes.
10784. How old is your Society? Two years and nine months.
10785. Do you think that is any guide? No; I go by other branches of the Society, as well as my own, in saying that I believe the amount is sufficient.

Mr. George Brown sworn and examined:—

- Mr. G. Brown.
30 June, 1882.
10786. *President.*] What Society do you represent? The *Herald* Office Benefit Society.
10787. What office do you hold? Secretary.
10788. Is the Society registered under the Friendly Societies Act? No, it is not.
10789. Your Society is a very old one, is it not? It has been established since 1856.
10790. What amount of accumulated funds have you? £270.
10791. What number of members have you? 111.
10792. What are the benefits given by your Society? Medical attendance in cases of sickness to the members and their families, and sick pay ranging from 25s. to 15s. per week, and £15 burial fee on the death of a male member, with £10 on the death of a member's wife.
10793. What are the contributions paid? 3s. per month per member.
10794. All alike? Yes, all alike, single and married.
10795. What is the reason your Society has not been registered? The Messrs. Fairfax subscribe £100 per annum to our funds, and they do not desire any outside interference so far as the members are concerned.
10796. You receive £100 per year from the firm? Yes.
10797. That is a sort of subsidy? Yes.
10798. The persons comprising the Society are wholly those employed in the *Herald* Office? Yes; that is the condition of membership.
10799. No person in the trade outside could be admitted? None whatever; but there is a set-off against that: in the event of a man leaving, he gets back one-quarter of the subscriptions he has paid, less the amount absolutely paid to him as "relief" money.
10800. And that £100 given as a subsidy from the firm goes to swell your contributions? It does; we have a £100 fixed as a debenture in the Bank of New South Wales, £70 interest on that in the Barrack-street Savings Bank, and £103 cash in the Australian Joint Stock Bank.
10801. Is the money vested in Trustees? Yes, in two Trustees.
10802. Do they give you any guarantee? No—personal.
10803. No guarantee for your Treasurer? Only personal.
10804. Has any proposal been made to register the Society? No.
10805. How long have you been connected with the Society? Eighteen months, as Secretary.
10806. As far as your knowledge goes there is no proposition to register the Society under the Act? No, none within my recollection.
10807. Do you think Messrs. Fairfax & Sons would object to the Society being registered? I could not say.
10808. Would it not afford a greater security for members? I think so; but I think the reason is that Messrs. Fairfax would not care about any petty law suits that might arise; if such was the case they would forego all expenses rather than have the affairs of the office drawn before the public.
10809. How many years have they donated this sum of £100? It has graduated from £25 to £50; the £100 has only been given the last three years; the promise was that as we increased in number so they would increase their subsidy; so if we go on to 150 members, in all probability the Messrs. Fairfax will give us £150.
10810. Then with the growth of the Society they have increased the amount of the subsidy? Yes.
10811. Who is the President of the Society? Mr. Chas. Dixon.
10812. Have your funds ever been larger than what you have now? Never in the history of the Society.
10813. The wives and children of members receive medical attendance and medicines? Yes. I may say that the subscriptions are deducted by consent of the members from their salaries weekly, so that there are never any arrears.
10814. That is an arrangement in the office? It is an arrangement come to by agreement amongst the members.
10815. It is deducted from their weekly pay? Yes, by their consent, not by compulsion.
10816. Is every employee of the establishment a member of the Society? No; there are only 111 members, and I dare say there are 250 in the employ.
10817. Is each of the members subject to a medical examination? Yes.
10818. By the Medical Officer of the Society? Yes.
10819. Does he make a full and searching examination? Yes.
10820. Have any members been refused in consequence of being unsound in health? None whatever.
10821. Who is the medical man? Dr. Pickburn, of College-street.
10822. And he has never refused a single candidate? Never.
10823. Does he receive any special fee for examination? None whatever.
10824. It is included in his annual payment? Yes; we pay him 18s. a year a head. It was at his suggestion that we came to examine these members; we used not to do it.

10825. The practice now is to examine every person seeking admission? Yes, every person seeking admission. Any member joining from the beginning of this year Mr. Hugh George, the Manager, caused to join absolutely; that is, all new employes, but they have to pass the doctor; the members of the Society demand the privilege of insisting upon that, and the firm demands the other. They do not compel us even to admit a person, but they compel all new employes to join the Society, provided they can pass a medical examination. Mr. G. Brown,
30 June, 1882.
10826. And if not able to pass the doctor? That has never occurred.
10827. Does the privilege of joining the Society extend right through the office? Yes, from the editor down to the lad who is just out of his time—every person who draws a cheque from the firm as an employe.
10828. Are any of the editors or sub-editors members of the Society? There are three who voluntarily give a guinea a year. They are donors of a guinea, but they never draw on the funds, or doctor and chemist's account.
10829. What do you pay your chemist? We pay for the prescriptions per item, with 33 per cent. discount.
10830. Do you think 3s. a month is sufficient to ensure payment of all these benefits the Society provides? No, it is not.
10831. Do you think if you did not receive this donation from Messrs. Fairfax & Sons that your Society would have been sound? No, I do not.
10832. Do you think even with the sum of £100 so liberally given as a subsidy that it is sufficient to ensure the due fulfilment of all the obligations of the Society? Yes, I do; and I think we could save £60 a year out of that—that is, combined with the system of deducting the subscription weekly.
10833. Do you know what was the expenditure for last year? £313 1s. 4d.
10834. What was the amount received from all sources? We make two balance-sheets in each year; the first half-year of 1881 the receipts, less cash in the Bank £60 11s. 6d., were £213 2s. 6d., and the expenditure was £156 3s. 10d.
10835. What was the next half-year? The receipts were £202 2s. 8d., less £49 13s. cash in Bank, and £7 5s. 8d. cash in hand; the expenditure was £156 17s. 6d., the heaviest in the experience of the Society.
10836. Do these amounts include the £100 received from Messrs. Fairfax & Sons? Yes.
10837. Have you the present half-year's balance-sheets? Yes, balanced up till to-day; there is a £100 debenture in the Bank of New South Wales, and interest on same in the Government Savings Bank of £64 19s. 1d., and £3 5s. interest; and £2 10s. interest on coupon, due this half-year; the receipts of the Society are £92 2s. 11d.; cash in hand and Bank £43 5s. 2d.; the expenditure was £93 16s. 6d., and we have in the Joint Stock Bank £103 5s. 5d. absolutely our own.
10838. This clearly proves that the income of the Society is not equal to the expenditure? No.
10839. Has this occupied the attention of the Society? It has.
10840. Have the officers taken any steps to place the Society on a more safe and permanent basis? I found that with the subsidy from the firm and having the subscriptions at 3s. a month we could save £60 a year; but when it was left voluntarily to the members to pay their money to the Secretary the Society has been known to be absolutely six months in arrears.
10841. There are no arrears at present? No; there may be five or six shillings.
10842. But nothing to speak of? No.
10843. No other payments but the 3s. a month are made? That is all; we are empowered to make a levy for a funeral in the event of the funds becoming exhausted, but that has never occurred.
10844. Do you publish your balance-sheets? Yes, it is printed and circulated amongst the members.
10845. Do Messrs. Fairfax & Sons see the balance-sheet? Every half-year.
10846. Has their attention been called to the fact that the Society could not exist but for the donation they give to it? Yes, and they expressed a desire to help their employees.
10847. Have they received these balance-sheets you have read to the Commission? Regularly, since I have been Secretary.
10848. Is it proposed to take any further steps to raise the contributions? No, it is not.
10849. What is the average of the members of your Society? They range from twenty to sixty, and I might strike an average at about thirty-five.
10850. Are there many of the members at sixty years of age? Not above six.
10851. Many at twenty? Only one.
10852. Many at thirty? Yes, there are fifteen or sixteen at that age.
10853. Within what range of age would you have the largest number of members? From thirty to fifty.
10854. Would you have a larger proportion below thirty than above? No.
10855. A larger proportion above thirty? Yes, I should think so; I am only forming an opinion as to age; I have not the ages entered.
10856. But you do enter the age? No.
10857. It is not a question of age? No.
10858. You admit them at all ages? Yes, provided they can pass the medical examination.
10859. You do not apply the rule that age is a bar to the admission of a person? No.
10860. Any person even sixty years of age could join the Society if in a good state of health? No person could say that a member was in a healthy state at that age.
10861. If the doctor certified you would admit him? Yes, after submitting it to the Board of Management.
10862. There is no rule to prevent him joining? Nothing, unless the Board considered him ineligible.
10863. Would a man be ineligible if he was in good sound health? The doctor says he cannot say that any man at sixty is physically sound.
10864. At fifty then? Yes, we would admit him.
10865. *Mr. Smith.*] Are you identified with any other Friendly Society? None whatever.
10866. You know nothing of the workings of ordinary Friendly Societies? No; not sick Societies.
10867. Are many of your members also members of other Friendly Societies? That I could not say.
10868. You charge no initiation fee? Yes; 5s. uniformly.
10869. Are any extra fees paid to the doctor in cases of accouchement? Two guineas.
10870. Paid by the members? Paid by the members.
10871. Nothing is paid by the Society? No.
10872. The whole cost is thrown on the members? Yes.
10873. Have you had any disputes in your Society? Before I took office there were some.
10874. Of what nature were they? The unsatisfactory nature of the account books. 10875.

- Mr. G. Brown. 10875. How were they dealt with? A Board of Inquiry was appointed, but they could not get any satisfaction. There was no check upon the contributions paid to the Secretary further than that he signed a card, and the majority of the members had not these cards to produce, and so there could be no correct audit.
- 30 June, 1882. 10876. Did that involve a loss of funds to the Society? Presumably.
10877. Do the proprietors exercise any authority or control over the working of the Society? None whatever.
10878. The working is left in the hands of the members? With this exception, that the firm deduct the subscriptions weekly. The Messrs. Fairfax have a list of the members, and they can thus tell the amount that ought to be received. The paymaster pays the weekly contributions deducted from the members' salaries to the Treasurer; the Treasurer gives him a receipt for the money he receives and deposits it in the Bank, and furnishes me with the deposit slip, and I enter that as a receipt; so that the Bank-book has to tally with his signature to the paymaster.
10879. Where do you hold your meetings? In the *Herald* Office.
10880. Are they held at night? No; on Saturday afternoons.
10881. Weekly? Once each half-year, for the election of doctor and chemist and all officers.
10882. There is no other meeting? None at which the general body of members meet.
10883. You are under no expense for a place of meeting? None whatever.
10884. Do you pay your Treasurer? £1 per annum.
10885. What is your salary? £12 per annum.
10886. Any other officers paid? No.
10887. Have you any regalia? No, nothing of that sort.
10888. And your printing I suppose is done free by the office itself? No; I get that done at Gibbs, Shallard, & Co.'s.
10889. You have no pension fund in connection with the Society? No, we have not.
10890. Have you any members permanently on your funds? No.
10891. Is there any scale as to the sick pay? Yes; you receive 25s. a week till you receive £20, and 22s. a week till it amounts to £25, 21s. till you have received £30, and so on down to 15s. You do not go below that.
10892. Have you ever had reason to complain of any of the members remaining longer on the funds than was thought necessary? No; the majority of members get their living by piece-work, and the consequence is it would not pay a man—no matter how indifferent a workman—to be dishonest in that respect. It would not be to his disadvantage to impose on the Society.
10893. Are there persons appointed by the Society to pay the sick pay? They receive it through the Secretary.
10894. You pay it yourself? It is paid through me; two trustees sign the cheques.
10895. What check have you over persons sick as to whether they keep within your rules? The doctor's certificate, and I visiting them.
10896. Do you think it would be an advantage to bring the Society under the operation of the law? I do.
10897. Has the matter ever been discussed? I have heard that it was discussed years ago.
10898. But not recently? Not recently, on account of the reason I have assigned.
10899. But that is only a matter of surmise? Yes, so far as my knowledge is concerned.
10900. Messrs. Fairfax & Sons have never expressed themselves as being averse to the operation of the law? Not to me.
10901. Have you heard it from other persons? No.
10902. Are you acquainted with the principles of the Friendly Societies Act? No.
10903. Have you given it any attention at all? No.
10904. Then you do not know whether its requirements would be suitable to your Society or not? Further than that in the abstract I believe they could sue and be sued.
10905. There would be no necessity for that sort of thing in your case? No, I do not think there could be under the new system.
10906. *Mr. Abigail.*] Can you tell us how much the Society has received from the *Herald* proprietors as a total? No, I could not.
10907. Could you form any idea? I could not tell from memory how the amounts graduated, from what date the various sums were given.
10908. How many years have they been given? Since 1856.
10909. They commenced with £25? Yes, and went on.
10910. You have received more than £270? Yes, I have received £150 during the last eighteen months.
10911. You said you had made a calculation that showed you would be able to save £60 a year? Yes, with the subscriptions kept back from the salaries.
10912. Then without this donation you would lose £40 a year? Yes, because out of 36s. contributed by the members 18s. is paid to the doctor, and then there are working expenses and medicines.
10913. Have you ever made an estimate what the chemist costs per year? It fluctuates very much.
10914. But you pay the doctor 18s.? Yes; and I have paid the chemist £14 per quarter, but this quarter it was only £6.
10915. You have never made an estimate of the annual cost? No.
10916. Do you think it is as low as 7s. per member per year? No, it is not.
10917. Would it be 10s.? More than that.
10918. Well, 10s. and 18s. would make 28s. out of the amount contributed? It would be more than that.
10919. Well, if you take say 30s. out, it leaves only 6s. for the sick benefit? Yes.
10920. Do you observe that the benefits you give are larger than those of Societies charging 5s. per month? I have heard so, but do not know it positively.
10921. The benefits are greater and the contributions less? Yes, consequent on the subsidy from the firm.
10922. As a matter of opinion, do you not think a Society of that kind should work on its own contributions? If it were a public one, yes.

Mr. G. Brown.

30 June, 1882.

10923. If the members leave the employ do they forfeit their membership? Yes.
10924. Would you be in favour of a Government officer to supervise all Societies of a friendly benefit nature? Most decidedly.
10925. The fact that, as you state, the books of the Society previous to your taking office were wrong, shows that there is some necessity for —? A more correct audit.
10926. *Mr. Greville.*] You spoke of there being “presumably” a deficiency? Yes.
10927. Was such an investigation made as to enable you to determine whether there was such a deficiency or not? Nothing definite could be arrived at, as there were no means of proving what had been received.
10928. Then, I presume, at that time the Messrs. Fairfax were not in the habit of allowing their paymaster to deduct the amounts? No.
10929. Was it in consequence of this presumable or apparent deficiency that the Messrs. Fairfax introduced that system? No, it was at my suggestion.
10930. Can you give the Commission any idea as to the amount to which the funds of the Society are benefited by persons leaving the employ without receiving benefits from the Society after contributing to it perhaps for years? Well, no, I could not answer that question.
10931. I presume in that establishment there are very few men who leave the employ? Very few.
10932. And therefore any benefit arising to the Society from men leaving would be very limited? I cannot see that there would be much benefit.
10933. *Mr. Holdsworth.*] I presume that occasionally men get too old to follow out their calling? Yes, there are several cases.
10934. Where they have left through old age? They have left with the option of doing what little they could. The Messrs. Fairfax give them what is called a “franc,” and a compositor to a very old age can earn a little, and he gets that together with a small pension from the Messrs. Fairfax.
10935. Then there is a system of superannuation in the *Herald* office? Only voluntarily.
10936. If a man gets too old to work he still remains on your funds? Not as a sick member.
10937. But on your funds in case he gets sick? Undoubtedly.
10938. There is provision made for a man however old he is? Yes.
10939. Then a man is not thrown out on the world when he gets too old to work? Certainly not, he comes down to 15s. a week, and goes on as long as he remains there.
10940. If a man becomes too old to work he would not be thrown on the world? No, but there never has been a case in which the Messrs. Fairfax did not superannuate him.
10941. In case a deficiency occurred in your funds there is no doubt the firm would supply it? I believe they would.
10942. They look upon the Society as part and parcel of their establishment? Well, if we desired to abandon the Society to-morrow I believe we could. They did not absolutely cause the Society to exist, but if we voluntarily agree to join together they agree to subsidise us.
10943. They treat it as part of their establishment? Yes, but entirely apart from the business.
10944. Is Mr. Watson your chemist? Yes.
10945. Then if he said the average was 1s. 6½d. per quarter, I presume he would be right? I do not see that at all.
10946. *Mr. Rubie.*] Have you had many deaths lately? I think there have been four during my term of office.
10947. How much was given on account of these? £15 in case of a male member's death, and £10 in respect of a wife.
10948. Previous to your taking office the funds were reduced to a low ebb? There was no money at all, except the debenture of £100.
10949. Had a death taken place there would have been a levy made? I do not think so; I think the Messrs. Fairfax would have paid anything.
10950. You have a sliding scale of payments? Yes.
10951. *Mr. Slade.*] Who is Mr. Newman? He is the paymaster of the office.
10952. Regarding the moneys paid in, do boys of a lower wage pay the same as men? There are no boys in the Society; the youngest member is 20, but he has completed his apprenticeship.
10953. You made a statement to the effect that the reason the firm might object to registration was that they would not like the affairs —? That is my opinion.
10954. Are you aware that the Act gives you power to avail yourselves of its penal clauses whether you are registered or not? No, I am not aware of that.
10955. Have you made an average of your sickness? No.
10956. *Mr. Gelding.*] Do I understand that a member of your Society having received the full amount of 25s. a week can never return to that amount again? No.
10957. He has to go to the low scale, no matter how long he may be well in the interim? He keeps to the amount he has come down to.

Mr. Henry Austen sworn and examined:—

10958. *President.*] What Society do you represent? No. 3, Good Samaritan, Sons of Temperance.
10959. What office do you hold? Treasurer.
10960. How long have you been Treasurer? About thirteen years altogether; ten years without going out of office.
10961. What is the financial position of the Society? Not very good; in fact it is low.
10962. What number of members have you? Fifty-two financial—sixty-two on the roll.
10963. What amount of money have you to your credit? I do not think it is more than about £72.
10964. Your contributions are —? 1s. a week.
10965. And the usual benefits are given by the Society? Yes; £20 in the case of the death of a member, and £10 on the death of a wife; sick-pay a guinea a week for the first six months, 15s. for the next six months, and a superannuation of 7s. a week as long as a brother is ill.
10966. You have had a much larger number of members than now? We have had as high as about 230.
10967. Has not your Society a property at Newtown? No; it had though.
10968. What has become of that property? I hold it at present.

Mr. H. Austen

30 June, 1882.

10969.

- Mr. H. Austin 10969. As the mortgage or how? I hold it as my freehold.
 30 June, 1882. 10970. How was it sold? By the mortgagee.
 10971. Who was the mortgagee? I could not say. Holdsworth & Evans acted for them; I did know, but I forget.
 10972. What amount of money was on the building? £800.
 10973. What did it realize? £1,000.
 10974. You gave £1,000 for it? I gave more than that; I gave £1,000 at the sale, and then offered to let them have it back again if they could rally round and make it up; and I transferred it back again to them. We had a law suit coming on in connection with one of our brothers who was in the mad-house, and they said there was no other way of meeting the expense but to sell the hall, and I bought it back again, and gave another £100 besides, paying all expenses.
 10975. What became of the difference between the £800 and the £1,200 that the building fetched? There was money they had to pay to the Master in Lunacy, 40 odd pounds. We had paid £160 on account of this brother during the last five years, and had knocked off paying because the youngest girl became of age to work for her own living, and there were no children depending on him; but the Master in Lunacy came on us for back money. That is why they sold the hall back to me again.
 10976. What was that amount? I do not remember; I could not say exactly.
 10977. But about the amount? They had to pay I think about £47.
 10978. And that £47 was a part of the money over and above satisfying the mortgage? Certainly it was.
 10979. And what became of the balance? The trustees had it.
 10980. But you say they have now only £70 to their credit? About that.
 10981. Then you have lost money? Yes, we have, considerably. We have had very heavy sickness, and have two on the superannuation fund, and have only about fifty-two financial members. The doctor's bill every quarter comes to about £17. I have put a motion on the table to levy all the Lodge 3d. a week to put us in a better position again.
 10982. Then you think the sum you are paying now is not sufficient? No, not with this heavy burden upon us; we are not clearing our expenses, but are going back £12 or £14 a year.
 10983. When was the hall sold? I could not say.
 10984. Was it two years ago? Yes, about that. There was nearly £100 owing on the mortgage, and perhaps more than that.
 10985. And you hold the property now? Yes.
 10986. And you say the Society contemplates raising its contributions? Yes.
 10987. So as to increase the income? Yes.
 10988. Has any such resolution been tabled? No, it was to have come off last meeting, but I forgot the night, and there was no action taken.
 10989. Do you make any new members? Very few.
 10990. Many leaving? No. We tried to make a fresh start some time ago, and made ten or twelve members; with that exception we have made no new members for four years.
 10991. Does the Society still meet in the hall? Yes, in the small hall.
 10992. Do they pay rent? 5s. a meeting; fortnightly.
 10993. What do you pay your doctor per member? I think 5s. 8d. per quarter.
 10994. And the chemist? He finds his own medicine.
 10995. Does the hall pay a fair interest on the purchase money? Just now it does; but the first twelve months I was some £20 out.
 10996. It is used for other purposes than Temperance Societies? Oh, yes. I let it for any Society. The I.O.F. meets there, the Druids have been meeting there, the Good Templars, the Orange Lodge, and the Protestant Alliance all meet there.
 10997. Mr. Holdsworth.] Are you still paying for this member in the Lunatic Asylum? We have not paid lately, and looking at the Friendly Societies Act we see he cannot claim more than £200. We have talked it over, and have let it run on, to try and make the money up amongst ourselves so as not to let it affect the Lodge.
 10998. Does not that refer to £200 at the time of death? I cannot say; I think it would be a good thing if you were to take that into consideration in reference to brethren going out of their minds. I do not think when a man is the same as this man receiving all this money that the Master in Lunacy should come on the Benefit Society when a lot of men are trying hard to keep up the Lodge.
 10999. How long is it since that hall was begun? Fourteen years about.
 11000. Your division was then in a flourishing position, was it not? Yes; we levied some nine years ago 3d. each to try and get the hall out of its difficulties, but the members dwindled down to about fifty, and then we got up to sixty-two.
 11001. Was it not the building of that hall that created all the difficulties of the Division? It had a great deal to do with it.
 11002. You spent your funds and became involved? Yes.
 11003. And a run of sickness came and you had no funds? There is a great deal of truth in that.
 11004. You have made numerous efforts to get over the difficulties? I have a motion coming on next quarterly night to do so.
 11005. You have the power under your rules to levy in cases of emergency? Yes.
 11006. And you have exercised that power? No, I do not think so.
 11007. Mr. Abigail.] You have had legal advice? Yes; we saw Mr. Brown on the subject of the claim by the Master in Lunacy, and he said we had better pay the money.
 11008. Mr. Smith.] You had been paying this man sick-pay prior to his going into the Asylum? Yes; we paid a guinea a week for six months, and he got well and came on the funds four different times.
 11009. Then he had got down to the lowest scale of sick-pay allowed him? Yes.
 11010. And you were responsible for that man during the whole of his illness? Yes.
 11011. And the debt which you were asked to pay was only created under this low scale? Yes.
 11012. And under that you owed some £40? Yes.
 11013. You were in possession of funds during that period? Yes.
 11014. That was the only liability of any importance that you have had for years? Yes; we had several times six or seven members on the books. I think our Lodge, from what I can hear of the Sons
 of

of Temperance, has paid more money away for sick benefits in proportion to its members than any other I have heard of.

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11015. Did the action of the Master in Lunacy in demanding this money bring about the selling of the hall? Yes; that is, the second time; they were trying to recover themselves to make up the money to me when this threatening letter came to them, and they decided at once to let the hall go again.

11016. Is there not a peculiar history connected with the management and disposal of this hall? No, I do not think so.

11017. Has not the management of this hall had to do with retarding the progress of the Society? No, I do not think so, any further than I believe in the first place we had seven as good men as we could possibly get as Trustees; but when they found that one after another kept dropping off, and that the work was left to them, they began to get tired and let the thing go; but as a Lodge we had good, honest, honorable men as Trustees of the hall.

11018. When that hall was built it was built under very favourable circumstances, was it not? It was built with a heavy mortgage, though we had at the time a good many members and things looked favourable.

11019. But the mortgage of £800 was not the original mortgage? Yes.

11020. Is no portion of that compound interest? Not one shilling of it.

11021. The mortgagee in that case was Mr. S. C. Brown? He was the agent for the mortgagee.

11022. It was from his office you got the money? Yes, he acted for a principal.

11023. He allowed the Trustees considerable latitude, did he not? He allowed them to run a long way back.

11024. Were not several attempts made on the part of the members before you became the purchaser to dispose of the hall? Yes, they tried for some time to sell it privately, but they could not get a customer.

11025. They could have got a customer, could they not, provided the Trustees had been willing to convey? No, I do not think so; there was only one person that I can remember that offered any money or made any inquiry about it at all. I was appointed to see one gentleman who had an idea of purchasing, and I told him what we wanted, but he would not come up to the mark.

11026. Did the Society place the property before the Government? Yes.

11027. Was that with the consent of the original Trustees or of the second batch of Trustees? With the consent of the Hall Committee and of the Trustees.

11028. They were not in the Colony when the bother took place? Not all of them.

11029. And it was through that that the building was not then sold? No, we got leave from them all to sell it; we offered it to the Government, but they did not accept it.

11030. Do you think from your experience of that Society that the action taken in reference to this building has had an injurious effect on the operations of your Society? Yes, I think it has, because it has caused them to fall out amongst themselves instead of trying to get the hall out of debt.

11031. And it has had the effect of causing a great number of your original members to leave the Society? Yes, it was the cause of perhaps more than half of them leaving.

11032. And you have never put the law into operation by summoning these persons for their arrears, but have allowed them to go? No, we have not, and that is where we have made a mistake.

Mr. Jacob Audet sworn and examined:—

11033. *President.*] What Society do you represent? The American Constitution of Oddfellows.

11034. Known as the Independent Order of Oddfellows? Yes.

11035. What office do you hold? None.

11036. Have you held office? I have not in that Society.

11037. How long have you been a member? About two years and a half, I think.

11038. Have you some cause of complaint against the Society? Yes.

11039. What is the nature of that complaint? Embezzlement, extortion of money, and doing away with Lodge's money unconstitutionally.

11040. Who has been guilty of embezzlement? A man of the name of Cavenagh, a Lodge Secretary.

11041. What Lodge was it? The Pride of the South. I do not belong to it now; I am an expelled member.

11042. What amount of money did he embezzle? When I found out something was wrong I brought forward a motion that an investigation should take place, and asked that the pence-books should be called in, and by them we found out, I think, that something like £80 odd was wrong; but they would not let me go on, and I suffered a great deal of abuse, they saying I was trying to bring the Order into disgrace. One night I was determined to go to a Magistrate and get a warrant, but he brought in £11 Os. 3d., and that was all the money we had of him.

11043. Was he Treasurer of the Lodge? Secretary.

11044. Do you know where he lives? I have not the slightest idea; he was a teacher with Mr. Cannon, of the Lyceum School.

11045. What other embezzlements were there—any other cases? The very first I found out I found that the expenses were so enormous that I cannot call it anything but embezzlement. The institution of the Lodge cost £48, when the things purchased could have been had for £20; that was by a man named Garcia, in Park-street. Other Lodges have made the same complaint, paying £50, £60, and up to £100, the night of opening the Lodge.

11046. Who received this £40 odd? Garcia, as expenses.

11047. He received it on the night of the Lodge being brought into existence? I think the night after the institution, when I was not there; he brought it forward at the first meeting at which I was present.

11048. What was the name of the Lodge you speak of? The Pride of the South.

11049. Is there any other case? Yes; a member was initiated the night before I was, and about two or three months afterwards it was found that he was subject to fits. A communication was made to the Lodge that this member was certainly in the Order under false pretences. A committee was appointed, and they exonerated him if he gave an indemnity that the wife should not come on them for the funeral money. I objected to that, and I kept on for two years, but such cliques have been formed and such disgraceful

Mr.
J. Audet.
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disgraceful things done that it was no use. Money has been voted away by several Lodges—the Golden Gate is one—and if any objection was made by me a charge was laid against me. Again, Mr. Cannon brought a charge against a man of the name of Wilkins, living in Albion-street; his sick money came to something like £8, and Mr. Cannon charged him with suffering from venereal disease. The Lodge moved in the matter, and the doctor gave evidence and said he had nothing of the kind, but the man left the Order. The initiation money in the Waratah Lodge came to £43, and it was stated that the expenses were £57.

11050. Is there anything else you wish to bring under the notice of the Commission? I wish to bring my case forward to show how I was dealt with through trying to bring about an understanding.

11051. But is there any other case of fraud or misappropriation of money? Money has been voted to officials that was not for that purpose at all, and we began to speak against it, but were powerless.

The Commission then adjourned until Monday, 3rd July.

MONDAY, 3 JULY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
EDWARD GREVILLE, Esq., J.P.,
PHILIP J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
FRANCIS ABIGAIL, Esq., M.P.,
PHILIP RISBY HOLDSWORTH, Esq.,
EDWARD J. RUBIE, Esq.

Dr. Walter William Joseph O'Reilly sworn and examined:—

Dr. W. W. J. 11052. *President.*] You are I understand Honorary Secretary to the New South Wales Branch of the
O'Reilly. British Medical Association? I am.

3 July, 1882. 11053. You forwarded a copy of a report from the Association to the Commission? Yes.

11054. Have you had any experience in connection with Friendly Societies as Medical Officer? Yes, for the first four or five years of my practice I had a good deal of practice with them; but since that time I have given up all my Lodges with the exception of one, which I now carry on.

11055. Then you have no Societies at present? I have one—Court Robin Hood of the Foresters.

11056. What payments do they make to you? £1 a year per member.

11057. That is without a chemist? They find their own chemist.

11058. During your experience as Medical Officer of several Societies have you found there has been a lack in the kind of necessary examination of candidates seeking admission, in having no proper form provided? Certainly there has been no proper form; the Foresters provide the best form I have seen, but the Temperance Societies have simply a book in which the medical officer certifies to the candidate's soundness.

11059. I see from the recommendations made by the Association that one of the first has a reference to a form for examination? Yes.

11060. In which you recommend that a form somewhat similar to that of Life Assurance offices should be adopted? Yes; but not quite so extended.

11061. Look at this form (*produced*) and see if you would recommend a form like it (*a Life Assurance medical form*)? Some of these might be left out with benefit, such as height of body, circumference of chest, and so on.

11062. Have not the height and weight something to do with health and long life? Yes, so have all these things, but still for a man entering a Lodge we do not consider it is necessary he should pass so strict an examination as in going through an Insurance office. To fill up one of these takes about half-an-hour, and that would be rather much to ask of a medical man for each of his Lodge members, especially as most of the Lodges pay no fee. We refer specially to the question in the first page of Life Assurance forms.

11063. Would you have any objection as Secretary of the Association to obtain from the Association a copy of a paper that you think sufficient for the purposes of examination for all Societies? I will lay it before the general meeting on Friday next.

11064. Will you kindly send us a digest of what you think sufficient? Yes.

11065. Then in reference to the second paragraph where you suggest that medical benefits should "be confined to mechanics, labourers, journeymen, small traders, and to people with small incomes," as you state also you find that a large number "of people with considerable means—merchants, bank managers, Members of Parliament, builders, contractors, &c.—at present avail themselves to a very large extent of the medical benefits intended for their less affluent brethren." Do you find that this at the present time—as contained in the paragraph—exists to a large extent? To a very large extent, and it has been the source of a good deal of misunderstanding between the doctors and the Lodges. Many men have joined a Lodge when they were men just entering life, and as they have got on they have become wealthy men, but they have kept in the Lodges and accepted the doctor's attendance. For instance, Lodge doctors have been asked to go as far out as Marrickville to attend a patient—a man who has occupied civic positions—I am telling this from hearsay.

11066. But we want what you know? Well, I know of merchants getting the Lodge doctor to attend their families, and it causes a great deal of heartburn amongst medical men that they should be compelled to attend these men who might receive the other benefits of the Lodge, and yet pay their own doctor's fees; they complain principally that these people give them more trouble than the ordinary Lodge members.

11067. But it is not a fact that a large number of the classes you mention here do not participate in the benefits? They avail themselves of the services of the doctor.

11068. But is there not a large proportion who do not do that? I do not know, but there are a great many men who receive medical attendance who are well off. I know a man in a Lodge who was able to sell a property worth £5,000, and who has the club doctor attending himself and his family.

11069. Then your Society regards these Societies as simply for mechanics, labourers, small traders, and journeymen? Yes.

11070. And not for persons better off in life? No.

11071.

11071. And you think it is a misapplication on the part of patients more fortunately situated in life? Yes; we hardly think it is right they should avail themselves of the medical benefits; we think it would be graceful on their part to retire and not expect the doctor's services. Many of these gentlemen have large families, and it is rather hard on a doctor if he has to travel a great distance and attend those families, when they might be able to buy him ten times out.

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11072. You are aware that there is no law or rule? Yes, we know that; we know we have to submit to it, but it would not be felt so much if it were not that this class of persons the doctors find most troublesome.

11073. I see in the third paragraph you recommend that there should be a uniform payment to medical men? That there should be not less than £1 per annum.

11074. Are you of opinion that £1 is sufficient to ensure attendance on members, their wives and families? Yes, we think it is; it is a fair payment if confined to the class we speak of, within a certain radius.

11075. You also recommend that the fee in cases of accouchement should be increased? Should be increased up to two guineas.

11076. Would you give the Commission the benefit of your opinion with the reason why there should be a fee of two guineas; is it because of the continual attendance? The medical men think the fee at present is too low, the maximum being as far as I know £1 12s. 6d. The attendance on a midwifery case occupies a good deal of time, and there is the after attendance at least for nine days, and sometimes that is continued for a month or two months, according to the nature of the disease which may set in afterwards. But the medical men think that two guineas is a reasonable fee, and I do not know whether you have it in our recommendations, but they thought if one guinea was paid by the member and one by the Society the two guineas would be a fair thing. It is owing to the time consumed in attending these cases that makes us think we do not receive sufficient remuneration for them at present.

11077. You are aware that the payments to medical men in connection with these Societies is regulated pretty well by the medical profession themselves, by the doctors who take the Societies? Yes, to a great extent that is quite true, but I do not think the Societies in the long run get the good they might do if they started with a uniform system of payment. If they gave such a thing as not less than £1 a certain class of medical men would tender for Societies who now hold aloof and allow young men to tender for Societies at a low rate. Some Lodges take them at 15s., 12s., and even as low as 10s. a year; the result is that the doctor in some cases looks upon it as an arrangement to make money, and patients belonging to that Lodge are not attended to in the way in which they should be, as the doctor thinks he has been cheated to some extent; that has led to a good deal of indifferent attendance on some of the patients, and a good deal of complaint on the part of the doctors. I think Benefit Societies would get better attendance and be much better treated if there was a uniform payment of a guinea or a pound a year.

11078. You are aware that it is not only the amount paid per annum that medical men take Societies for in starting their practice, but the collateral good which results in building up a practice? Yes, I am aware of this, that when I went in to take Lodges to get a standing I found after a time that my worst patients were my Lodge patients, because if I happened to displease them they were the most bitter against me, and it was to my advantage to give them up as soon as possible; I therefore gave them up all but this Lodge, which I have now at the high rate, and we work well together.

11079. But I presume some of the ablest and best men in the profession have commenced in this way with Societies? Yes, nearly all our men have done that.

11080. Indeed the best in Sydney? Yes, some of our very best men.

11081. And you are aware if a Society advertised for medical men to-morrow, there would be tenders at from 10s. upwards? Yes, there would be plenty of replies, but that sort of thing does not tend to promote the well being of Societies.

11082. Do all the members registered under the New South Wales Board belong to your Society? No, the majority in Sydney do belong to the Association; we number now about eighty-five members, some of whom are country members.

11083. You understand that with the medical profession, like all others, it is entirely in their own hands the value they put upon their own services? Yes, and that will work its own cure, because the Lodges themselves complain of the treatment they receive at the hands of some of the medical men; this is done by the Association to further the interests of medical men and benefit the Societies.

11084. You are of opinion that a medical man taking a Society for 10s. would not do justice? I do not see how he could, because he must have a large number of Societies to make it pay him. It does a medical man no good, nor the Lodges either, the slipshod way of prescribing and visiting that sometimes take place, and I don't think the doctor does justice to himself or the patient.

11085. Have you found that your prescriptions are faithfully dispensed? I have had reason to doubt this, because you would find the same prescription dispensed three or four times would vary each time in colour, in consistency, and in effect.

11086. Do you attribute that to the chemist being not sufficiently paid? I do.

11087. What would you consider a fair payment to be made to a chemist per head per year? I think the fairest way of paying a chemist is to take a percentage of the amount of medicine dispensed; for instance, medicines are dispensed at half-a-crown a bottle, and 25 or 33 per cent. might be taken off that.

11088. Who is the chemist to your Society? Mr. Rose, in George-street.

11089. Does he adopt that plan? No, he is paid 8s. per year per member, but the patients are constantly complaining themselves. I have not the means of verifying these statements at all times, because it would entail a long chemical analysis which I have not the time to do, but I do not think the system of paying so much a member works well. But in regard to this Lodge I may say they tried the percentage system with Mr. Watson, who allowed them 25 per cent., and I believe they found his account was in excess of mine, and that their funds would not stand it, so they had to go back to the old plan.

11090. What is your individual opinion with reference to members being permitted to belong to more than one Society? I do not think it is right. I think a man should belong to one Society only, because it has occurred to me that men who are earning about 30s. a week and belong to three Societies might come to me and get a certificate for each Society and thereby get £3 a week or double his usual income. It is to his interest to mangle, giving me some trouble and him no inducement to get well.

11091. Have you found during your experience a disposition on the part of many members to be placed on the funds who are not really sick? Well, in certain Lodges I have found it. I had a Lodge in which there were a good many lumpers on the wharves, and I found that they got lumbago and things of that sort when there were not many ships in the harbour loading.

11092.

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11092. And you think the cure for that would be not to permit persons to be members of more than one Society? I think so.
11093. Do you think that in any new legislation that should be a provision? Yes, decidedly.
11094. You know the contributions paid by most members of the Societies? I cannot say that I do.
11095. Do you notice that you say in the fifth paragraph of your report that the members and Lodges of several Societies do not pay sufficient to place the Societies in a solvent position? Yes, I am aware of that, but I have no personal experience of what they pay.
11096. Do you know the amount of donations they make? I think it varies; I think it is about £15 in case of death.
11097. And up to £20 and £30? Yes; I think they are very liberal donations.
11098. What information did your Branch of the British Medical Association receive in order to cause them to place this recommendation in? A committee was appointed, consisting of about six members, and some of these had personal experience. Dr. Belgrave was one who was strong on that point, and he spoke principally upon that. I may say that in drawing up that report there was a divisional opinion as to how far we should go, and a first report from the committee was rejected, it being considered that it went outside of the medical bearing of the Friendly Societies, and it was considered that in drawing up this report we should keep strictly to the medical bearing of the case. That may account for some of us not knowing so much about the contributions, because it struck some of us that it did not quite concern us.
11099. I presume it is generally known that the contributions paid are scarcely sufficient to ensure all the benefits promised? I know they vary, but I could not speak positively as to that.
11100. Have you known during your experience of any cases of defalcation on the part of officers or members of the Societies? Not in my own Societies.
11101. In any of the Societies you have had to do with? No, not as far as I remember.
11102. Do you know anything of the financial position of the Societies you have had to do with as to their ability to pay? One Society I know—I think it was a Sons of Temperance Lodge—which had to amalgamate with some other Society in order to save themselves from insolvency.
11103. I find also that there is a recommendation from your Association that a Friendly Societies Bank should be established;—do you not think the present facilities granted by the Government Savings' Banks and the P.O. Savings' Bank are sufficient for the purpose? No, we do not think they are quite sufficient. We think it well to establish such a bank, for this reason: We know that in many instances the head of the family is taken sick, and delay has taken place in getting the certificate of ill-health sent in, and perhaps a week or so has elapsed before he receives his pay, so that the time he most requires it passes by. It would facilitate his getting his money if there was a bank at which these orders could be presented and paid. All moneys received by Friendly Societies might also be paid into this Bank. We consider this Bank should receive small sums, and should be open at night, so that when a Lodge has its meeting, and closes at (say) half-past 9, its Treasurer might go and pay the money into the Bank at once.
11104. Then it is simply to make payments of sick pay to members and of the funeral donations? Yes, and so that members themselves should pay their money in and get credit for it, and that all the financial matters could be carried on through this Bank instead of through the Societies.
11105. Do you think that would simplify the working of the Societies? We think it would.
11106. And afford greater security? We think so.
11107. Then you don't think the present arrangement with the Post Office Savings Bank meet the want? No, because, it would want somebody who would be well up in the working of Friendly Societies themselves, and I do not see that any of our other institutions could meet the want.
11108. You are aware that a shilling can be deposited there? Yes.
11109. So the smallest contributions might be paid in? Yes; but we recommend a Bank for carrying on all the operations of Friendly Societies only.
11110. And that they are to pay their contributions into this Society through their Bank? Yes, and to have a book in which they would have credit for their payments, and the Secretaries would be apprised that such and such members had paid their contributions. Then, in case of sickness, a man could get his certificate from the doctor, and it could be signed by the Secretary, and the money be paid at once.
11111. You also recommend, in order that this Commission should be in a position to be of some real service, two medical men and two actuaries should be appointed;—are you aware that we have already examined—I think you are the sixth medical man examined in connection with the Societies? We think that there are many things that would come up in reference to which it would be well to have medical men on the Commission, and that it would facilitate the working of this Commission, and that they would be able to elicit matters that men outside the profession would not be able to do.
11112. I presume that you are also unaware of the fact that one actuary has already been examined, and a second has been summoned and would have been present but that he is in South Australia? I am not aware of it.
11113. Do you think that medical men as a rule pay as much attention to Lodge patients as to their private patients? I think if they got better pay the patients would get better attention. A great deal depends upon who the medical man is, and upon the elasticity of his conscience, but I think, taking it as a whole, club patients do not get the attention private patients would.
11114. Have you any suggestions to make that might be of service beyond this report? No, I cannot say I have; that embodies pretty well all I wish to say.
11115. *Mr. Smith.*] Touching that question of the Bank business, do you know of its being in operation anywhere? It was stated at our meetings that such a system was carried out in Paris.
11116. Dealing entirely with the business of Friendly Societies? I could not say whether it deals entirely with the Societies.
11117. Is it a Government Institution or established by the Societies themselves? It is a Government Institution. I believe my recommendation would be that this should be a Government Institution.
11118. That would virtually supersede the business of Friendly Societies altogether? No, I don't see that, because it would only contain the money of each Society, the money being paid into and through this Bank.
11119. You have had no personal experience of the internal working of Friendly Societies? No, none whatever.
11120. You know there are governing bodies in connection with them known as Districts or Grand Lodges?
11121. Yes.

11121. And there are a number of subordinate Lodges which constitute these Districts? Yes.
11122. You know it is the business of the subordinate Lodges to meet once a fortnight and receive the moneys of their members? No, I cannot say I know that.
11123. And that it is not compulsory on the part of the member himself to neglect his work and to attend the meeting? I did not know it, but would infer it.
11124. Has it ever been brought under your notice that in numbers of cases the wives and children of members attend and pay the contributions, thereby saving a loss of time and salary to the member himself? Yes. I have assumed that from cases which have come under my notice.
11125. And that the Lodges themselves are generally situated in the localities where the persons reside? Not invariably, because I know I have very long distances to go to see some of my patients.
11126. But they are only exceptional cases? No, I cannot say so; many of them live as far as the Annandale Estate, and the Lodge room is in Castlereagh-street, while others live in Paddington and other places as far away.
11127. Do you know it is the business of the Lodges to receive the moneys from the members and generally watch over the interests of the Lodge? Yes.
11128. And see that the moneys are paid at the proper time to the sick members of that Lodge? I believe it is their business to do it; but I know that the wives of members have complained to me that none of the visiting members have been to them, nor have they received their sick pay.
11129. Do you know of any particular instances in which that has occurred? I could not answer that now. I could not give you the exact instances.*
11130. I understood you to say you had been many years the medical officer of Court Robin Hood? Yes, about eight years I think.
11131. Has ever an instance of that character been brought under your notice with a member of that Lodge? Yes, I have been told by the wives of members that they did not get their pay for a week afterwards, but I cannot furnish you just now with the particular instance; but once or twice in that Court it has occurred, and in some of the other Societies which I had I know it has occurred.
11132. Of course you are aware that all payments must be made on your certificate? Yes.
11133. Has not a difficulty arisen in obtaining your certificate? No, I am not aware of it. I do not know that the members at any time have had a difficulty in obtaining my certificate if they were entitled to it.
11134. You know that any neglect on the part of the medical man —? Yes, I know, but the instances I refer to have not been from any cause of that kind.
11135. You know that the laws of that Court and all other Friendly Societies require that the money shall be paid on a Saturday, and not later than 9 at night? No, I am not aware of that.
11136. With regard to recommendation No. 2 in this report, you refer simply to the medical attendance? Yes.
11137. That is the principal benefit to which you object? Yes.
11138. Is it not a fact that yourself and all the medical men who have to deal with Societies are receiving the annual pay per member for these persons you set out here? Yes, but we would gladly give up the annual pay and allow them to become private patients.
11139. Would you prefer a Society to make a distinction? No, but we would get over that difficulty; we do not object to these persons remaining in the Society; but we consider it would be graceful on their part to give up their medical connection with the Society; and of course if they do not avail themselves of the doctor's services they should not pay for them.
11140. Then you would not receive the annual pay for them? We would receive nothing from them.
11141. Has it ever occurred to you that the class of persons mentioned in this second paragraph are the most valuable members in connection with Friendly Societies? Probably they are.
11142. Has it ever been brought under your notice that these persons never receive any benefits other than the medical benefits, that is, if the members themselves are sick, suffering from accident or anything else, they never apply to the Lodge for the weekly sick pay? I can quite believe that.
11143. And that these men are the men who do very nearly all the work in connection with Friendly Societies? It is quite possible.
11144. They spend their time, they spend their money, and take no other benefit than the benefit I have now mentioned, namely, the medical assistance? Yes, that is quite possible.
11145. Is it within your knowledge that these members do not use the Society's chemist—they prefer to pay for their own medicines? Yes, I dare say some of them may do that, as also some of the "less affluent."
11146. Is it not a fact well known to the medical profession that numbers of these persons who are in good circumstances and do receive the professional attendance from the Lodge doctor, after having treated themselves or their families successfully, they are often the recipients of handsome monetary presents? I have never heard of it.
11147. You are not one of the lucky ones then? I suppose not.
11148. Still, following out that question, is it not a fact that the most wealthy of the citizens of Sydney have recently organized themselves into a Society for the purpose of securing medical attendance to themselves and their families at a much cheaper rate than they have had to pay under the system of having a family doctor? I have not heard of the formation of any such Society.
11149. You know nothing of such an association? I do not.
11150. If such an association is established do you think it would in any way be in harmony with the recommendations as set out in paragraph No. 2 of your report? It would not be in harmony if such men belonged to an association of that kind. It depends upon what their contributions are. I do not know what the Society attempts.
11151. You say here, I notice, that you do not consider it wise for a man to belong to two Societies? Yes.
11152. Are you in possession of any experience you could give the Commission why that principle should be carried out in any future legislation? No more than that I remember one patient who used to get himself laid up. When the receipts were not more than £1 a week he used to come to me and try to claim to get on two Lodges; that put me to some trouble to see whether he was sick or not, and we had some difference of opinion as to his suitability for going on the funds.
11153. What do you receive from your Court in midwifery cases? £1 11s. 6d.
11154. Is that paid by the Court? The whole of the amount is paid by the Court; they pay me and have in some instances had to lose the amount or summon the members for it. 11155.

Dr. W. W. J.
O'Reilly.
3 July, 1882.

* NOTE (on revision) :—I believe the wife of a patient residing at Woollahra so complained.

- Dr. W. W. J. O'Reilly.
3 July, 1882.
11155. Are you aware that there are a number of Courts belonging to that same Order that pay two guineas for such services? I am not aware of it.
11156. *Mr. Abigail.*] Am I right in concluding that the reason of your Association adopting the clause about the Friendly Societies Bank was that it would prevent the possibility of defalcations? That was one object.
11157. And another that it would facilitate the members getting sick pay quicker than at present? Yes; those were two of the principal reasons which induced us to adopt the suggestion.
11158. In reference to paragraph No. 2, that so much has been spoken of, do I understand that your Association would like the medical attendance to be entirely separated from the provident portion of the objects of Friendly Societies? Yes.
11159. So you do not arrive at that conclusion strictly for the benefit of the Societies but for the benefit of the profession? Well, I think at the present time there is some such arrangement as that, because I know there are at the present time members of my Lodge who do not register for me and who do not employ me. Young men join the Lodge and keep off the doctor's list. Then when they get a little advanced in years they will register for the doctor, so I think we have a little cause for complaint.
11160. Are you aware that it is optional with a member to register for the doctor or not? Yes, he may or he may not, just as he pleases.
11161. Are you aware that the doctor's registration fees are about a shilling a quarter, and that by paying that amount the member can get the whole of the benefits without any additional payment on his part, that is, that his weekly contribution carries all the benefits if he pays this additional shilling registration fee per quarter; are you aware of that? No, I am not.
11162. In carrying out this you do not seek to save the sick funds—you would let those people take all the sick pay and funeral donations, but not the medical benefits. I cannot quite catch you there.
11163. Is your Society prepared to allow all the members, no matter what the financial position may be, to receive the sick benefits in money as well as the funeral donations? Certainly, but not the medical benefits, if the Lodge will receive such persons.*
11164. That of course is purely for the benefit of the medical profession? Yes, exactly so.
11165. *Mr. Greville.*] In so far as these Societies give amounts of money on the death of a member or on the death of a member's wife you recognize them as Insurance Societies? Yes.
11166. And I presume that the payment of £20 in one of these Societies would be of as much importance to that Society as that of £1,000 in the Mutual Provident? Well, I do not know; perhaps they would feel it more.
11167. Then do you not think it is of as great importance to these Societies that there should be as strict an examination on admission as to any large Insurance Company? Yes, it ought to be to a certain extent, but I do not think the examination need be quite so strict, because there are many men who might not be admitted to an Insurance Company who are well enough to go into an ordinary Friendly Society and get the benefits in which large sums of money are not involved.
11168. But if there is a payment made on the death of a member it is of the utmost importance that nothing but good lives should be brought in unless an extra risk be paid? Well, you would have a great many kept out of Friendly Societies in that case. If a man comes to me and I find that his father or mother have had consumption, I would admit him as a member of a Lodge, but I would not admit him as a member of an Insurance Society.
11169. You would admit him as a member of a Lodge knowing that the Society would have to pay £20 at the man's death? Yes, I would admit that man so far as the rules of the Societies hold at present; because if I took up any Society in Sydney and went through the Society, and submitted them to such an examination as this, one-third or one-fourth would have to be struck off the list.†
11170. Then one-third or one-quarter of the members of Societies are lives that would not be passed by Insurance Companies? Yes.
11171. Then do you not think that the sooner the friendly principle is separated from the commercial the better for these Societies? Yes.
11172. *Mr. Holdsworth.*] Is not the price charged a matter that might be left to the medical men themselves? It is left to them now.
11173. Demand and supply will govern the question? Yes.
11174. Struggling young men who wish to obtain a practice take the Lodges at a low rate? Yes, so as to get an introduction into practice.
11175. If the price was made as recommended here Lodges would be in a position that almost any of the medical men would go for them? Yes, a larger number of men would be found to choose from, and the Lodges would be better served if there was such a minimum.
11176. Do you not think in that case that those gentlemen who had been for a time in practice would be most likely to have the engagements? Quite possibly.
11177. And the young men would be out in the cold? Possibly.
11178. And thus the older members of the profession would be shutting their younger brethren out of the Lodges? That might be the case undoubtedly.
11179. You say the examination is not so strict as in an Insurance Society? No.
11180. Insurance Societies only cover one risk—that of death? Yes.
11181. And in Lodges it is for sickness as well? Yes.
11182. There are many risks that will affect the health that will not affect the life? I do not know.
11183. Are there not many complaints that are likely to prevent a man working that will not affect his life? Yes.
11184. And for these the Societies have to pay so much a week? Yes.
11185. Then do you not think the examination ought to be more minute? Yes; we think so.
11186. More so than for an Insurance Society? No; you cannot have it much more minute than an examination for an insurance office.
11187. I think I understood you to say that if you went through the Lodges with such an examination one-third would be thrown out? Well, perhaps that is too high; say one-fourth. 11188.

* NOTE (on revision):—Our Association suggests that these persons should not be allowed to join Friendly Societies, as their position does not place them in need of sick benefits, funeral donations, and medical attendance, as provided through these Societies.

† NOTE (on revision):—Nearly all the persons who join a Society join it for the purpose of getting the medical attendance.

Dr. W. W. J.
O'Reilly.

3 July, 1882.

11188. And yet the usual rule is to accept them on a medical certificate? Yes.
11189. And do you think as a rule the medical officer does not examine fully? We have a book by which we have to certify. If I am asked if in his present position the candidate is in a good state of health I must answer that without reference to the past or probable future.
11190. But if from want of knowledge the Friendly Societies trust entirely to the medical men, do you not think they should be more careful? Yes, and I think they are careful in the majority of instances, but we cannot go beyond our instructions. I have been looked upon with opprobrium because I refused to pass certain parties.
11191. There is an objection made that only certain classes should be allowed the medical benefits. If a person has paid for fifteen or twenty years regularly for a medical man, during which time he has had no sickness, do you not think he is fairly entitled to take the medical assistance from the doctor afterwards? Yes, he is quite entitled to take it; but during time what has he contributed? Say £20; and at the end of that time he can in many cases count his money by thousands of pounds.
11192. But do you think the amount of money a man makes has anything to do with a question of abstract right? No; we say we cannot refuse to attend these men, but we do not think it is right; it is availing themselves of that which is to a great extent a charity.
11193. Are not Friendly Societies based on certain calculations the same as Insurance Societies? I believe they are.
11194. Is there any charity in Insurance Societies? I do not see that there is.
11195. Is there any charity in paying for that which you expect to receive? Well, we do not think they do a graceful thing in continuing to receive this attendance from the medical men.
11196. In fact you keep strictly to the medical bearing of the case, the object being the advantage of the medical profession? No; we try to further the interests of the Society as far as possible. There was an inclination to go beyond this and take up the whole question, but it was not done.
11197. *Mr. Rubie.*] You desired to have it legalized by enactment that the rate should not be less than £1 per member? We thought it would be conducive to the interests both of the Societies and of the medical men.
11198. Do you not think this would be imposing a burden upon the Lodges when they can get served for less? I do not think they get served as well now as they would then.
11199. Were there not members of that committee medical men who are receiving less? I could not say that, but it is quite possible or even probable there were.
11200. *Mr. Newland.*] Do I understand you that it is the young medical men who go in for Lodges at a cheap rate? It is not entirely, but mostly confined to them.
11201. I should like to know if the names on this list (*produced*) are those of young men? Many of them are young men.*
11202. Many of them have been some years in practice? Nearly all are young men who have been in practice from one to five or six years.
11203. *President.*] You see that list of names and prices attached to them offering to take a Society of Oddfellows? Yes.
11204. You observe that the prices vary from 10s. to 20s.? Yes.
11205. These have been the usual prices paid by different Societies? Yes; 10s. is a low price, but I have known Lodges to be taken for that; 14s., 15s., and 16s. would probably be about the general run of fees.
11206. Referring to that, does it appear that the lowest tender was accepted? No, not according to that.
11207. Then do Societies often pass over the lowest tenders? Yes.
11208. *Mr. Newland.*] In your answers to other members of the Commission in reference to the examination of candidates, are you aware that members of Friendly Societies can take out eleemosynary benefits alone to the extent of £300? No, I am not aware of it.
11209. *Mr. Slade.*] In the first recommendation in your report you complain that doctors are not paid for the examination of candidates? Yes.
11210. When the quarterly bill is tendered to the medical men do they make any difference for those who have been examined and admitted the week before, and those who have been on the list the whole quarter? In my Lodge I get my list furnished at the commencement of each quarter, and I do not get any new names until it is furnished again. As soon as I pass a member his name is not placed on my list. If a candidate came to me to-night and I examined him I would not get his name possibly until the 1st of October, although sometimes I may get a few names sent up to me.
11211. Do you not get so much per quarter for every member good on the books at the end of the quarter? That I cannot answer; I am furnished with a list of the members entitled to the medical benefits, but I do not know what their position is; I assume it to be good, and I attend to them.
11212. Do you not in tendering tender to supply every member good on the books at the end of the quarter? According to a certain list at so much per quarter.
11213. Does not that comprise all that are entitled to the benefits? No, because it is optional with the members to register for the doctor or not.
11214. If a man is examined by you his name would come on the next list the same as if he had been on during the whole quarter? No, I may examine him and he may never appear on my list at all.
11215. Regarding the second recommendation, do you think the medical profession have any better means of knowing the circumstances in life of people than any one else? I think their opportunities to know how they live are probably better than those of others.
11216. Then do you know of your own knowledge whether many of the mechanical and labouring classes are not much better off than the builder or contractor who employs them? I know a good many of them are well off, and that many of the builders and merchants and others are in a good position.
11217. I want you to say whether you do not know that many men who occupy positions in the exceptions you name are, though in that position, poor? No, we refer to people who are wealthy.
11218. In that position and wealthy? Yes.
11219. Can you give any reason why the law of contracts should not be as honestly carried out by the medical profession as in the case of other people? No, I cannot. 11220.

* *NOTE (by the Secretary).*—The list referred to purported to be that of a number of medical men who had tendered for a Lodge at prices affixed to their names, but as there were no means of proving it it was not allowed to go into evidence.

- Dr. W. W. J. O'Reilly.
3 July, 1882.
11220. Are you aware of the practice of the medical profession in connection with the Manchester Unity? No; I have only had to do with the Foresters.
11221. Are Drs. Norrie, Steele, and Durham gentlemen who are likely to do justice to a Society which has engaged them? Yes, I think so.
11222. And are you aware that they attend that Society for 6s. each member? Well if they do they are dreadfully underpaid.
11223. Are you aware of it or not? I am not aware of it.
11224. Their salary is £250 a year each? Yes, I know that, and men try to get out of the Manchester Unity as soon as they can.
11225. Are you aware that in applications for that Institute there is a large number of applicants, and that keen canvassing goes on to get the appointment? Yes, I know that; but I do not know that there are so many as for other Lodges.
11226. Do you consider that the number of fourteen applying is a guarantee that there are medical gentlemen willing to take a less fee than that prescribed in your report? Yes.
11227. Are you aware that the Manchester Unity at this rate are any more neglected than a Society which pays a larger sum? I will not say that, but I know I have a good many Manchester Unity private patients.
11228. Do you think it is in any way just to attempt to coerce Societies into paying £1 for what people voluntarily offer to do for 6s.? That is a question that I could not answer you straight out; we do not seek to coerce, but we think if Friendly Societies paid that amount at the end of twelve months they would be a great deal better off than they are at present. You know well enough that complaints against medical men are loud and long; and referring to the Manchester Unity they are constantly changing their medical men; and the reason is that their men are so dreadfully overworked and have such a lot to do that it is only men who are wanting a stepping-stone to practice who take it, and then they immediately throw the Society up. I do not think the relation of medical man to the Lodge patient should be such as that.
11229. With regard to the fourth resolution, have you anything in your own personal experience to show the Commission that the fact of a man belonging to more than one Society leads him to malingering? Yes, there is the one case I have already mentioned.
11230. If a man is of provident habits can you give any reason why he should not pay into two Societies and why he should not receive the benefits he contracts for? Well it is a temptation to him. If you insure a house worth £1,000 for £1,000 in three offices, you do not get £3,000 if the house is burned down.
11231. Are you not aware that if a man belongs to three Societies he has to pay into the three? Yes.
11232. So the benefits would have to be correspondingly shared by them? Yes.
11233. Then there is the fifth resolution which speaks largely of the repudiation and bankruptcy of Societies: have you any personal knowledge of that? Not beyond what I have already mentioned.
11234. Then do you consider that one case justifies such a statement as that? I am not responsible for the whole of that.
11235. Can you give us any reasons in support of this resolution that the doctors' and chemists' money should be secured before anything else? We have not made a resolution to that effect.
11236. Yes, the sixth resolution says, "With a view to more perfect security your Committee is of opinion that the medical officers' and chemists' fund should be quite distinct from the benefit fund, particularly as it is desirable that every man should subscribe to the latter, while only a portion of the community is morally entitled to the former, it having been originated and continued for the exclusive benefit of those only whose incomes are of moderate amount." Has anything come under your personal observation? No, not under my personal observation.
11237. Do you know of any cases where Societies have been imposed upon by irregular practitioners? No, I do not know of any.
11238. Are they not liable to be imposed upon by persons who do not know their profession? I believe it is the rule that these Societies cannot employ any but legally qualified practitioners.
11239. Have the Societies the same remedy to recover that the doctors have? I believe so.
11240. Have the Societies any means of knowing when they do not get the proper attendance they pay for? I do not know.
11241. *Mr. Gelding.*] Do you know any medical gentleman who ever travelled 10 miles to see a Lodge patient? I know we are not compelled to attend patients at a greater radius than 3 miles.
11242. You are thoroughly aware that no gentleman has a right to attend a patient more than 3 miles away? Yes, I think all the medical men know that, but some of these men that have had to be attended live at the extreme boundary. Of course, being well off, they live in the suburbs, but they have had to be attended.
11243. I suppose you are aware that it is only within a short radius of Sydney that these cheap rates for attendance exist? Well, the means of getting about in the country are not so good as they are in Sydney.
11244. Do you not think it would be advisable for the Societies to combine and get a public dispensary? I think they would get better served.
11245. Do you not think these large dispensaries can get as good drugs as any private chemist? Exactly so. You would be in as good a position to get drugs, and perhaps better than at present. I would place more faith in the drugs got from the Manchester Unity than those from some of the chemists.
11246. *Mr. Slade.*] Have you in your practice noticed whether there is a greater tendency to venereal disease in members of Friendly Societies than in the general public? No, on the contrary, I think they are rather freer from that disease than others.

Mr. Richard Stapleton sworn and examined:—

- Mr. R. Stapleton.
3 July, 1882.
11247. *Mr. Slade.*] To what Society do you belong? The Parramatta Branch of the Guild.
11248. What is the name of the Branch? St. Patrick's.
11249. What is the number of members? 112.
11250. What money has it to its credit at the present time? Our total assets in property and money are about £1,200 in round numbers, but it is really more than that because our land has increased in value.

11251. What is the nature of the property? Freehold—money in the Bank and on mortgage, and regalia.
11252. Is it invested in accordance with the Friendly Societies Act? Yes, the Act of 1867.
11253. What proportion of it is represented by regalia? About £100. The regalia, I may state, is mostly pure gold, of the intrinsic value of say £60.
11254. Have you had much sickness lately? Yes, the last half year.
11255. More than usual? Yes, heavier than usual, but no deaths.
11256. Could you give us any idea of the average age of your members? No, I could not; many members have died lately who joined the Society twenty years ago. We have a few old members, but the majority average twenty-five to thirty.
11257. What is the rate of your subscriptions? 13d. to the General Fund and 1d. to the Widow and Orphans.
11258. What benefits do you give for that? Exactly the same as the other branches of the Guild in Sydney.
11259. Has your experience in the Society led you to believe that the subscriptions are adequate to meet the benefits you offer? I have not studied that very much.
11260. Has it proved sufficient hitherto? Yes, more than sufficient.
11261. Have you any idea of making them any more? No.
11262. You have seen no necessity for that? No, but I have not studied the matter.
11263. Have you noticed any particular age or trade at which your members die sooner than others? No, our members are principally labourers and those engaged in out-door exercise, and are generally healthy.
11264. Have you taken any account of the average ages at which your members die? No; most have died of old age so far.
11265. Have any circumstances come under your notice in which the present Act has not been sufficient for your purposes? No.
11266. Have you anything to suggest to this Commission as an amendment of that Act? No; so long as the rules of the Societies are approved of; I think their actual working might be left to the members themselves.
11267. As far as you have seen the present Act serves all purposes? Yes.
11268. Have you ever taken the question of a Superannuation Fund into consideration? No; we allow them a pension.
11269. Have you a Widow and Orphan Fund connected with your Order? Yes; we pay a penny a week for it.
11270. And what are the benefits you get from it? If a member dies who is over five years in the Society, the widow receives £10; over ten years, £15; and over fifteen years, £20.
11271. *Mr. Smith.*] You are independent? Yes.
11272. Not connected with the Council in Sydney? No.
11273. And you are working the Lodge on its own basis? Yes.
11274. How much of your assets is cash? £320, and there is a cottage which we value at £474, for which we have been offered £650.
11275. Have any of your funds been misappropriated in any way by your officers at any time? No.
11276. Have you had any disputes with your members? Very few.
11277. What is the nature of the disputes? Of a local nature; such as members breaking the minor rules, and being fined, and objecting.
11278. How did you deal with them? Enforced the fines strictly.
11279. Have they the right of appeal? Yes.
11280. To whom? To the full council; and if that is not satisfactory they can appeal to a council consisting of the past and present councillors.
11281. And all these councils are connected with your Lodge at Parramatta? Yes.
11282. Then there is no appeal from that individual Lodge? No.
11283. Have any of your members taken their grievances into the Courts of Law? No; not at any time.
11284. Do many persons fall into arrears? About two a year on an average.
11285. You do not enforce the provisions of the Act? We are not registered under the Act of 1873, only under that of 1867.
11286. You are not working under the present Act? No.
11287. Do you contemplate registering your rules under the Act? When this Commission is finished.
11288. How long have you been working in this way? Since the rules were registered in 1867.
11289. Have you had any difficulty in working your Order? No.
11290. Are you acquainted with the present Act? In a general way.
- The Commission then adjourned till Friday, 7th July.

Mr.
R. Stapleton.
3 July, 1882.

FRIDAY, 7 JULY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMYTH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.

Mr. Stephen Murphy sworn and examined:—

11291. *President.*] What Society are you a member of? Of the Manchester Unity, the United Brothers Lodge.
11292. You have written to the Commission on several occasions asking to be present to give evidence? Yes.
11293. What was the charge preferred against you by the Lodge? Slander.

Mr.
S. Murphy
7 July, 1882.

11294.

Mr.
S. Murphy.
7 July, 1882.

11294. Slandering whom? Certain officers of the Lodge.

11295. And were you expelled? Illegally; they say I am, but I claim to be a good member now.

11296. You regard their action as being illegal then? Yes.

11297. What was the reason you did not come when you were summoned to give evidence? Well, I will tell you, and I hope this Commission will not be prejudiced against me until they hear my statement. Sometime ago I wrote to the Secretary and to Mr. Abigail, bringing the matter before them, and it was so long before I got an answer that I thought I would try the District Court again for redress; that was for the third time.

11298. What was the result in the District Court? The Judge told me he would not hear the case because the costs were not paid; and I argued that point with the Judge, and he said it was adjudicated upon before. I quoted the rules, and he said that as I had no solicitor I would not be able to argue the points of law that would be raised against me, and he would not hear what I had to say.

11299. And he nonsuited you? I was nonsuited each time.

11300. What was the nature of the mismanagement or fraud you complain of? I never said fraud.

11301. Well, then, the misappropriation of funds? No, I never said misappropriation. I ask that my papers may be read.

The Secretary then read from the papers forwarded by the witness the following portion of his statement:—

Plaintiff's statement, February 2, 1882.

I, STEPHEN MURPHY, plaintiff in this case, made application to this Court for redress (through counsel) against unjust expulsion from the Loyal United Brothers Lodge, No. 3592, O.O.F., M.U., at the June sittings of 1881, and claimed to be reinstated, but failed to obtain the redress I sought, as my counsel did not plead my case according to the instructions forwarded to my solicitor upon receipt of Sir George Lanes' written opinion. The consequence was that directly his Honor the Judge decided to go on with my case the defendant, Abraham Western Chapman, disappeared from the Court, having found out that he had not been summoned to produce the Lodge books of accounts and documents that I had instructed my solicitor to call for. My counsel then told me that unless I could serve the defendant with a subpoena to produce the books he could not go on with my case; that subpoena is now in my possession, and I was all the second day my case was on, 24th June, 1881, out of Court by my counsel's instructions hunting the Secretary up all over town, trying to find him but without success. While the plaintiff and defendant was out of Court the case was settled in some way. All I knew about it was that the first day's proceedings appeared in the *Sydney Morning Herald* of 24th June, 1881, wherein it stated that the case was adjourned, and no further report of the case has appeared since, and to this day I should never have found out what became of it, as I understood nothing whatever about law, and especially as my solicitor had sent me word in writing that it was a verdict for the defendant with costs in my case, but for obtaining a back number of the *Daily Telegraph*, last December, by which I was that his Honor the Judge had dismissed my case with costs, as I had not adduced sufficient evidence of unfairness to warrant him in disturbing the decision of the Lodge. Through the reasons stated I was unable to produce the books of accounts, and through being out of Court, as stated, I did not even have the chance of questioning any of the witnesses who were subpoenaed on my behalf; but finding that I could again appeal for redress to this Court, I set about preparing to plead my own case as I best could at this sittings, being without means to fee counsel, for I expended every penny I was possessed of, and even took a bill of sale on my furniture to bring the case on at the last June sittings, so as to clear my name from the stain put upon it, being arbitrarily expelled from a Benefit Society like a felon, and to regain the benefits of the Lodge for myself and my family, sick pay, medical attendance and medicines, funeral and superannuation money; and to make that provision for myself and family, I paid into the Loyal United Brothers Lodge my hard-earned contributions for nearly fifteen years. I am now prepared to adduce evidence of the greatest unfairness, and that I was wrongfully and in contravention of natural justice expelled without a hearing for inquiring after the Lodge Funds, and that the dispute about the said Lodge Fund was not decided in the manner directed by the 163rd General Rule of the Society, which directs as follows:—"All disputes to be settled in the following manner: 163rd Lodges shall have power to form committees to try minor offences immediately or as soon as convenient after the commission of such offence, when the penalty does not exceed 21 shillings. Such committee shall consist of not less than eleven members, together with the N.G., who shall preside, and shall be chosen in the following manner, viz.:—The name or number of each member shall be placed in the balloting-box, and the first eleven names or numbers drawn therefrom residing within 3 miles shall form the committee, each party may object to four members, seven to form a quorum. Should such committee find during their investigation of a case that it is likely to prove more serious than was expected, and subject the party or parties concerned to a greater penalty than they have power to inflict, it shall be referred to a Committee of the whole Lodge. In my case, as I am prepared to show, this rule was violated from beginning to end, and by a member of the Lodge, who helped to frame the General Rules of the Society—Alexander Kethell. The 226th general rule of the Society directs that every member of the Manchester Unity shall be subject to the General Rules of the Society. The 175th directs that only members guilty of disgraceful conduct shall be punished by expulsion, and they are to have a fair trial. I will now proceed to show that I, an honest man and a good subscribing member, was turned out of the Lodge for inquiring in open Lodge what became of the Lodge funds, the property of the members, by notice of motion on 30th June, 1880.

2. Will, the Secretary state, for the information of the members of this Lodge, the amount of fines that were enforced from the Noble Grand chair by myself and Past Noble Grand Robinson for the year 1879.

11302. What were the grounds of your expulsion? I made inquiry of the Financial Secretary on 24th May, 1880, as to certain sums of money I paid over to him as Noble Grand of the Lodge. The Secretary told me he could not answer me that night, but to call on that night fortnight, when he would have the Auditors present, and I could ask the question then. On the following Lodge night I attended and asked the question of the Auditors; but they would not inform me or try to inform me.

11303. What sums of money were these? Certain sums of money, fines from the Noble Grand chair for the year 1879.

11304. Imposed by you? Yes, and Mr. Robinson, who filled the chair after me—six months each.

11305. You asked what had become of these amounts? Yes.

11306. What was the amount? £4 Os. 6d., I believe.

11307. That is during the whole twelve months—your time and Robinson's? Yes.

11308. They amounted to £4 Os. 6d.? Well, there are two items; one for overdrawn sick pay. I should like to be correct, and will read the notice of motion:—

Are you prepared to answer the questions placed by me as notice of motion for last summoned meeting held on 30th June, 1880:—

1st. Will the Secretary state, for the information of the members of this Lodge, the amount of fines that were enforced from the N.G. chair by myself and N.G. Robinson for the year 1879?

2nd. Also the amount of fines received for non-attendance of members at summoned committees for the same year, and were these fines placed to the credit of the Sick and Funeral Fund, in accordance with the 23rd by-rule of this Lodge?

3rd. Will the Secretary also state the amount of cash that was overdrawn from the Treasurer and returned to him by myself and P.N.G. Robinson for the year 1879, and were these several amounts, together with the fine-book, audited at the last annual audit?

That was the notice that caused the row—because I could not get any account of the moneys I inquired after.

11309. Did you get any answer? Yes, two.

11310. What were they? One of the Auditors admitted he did not audit the fine-book, and the other absented himself from the meeting, while the third was in England. The Secretary acknowledged that he did not place the moneys to the credit of the Sick and Funeral Fund, according to the 23rd by-law of the Lodge.

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11311. What was the upshot of that? I considered that I was only doing my duty as a past officer in bringing it under the notice of the Provincial Corresponding Secretary, and I did so under the form of a charge.

11312. What action did he take? He said he had an interview with the Lodge officers, and they were determined to bring the case before the meeting of the Lodge, and that I would have to attend and substantiate my charges.

11313. What was the charge? I will read it to you:—

Copy of charge to the P.C.S.

To John Gelding, Esq., Provincial Corresponding Secretary.

Sir,

Sydney, July 7, 1880.

I, the undersigned, hereby charge the Trustees, P.G.M. A. W. Chapman, P.G. W. H. Baker, and Brother Hincks; the Financial Secretary, P.G. W. H. Baker; the Treasurer, James Horan; the Assistant Secretary, P.G. John Hunter; the Auditors, P.G. Benjamin Dewson and P. Vice John Robinson, of the United Brothers Lodge, No. 3502, Independent Order of Oddfellows, M.U., with having knowingly and wilfully combined together and caused an incorrect return of the funds of the above Lodge to be sent in to the District Registrar of Friendly Societies for the year 1879, they well knowing that the Lodge Fine Book, the fines and refunded cash valued at £45 per annum, were not audited and accounted for at the last December annual audit of the above Lodge. In consequence of the above facts coming to light quite recently, three Auditors were duly appointed at the last summoned meeting of the above Lodge, held on the 30th June, 1880, to audit the Lodge books for the last two years, and find out where the fines are gone to. I have good cause to think that this kind of imposition has been going on for years, therefore I respectfully request that you will take immediate action in the matter, and bring the guilty parties to justice.

(Signed) STEPHEN MURPHY, P.G., U. B. Lodge.

P.S.—I am sorry to say that the Loyal United Brothers Lodge is governed by a powerful faction instead of the rules of the Order. Their motto is, might is right, and their object is to crush any officer or Brother who has the hardihood to stand up for the good and welfare and question any of their proceedings. It would be useless for me to bring this case in the Lodge, as the accused officers and their friends would quash it immediately.

(Signed) STEPHEN MURPHY.

You see I thought it would be for the Provincial Corresponding Secretary to bring the guilty party to justice.

11314. What was the result of that? I received a letter from Mr. Gelding, telling me I would have to attend a special meeting of the Lodge and substantiate the charges.

11315. Did you attend? I attended. I gave notice to the Noble Grand to lay certain books on the table. Contrary to the rules of the Society, where they state the Noble Grand, or Chairman, is to preside over all meetings, they put a private member there.

11316. Who was that? Alexander Kethel.

11317. Is he a Grand Lodge officer? Yes, and a member of the Lodge.

11318. Is it not a usage of the Society to place a Grand Lodge officer in the Chair? I was fifteen years in the Lodge and never saw him do anything before.

11319. You take exception to the Chairman, then? Yes.

11320. Then did the Lodge give you time and opportunity to make out your attack? It was not a proper meeting at all.

11321. I am not asking that. Did they give you ample time and opportunity to make out your case that night? They allowed me to talk a good deal.

11322. Now is that an answer?—Did they give you ample time and opportunity to make out your case—you can say yes or no? I had my case already.

11323. That is no answer to my question. Did they give you ample time and opportunity to make out your case? Well, I had time, but was not allowed to state my case before the Lodge.

11324. Did you not occupy two hours in making your case out? I had no case to make out.

11325. Did you not occupy two hours of the Lodge that evening in stating your case? No, I did not.

11326. How much did you consume? I was about two hours talking, but the Chairman would not allow me to substantiate my charge.

11327. Did you not go there to make out your case? I did.

11328. And you made an effort to do so? They would not allow me to do so.

11329. Did you say you spoke two hours? Yes, but the Chairman of that meeting would not allow me to talk on that question at all.

11330. What was the result of the meeting? I wanted to read out the names of the members whom I paid money for.

11331. That is not the result of the meeting. I want you to tell me that? I was not allowed to give my evidence; that was the result.

11332. What was the finding of the Lodge? They were all unanimously acquitted of the charge, amidst loud cheering, though I was not allowed to give my evidence.

11333. Then these persons were all acquitted by the meeting? Yes.

11334. How many members were present at that meeting? A good many; I dare say a couple of hundred.

11335. Then it was a very full meeting, was it not? Yes, it was a full meeting.

11336. Was it a larger meeting than usual? Yes.

11337. Very much larger? Yes.

11338. Had you ever seen as large a meeting as that before in connection with that Lodge? Really I cannot say. I believe that was as large a meeting as ever I saw.

11339. How many members supported your objection at that meeting? I do not know.

11340. Was it one, two, three, four, or twenty? I do not know.

11341. Did any members support your objections? Yes.

11342. Can you give me the name of any member who supported your view? No, I could not.

11343. You do not know the name of any such member? No, I do not.

11344. Well, you say the result was they were all acquitted of the charges? Yes, without the case being gone into. I was not allowed to make my statement before the meeting.

11345. Was not all that statement read to the meeting? No, it was not.

- Mr. S. Murphy. 11346. Was not that letter with your charges against these officers contained in it read to the meeting? No, not all of it.
- 7 July, 1882. 11347. What part was omitted? There was a good deal of it omitted.
11348. How long have you been a member of this Society? About fifteen years. There was a good deal in that charge, and this is how they cut it short in the notice:—To hear a charge preferred by Brother Stephen Murphy against Brothers A. W. Chapman, Mark Hincks, and W. A. Baker, Trustees; W. H. Baker, Secretary; James Horan, Treasurer; John Hunter, Assistant Secretary; Benjamin Dewson and John Robinson, Auditors, with having knowingly and wilfully combined together and caused a formal return of the above Lodge.
11349. Is that not the usual kind of summons sent when a special meeting is called inviting the members to be present to hear a certain charge? Yes, but the nature of the charge should be in it.
11350. Then do you tell the Commission that at the meeting this charge written by you was not read out? I believe it was afterwards.
11351. What further action was taken afterwards? It was proposed that a charge be preferred against me for bringing a charge against them which I could not prove, and which they alleged to be slanderous.
11352. And that charge was preferred against you? Yes.
11353. By whom? By the Lodge; the right-hand supporter was the Noble Grand.
11354. What is his name? Robertson.
11355. Did he prefer the charge? Yes.
11356. Was the Lodge summoned to deal with the charge? Yes, there was the usual quarterly meeting.
11357. A summoned meeting? A summoned meeting.
11358. Were you present? I attended there the same as any other member.
11359. Did they go into the charge? I was there for a while, and was then told to leave the room.
11360. Was that after you were called upon to plead to the charge? Yes.
11361. And you pleaded not guilty? I pleaded not guilty of slander.
11362. Who presided on that occasion? Alexander Kethel.
11363. A second time? Yes.
11364. And the meeting decided the charges proved against you? Yes.
11365. And passed a resolution to expel you? Yes.
11366. Was it unanimous, or what was the proportion? I do not know; they merely sent me a document stating I was expelled.
11367. Did you get an intimation from them that you were expelled? Yes.
11368. Have you that document with you? No, I have not, but I have a copy of it. It is only a few words stating, "You are hereby expelled under the 13th resolution."
11369. What further action did you take on receipt of that intimation? I applied to the District, and wrote to Mr. Gelding requesting him to lay it before the District Meeting.
11370. Have you paid any dues since then? Yes.
11371. And did the Lodge receive the money? Yes, they had it impounded in the District Court, and I tendered my contributions to the Treasurer.
11372. And has he taken it? I offered him the cheque—the order for it from the District Court.
11373. But have you paid any money into the Lodge? Well, that is into the Lodge.
11374. Have you paid any money into the Lodge since you have been expelled? No, only that.
11375. What position are you in now with reference to your dues—are you in arrears? No; I have been told by Mr. Alexander Kethel that Mr. Gelding is the only obstacle in the way of my being reinstated.
11376. Have you anything to add to your evidence as to the misappropriation in your Lodge? I never said misappropriation.
11377. What did you say? I said there was an incorrect return of the funds sent in.
11378. But have you during your experience known any of the officers to make away with any of the funds of the Society? No, I have not.
11379. *Mr. Smith.*] In answering my questions will you kindly say yes or no, please? I will if I possibly can.
11380. From the time you have been a member and the positions you have occupied, you were fully aware what would follow in the event of your not establishing the charge you laid against the seven persons referred to? No, I was not; I never thought about such a thing.
11381. Were you aware at the time that, if you established your charge, it would cause these members to be expelled? No, I thought some of them would be censured though.
11382. Your charge was based upon a thorough knowledge of the books and accounts of that very Lodge, was it not? I do not very well understand that question.
11383. You were thoroughly aware that certain moneys in connection with that Lodge were not accounted for? Yes.
11384. You have a knowledge of figures, have you not? Yes, a little.
11385. Do you understand book-keeping? Not much.
11386. Did you understand book-keeping sufficiently to know that these moneys were not accounted for in the books of your Lodge? Well, in consequence of the Fine-book not being audited for years I based the charge a good deal on that, because if it was not audited how could it be possible for a correct return to go in for the District when certain books were not audited?
11387. And from your knowledge of book-keeping you discovered that the audits presented by the Auditors were not correct? Yes.
11388. And you charged them with returning to the District an incorrect return? Yes.
11389. And the loss as shown by that return would be a matter of £45? I reckoned it was £45 for that year 1879.
11390. Did you endeavour, before the special meeting to consider the charge, to show from the books and records that the position which you had taken up was a correct one? I did endeavour and have had two other officers examine the Fine-book with me, and they came to the conclusion that it had not been audited since 1863.
11391. And notwithstanding that, the persons charged were dismissed by the investigating Committee of that Lodge? Yes.

Mr.
S. Murphy.

7, July, 1882.

11392. *Mr. Abigail.*] When you made the charge against these men of knowingly and wilfully combining together, did you understand the meaning of the word "wilfully"? I did not—it was through ignorance on my part.

11393. Was there a special audit after you made the charge of the whole of the books by any parties appointed by the District? By the Lodge there was.

11394. But were Auditors appointed by the District? Yes, after the Auditors had been appointed by the Lodge.

11395. Did the District Auditors examine the books? I do not know.

11396. Are you not aware that the special Auditors reported that there was no money missing in connection with the Lodge? I do not know, I am sure.

11397. Do you believe the Lodge actually sustained a loss in its funds by the action of these men? No, I never said that.

11398. Do you believe the Lodge lost these £40 you allude to, and that some one else benefited by it? No, I do not.

11399. You do not believe that any member of the Lodge has defrauded it by using the funds for his own purposes? No, not a shilling, as far as I am aware of.

11400. Then your action turned simply on the irregularity of keeping the books? That is it.

11401. But did you make yourself clear on that when you brought this forward? The words "wilfully combined" were there through ignorance.

11402. I understand you to say now that you have no knowledge of any case where the Society has lost one shilling through the wrong-doings of any of its members? Just so.

11403. *Mr. Holdsworth.*] Your impression was that the fines were not accounted for? That they were not placed to the credit of the Sick and Funeral Fund.

11404. You were not aware when you made such a charge that you were really charging them with fraud? That is the last thing I thought of.

11405. You object to the Chairman of the meeting as not being the legal Chairman? Yes.

11406. Still he gave you fair play? No, he did not.

11407. Did he not allow you to talk for two hours? Away from the point.

11408. You never knew Mr. Kethel to take the Chair before in matters of this sort? No.

11409. Do you not think it possible that this being a charge by one member against many, he was asked to take the Chair because he was a neutral person and could have no feeling in the matter? He was a member of the Lodge.

11410. There were two sets of Auditors appointed? Yes.

11411. One by the Lodge? Yes.

11412. And then by the District? And then by the District.

11413. They audited the books? No, I don't think they did.

11414. Auditors were appointed by the District? I believe they were.

11415. They reported that there was no money missing, did they not? Yes.

11416. Then do you not think after a Committee of your Lodge had inquired, two sets of Auditors had been appointed, and you had appealed to the Grand Lodge, that you got fair play? No.

11417. Then you appealed to the law of the country? Yes.

11418. And they decided against you? I did not get fair play there either.

11419. *Mr. Rubie.*] You were Noble Grand of the Lodge? Yes.

11420. When you brought the charges against these gentlemen? No.

11421. From your position you learnt that these books were not audited for a certain time? Yes.

11422. And that certain moneys paid in as fines were not credited to the proper funds, or were they credited at all? The Financial Secretary told me he did not place them to the credit of the Sick and Funeral Fund.

11423. From your position as Noble Grand you ascertained moneys were not credited? Yes, from the Secretary himself.

11424. He told you? Yes, in answer to my questions.

11425. Then, as head of the Lodge, it was your duty to cause an investigation by the members of the Lodge? I left the Chair in June, and did not see the balance-sheet till December.

11426. It was six months after you left office that you knew of this? Yes.

11427. Then did you cause any inquiry to be made by the Lodge, or make any proper report at all? I asked the questions previously referred to. (See question 11308.)

11428. *Mr. Gelding.*] You stated to Mr. Abigail that you did not when laying the charge know the meaning of the words "wilfully combined"? I did not.

11429. To whom did you give that charge? To you.

11430. What did I tell you at the time? You told me to take it away, or they would expel me.

11431. Did not the Grand Secretary advise you to withdraw these charges? Yes.

11432. Did he not tell you the meaning of these words that you put in that charge, and what would be the result if you did not prove them? He never did.

11433. You were in the Court when the case went on against you before Judge Cohen? Yes.

11434. Was not the book handed up to him showing him where these entries were made? In what book?

11435. In the Cash-book? They were never presented.

11436. No books were brought into Court? Not so far as I know.

11437. Was anybody along with the Provincial Corresponding Secretary when you gave that charge into his hands? The letter was posted.

11438. You served the charge personally, did you not? No, I sent it by post, and went down that evening for an answer.

11439. Who was there when you came in to see what the answer would be? There was some one there; I think it was either your brother or Johnson.

11440. Do you not know who it was? I am not certain.

11441. Was Mr. Schofield there at the time? I do not think so.

11442. Did not the Provincial Corresponding Secretary of the Sydney District tell you you would be obliged to lay that charge against the members in the Lodge? No.

11443.

Mr.
S. Murphy.
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11443. And that if you did not lay the charge, considering the gravity of the affair, the Lodge would lay a charge against you? No.
11444. You were Noble Grand during the time these defalcations took place you complain about? Who talks about defalcations?
11445. Well, misappropriation of money? Who said misappropriation of money—I said incorrect return.
11446. Will you inform the Commission who informed you that Mr. Kethel said that Mr. Gelding was a stumbling-block in the way of your getting back to the Lodge room? Mr. Kethel told me himself.
11447. *President.*] Did you receive a summons to attend the meeting to inquire into your charges at which Mr. Keppel presided? Yes.
11448. Did you receive a summons for the subsequent inquiry when a charge was brought against you? Yes.
11449. Were you summoned to attend the meetings after your expulsion had been confirmed? No.
- The Commission then adjourned till Monday, July 10th.

MONDAY, 10 JULY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

F. ABIGAIL, Esq., M.P.,	E. J. RUBIE, Esq.,
J. GELDING, Esq.,	P. J. NEWLAND, Esq.,
P. R. HOLDSWORTH, Esq.,	JOHN SLADE, Esq.,
J. F. SMITH, Esq.	ED. GREVILLE, Esq., J.P.,
W. E. LANGLEY, Esq.,	

Mr. Abraham Western Chapman sworn and examined:—

Mr. A. W.
Chapman.
10 July, 1882.

11450. *President.*] What Society do you represent? United Brothers' Lodge, Manchester Unity.
11451. Do you hold office in connection with the Lodge? Not at the present time, but I am Treasurer of the Order.
11452. You have held several offices in connection with the Lodge? Yes, I have gone right through.
11453. You are one of the oldest members in connection with the Society I presume? Yes, I have been a member about thirty-two years.
11454. Is your Lodge at the present time providing its own chemist separate from the Medical Institute? Yes.
11455. Can you tell the Commission about the average cost per member? We pay the doctor 3s. 6d. each per quarter, and it costs us on an average 6s. a quarter for medicine and doctor together.
11456. That is 24s. a year? Yes, for doctor and chemist.
11457. And you pay 3s. 6d. of that —? To the doctor.
11458. That is half a crown to the chemist? Just so.
11459. Do you find that a more reasonable mode for getting a supply of medicine for your members? It is not so cheap as the other Lodges that support the Medical Institute.
11460. What was the reason you adopted the present mode? Dissatisfaction with the arrangements of the dispensary and with the doctor.
11461. What number of members have you? Close on 500.
11462. What funds have you to your credit at the present time? I really could not tell you—the Secretary is outside.
11463. Will he be able to tell? I think so.
11464. Do you know what profits you made during the last year? Last year I do not think we made anything; we have had heavy law expenses in connection with this affair of Murphy's.
11465. Did Murphy have a fair trial and hearing of his complaints? Yes, decidedly so; we gave him his own way in everything; everybody pitied him for making just a fool of himself. Mr. Kethel was put into the Chair as being an uninterested party.
11466. When the case was brought before the District Court, Murphy against you as the Trustee of the Lodge, were the books produced in Court? Yes.
11467. And handed up to the Judge? Yes, I am positive of it—I took the books myself.
11468. Then in every way there has been a fair and impartial trial? In every way we gave him almost his own way in everything; it is only in extreme cases that men are expelled from our Order.
11469. Can you tell the income of the last year of your Society? No, but the Secretary has his books with him.
11470. The meetings at which Murphy's case was tried, were they summoned meetings? Yes.
11471. And there were large attendances? Yes, more than usual, because it created some stir.
11472. Would there be 200 people present? I dare say there might be.
11473. Your Society is managed on the same principle as other Lodges of the Order? Yes.
11474. And you are under the District? Yes, the Sydney District.
11475. Members leaving your Lodge take clearances and join any other Lodge? Yes.
11476. And all persons seeking admission are examined by your medical officer? Yes.
11477. Is it a thorough medical examination? Yes.
11478. Are many refused? I can only remember one case for the past four years.
11479. Have you made many members during the last three or four years? Mostly every Lodge night there are two or three made.
11480. Have you lost many? Not many.
11481. The benefits I presume are the same as in other Lodges? Yes, £1 a week sick pay for the first six months, 15s. for the next six months, and 10s. for the next six months, and then if two doctors certify, so far as medical treatment is concerned, they can do no good, we allow them 6s. superannuation.
11482. And the contributions paid are somewhat similar? Yes, 1s. 2d. a week.
11483. A uniform rate? Yes.
11484. How are your funds invested? We have £750 in the land in Elizabeth-street.

11485.

11485. Bearing interest? £250 bearing interest at 6 per cent.; the £500 was a gift and donation; we borrowed £2,000 from the Widows and Orphans Fund, which we have paid off; the rest of the moneys are in the Government Savings Bank.
11486. Was that £2,000 belonging to the whole body? Yes, to the Sydney District, not our own Lodge alone.
11487. Where do you hold your meetings? At the Oddfellows' Hall; we pay a levy of a half-penny a week for every member, which goes towards forming a Building Fund, amounting now to about £400.
11488. That embraces the District? The seven Lodges to which the hall belongs.
11489. Have you any idea of the cost of management of your Lodge? I could not tell; the annual return will I think show that the chief management expense of this Lodge is the medical benefit.
11490. Coming back to this matter of Murphy: you were present on the evening in which the inquiry took place? I was the first person who saw the letter he wrote—it was handed to me by the Corresponding Secretary of the District before the Lodge saw it at all.
11491. You were one of the gentlemen mentioned in the letter? Yes, he accused me as a Trustee with signing some return that was not correct.
11492. Was the money he speaks of—some £40—accounted for? We handed our books over to the officers of the District immediately the letter was sent to the Lodge. I attended the Lodge and saw Murphy there; I asked him if he intended that as a charge against the gentlemen named in the letter; he said yes, and I then cautioned him, and he said he could prove every word that was in the letter. I then said the best thing to do was to call a summoned meeting of the Lodge, and I moved that the books be placed in the hands of the District Officers, which was done.
11493. An audit took place? Yes, and we called a specially summoned meeting to hear the report.
11494. Were there many members of your Lodge who took side with Murphy? There were a few members of the Lodge who were inclined to think there was something in the matter, but when the Committee was called together and the books were put on the table, and Murphy was asked to name one item that was wrong, he kept us in for about an hour or two and we could get nothing out of him; at last he said there was £1 fine to a member of the name of Godfrey (who is now dead) for being drunk, and alleged that this had not been accounted for; we opened the books and showed him the Cash-book and Fine-book and showed where it was paid and entered; and that was all—he could not show another item; of course he had roundabout stories, but that was the only item he could show.
11495. What was the cost to the Lodge of law expenses? I think it cost us over £50, between £50 and £60, but that is not calculating men's time.
11496. Have you ever spent money on law expenses before? I have been thirty-two years a member of the Lodge, and that is the only case I can remember going into the District Court; there was a somewhat similar case that occurred in Maitland, but this is the only case I have seen in the Court in Sydney.
11497. During your long experience, have you known any defalcations to have taken place? I have.
11498. Of any magnitude? No. They were some years ago. I do not know of any within the last fifteen or twenty years, the members now have a better idea of looking out for a man who has something to lose than they used to have.
11499. You regard your Society as in a thoroughly sound financial position? I think so.
11500. And your contributions are sufficient for the purpose of meeting all your engagements? I would be glad to see them increased a penny a week more, and it is mooted already in the Lodge, as then we shall be standing on a sounder footing.
11501. Do you favour the principle of a graduated scale of payments? Yes, I think it ought to be adopted in all Friendly Societies; I think, considering what I have paid to the Lodge, I ought to be paying less than a young man.
11502. But what I want to know is whether you favour a young man, who joins at the age of (say) twenty or twenty-one, paying at the rate of (say) 9d. per week, while you being forty-five should (say) pay one shilling per week? Well, there is more liability for an old man than for a young one.
11503. I am speaking of the time of joining? Of course, I do approve of it, and it is generally adopted in England now, I believe.
11504. You approve of that instead of a uniform contribution? Well, yes, these Benefit Societies depend on the members and there may be difficulty in getting a Secretary, and you would create in this way a deal of difficulty to the Secretary, so that the question comes whether you could get a Secretary to do the work.
11505. But you think as a matter of fact it would be fairer and afford greater security to the Society if it was so? I think so.
11506. Have you anything further you would like to say to the Commission? No.
11507. *Mr. Greville.*] I understand you to say that your Society ceased to subscribe to the Medical Institute? Yes, we did.
11508. What was the reason? Dissatisfaction.
11509. At what? At the system adopted in it.
11510. What was the particular system? The members complained that they did not have the control over the medical officers that they should have. If a member had a complaint he would have to come to Lodge and make his complaint in the Lodge; and a committee would have to be appointed, and a copy would be sent to the Medical Board and they would investigate it. As it is now we have direct control over our own doctor.
11511. Are there many complaints? Well, the principle of that Institution I think is wrong, because they compel a doctor to be there from 10 o'clock in the morning till 12, which are the very best hours that a medical man has; but if the members went to the doctor's house the doctor could see them the same as their private patients.
11512. Then there were complaints against the non-attendance of the medical men? Yes, and also against the medicines.
11513. What were the complaints they made as to the medicines? They did not believe that the medicines were genuine.
11514. But these accusations that were made, were they ever decided? Yes; we wrote the complaints, and they were brought before the Board, but the last complaint was put in the waste-paper basket.
11515. Now, as to the quality of the drugs supplied, had you anything beyond the *ex parte* statements of the members? The drugs supplied to the Medical Institute come from Elliott's. He has been the contractor,

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contractor, and I think has been supplying them nearly from its formation—twenty-six or twenty-seven years ago. There are no means whatever of checking the medicines, the dispenser is the only one who takes them in, and we have no opportunity of knowing whether they are good or not.

11516. Then your Society or Lodge did not take any trouble to test the truthfulness of the statement? Oh yes; there were general complaints of the system, and they called several meetings. I was opposed to it, and did oppose it, because I did not like the idea of breaking away from the Institute, but when I saw that the complaints were so loud and long I went with it.

11517. Then there was a general dissatisfaction without thoroughly testing it? Oh yes, we found members who were not satisfied, but we could not go to the doctor and protest, but had to go to the Medical Board.

11518. Then your members are more satisfied with the present system? Decidedly.

11519. *Mr. Langley.*] And it is your own belief, after having opposed going away, that you are doing better by the present system? I never regretted anything so much as to have to stand up against the Medical Institute. I was one of its warmest supporters, but the Lodge I belonged to would rather pay 18d. a week than go back to the old system. The last month or two I find the members are better satisfied than they were.

11520. *Mr. Rubie.*] Among other things, Murphy alleges that he was not allowed to read a certain document, the charge that he sent to the Provincial Corresponding Secretary, that was another charge that was printed in the summons, and that he was not allowed to read his own? He was allowed to read every document the Lodge has, and every document in his own possession. He kept us from 7 or 8 o'clock till half-past 11.

11521. Then he was allowed every opportunity to prove his case? Every opportunity that could be afforded him.

11522. And you allowed him the books to refer to? Yes, they were laid on the table for him.

11523. *Mr. Slade.*] Did you ever take into consideration the advantage of a Pension or Superannuation Fund, independent of the usual benefits of a Society like yours? ———

11524. Have you ever considered the advisability of establishing a Board of Final Appeal to prevent disputes passing into the Common Law Courts: a Board composed, we will say, of several representatives chosen by the bulk of the Societies, to assist the Registrar in coming to a decision in all matters of dispute? Well, most of the Societies have a Board of Appeal.

11525. But I mean a Board past that? No, I would not; I should advise the executive body to defend any law case; let the District do it instead of the Lodge.

11526. Have you ever considered the bearing of the present Act on the Societies, as to whether it is sufficient for the purposes for which it was established, or not? I have not seen much come out of it.

11527. Have you considered any way in which it could be amended? I have not; the only real benefit I can see from the Friendly Societies Act is, that it enables registered Lodges to get an amount of interest for their money they would not otherwise do from the Savings Banks.

11528. What are the names of the medical officers of your Lodge? Drs. Harrison and O'Connor.

11529. *Mr. Gelding.*] Is it not a fact that your Lodge has not been able to save any money since they seceded from the Institute? Oh no.

11530. You did not bank any money last year, did you? No, but we banked £50 this quarter.

11531. How long is it since you banked any before? The year before last.

11532. Do you think that is a prosperous state of things? Well, what with law expenses, and perhaps an unusual amount of sickness, I would not take it that one or two year's going back is a sign of decrease in the Lodge.

11533. It has taken place since you seceded? No, only the last year.

11534. Is it not a fact that you lose two or three shillings a quarter through seceding from the Institute? Oh no.

11535. Do you know what the medical levy is? I do not; I think it is about 4s. 6d.

11536. Is it 3s. 6d.? It might be.

11537. Are you of opinion that 1s. 2d. a week will meet all liabilities and all levies? I would rather see it a penny more, but if you have a Lodge dissatisfied with the medical arrangements you lose a great number of members who will go bad on the books.

11538. What do you attribute the loss of members to during the past year; you say under the old system you lost a lot of members, and yet you have gone back now in the number of members? I suppose a good many have got in arrears.

11539. Do you not think you get as good drugs from the Institute as from any private chemist? No.

11540. Why not? Because there is a dispenser there who takes in all medicine going in, but at Watson's if a prescription goes there and there is any doubt it is referred to Mr. Watson; but in the old place the dispenser can put what he likes and there is nobody to check him.

11541. Do you not think if a dispensary was properly conducted it would be much cheaper and far superior to Lodges getting medicines at private chemists? Well, I prefer the system we have at present.

11542. Do you pay any of your officers for their services? Yes, the Secretary.

11543. And Noble Grand? Yes, a guinea a quarter.

11544. How long has that been in operation? Seven or eight years.

11545. What is it for? Visiting the sick.

11546. Do you think officers should have remuneration to defray travelling expenses for this purpose? I think it is not too much for him.

11547. What is about the average of members you have on the Sick Funds? On an average seven during the year round.

11548. You have very few on the low scale, have you? They are almost all receiving the full rate of pay. I think we have two superannuated members.

11549. You are Treasurer of the Order, are you not? Yes.

11550. Do you give a bond? Yes.

11551. What bond? The bond prescribed by the Act.

11552. *Mr. Abigail.*] About the quality of the medicine dispensed at the Institute; has it ever come under your notice that medical men recommend their patients to go to the Institute in preference to private chemists? I never heard one in my life do so. I went once to the Institute, in opposition to the doctor, and got soap pills instead of opium pills, and nearly killed my own wife. 11553.

11553. What means have you of detecting the quality of medicine supplied from a chemist that you have not got in connection with the Institute? Well, I don't suppose I could tell the difference; in fact I have none except what the doctor may say; if a doctor was attending me I should expect him to taste the medicine.

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11554. Have you any complaints at all in connection with the medical attendance? Not under the present system.

11555. Has the chemist in connection with this Institute any pecuniary interest in using any bad drugs? I could not tell you.

11556. Are they competent men generally? They look for them, but we have had men there who would use spirits of wine if they could not get anything else.

11557. Are you on the Medical Board? I was for years.

11558. And was this carried on while you were there? Yes, and we dismissed them as soon as we found it out.

11559. What is the difference between their position and a chemist's shop; is there any one to overlook the chemist in his shop? A good chemist has his own reputation to keep up, and there is a great deal in that, but there are some of them I would not be satisfied with.

11560. You have had considerable experience in Friendly Societies; would you favour an annual audit of their accounts by Government officers? Well, I think it would be good—good for the Society as well as for everybody.

11561. Do you think it would be of advantage to Friendly Societies to have a uniform set of books? I could not answer that unless I saw them, but I think so, as what would suit one Society would suit another.

11562. Would you be in favour of a Government Department to manage all affairs affecting Friendly Societies? I think the less we interfere with Friendly Societies the better, beyond seeing that they pay a proper rate of contribution.

11563. Have you any doubt that Friendly Societies are an immense advantage to the State? Most decidedly they are, in more ways than one, because in the first place you instil into the minds of young men a saving habit, and their providing for their families and themselves in sickness or in old age, it is the first step towards making a young man saving.

11564. Have you ever made a calculation to ascertain at what rate per head a Lodge should increase its funds annually? No.

11565. Have you any doubt that members as they get older the liability of the Society is much greater? I have no doubt of it.

11566. So that a Society that does not add something annually is not doing as it should do? Well, it is not because a Lodge goes back one year that I would jump at the conclusion that that Lodge is on the verge of insolvency, but if it did so for two or three years they should do something, either by reducing their sick pay or raising their contributions.

11567. Are there not a large number of your members who are men in good positions and who do not take any benefits? There are a good number of these.

11568. What is the reason these members do not take the benefits? I could not tell you exactly; a great number joined the Society when they were poor.

11569. *President.*] Have you anything to add to your evidence? No, I do not know of anything else.

Mr. John Robinson sworn and examined:—

11570. *President.*] You are a member of the Oddfellows? Yes, the United Brothers' Lodge.

11571. And you are Secretary? Secretary.

11572. How long have you held that office? Since the beginning of this year or the latter end of last year.

11573. Are you an old member of the Society? About six years I think.

11574. Can you tell the Commission what has been the total income of the Society during last year? I cannot from memory, and have not the books with me.

11575. Then you have not got it, and no papers you have will show it? No.

11576. Do you know the profit your Society made? I know it was very small, not £7.

11577. Do you know what the total amount of the funds you have is? £2,949 14s. 1d.

11578. How is that invested? £1,916 19s. 6d. in the Savings' Bank, £500 in the land for the hall, £250 a loan to the Trustees of the hall, and £282 14s. 7d. in the Treasurer's hand.

11579. How many members have you? 480.

11580. That is, good financial members? Good financial members.

11581. Do you know how many members were admitted last year? Thirty-two by initiation, and thirteen by clearance, that is forty-five in all.

11582. And how many left? Eleven withdrew by clearance, and twenty-eight ran out by arrears, and there were seven deaths.

11583. The amount of funds you have stated at the disposal of the Lodge, does that include the total worth of your Lodge? Yes.

11584. Do you pay the funeral donation of the Lodge direct, or does it come from the District? From the District.

11585. Do your members pay a separate contribution to the Funeral Fund? No, we pay a levy to the District.

11586. How much? 1s. 6d. per quarter.

11587. Does the Lodge pay on behalf of all your financial members? Yes.

11588. What other levies do you pay to the District? The Widows and Orphans Fund.

11589. What is that? It was 6d. last quarter, but it is sometimes 4d.

11590. What other levies are there? There is a District levy, which was 9d. last quarter.

11591. What do you get in return for these? For the Funeral Fund levy, in the event of a member's death, the District pays the funeral donations.

11592. Yes, but the 9d., what is that paid for? I do not know why that levy is charged us.

11593. Is it for the management of the District? I expect that is it.

11594.

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11594. What do the members get for the 6d. for the Widows and Orphans Fund levy? In the event of a Brother dying and leaving children under a certain age, a sum of money is paid out of the fund according to a scale calculated on the length of membership.
11595. What is the largest sum paid out of this fund? £30 out of this particular fund.
11596. How many years has a member to be a member of this fund to get that? Over twenty years.
11597. Then you pay 1s. 6d. to the Funeral Fund, 6d. to the Widow and Orphan Fund, and 9d. on account of the District Management Fund? Yes, sometimes the district levy is lower, sometimes only 6d.
11598. That is 2s. 9d. a quarter goes to the District? Yes.
11599. And what do you pay medical officers? We pay the doctors 3s. 6d. per member good on the books, and 1s. 9d. for any member that goes bad during the quarter, and 1s. 9d. for every new member as an examination fee.
11600. If he comes in during the last week in the quarter you pay the same? Yes.
11601. What do you pay your chemist? The last account was £51 17s. 6d.
11602. What does that average—how much per member? Both funds last year in round figures came to £600.
11603. That is an average of about 24s. per member? Yes, about 24s. a member.
11604. Who is your chemist? Mr. Watson.
11605. Does he give general satisfaction to your members? I never heard any complaints.
11606. Can you tell the amount paid on account of sick pay last year? £572 14s. 2d.
11607. What was the cost of management during last year? £175 5s. 2d.
11608. Was this large sum of £572 14s. 2d. for sick pay an unusually large sum to pay away on that account? No, I think we always go pretty near that; there are one or two very heavy amounts paid for sickness.
11609. You have on the average from £10 to £11 a week to pay for sick pay? It would pretty well average that, taking the whole year round.
11610. What is the average age of your members? I could not say that from memory.
11611. Have you many old men? Yes, a pretty good few.
11612. A large proportion of the 500 are they old? No, there are a great many young men about thirty-five years of age.
11613. Are there many over forty? Yes, a good many.
11614. Would there be a hundred over that age? Yes, there might be.
11615. Are there very many old members? Yes.
11616. And many of these would be sixty years of age? Probably they would.
11617. You were not in office at the time the matter of Stephen Murphy was brought under the notice of your Lodge? I was an Auditor.
11618. You remember the cause of this complaint? Yes, I have a slight recollection of it.
11619. Were you the Secretary the time the matter was brought into the District Court? No.
11620. You were not summoned to produce the books or papers? No.
11621. Were you present when the charge was investigated? Yes.
11622. Was there anything in Mr. Murphy's charge after you had investigated it? His charge was groundless as far as I can recollect.
11623. Was a fair opportunity permitted him to make good his charge? Most fair; the night he was tried they let him have just exactly his own way, taking the usual Chairman out of the Chair and placing another Brother in it.
11624. Would you like to have him back again? I should not care about it.
11625. Do you think the Lodge will be inclined to take him back? I am afraid not.
11626. If the expenses were made good would they take him back? I do not think so.
11627. You know the gentlemen who were charged with having knowingly and wilfully applied certain funds? Yes.
11628. From the investigation that took place, you are of opinion that Murphy had a fair opportunity of making good his case? Most fair; the Chairman allowed him every opportunity of stating his case.
11629. Were the moneys accounted for that were in dispute? I believe they were; there was only one amount, and that concerned a Brother who was fined two or three times, and Murphy said these fines were not in the Cash-book, but the book was submitted that night and the item pointed out as being credited in the books.
11630. You feel satisfied then that the whole of these sums, amounting to some £40, have been accounted for? I would not say for the amount, as I believe that was incorrect.
11631. But are you of opinion that the whole of the fines inflicted during Murphy's term of office, and that of his successor, were accounted for? I think so.
11632. Has there been any defalcation as far as your knowledge goes? No.
11633. Have you anything further to add to your evidence? No.
11634. Have you a general knowledge of the Friendly Societies Act? Yes.
11635. Do you think it affords sufficient security to members and officers of the different Friendly Societies? Decidedly.
11636. Do you think it is fully administered? I think so.
11637. *Mr. Abigail.*] You were one of the Auditors, I understood you to say? Yes.
11638. Were you appointed to examine into the books when Murphy made the charge? No.
11639. Did you audit the Fine-books? I believe the Fine-book was not audited.
11640. So he was right in that particular? If he stated that, he was.
11641. Was there a special audit into the books after Murphy's charge? Yes, there was, I believe.
11642. Who appointed the Auditors? The District, I think.
11643. Can you tell us what report they brought up? No; I know, however, that it was favourable to the Lodge, and to the effect that all the moneys received had been accounted for.
11644. At this meeting when Murphy was tried, were you present? I was.
11645. Was there a large number of members present? There was a very large number.
11646. How many supported Murphy's views, half? No, I do not think so. There were some in favour of him who thought he had got hold of something.
11647. Does Murphy's expulsion proceed from a personal feeling or a sense of wrong-doing? Well, all the Brothers concerned in the affair left the room during the time he was expelled.
- 11648.

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11648. And Murphy left the room, did he not? Yes.
11649. Is that the custom in the Society? It was the first time I ever saw a man tried. I could not say.
11650. An accused Brother is present while he is being tried, is he not? He can state everything he likes in support of his case, and the other side the same.
11651. Were the books placed at Murphy's disposal when he was called upon to substantiate his charge? All were on the table.
11652. Was he forbidden to look at them? I think not.
11653. If he said he had no opportunity of referring to the books, is that correct? No, as far as I know.
11654. Can you give us the numbers for and against his expulsion? No; I was outside.
11655. Do you think the present Act gives every opportunity of assisting and encouraging Friendly Societies? I think so.
11656. Do you think it would be an advantage to have a Government-appointed officer to examine the accounts of different Friendly Societies? I hardly think so.
11657. Have the books in your Lodge been in such a state as to warrant you in saying that no oversight except that of the members would be required? I think not; Auditors are appointed every three months, and they examine and go through the books.
11658. Is it not a fact that they reported the books as correct when they had not audited the Fine-book? I believe so.
11659. Does that not show that the work has been done in a loose manner? I do not see much use in a Fine-book myself.
11660. But it records fines inflicted? Yes; and the money is transferred into the Cash-book.
11661. What led to Murphy's difficulty in seeing the moneys entered? I think it was his own fault in not understanding the books.
11662. Was it not reported that irregularities had taken place in the keeping of the books? I could not say.
11663. Is the book-keeping in connection with your Order uniform—have you one set of books? I do not know.
11664. Do you think it would be an advantage to have one uniform set of books for all Societies? I believe it would.
11665. *Mr. Holdsworth.*] The money is transferred each evening from the Fine-book into the Cash-book as a receipt, I presume? The Secretary does that at home; the amounts are entered into the Fine-book, and when they are paid they are put into the Cash-book.
11666. Still it would be necessary to audit the Fine-book to see that the correct amounts are put into the Cash-book? Yes, so long as you keep a Fine-book.
11667. *Mr. Langley.*] I presume on each occasion your fines were read out to the Lodge? Yes.
11668. Do you check your Pence-books? No.
11669. Then if there is an irregularity, it would as likely occur in transferring the amounts in the Pence-book as in the Fine-book? Just so.
11670. *Mr. Gelding.*] You heard the special Auditors' report read, did you not? Yes.
11671. And the only fault they found, was it not in reference to keeping the Management Expense Fund and the Sick and Funeral Fund in one book? I believe the report did recommend two books: the funds were always kept separate although in one book, and we have had the two books since.

Mr. James Perry sworn and examined:—

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11672. *President.*] What Society do you represent? The Protestant Alliance Friendly Society of Australasia.
11673. What number of Lodge? No. 25.
11674. How long have you been a member? Nine years.
11675. Have you held office? Yes.
11676. What offices? Secretary and Master.
11677. What office do you hold now? None.
11678. During the time you held office, were there some defalcations in connection with the Society? I believe there were.
11679. Have you any knowledge of them? I have some slight knowledge.
11680. But have you any positive knowledge of the nature of the defalcations or the amounts? Yes.
11681. What was the nature of the defalcations? I could not state the exact amount; there was a special audit called, and the Auditors could not arrive at the amount in default, through the bad way in which the books had been kept.
11682. What was the amount supposed to be, as far as they could detect it? Something like £180, I think.
11683. Who was the officer or member who was guilty? The Secretary.
11684. What was his name? James Pettit.
11685. What was the result of the special audit? They could not arrive at any particular sum that was taken. I believe I was the discoverer in the first instance myself. I took the office of Secretary immediately following Pettit, and I found that the members were continually complaining of the amount of money I was suing them for; the Lodge was in a most successful career, for a young Lodge has no great outlay, and for the time I held office it struck me that there had been a very small amount accumulated, and then the special audit was called.
11686. Was Pettit called upon to explain? Yes.
11687. What did he do? The only reply was that he paid more to the funds of the Lodge than ever he had taken from it. We had legal opinions on the matter I believe.
11688. And what was the result? That they could not prove any particular amount, and it was better to let the case drop.
11689. Were any further steps taken by the Lodge to deal with Pettit? He was expelled.
11690. Then he is not now a member of that Lodge? No.
11691. Did he protest against the expulsion or take any action? He took no action whatever that I am aware of.

- Mr. J. Perry. 11692. Do you know of any other case of defalcation? No, I do not.
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11694. Has it been settled? Yes.
11695. Do you know the amount? No, not exactly.
11696. Have you any idea of the amount? I think it was about the same amount as in Pettit's case, but I am not certain.
11697. Did the officer make good the amount? Yes.
11698. And paid it? Yes, and more than the amount.
11699. What is the value of the funds of this Lodge now? About £1,080, I think.
11700. And what number of members have you? 210 I think. The amount I gave you is irrespective of the funds the Grand Lodge holds belonging to the Funeral Fund.
11701. Do you pay your own funeral donations? No.
11702. The Grand Lodge pays them? Yes.
11703. What do you pay to the Grand Lodge? 10s. a year.
11704. That ensures the payment of your funeral donations? Yes.
11705. And you have to your credit £1,100 independent of your share on the general funds? Yes.
11706. How is the money invested? In the various Banks, with the exception of 150 shares in the Protestant Hall.
11707. To the credit of the Trustee? Yes.
11708. Were the shares in the Hall taken up before you were a registered Society? I think not.
11709. What interest do you get on these shares? None whatever at present.
11710. What amount of money has been paid on account of these shares? £150.
11711. That is the actual value of the shares? Yes.
11712. And it is unproductive at present? Yes.
11713. Have you any other investment unproductive? None.
11714. The others all bear interest? Yes.
11715. And they are to the credit of your Trustees? Yes.
11716. Do your Treasurer and Secretary now give sureties? Yes, a bond in a Guarantee Society.
11717. Does the Society pay the premium? Yes.
11718. Have you had any defalcations since or before Pettit's case? None.
11719. Have you a larger number of members now than when Pettit was in the Lodge? No, not so many.
11720. What is the largest number of members you had at any time? About 320.
11721. What are the contributions? 1s. a week, and 2s. levy per quarter.
11722. That is 60s. a year? Yes.
11723. What do you pay your medical man? 16s. per member per annum.
11724. And what do you pay the chemist? 10s. per member per annum.
11725. And what do you pay on account of working expenses per year? About £45 in salaries, &c.
11726. What do you pay the Secretary? £15 a year, the Treasurer £10, the Assistant Secretary £5, the Auditors two guineas, and the doorkeeper 52s.
11727. Are there any other paid officers? No.
11728. The Chairman does not get paid? No.
11729. And what is the rent? The rent is 7s. 6d. a meeting.
11730. What have you paid during last year on account of sick pay? I could not tell you.
11731. Do you know what profit you made on the receipts and expenditure? Something like £130.
11732. Do you know the average ages of your members? No, I do not—I could not form an idea.
11733. Have you many old men? I think I am about the oldest now.
11734. Have you a good many young men? Yes, a large number.
11735. Do all your members undergo a medical examination? Yes.
11736. Have many been refused admission in consequence of being unsound in health? Only one, by our medical officer.
11737. Do you belong to any other Benefit Society? No.
11738. Do you think it a wise provision to permit members to be members of more than one Society? I could not answer that question, but I see no objection.
11739. You think it would be wise to permit persons to join one, two, three, or more Societies? I think so, if the Societies have no objection.
11740. Do you not think it would be an inducement to members to sham sickness, so as to go on the funds? I should think that would be the fault of the medical officer, though no doubt there have been instances where illness has been shammed.
11741. Have you had cases in connection with your own Society? I believe so.
11742. Have you anything further to add to your evidence? No.
11743. Have you any suggestions to make? No, I have not.
11744. Mr. Smith.] Taking the liabilities of a Friendly Society in consideration, do you think your Society is on a sound financial basis? I think so.
11745. You think that under ordinary circumstances it is able to meet the liabilities that its rules oblige it to meet?
11746. Have you found the present Friendly Societies Act in any way interfere with the progress of your particular Society? It causes great dissension at times in various Lodges.
11747. In what way? In reference to the registration of our rules. I believe it to mean that when our rules are once registered and distributed to the various subordinate Lodges that may originate throughout the land, these rules do not require re-registration. I believe it to be an injustice to receive the registration fee for them again, unless there is some by-law added by the Lodge.
11748. Do I understand you that if the Grand Council register the rules you think it should be sufficient for all purposes? That is certainly my own opinion.
11749. Do you think that in itself would be a relief to subordinate Lodges? I do.
11750. Were you a registered Society at the time of the misappropriation of this money? Yes.
11751. Did the Lodge take any steps to bring the matter under the notice of the present Registrar of Friendly Societies? Not that I am aware of.

Mr. J. Perry.
10 July, 1882.

11752. Do you think if the present Act had been more stringent in its governing principles such misappropriations of money could not take place? I have no doubt of that.
11753. And do you think it would be advisable in any new legislation that particular interest should be carefully guarded over? I think so; it could not be too strict, in my opinion.
11754. Did the appropriating of this money by Pettit extend over a very long period of time? Some two years.
11755. He was receiving contributions as Secretary, was he not? Yes, regularly every meeting night.
11756. Did he succeed in disguising from the Auditors of the Lodge the fact that he had not accounted for all the moneys he received? Yes, he did.
11757. Were the Auditors in the case the same all the time? No.
11758. You had eight audits during the whole of that period? Yes.
11759. They were not the one set of Auditors? No.
11760. And it is a fact that he succeeded in disguising the defalcations from the whole of the men who were appointed? There is no doubt of it in my mind.
11761. Were the men as a rule competent to deal with matters of figures? I think so.
11762. Do you generally find that to be the rule in a Society, that the men appointed as Auditors are the most competent to deal with figures? No.
11763. Has it ever occurred to you that a better system might be adopted in auditing the accounts? I do not think so.
11764. Does your system differ in any respect from the system generally in use? Yes, more than it did at the time of these defalcations.
11765. What are the particular differences? We have a book into which the nightly payments are entered to the credit of each member, which was never looked at; it was counted up and handed to the Treasurer, who gave a receipt for the amount, and the Auditors took it for granted that that was correct.
11766. Had the Treasurer no knowledge of the fact that this Secretary was applying the money to his own use? Not until I pointed it out myself.
11767. In the event of the Government establishing a Department with a Registrar for the purpose of working and protecting Friendly Societies, would you be favourable to the principle of any member applying to that officer for the appointment of two officers that might examine the accounts? Decidedly so; yes.
11768. Do you think such a principle would be a great protection to the members of the various Friendly Societies? No doubt of it.
11769. Your Society is based, is it not, on a religious principle? Yes.
11770. And none but persons professing the Protestant religion can become members? Yes, and their families also.
11771. *Mr. Rubie.*] Who was Master of the Lodge the time these defalcations took place? There were two or three at the time.
11772. Then one who said that the defalcations were £270, was he correct? I would not like to say.
11773. When you discovered these defalcations, did you report it to the Lodge? Immediately.
11774. Was there a special audit? There was.
11775. What was the result? They found that there was a certain amount deficient, but how much they could not say, because they found that the books were kept in such a disorderly state that there was no getting at the truth.
11776. How much was he called upon to make good? £150 or £180 I think.
11777. Did he make that good? No.
11778. Did he promise to do so? No.
11779. And it is not made good now? No.
11780. *Mr. Slade.*] Have any other deficiencies come under your knowledge besides this of Pettit's? Not that I am aware of.
11781. What was the Secretary's name in No. 25, who when being accused of incorrect entries threw down the money on the table? That was Pettit.
11782. *Mr. Abigail.*] Who was the lawyer the Lodge consulted who recommended you not to take proceedings? I believe it was Mr. Colyer.
11783. Were you present when it was discussed in the Lodge? Yes.
11784. Was any reference made to the clause in the Friendly Societies Act setting forth how those people should be proceeded against? No.
11785. Do you know that the Act lays down a clear rule by which the Trustees ought to have proceeded against Pettit for embezzlement? I do now, but did not at the time.
11786. How long is it since this took place? I believe it was 1876.
11787. Do you think a man who misuses the funds supplied by the members should be let off in this way? I think he ought not to be let off at all.
11788. Would you favour the using of a uniform set of books throughout all Friendly Societies? Yes, and I think they might be greatly simplified.
11789. Have you any suggestions to make to the Commission that would assist them in framing a new Friendly Societies Act of a more perfect character? No.

The Commission then adjourned till Friday, the 14th July.

FRIDAY, 14 JULY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
ED. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JAS. F. SMITH, Esq.,F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

Mr. James Munro sworn and examined:—

- Mr. J. Munro. 11790. *President.*] What Society are you a member of? No. 25 Young Australia, Protestant Alliance.
11791. Are you still a member? Yes.
14 July, 1882. 11792. Do you hold any office? Yes.
11793. What office? Treasurer.
11794. How long have you held that office? Five years and eight months.
11795. What funds have you to your credit on behalf of the Society? In January last the amount was £1,002 16s. 10d.
11796. That is cash, I presume? No; £150 is in shares in the Protestant Hall, the rest is cash.
11797. How is this balance invested? It is deposited in the Banks.
11798. To the credit of the Trustees? Yes.
11799. Who are the Trustees? Samuel James Hardy, Phillip Pring, and T. A. Harrieks.
11800. How many members have you in the Society? About 180 I think.
11801. Is that the largest number you have ever had? No.
11802. What has been the largest number? I could not tell; at the time the Lodge was first established there were over 200.
11803. And was there a larger number subsequently? No, I do not think so.
11804. Have you had any defalcations in connection with your Society? Yes.
11805. What has been the nature of them? They were by the Secretary who held office at one time; in fact I shall have to make a statement in order to explain the matter.
11806. Will you then make the statement? There was a Brother who held office as Secretary one time, and he came forward for office again nearly two years afterwards. I had been Treasurer one year while he held office, and still continued to be Treasurer of the Society, and while paying a sick member at one time this sick member complained to me that he had received a summons for more arrears than what he owed; I said that the only way to rectify that would be to have his pence-book compared with the ledger, as he said he was certain he did not owe the money, because he was credited in his pence-book with the amount he had paid and there was a deficiency of 11s. I got the pence-book and got the ledger and compared the book with the ledger, and found the dates were the same; the Brother was credited with 21s. on his pence-book and only with 10s. on the ledger. When this Brother came forward to be installed as Secretary of the Society I objected, and they wanted to know my reasons, and I gave as my reason that, while he was an officer of the Society before, he had held back some of the books belonging to the Society, and also that there was a discrepancy between the book of this Brother and the ledger; he wanted to know what the discrepancy was, and I produced the books showing that there was a discrepancy of 11s.; he took half a sovereign and threw it on the table, and said he supposed that made it right, and I said no, and he then threw down another shilling. I still objected to his taking office, and as the Brother did not have his bonds ready that night it was put off, and he was not put in office again.
11807. What was the amount of his defalcations? According to the Auditors' report—I took the trouble to look over it—his defalcations were £138 8s. 10½d.; but there were further discoveries made after that, that would amount to about £150 in all.
11808. What is that statement you have in your hand? It is only a matter of figures I went into, comparing the receipts of the evening as shown by the Treasurer's receipts with the ledger, and the difference shown. There are eleven takings on different nights, and I found differences in all of them. On December 23rd, 1875, £21 2s. 2½d. is credited in the ledger; the Treasurer's receipt on that night was £18 16s. 1½d., leaving a difference of £2 6s. 1d. On January 13th, 1876, according to the ledger, £14 19s. was received, and the Treasurer's receipt was for £12 12s. 4½d., leaving a difference of £2 6s. 7½d. On February 10th the ledger shows £24 16s. 10½d., and the Treasurer's receipts £22 10s. 6d., or a difference of £2 6s. 4½d. On February the 24th the ledger shows £19 10s. 4d., and Treasurer's receipts £17 14s. 11½d., being a difference of £1 15s. 4½d. On March the 9th there is £19 17s. 9d. in the ledger, while the Treasurer's receipt shows £16 19s. 9d., or a difference of £2 18s. On April 13th, in the ledger is £7 11s., while the Treasurer's receipt is for £6 13s. 6d., being a difference of 17s. 6d. On May the 11th £30 11s. 10½d. is credited in the ledger, but the Treasurer's receipt is for £21 19s. 7½d., making a difference of £8 12s. 3d. On April 27th there is £15 8s. 9d. in the ledger, while the Treasurer's receipt is for £12 4s. 6d., leaving a difference of £3 4s. 3d. On June the 22nd the ledger shows £44 10s. 1½d. as having been received, while the Treasurer's receipt is for £42 10s. 3d., the difference amounting to £1 19s. 10½d. On July the 14th I find £13 4s. 4½d. credited in ledger, the Treasurer's receipt being for £12 3s. 6d., or a difference amounting to £1 0s. 10½d.; while on August the 24th the ledger shows £21 0s. 6d. as having been received, the Treasurer's receipt being given for £20 1s. 3d., making a difference of 19s. 3d. These are a few items that I have extracted from the ledger and cash-book and receipts of the evening.
11809. You have not made up the sum total? No, that is not the total, and does not include the whole or anything like it.
11810. Was there any inquiry or investigation made upon these discoveries? Yes.
11811. What was the nature of that inquiry? The nature of the inquiry was, as I have stated, that Auditors were appointed to inquire into the whole of the state of the circumstances.
11812. That was the result—what was the character? There was a Committee appointed. I have a rough draft of what the Auditors reported here.

11813.

11813. Who were the Auditors? W. Foskett, W. B. Foster, and W. Buchanon. The following is their report:—

Mr. J. Munro.
14 July, 1882.

The Auditors appointed at the summoned meeting of No. 25, held on Wednesday, the 4th instant, to investigate the accounts in connection with alleged discrepancies in the accounts of the Lodge while Brother Pettit was Secretary, from July, 1875, to December, 1877, inclusive, have to report that they commenced the audit with a desire to make a thorough investigation into the accounts, but found so many difficulties in the way, through not having the whole of the pence-books, and the extremely careless and improper manner in which the ledger was kept, that they had to confine themselves to a comparison of the ledger, the cash-book, and the minute-book. The two latter, so far as the cash-book had been kept, were found to agree within a very small amount; but a very great discrepancy has presented itself in the comparison of the ledger with the cash-book and minute-book. In many cases we find that amounts paid by members have been carried to the total column without being entered in the fortnightly column, and in numberless instances the amounts paid by members are entered in the proper fortnightly columns, but are not carried on to the total columns; consequently we have not been able to make out a correct balance of the ledger. To do so would necessitate the re-entering of the amounts and a comparison of every entry in the pence-books, which would occupy two men at least a month.

11814. Is that the whole of their report? Not at all.

11815. Have you any more of it there? No.

11816. What was the recommendation? There was no recommendation at that time. The recommendation was that the Secretary be instructed to write to this Brother, requesting him to come forward, and either meet the deficiency or make a statement to the Lodge that might be approved or disapproved of by its members.

11817. Then the Auditors say the books would not enable them to arrive at an actual deficiency? Yes.

11818. Were all the pence cards called in? No.

11819. Would that not have shown how the money had been paid? Yes.

11820. And would not that have been a more effectual way of auditing? It is a process that has not been adopted generally in all Lodges, though it has been done once or twice in the Lodge I belong to; it takes a great deal of time, and the members neglect to send in their pence cards.

11821. Yes, but in a case like this where a large amount of money has been made away with, would it not have been worth while and trouble of the Auditors of the Society to have the whole of the pence cards called in, in order to arrive at some conclusion as to the amount of money that had been made away with by the Secretary? Yes.

11822. And would it not have been the means also to have enabled you to prosecute this Brother? Yes.

11823. Because the pence card is the voucher for the money received by the Society? Yes.

11824. Then the only way to have reached this Brother would have been to have called in the pence cards? Just so.

11825. Had he not given you the receipt, it would have been clear proof that he had received the money and misapplied it? Yes.

11826. That course was not taken, I presume? There was only one pence card checked, as I have stated already.

11827. That is the one you discovered yourself? Yes, and he complied with our rules so far that he threw down the deficiency of the money. The Brother who is a Secretary has a book for his own convenience and for taking the members' names and amounts of money paid. This book was destroyed or never produced to the Lodge by Pettit. If the Auditors had got this book there was no doubt about them coming to a conclusion at all, but it was never given up to the Lodge.

11828. But would not the next best thing have been the pence cards? Yes.

11829. That course was not taken? It was suggested.

11830. But it was not adopted? No, it was not.

11831. What was done by the Lodge—what was the final result of the inquiry? The final result of the inquiry was, after a good deal of correspondence had taken place between the Brothers and the Trustees, that a letter was written, stating that they wanted £150 from him; and he said he had not got it, until they began to think that the man was out of his mind.

11832. Did you take any legal opinion as to prosecution? Yes.

11833. What was the advice? Well, the Master stated to the Lodge one night that he had been speaking to a solicitor on the matter, and the advice he received from the solicitor was that he did not think it would be worth while going to Court with this man.

11834. Was he afraid he would not secure a conviction? I do not know.

11835. But the opinion which was expressed by the Master of the Lodge, was it an opinion that was received and paid for by the Lodge? No.

11836. Did they not employ any one? No.

11837. It was simply a conversation between the Master and some attorney? Yes.

11838. Were there not bondsmen on behalf of the Society? I think so, but I do not know that there were.

11839. To what amount was the bond, do you know? I think £25.

11840. Have they ever been called upon to make good this £25? No, not to my knowledge.

11841. Is it the intention of the officers of the Society to call upon them? I cannot say.

11842. The matter has never been mooted in the Lodge? Not since he was expelled.

11843. What is the object of taking a bond? To secure the fidelity of the man.

11844. It is simply to protect the Society against fraud? Certainly.

11845. Then why have you not seen that the bondsmen have been called upon to make good the bond? I am only one out of seventy, and if the half had been of the same mind as I am they would have lost all they had or had him prosecuted.

11846. But as a mere matter of business, would not you if you were similarly situated call on the bondsmen to make good any default? Certainly; but then there was the time that elapsed between the time that he was Secretary and this defalcation, and it might be held that this released the bondsmen.

11847. What length of time did elapse? About eighteen months, and it is probable that the sureties had handed him over the bond and had made themselves free from it.

11848. But you have no recollection of any attempt being made on the part of the Society to enforce the bond? None.

11849. Did you as Treasurer ever do it? No.

11850. What action did the Society take in reference to this member after the inquiry? They expelled him from the Society altogether.

11851.

Mr.
J. Manro.
14 July, 1882.

11851. That is really the only punishment he received? That is all.
11852. Did he protest against the expulsion or take it kindly? He sent a £1 note to the Lodge at that time to clear himself as he said, and wished to withdraw from it altogether, but it was not received.
11853. You mean the money was not received? No, it was not.
11854. That was declined and he was expelled? Yes.
11855. Have you had any further trouble with him since? No.
11856. How often do you have an audit of your accounts? Every quarter.
11857. Are there three or two Auditors? Three.
11858. And do you have an annual audit? No, not in addition to the quarterly ones.
11859. You say eighteen months intervened during the time of the defalcations to the time they were found out? All that.
11860. Then there were six audits during that time? I expect so.
11861. And the Auditors during this time failed to find out any of these defalcations? Certainly.
11862. I want to know if those six Auditors failed to discover the defalcations? I cannot say that; if they discovered it they never made it known, or made any report to the Society.
11863. And I suppose they reported to the Society that the expenditure and receipts were correct? They were correct as far as the books they saw were concerned.
11864. Do I understand you that the books would not show anything like the extent of the defalcations, that they were badly kept, so imperfect and misleading that they would not show it? Yes, the books that the Auditors received were perfect, but this one book was never brought before the Auditors.
11865. What book was that? The ledger.
11866. Was it absent at all the audits? It must have been.
11867. But what Auditors would bring up a report that the accounts were right without having the ledger? Well, the receipts of the evening are taken in the minute-book, and they take the amounts there, and the Treasurer gives a receipt for the amount the same night, all these are in different books; then there is the sick pay and so on entered into this book, and the Master's name is signed to every one of these sick payments. Well, here were the receipts of the evening, say £20, the Master has signed the book for £20, and the Treasurer's receipt is signed for £20, so that if the ledger was kept back I do not see what check there could be, and I could not say whether the Auditors knew that there was such a book in the Lodge—it was not produced by the Secretary.
11868. Then it must have been a most defective audit, must it not? They were competent Auditors.
11869. Who were they? Mr. Goodwin, Mr. A. Adams —
11870. Mr. Adams, the teacher? Yes.
11871. Who was the other, do you remember? Mr. Geo. Walker.
11872. Although three Auditors were elected, was it necessary for three to sit? Sometimes there were only two.
11873. But on each occasion they reported that they had examined the vouchers and books of the Society? They presented a report in the usual form.
11874. The President of your Society does not preside at these audit meetings? He is not compelled to do so, but he has to sign the balance-sheet.
11875. After it has been examined by the Auditors appointed? Yes.
11876. And it is submitted to the members of the Society and adopted by them? Yes.
11877. Would you favour a Government supervision and inspection of the books, receipts, and expenditure of the various Friendly Societies? Certainly.
11878. Do you think it would secure these Societies against fraud in similar cases to that which you have disclosed? Yes, if they were honest men.
11879. Do you not think that an expert would have been able to detect this peculation? Yes, I believe he would.
11880. But you had not an honest officer? The Auditors would have found it out if the books had been produced at the audit.
11881. But why did not the Auditors ask for this book? I do not suppose they knew there was such a book.
11882. And the Society had no legal opinion as to whether they could prosecute this member? Only what I stated.
11883. They did not employ any one? Not to my knowledge.
11884. And took no steps to prosecute him? No.
11885. Was the matter submitted to the Lodge? Yes, I submitted a motion myself that the Trustees take legal proceedings at once.
11886. What was the result? It was carried unanimously.
11887. And what was done? There were communications between the Society and Trustees, and after some time on a quarterly night again the original motion was rescinded.
11888. Have you any papers that bear on this matter? Yes, I have them here.
11889. Let us have anything bearing on the case? They are not directly on it, but here is a letter from Pettit:—

My dear Hardy, Wednesday.
Standing on Cook's River Dam waiting the coach, I scribble this to you. It seems you and I are to fight out 25 matters, willy nilly. Will you look at your registered rules before they meet to-night, and see that all their steps so far conform thereto, so that when you go on you will stand on sure ground, and also see if you can get £20 out of sureties, so as to reduce your claim on me to £130, and then look out how much of your funds you can spare to go at me for balance, and how much of that you are likely to get. I wish you joy of all you can get in cash, and if you put me in gaol, my loving relative, W. S. Harrison, can tell you that I am only going back there to finish my mat-making trade. When I had a £1 a fortnight ago I sent it and my resignation, which I am willing to give as a settlement of all claims, and I now send it to you, and I give you my word to repay you that amount on 1st April next, if you pay it for me; but I only do so as a final settlement, which if not accepted—and I don't see any rule why not—I may yet have to make you defendant for malicious slander, of which I am advised I already hold proof from your Secretary. This much you can do, you can make me lose my work, and that is what some of your members want, and under the circumstances that can easily be done; your first move will do that, as I cannot remain here under the approval of the party I named in my last to you as my patron. To stand in 25 and denounce the action of my wife I never will.

Fraternally yours,
J. PETTIT.

Address me to G.P.O.

11890.

Mr. J. Munro.

14 July, 1882.

11890. Are there any other letters? Not bearing much on this matter.
11891. Is there any further information you could give us on this matter? I think there is nothing else.
11892. Have there been any other defalcations of any account? Not in this Lodge.
11893. In any other Lodge that you have knowledge of? No; there were some defalcations connected with the Grand Lodge, I believe.
11894. Were they made good? I believe so. I was a member of the Council at the time when it was spoken of, but the Executive settled the matter outside the Council, the money being made good.
11895. Do you remember the amount of defalcations by the Grand Secretary? I could not be positive whether it was £176 or £276.
11896. It was not Pettit was it? No, but it was a man in the Government employ.
11897. Then you have nothing further to tell the Commission in reference to defalcations in connection with your own Lodge? No.
11898. And nothing in reference to defalcations in connection with the Grand Lodge? No.
11899. That is all that has come under your notice? Yes.
11900. *Mr. Smith.*] From the statement you have made, it appears that it was by the merest accident that these defalcations were discovered? Yes.
11901. Then it was quite possible for this man to have continued doing that sort of thing had it not been for the accident? He was out of office when it was discovered.
11902. But had it not been for that, he would have gone on in the office? Yes.
11903. And no doubt would have continued misappropriating the funds of the Society? Yes, I have no doubt of it.
11904. Is it your opinion that any of the checks used in your Society would have been of such a character as to prevent that sort of thing? Not while he held back the ledger.
11905. And you are convinced, with your experience in connection with the Society, that it would be wise to adopt a system by which the Registrar or some person authorized by the Government of the country should audit the books,—that there should be a system of auditing once a year? Most certainly.
11906. How long was Pettit out of office when you discovered this affair? About eighteen months.
11907. Did he not hand over all his books to his successor? No.
11908. Not the ledger? Yes.
11909. And did not his successor detect the defalcation? No.
11910. Is the ledger the book into which the subscriptions of members are carried? Yes.
11911. Well, after members had paid amounts, and they had not been carried on to their credit, would not anybody have been able to observe that —? I do not understand you.
11912. I understand you to say that members have paid amounts and have not been credited with these amounts in the ledger? Yes.
11913. Would it not be easy then for the successor, who had the books for two years, to have discovered the defalcations? He discovered it in this way: that in carrying the arrears forward, in summoning the members he might summon them for 18s., and the member find out that he only owed 8s.
11914. You send out circulars quarterly, with the amount of arrears on them? Yes.
11915. Was that adopted after the first three months he left office? Yes.
11916. Did any members complain of the amount of arrears set down against their names? I could not answer that.
11917. Could you furnish the Commission with a copy of the various Auditors' reports since Pettit went out of office? Well, the Auditors kept no reports; they merely take the books and the vouchers and see that they are correct, and send in the total worth of the Society.
11918. Do they not say they have examined all the books and vouchers of the Society and found them to be correct? Yes, they do that; but that is not a report.
11919. If they had done that for two and a half years, and the books showed £250 deficiency, would they have faithfully discharged their duty to the Society? I say they audited the books correctly that were laid before them.
11920. Were they not all laid before them? No.
11921. Is it not the Auditors' duty to see all the books laid before them? They might not have known there was such a book.
11922. But the ledger is a most important book? Yes.
11923. How did the Lodge deal with those members who had paid subscriptions, which were paid and not placed to the credit in the Secretary's book? A good many of the members grinned and bore it and paid the arrears, but there was one man by the name of Robinson, in reference to whom I moved myself, when it was proved that he had paid the money, that 5s. be placed in his book to make it up. That is the only case I know of in which this was done.
11924. But a large number of members must have paid their subscriptions twice over? Yes, I have no doubt of that.
11925. In the matter of security, do you not think it would be better to have a Guarantee Society as security, rather than taking that of individual members? That is the system we adopt now.
11926. Do you take one from the Secretary and Treasurer now? Yes, from both.
11927. You felt very strongly on this matter? I did.
11928. Are you aware that the 13th clause of the Second Part of the Friendly Societies Act enables you individually to lay an information against this man: it says that any person on behalf of the Society may summon a person against whom a complaint is made, to appear at a time and place to be named in such summons, and any two Justices present at the time and place mentioned in such summons shall proceed to hear and determine the said complaint in manner directed by the Act or Acts in force for the time being regulating summary proceedings before the Justices? I know that according to clause 39, in my way of reading it, I do not see but that the money could have been recovered easy enough if we had liked to go about it.
11929. Is Pettit the owner of any property? That I could not answer; in one of his letters he says he has neither money nor money's worth; if that is correct he has no property.
11930. You do not know whether it is his own, or whether it is vested in his wife? I do not know.
11931. The Lodge never authorized any person to take proceedings against him? The Lodge carried a resolution that the Trustees should do so.

- Mr. J. Munro. 11932. What particular reason did the Trustees give for not proceeding to carry out the wish of the Lodge? According to rumour this Brother had nothing to lose; the land belonged to his wife, and I believe it was from outside report that they did not care to throw away good money to get bad.
- 14 July, 1882. 11933. Was it pointed out to the Trustees that they were compounding a felony in a case of this kind? No.
11934. You are thoroughly in favour of the proposal that a close Government supervision should be exercised over the affairs of the Societies? Yes.
11935. The prosperity of your Society has been good? Yes.
11936. Is the sick list very heavy? Some quarters it is and others it is lighter.
11937. Would you favour a uniform system of book-keeping in all Societies? Yes, if it is simple and not too cumbersome.
11938. How much are you as Treasurer empowered to retain in your hands? £10.
11939. If you require more how do get it? From the Trustees.
11940. Mr. Holdsworth.] Were you Treasurer at the time Pettit was Secretary? For one year.
11941. During the period of his defalcations? Part of it.
11942. Did you sign the Treasurer's book when you received moneys from him? Yes.
11943. Did you ever tot it up to see what he had got? No; after counting the money I signed for the money I received.
11944. Mr. Rubie.] Is the Grand Secretary who was a defaulter still a member of the Society? I think not, but cannot say certainly.
11945. I suppose your Society is registered according to law? I believe so.
11946. And you act up in the Lodge according to the rules of it? Not altogether I don't think.
11947. How is that? Our rules for the present time have been drawn out for the establishment of Districts, and since these rules were drawn up and registered and Districts formed they have been abolished again, and we are not working in Districts and we are not working according to the laws, but are simply united to the Grand Executive.
11948. There is a District in Sydney, is there not? Well, we are not divided into Districts the same as the Oddfellows are.
11949. You have stated that you simply sign for the amount of money that you receive? Yes.
11950. This book the Secretary did not show to the Auditors, but did any one ever inspect it to see that he kept it right? Not while it was in his hands.
11951. Is not the Master of the Lodge supposed to do that? When I discovered this discrepancy and objected to the Brother being installed as Secretary, the Grand Master of the Order, then Bro. Walker, who was visiting the Lodge, called at once for the ledger, which was produced, and he found a deficiency in one night's takings of something like 11s., I think.
11952. And did the Grand Master take any action that night? No; he said as this Brother had been charged with this 11s., and the Brother then threw it down, and he then quoted a rule to show that when we received it we could not help installing him, but the Grand Master refused to instal him because his bonds were informal.
11953. Then were it not for the Grand Master being in the Chair he might have been installed? He might have been.
11954. And have continued in office? Not if I could have helped it.
11955. Is that Grand Master still a member of the Society? Yes.
11956. Does he hold any office? According to our books he is the immediate Past Grand Master of the Society.
11957. Is he financially good? As far as I know he is.
11958. You said just now you had 200 members when your Society was opened? I believe there was about that.
11959. And only number about 180 now? To the best of my knowledge.
11960. Did the most of them leave through death, expulsion, or what? A good many through allowing their arrears to run up and to the inability of getting the arrears, so that the Lodge deemed it necessary to have them expelled so as to save the Secretary a deal of trouble and labour.
11961. Then when a man at a certain time is bad on your books you expel him? Not always. If there is a likelihood of getting the money they try to get it.
11962. But in most cases you adopt that plan? The majority of men that have been at one time members of the Lodge and have left have been dealt with in that way.
11963. Mr. Newland.] I see in the balance sheet for the 31st July, 1881, that there is £53 7s. 6d. for regalia; also from 31st July to 31st January, 1882, £73 9s. 6d. for regalia—Does your Society require this large amount of money spent for regalia? I do not know.
11964. Do you think it is necessary for the proper working of Friendly Societies that such large amounts of money should be paid away for regalia? I would do away with it altogether.
11965. Mr. Gelding.] Were you, as Treasurer, present at the audits? Yes.
11966. Were the pence books submitted to the Auditors for examination? Only once or twice since the Lodge was started.
11967. Who kept them back? No one kept them back, but the members refused to give them up.
11968. But I mean the contributions that the Secretary takes down the money in? Yes, that book was produced.
11969. And did they tot that up and see if the arrears or advances were correctly brought up? I do not know.
11970. I presume that was where the chief defalcation took place? Yes.
11971. Do you not think the Auditors as men of business should have insisted on having the books submitted to them? They did insist on it, but Pettit was in bad health, and living at Cook's River, and I do not believe that there was a Brother but had the greatest confidence in him; and it was through that it was not insisted upon.
11972. And do you think the Auditors could possibly certify that things were correct, in the absence of a very important book like that? No.
11973. Then they were very lax in their duty? But they would be justified in certifying to the books and vouchers they received.

11974. Then if he had only produced one single book it would have been sufficient? I do not think that. Mr. J. Munro.
11975. Under what system do you pay demands made on you for sick pay—how are the orders made out? 14 July, 1882.
Well, if Brothers are sick the money is voted; and as soon as it is voted, an order is signed by the Master, the Secretary, and Deputy Master, and handed to the Treasurer, and he pays it on that.
11976. *President.*] You have nothing further to add to your evidence already given? Yes, there is a matter I would like to say to the Board, in reference to Friendly Societies. In my way of thinking as regards the working of Friendly Societies, and the amount of good they are doing, the Government should give them more protection than they have at the present time; there are great difficulties in getting members in arrears to pay up, and the amount of trouble and loss of time in getting out summonses causes many a one to get away out of the Society altogether, and the Society is at loss of a quarter's fees to the doctor and chemist, and those that stick hard to the Society have to lose this. I will instance a case. Two defaulting Brothers were sued at the Central Police Court a short time ago, and there was a verdict given against them, "levy and distress," and at the time the Trustees went to them they had no money, and there was a bill of sale for their goods, so that nothing could be got from them. An official of the Government made an extra charge on the Lodge for acting as bailiff of 10s. more, thus we were at the expense of the Court and of paying the bailiff; we gained the case and lost all the money. Now this is a matter I think the Board ought to consider and try to assist these Societies, that there should be some more ready method of getting at these members who are in arrears.
11977. Do you favour the provisions of the Act providing that members in arrears should be summoned for the non-payment of their arrears? Most certainly, if they are able to pay.
11978. Or would you prefer that matters of dispute or matters of arrears of contributions should be adjusted and settled by the Lodge itself? No.
11979. You are not in favour of the principle of arbitration being applied to matters of dispute? Not in financial matters.
11980. You think they should be summoned to Court? Yes.
11981. How long do you allow members to be in arrears before they become unfinancial? If a member exceeds fourteen weeks he is unfinancial.
11982. And are they, according to your rules, after they are fourteen weeks in arrears, liable to receive in the case of death the funeral donation? I think so.
11983. Over twelve months, I presume? Yes, and longer than that; cases have happened in Sydney where they have been over two years. There is another matter I would like to draw attention to, a matter that appeared in one of the daily papers, stating that sectarian Societies, not being able to meet their liabilities, were best out of the road altogether. Now I wish to instance a case which occurred in the Order to which I belong. Some time there was a Lodge opened at Trinity School near Miller's Point, and it dwindled down and was dissolved, as when the members got so small the Grand Council thought it wise to withdraw the Charter and have them distributed into other Lodges. It will be in the recollection of the members of the Commission that a fight occurred in Surry Hills where a man was killed; he was a member of this Lodge, and application was made for a funeral donation, and it was paid, and that proves that this statement which was made in the papers is wrong.
11984. What letter do you refer to? I could not tell the name now, but it is an important matter to show that sectarian Lodges do assist their members. Our Rules 34 and 49 bear this out. Then with regard to the registration of Rules, I think when the Rules have been once registered by the Grand Council and approved of, it is an imposition to make other Lodges pay £1 for their registration.
11985. Do you think that the one registration should be sufficient? Yes.
11986. Does the Grand Lodge adopt a set of Rules for the government of all subordinate Lodges? Yes.
11987. A uniform set of Rules? Yes.
11988. And they register these Rules? Yes.
11989. Is that all? Yes.
11990. *Mr. Abigail.*] The Rules of your Society make clear provision that members belonging to a Lodge failing shall be absorbed into other Lodges? Yes.
11991. They cannot lose their benefits? No.

The Commission then adjourned till Monday, 17th July.

MONDAY, 17 JULY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

J. GELDING, Esq.,	JAS. F. SMITH, Esq.,
E. GREVILLE, Esq., J.P.,	F. ABIGAIL, Esq., M.P.,
P. J. NEWLAND, Esq.,	P. R. HOLDSWORTH, Esq.,
JOHN SLADE, Esq.,	E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.	

[*Mr. Abigail presided until the arrival of the President, and is here designated as Chairman.*]

Mr. Ed. McEncroe sworn and examined:—

11992. *Chairman.*] You have made application to be examined before the Commission, have you not; and have stated that you could give valuable evidence? Yes. Mr. E. M'Encroe.
11993. Are you a member of any Friendly Society? I am an honorary member of the Guild, having been deposed from the benefits of the sickness funds some nine or ten years ago, but I am still entitled to medical and funeral benefits. 17 July, 1882.
11994. What were the grounds of your being deposed from these benefits? In August, 1845, I became a member of the Society. I was elected one of the first Council, and served about a year on the Council. In 1847 or '48 there was a great exodus from this Colony to California, and in consequence the Secretary was

- Mr. E. M'Encroe. 17 July, 1882. unable to keep the accounts correctly. In May it was proposed to dissolve the Society until the Archbishop returned, which would not be for seven or eight months. In addition to the loss caused by members going to California, a large number of members resigned. I was going to resign, but was induced to withhold my resignation and to take on myself the duties of Warden. I found shortly afterwards that the books went into disorder.* 11995. Then in that year you were the Warden of the Society? Yes.
11996. What are the duties of Warden? To preside at all meetings; he is the first lay-officer and has to give decisions. The books were brought under my notice, and when I saw them I did the best I could to collect all the cards and compare them with the books, so as to set them right; the balance of money that was in the Bursar's hands could not be accounted for, but at the end of the year I was able to make out an account somewhat correctly, and it appeared that the number of members was about 100 or 110, and that the funds were about £300. The Secretary had gone to California, and I could not get his assistance in settling the accounts, and the gentleman who took his place was rather incompetent. I declined to take office again, and things went on favourably for some years, and by a reform in the taking of money, the accounts became more satisfactory. We found that a number of members had given a false return of their ages; a resolution was passed that they should be allowed to remain if the frauds were not discovered for twelve months after their admission. A resolution was subsequently come to that a member might be given £20, and be free from all further payments of sick-pay. In 1867 blindness came on me.
11997. Did you declare on the sick funds? Not for some weeks after.
11998. Who was the Guild Doctor? Dr. Gilhooly. I submitted to an operation by Drs. Fortescue and Jones, but after two or three weeks they found that the operation was unsuccessful, and they had another operation and I was laid up again, and at the end of six months I made application for the sick pay, not being able to do any business for a considerable time.
11999. Were you placed on the sick funds? I got thirteen weeks' sick-pay.
12000. What explanation was given why you did not receive the fifty-two weeks' at a guinea? I took myself off the books as I did not want it. I did not apply for it again until two and a half years from that date had elapsed.
12001. Will you tell us the bad management of the Society? In May I was deposed.
12002. For what reason? They assigned no reason, and I did not even get a notice; it was done without notice, the Council deciding to stop the weekly payments, and to give me the sum of £20.
12003. Did they inform you that they had received the full amount? No.
12004. Did you ever receive the fixed amount of £20 to free the Society of its liability to you? I did not hear of it for a month or so afterwards, and then I was told that if I did not take the £20 I would get nothing; then again, I had a claim for compensation which I made for £25.
12005. Did you get it? No, they refused it. Mr. Rubie was in the Council at the time, and he made application for me to the Council, and they refused it, though they did not dispute the services I had rendered.
12006. Did you take any legal steps to get what you considered your right? Yes.
12007. And how did that come out? It was in the Court, but there was no hearing—there was no decision upon it.
12008. Was it withdrawn? It was withdrawn, as they set up the defence of the Statute of Limitations.
12009. After that the Chaplain told them that you had a fair and just claim? Yes, for the compensation.
12010. What did they do then? They refused to pay me.
12011. Did you take any further steps? I then made a claim, waiving this for compensation, on the ground that I had not taken these steps before.
12012. The Society disputed your claim, did they? They could not dispute the claim.
12013. But they never granted the money? They would not satisfy the claim.
12014. Do any of their laws allow them to pay for services such as you rendered? One of the rules is for the Secretary, and I did his business, which does not belong to the Warden's duties, and I assisted a subsequent Warden, with an actuary, to see that the subscriptions were right.
12015. Who was the actuary? Mr. Thompson. That was in 1859.
12016. What was his report? He said that there were £10 per member, which he thought would do for the present, but they ought to have another examination in another five years.
12017. That is the cause of your grievance against the Society? That they deposed me in this way, acting with a discretionary power, as if it were imperative.
12018. Can you give us any information why they have gone back so much as not to have £3 per head? I could not, but before this they had good Bursars and good Wardens.
12019. Have you any knowledge of any cases of misappropriation of the funds of the Society? No.
12020. Are you conversant with the present Act? It has been read for me.
12021. Can you give the Commission any suggestions that will improve upon it, or do you think it is sufficient to serve all the purposes for which it was passed? The Society has been acting in contravention of the Act—that I know.
12022. In what way? The Act obliges them to keep separate accounts of the widows' and orphans' money, but it had been jumbled together into one fund, instead of being kept separate, as it was while Mr. Rubie was at the head of affairs. It was jumbled together when the hall was built.
12023. Did you receive fifty-two weeks, at 21s. a week sick pay? Yes.
12024. And fifty-two weeks at 10s. 6d.? Yes.
12025. And £20 to buy off all claims you might have against the Society, except the death rate? No, I did not accept it on these terms.
12026. But did you accept £20? I did, with a protest that I would have the resolution rescinded.
12027. Do you know that one of the laws make provision that a member may receive the sum of £20 as a final payment for all benefits? I do not think that, as the rule only refers to the sickness fund.
12028. Did you draft the rule yourself? Yes, but it only applied to the sickness fund. 12029.

*NOTE (on revision):—11994. Instead of "induced," I was prevailed upon. 11994. Instead of "went into disorder," were in disorder, with some disputed accounts to settle. 11995. Instead of "that year," the last eight months of it; was the first four months, 1859, Warden again. 11996. Instead of "funds," assets were about £300. Instead of "gone to California," he had left Sydney, and it was said he had gone to California. 11999. Which I took towards paying Doctors' fees, being under their advice about three months and not attending any business. 12008. Instead of the Act of Limitation, they filed several pleas. 12019. I have unnecessary law expenses in about the last ten years in cases that could have been settled amicably, or by arbitration, besides coach expenses for deputations going to St. John's College, that could have been avoided by meeting the Patron at the Vicar-General's Office or at the Presbytery. 12030. Instead of "it was," write there were several other cases in the Law Courts besides that one.

12029. What have you to suggest? I think there should be a system of arbitration—preventing persons from going to law for the settlement of disputes. In one case at North Shore, where £10 was sued for, there were £46 expenses, and then the Judge decided that he had no jurisdiction.

12030. Was that case in connection with the North Shore branch of the Guild? It was, but there have been other suits since.

Mr.
E. M'Encroe,
17 July, 1882.

Mr. James Collis Pettit, who appeared with Mr. W. C. Proctor as his solicitor, was sworn and examined:—
12031. *President.*] Are you a member of any Friendly Society now? I am not a member of any Friendly Society.

12032. You were of No. 25 Protestant Alliance Society? I decline to answer that.

12033. Were you Secretary of a Friendly Society? I have been.

12034. What Society was that? Of three (3) Friendly Societies. The Loyal Orphans' Crown, Manchester Unity, the White Rose Division Sons of Temperance, and I was a member of another Society. I was not in office.

12035. Were you Secretary of a Branch of the Protestant Alliance Society? I decline to answer that.

12036. Were you ever during your residence in Sydney identified with a Branch of the Protestant Alliance Friendly Society? I decline to answer that.

12037. Do you know a person of the name of Harrison? I do, a scoundrel, sir.

12038. Is he a connection of yours by marriage? He is my wife's brother.

12039. Was he connected with the Society of which you were a member? I must decline to answer that, but I believe he was a member of No. 25.

12040. Was a Mr. Monro a member of the Society to which you belonged? I must decline that.

12041. Was Mr. Perry a member of the Society of which you were Secretary? I decline to answer that.

12042. Do you know a Mr. William Walker connected with the Alliance? No.

12043. Was he not Grand Master of the Alliance? I decline to answer that; I doubt if there is such a Society in legal existence.

12044. Do you not know there is a body, a Friendly Society, registered as the Protestant Alliance Friendly Society? There is such a Society registered.

12045. You know it has an existence? The Protestant Alliance has an existence, but I understand there are two.

12046. You know that both are registered? I decline to answer that.

12047. Do you know of any Secretary or office-bearer of the Society of which you were a member charging you with a misappropriation of the funds? I have heard of such things.

12048. Was a charge preferred against you? I had a charge preferred against me five years ago.

12049. Was that investigated? It was, I believe.

12050. And what was the result? The Society was afraid to let me know, but I believe I was expelled. I sent them 10s., and it was returned to me, and that is the only evidence I have, and in making this charge against me I sent them a counter-claim.

12051. Do you remember what the amount was they alleged you had misapplied? Not less than £150.

12052. Are you able to explain to the Commission how they came to make such a charge against you? Perfectly.

12053. Will you do so? It would not have been made only that I went up for re-election and beat these parties who were appearing against me. Seeing that I could beat them in an election this claim was put in against me, and I put in a counter-claim, which was for letting people off sums they owed. Say a man owed £3 the Lodge would let him off at least one-half; that is one thing. Another thing was that the rules do not provide for any country membership, but say that every man shall pay 2s., and yet, in breach of the rules, the Lodge in my time and since my time carried out this system of concessions.

12054. Which Lodge is that? The Lodge that complained against me. You will understand that these concessions came up before my time by those who managed the affairs. Well I am not much of a book-keeper, but it appears to me that if I kept a cash-book I should show in it the amount of cash I took, but in the other book (or ledger) if he paid some of his amount and was let off the balance I should give him credit for the total amount that he had owed—that is, in the member's account book.

12055. Was it your practice to receive the cash? There have been occasions when I did not receive one shilling.

12056. But have you not on some occasions received the cash and taken a receipt for a sum of money—the receipts of the evening? I never left the Lodge without a receipt from the Treasurer.

12057. But have you not on some occasions accounted for a sum of money much less than the receipts of the evening? No, certainly not; my cash always tallied.

12058. Has there not always been a deficiency between the amounts you handed over to the Treasurer, and the amount which should have been handed over to the Treasurer? No, certainly not.

12059. Is it a fact that you took the members' money in the pence books in pencil? I may have done so.

12060. Is it true that you lost two members' pence books which would have shown the takings of the evening? No, I never lost any book.

12061. You never told the Lodge that you had lost certain books? I did not.

12062. Are you aware that an audit took place of the books of the Lodge? Every quarter.

12063. I mean a special audit? I know nothing of any special audit.

12064. It is quite true that a demand was made for £150? Yes, and my answer was a contra account.

12065. What is the nature of this contra account? These concessions to country members, instructed by the Master and others.

12066. Can you give the names of members who received concessions to the amount of £150? No, not at this lapse of time.

12067. Can you give the names of any members that you made these concessions to? Yes, two now.

12068. What would be the amount of the concessions made to these two men? £8 or £9 between the two.

12069. Who are they, and where do they live? One was William Gillam, then working for the Corporation, and another, Crawford, living in Davies-street, Surrey Hills; he was of some peculiar trade, and could not get work, and the Master said we were never to expel these members.

12070. Did you produce your cash-book at the audits every quarter? Yes.

12071. And the ledger? Yes, every book connected with the Society.

12072.

*NOTE (by Secretary):—See examination of Mr. James Munro, question 11,890.

Mr.
J. C. Pottit,
17 July, 1882.

Mr.
J. C. Pettit.
17 July, 1882.

12072. Did you write several letters to the trustees? Never.
12073. Do you recognise the letter produced* as being in your writing? I decline to answer.
12074. Is it your signature? I decline to answer; I do not recognise it.
12075. You still say you do not recognise this letter? I do not recognise it.
12076. And you decline to answer any questions relative to the contents of the letter? Yes.
12077. Now in 1875, on 23 December, the Lodge receipts of the evening, from information we have received, were £21 2s. 2½d., and the Treasurer's receipt is for the sum of £18 16s. 1½d., leaving a difference of £2 6s. 1d.? That would be a concession, I suppose; my attention was never drawn to it.
12078. But how could the Lodge receive that in cash and yet there be a concession? I decline to answer that; I do not know what you have there; I have never seen it.
12079. Then, on May 10, the receipts were £30 11s. 10½d., and the only amount you accounted for was £21 19s. 7½d., leaving a deficiency of £8 12s. 3d.—is that so? No. Do I understand that the Treasurer produces receipts for the latter amount as received from me?
12080. Yes? Then the difference is a concession; that book was never reckoned up in my time.
12081. But if the money was received? But it was not money.
12082. The Treasurer says it is? Never mind what they say; it never was received.
12083. You say that all these sums of money —? I do not know them.
12084. On January 13, 1876, the ledger shows £14 19s., and the Treasurer's receipt is for £12 12s. 4½d.—a difference of £2 6s. 7½d.; on February 10 the ledger is £241 6s. 10½d., and the Treasurer's receipt £22 10s. 6d.—a difference of £2 6s. 4½d.; on ———? Do I understand you that the cash book shows that on the Treasurer's account book.
12085. The cash-book? Well, the Treasurer was unable to meet his accounts, and I can name the Treasurer, too.
12086. Who was the Treasurer? James Dummer, of William-street, Woolloomooloo.
12087. Then there are also the following:—

Date.	Lodger.	Treasurer's Receipt.	Difference.
	£ s. d.	£ s. d.	£ s. d.
February 24.....	19 10 4	17 14 11½	1 15 4½
March 9	19 17 9	16 19 9	2 18 0
April 13	7 11 0	6 13 6	0 17 6
May 11	30 11 10½	21 19 7½	8 12 3
April 27	15 8 9	12 4 6	3 4 3
June 22.....	44 10 1½	42 10 3	1 19 10½
July 14.....	13 4 4½	12 3 6	1 0 10½
August 24	21 0 6	20 1 3	0 19 3

Do I understand you to say that the Treasurer made away with these sums of money? No, I do not say that, but I say that I brought up my quarterly statement one quarter and my books showed that he owed £6 or £7 more than he summed up, and he paid it at once. The correctness of my books brought out the incorrectness of his.

12088. What books had you? From memory it is rather awkward to say. I cannot recollect now.
12089. And what office did you hold? I must decline to answer that.
12090. Did you give members receipts for moneys paid as Secretary of a Society? I decline to answer that.
12091. Did you receive money from certain members in a Society in Sydney? I decline that.
12092. What is the practice of the Secretary when he receives money; to give a receipt, is it not? If they have their books there.
12093. Was a case discovered by Mr. Munro where you had received 21s. and only accounted for 10s.? Yes, and I handed up the 11s., and at the close of the meeting they told me that if I did not take it up they would drink it.
12094. Did you throw it on the table? I did.
12095. Was it taken up? I took it up again; the man died about ten days afterwards.
12096. Did he get the benefits? His friends would.
12097. What was his name? James Busby; he was a man who had had concessions.
12098. And he is dead? I have heard so.
12099. Were there any other cases of members of the Society producing these pence cards, and finding that they had not had credit for the amounts of money they had paid from time to time? The man named Harrison whom I was speaking of produced a pence book on the same night, and threw the pence book on the table, saying, "Here is an entry and an erasure, and I have no doubt if you look in Pettit's time you will find a great many like it." I replied, "If you look at that you will find it is not in my writing nor in my time."
12100. Where did this happen? I decline to answer that.
12101. Then is it a fact that there were a number of others besides Harrison and Busby? No; I know of no others.
12102. Was it not brought under your notice that there were a number of members who had paid contributions who alleged that the amount of the contributions entered in the pence books had not been accounted for? No, it is all the other way; there are none who have any prejudice against me except these few officers I beat in an election.
12103. Did not the members of the Society expel you? I have no knowledge of it.
12104. Have you not received any intimation? I have not; they would not do it; they are afraid.
12105. What members do you refer to? I mean Munro and Perry, and the clique.
12106. Of twenty-five? Of twenty-five.
12107. They were your brother officers at the time, were they not? I decline to answer that.
12108. Was not Mr. Hardy a trustee of a Society of which you were Secretary? I decline that.
12109. Was not Mr. Munro Treasurer? I decline that.
12110. Was Mr. Perry elected after you? I do not know what they might do, because I was living in the country; it is five years since I left Sydney.
12111. Where did the Society meet? I must decline to answer that; half a dozen places, I was going to say.
12112. And you are not now a member of a Society? Of no Friendly Society. 12113.

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12113. What funds had the Society when you left it? I do not know what Society you refer to.
12114. The Protestant Alliance? I do not know.
12115. The Society of which you were Secretary? I cannot answer that.
12116. Do you know how the funds were invested? I must not answer that.
12117. Do you know who the trustees were? I must decline to answer that.
12118. Do you know what amount of money you paid into the Society? No.
12119. Do you know what amount of money you received as an office-bearer? No.
12120. I mean as payment? No, I do not.
12121. Did you receive payment? I must decline to answer that.
12122. Do the Society's rules provide for the payment of its officers? I must decline to answer that; I know several of the Society's rules are not workable.
12123. But this Society of which you were Secretary? Their rules are not workable.
12124. And you do not know the names of the Trustees? I must decline to answer that.
12125. *Mr. Abigail.*] Would the concessions you have referred to be made by the Secretary without a resolution of the Lodge? In some cases.
12126. To the amount of pounds? To the amount of pounds.
12127. And the Secretary would have power to grant such a concession without a resolution of the Lodge? Not lawfully, I admit.
12128. But it has been done? It has been done.
12129. Would the books show any occasion where resolutions had been passed? It may have been done, but I doubt if ever there was a legal resolution passed.
12130. You stated that when you were called upon to make good £150 you sent back a counter charge setting forth that the £150 was made up of concessions that had been granted by you to various members and officers.
12131. And the whole of that would make up the full amount of £150? And more, if wanted.
12132. Then men have come here and stated that you have actually pocketed £150? They have sworn a deliberate lie; not 150 pence, let alone £1.
12133. These concessions could and did come up night after night? Yes.
12134. How often did the Society meet? Fortnightly; at its commencement perhaps weekly.
12135. And at these meetings concessions were made ranging from 18s. to £8? Yes, by me, by my predecessor, and successor.
12136. And you positively assert that you never pocketed £1? Not 1 shilling.
12137. *Mr. Holdsworth.*] Do your books not show the amount of the concessions some way? No, only the difference between the cash received and the members' account, and the members' account was never gone into because it was too vast to do it. We sat up one night till we went to sleep over my predecessor's book.
12138. Do you not keep a cash-book and ledger in your Society? It is the ledger that does not tally with the cash receipts.
12139. There is a book in which an account is opened for each member? Yes.
12140. Then when a member paid 15s. and you gave a concession for 5s., would it not show cash so much, and concession so much? No. If I had known they were going to tackle me it would have been done though.
12141. Then your books nowhere show what the amount of these concessions was? No.
12142. And that is the way they carried on their business? Yes.
12143. How did your auditors manage then? They never looked at that book.
12144. Did you not, as a matter of justice, insist on the accounts being examined? No. When I had the cash taken from me, and took a receipt for it, I considered I was clear of all.
12145. Then you say the Treasurer's account will tally with your cash-book? Yes, except in the one instance where the Treasurer had to make it good.
12146. Then your cash account for each night will be found to correspond with the receipts of the Treasurer that night? Yes.
12147. *Mr. Rubie.*] These concessions must be very numerous? They were—too numerous. It came to be—"Oh, let so and so off, he has been out of work."
12148. *Mr. Newland.*] How long has the Lodge been opened? It was opened in August, 1873.
12149. *Mr. Slade.*] Were you one of the founders of this particular Society? No, this Mr. Harrison was.
12150. How soon after it was founded did you join it? I decline to answer that.
12151. Can you remember any of the names of those to whom these concessions were made? I gave two, and can give others.
12152. Can you inform the Commission whether any books are in existence in which such notices or entries can be found? No.
12153. Have you anything yourself in the way of written evidence to prove your statement? No.
12154. You alluded to one who came in a cab and got a concession. Who was he? James Service, corner of Burton and Oxford Streets.
12155. Can you remember any other name? I might if time was given me.
12156. Did you keep that ledger? Yes.
12157. Did you keep that ledger in pencil? I might, perhaps, explain that.
12158. Please explain it then. In that ledger if you find lead pencil marks they are easily explained. It is supposed if you take an office that you will hold it till a certain time to complete that term of office. Supposing I leave Sydney, and someone else does the evening's work, and the book was sent out to me, if I had not pen and ink I might put it in in pencil.
12159. You admit that there was a ledger that might have been kept in pencil? Yes.
12160. And if so, because you could not get pen and ink? Yes.
12161. *Mr. Gelding.*] You attended these audits, did you not? Yes.
12162. And did you produce at these audits the members' contribution book to be audited along with the others? Yes.
12163. Was it audited? No, they went to sleep over it.
12164. It was asserted here that the book was never produced? That is false, it was always there, but shunned as too big a job.
12165. Then you say the Auditors did not do their duty? No.

- Mr. J. C. Pettit. 12166. Do you wish to make any further statement to the Commission? Mr. Colyer wrote to me five years ago, asking me to send this £150, and has had the opportunity ever since of making me do so, but has never done it, and when he does, I am prepared to meet it.
- 17 July, 1882. 12167. Did you write to the Trustees, and tell them they could not possibly obtain the money from you, and that they had better go to the sureties and get £20 from them, and reduce the matter to £130? I have had property to satisfy the judgment ever since.
12168. Did you write to the Trustees to tell them that? I never wrote to them to my knowledge.
12169. But did you ever write to any one of them to that effect? I must decline to answer that.
12170. Did you write to say that they could not get anything from you as you had not anything? No, I could not say that.
12171. Is it a fact that you wrote to them that they were trying to get you out of your employment? I must decline to answer that.
12172. Did you write it to any one of the Trustees? I decline to answer.
12173. Have you anything further to say to the Commission? No.
12174. *Mr. Abigail.*] You say you have property to satisfy any judgment? Yes, I had five years ago.
12175. *President.*] Have you now? Yes.
12176. *Mr. Abigail.*] With the knowledge that these people have charged you with robbery, have you any intention to proceed against them? I may. I am giving them time to proceed against me.
- The Commission then adjourned till 10 o'clock on Tuesday, the 18th July, to meet at the Court-house, Newcastle.

TUESDAY, 18 JULY, 1882.

(Held at Newcastle.)

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,
W. E. LANGLEY, Esq.

Mr. James Reid sworn and examined:—

- Mr. J. Reid. 12177. *President.*] What Society are you a member of? The Manchester Unity.
- 18 July, 1882. 12178. How many years have you been a member? Somewhere near twenty years.
12179. What office do you hold? Provincial Corresponding Secretary for the District.
12180. How many Lodges have you in your District? Seven at present.
12181. Is that the largest number you ever had? Well, we did have eight, but the eighth was only opened and closed again.
12182. What was the reason of its being closed again? On account of the colliery at which it was established closing.
12183. And what became of the members? They ceased to be members. I advised them to keep their money through the other Lodges, but that did not seem to suit them.
12184. And what was the date of the establishment of your District at Newcastle? 1859—that was when we branched away from the Hunter River District.
12185. Your District does not embrace the Hunter River District? No, not now.
12186. Did it until 1859? Yes.
12187. What is the gross number of members you have now? About 600.
12188. Do you know the total value of the funds of the District? Yes.
12189. Will you tell the Commission? Yes. Ever since I took office I have divided the funds into Management Fund, Sick and Funeral Fund, and Widow and Orphans' Fund—up to December the Management Fund, £47 7s. 9d.—we do not keep a heavy fund in that, as we only levy the members for it according to our wants; Funeral Fund, £481 Os. 5d.
12190. What amount have you for the Widow and Orphans' Fund? £837 2s. 4d.
12191. What do you pay your members' wives on the death of a husband from the Widow and Orphans' Fund? It is according to a sliding scale.
12192. Up to how much? Up to £20; from £5 to £20.
12193. According to the number of years the member has been in the Society? Yes.
12194. What funeral donation do you pay from the Funeral Fund? £20. I produce the rules giving this information.
12195. What are the contributions paid by the members of the various Lodges in the district? 6d. to the Sick and Funeral Fund, and some Lodges pay 1½d. to the Management Fund, and others 2d.; and to the Widow and Orphans' Fund a penny a week.
12196. That is 9d. a week? Yes.
12197. But what I want to know is what the contribution paid by your members every week is? About 8½d. or 9d.
12198. What other benefits do your subordinate Lodges give? 20s. and one Lodge 21s. a week sick pay.
12199. For how long do you pay 20s.? Some Lodges six months.
12200. And after that time what is the sum paid? I am not sure whether it is 12s. 6d. or 15s.
12201. Do you know what your own Lodge pays? I forget.
12202. I understand that the highest contribution paid by the Lodge is about 9d. a week? Yes.
12203. Including everything? No, not the Doctor.
12204. What do you pay for the Doctor? 6d. a week besides.
12205. That would make 15d. a week? Yes.
12206. Then some pay 14d. and others 15d.? I must explain that in most of the Lodges very few members require to pay for the Doctor as they are connected with the collieries which have their own Doctor, and they do not require to have the Lodge Doctor and so do not need to pay for him.
12207. Do you know the amount of money paid on account of sick pay during last year? No I could not tell that.
12208. Do you know the total amount of contributions received during the year? No I only keep my own accounts.
- 12209.

12209. You could not say what were the total receipts for five years? You have it in the return. Mr. J. Reid.
12210. Can you tell from that (Report and Proceedings of the Grand Annual Movable Committee for 1882) what the receipts have been for last year from all sources? According to this report it is £1,621 14s. 1d., that is for subordinate Lodges. 18 July, 1882.
12211. Can you tell what was the total expenditure for a light period? £1,681 13s. 1d.
12212. Then according to that the expenditure is in excess of the income? Apparently it is at that rate; of course I do not keep any account of subordinate Lodges' workings.
12213. But that return was made up by the District I presume? No it is made up from the returns of subordinate Lodges.
12214. You have no means of telling the Commission what was the income and expenditure of previous years? No not for subordinate Lodges.
12215. You have no knowledge whether the District were in a better position the year before last than last year? I think so, but the only means to get that would be to get the Secretaries of subordinate Lodges here.
12216. What has been paid on account of medical attendance? I could not say.
12217. And you cannot tell the amount paid in the separate Lodges for such pay? No; that does not come under my notice.
12218. What do the subordinate Lodges pay their medical officers? 6d. per week per member.
12219. There is no tender then? No he is simply appointed at the rate of 6d. per member per week.
12220. What do you pay your chemist? That amount includes all medicines.
12221. Are you of opinion that the sum paid by the members of your subordinate Lodges is sufficient to meet all the requirements and demands of the Society? Well I believe in my opinion that the sick pay is too high for the amount of contributions paid.
12222. Do you think that it is a healthy indication to find that the income for last year for the District has not been equal to the amount of the expenditure? It does not look like it.
12223. Are you of opinion then that it is necessary to have a higher contribution? For the same amount of benefits I am decidedly.
12224. Then you think the contributions are not equal to the amount of benefits paid by the District? No I think the benefits are larger than the contributions will pay, that is in the Sick and Funeral Funds especially.
12225. Do your members pay a uniform contribution? Yes.
12226. Do you approve of that system? The Friendly Societies Act compels us to do so, and our laws compel us to divide the funds equally.
12227. Your by-laws compel you to do that? No, our constitutional law.
12228. Are you of opinion that it is a fair and equitable principle that a young man should pay as much as an old man per week? It has been carried on ever since our Order has been established here, and I do not know whether it would meet with the approbation of members or not to alter it.
12229. What is your own opinion? We regulate that according to the initiation scale, making the older members pay a higher initiation fee.
12230. Do you favour the principle of a uniform contribution, or do you favour a graduated scale of contribution according to age? In my opinion the graduated scale would be most equitable, but it would cause a great deal more labour.
12231. Has very much money of the funds of the Society been spent in regalia? No, not much money has been spent in this way.
12232. About how much? We have purchased, I think, one banner for the last eighteen years, and that is about all our expenditure.
12233. Was that from the funds of the Society? Yes.
12234. Do you not think that is a misapplication of the funds of a benefit Society that the contributions which are provided for the purpose of paying sick benefits and medical attendance —? That has nothing to do with the Medical Attendance Fund at all.
12235. But the contributions come for the management of the Society? Yes, we pay 1½d. or 2d. a week to the Management Fund.
12236. And you take the money out of the Management Fund? We levy each Lodge so much per member per year.
12237. But if any Lodge or member or number of members fail to pay the levy, would they not become financial? Yes, if they failed to pay any levies they would become unfinancial.
12238. What mode have you for recovering arrears of contributions from members of subordinate Lodges? When a member runs into arrears he is unfinancial at the end of three months.
12239. And he is not entitled to medical attendance or sick pay? No.
12240. But in case of death he would be entitled to the funeral donation? No, to no benefits whatever.
12241. Supposing he is twelve months in arrears do you take any further action? No; we have done so simply because the member is out of the Society altogether.
12242. You have not sued any of your members at the Police Court? No.
12243. Do you approve of that principle? No, I do not.
12244. How do you settle matters of dispute between the members of subordinate Lodges and your District? We have never had any; of course our rules give us guidance how to carry on by appeal to different Courts.
12245. Have you had any defalcations by officers or members of subordinate Lodges, or members of your District Lodge? Not that I am aware of; not since I took office.
12246. Not for twenty years? Yes, I believe there once was a defalcation in one of the subordinate Lodges, but I do not know anything of my own knowledge respecting it.
12247. Do you consider your District well managed and subordinate Lodges well managed? Well, I think so.
12248. Have you admitted many new members during the last year? Not last year.
12249. Have many left the Societies? Yes; we occasionally lose members through leaving the District and going away.
12250. I suppose there is a good deal of that in this District? Yes.
12251. What would be the average ages of members in your District? That I have never studied.
12252. Are there are many old men in connection with the Lodges? Not many much older than I am.
12253. How old are you? Fifty-three next month.
12254. Are there many about your age? There are a good few.
12255. Old members of the Society? Yes, old members of the Society.

- Mr. J. Reid. 12256. Are there many young men? Yes, a great many young men; in fact, in the half-year ending July, 1881, we had a good many young men made then.
- 18 July, 1882. 12257. How many? Forty or thereabouts, and they would be on an average twenty-one or twenty-two years of age.
12258. You have had long experience in connection with the working of the Society? Yes.
12259. Have you experienced any inconvenience from the present Friendly Societies' Act in the performance of your duties and in the working of your District? No.
12260. You have not experienced any difficulty? No.
12261. No inconvenience? No.
12262. Have you read and do you thoroughly understand the Act? I have not read all the clauses of it.
12263. How are your funds invested? In the Savings' Bank.
12264. To the credit of Trustees? Yes.
12265. Bearing interest? Yes.
12266. Do your officers in the subordinate Lodges and District Lodges give guarantees of fidelity? Yes.
12267. Bonds, or from a guarantee office? Bonds.
12268. As a matter of opinion, do you believe the present Act affords all the security and protection the Society and members require? Yes, I think so.
12269. Does your District hold any freehold or leasehold property? No.
12270. Have you had any demonstrations or picnics outside the general working? We have had them.
12271. Have you lost money on them? No.
12272. You did not run any risk then of losing the money of the Society? No.
12273. Where do your subordinate Lodges meet? One at the "Hunter River Hotel," another at the Junction, Burwood, another at the "Travellers' Rest Hotel," Wallsend, another at the "Northumberland Hotel," Waratah, another at Adams Town, and another at Minmi.
12274. Do you think that it is desirable that Friendly Societies should meet at public-houses? We cannot better ourselves.
12275. Is there no school or School of Arts where you could hold your meeting? No, not always.
12276. Does it not offer a great temptation to men to drink in these public-houses? No, I do not think so; it might do so in some places, but I know in the Lodge I belong to I never see any members loitering about either in entering the Lodge-room or leaving it.
12277. Where does the District meet? We move in rotation from one Lodge-room to another.
12278. Could you not often get a place like this (the Court-house) to meet in? We have never asked for that.
12279. Has any proposal been made to remove their places of meeting from public-houses? We have no other places to hold them in.
12280. But has there been any move made for that purpose? There has, where there have been places to meet in. The Lodge at Waratah meets in the Northumberland Hall, belonging to a building society.
12281. Do you not think it would be better if they met away from the hotels? I believe it would if we could get places to meet in.
12282. The moral influence would be better, you think? I think so; but as I say it is not the same here as in Sydney; we have not the conveniences here that they have in Sydney.
12283. Is there no place in Minmi, no hall or school-room? There is a public school.
12284. Do you not think you could get the use of that? I cannot say.
12285. Have you ever tried? No.
12286. Have you anything further to add to your evidence? No.
12287. You have nothing to suggest to the Commission that would be of service to them in case it was necessary to recommend fresh legislation for Friendly Societies? No.
12288. *Mr. Langley.*] Are the fees for initiation the same as in other places? Yes, you will find the initiation scale on page 10 of the rules, though there has been some slight amendment to it since these rules were printed.
12289. Then the scale of initiation you handed in is not what you are charging now? No, that would have been altered but for the fact of the constitutional laws being under revision, and we are waiting until that revision is finished.
12290. Then that is not your scale, really? No.
12291. Do you initiate any persons at that scale? No.
12292. How long is it since you ceased? About two years, I think. On account of the constitutional laws being revised we got slips with the alteration of the initiation scale on them, and supplied them to the various Lodges to be pasted over that.
12293. Is your scale greater or less than this? Less than that, but it does not alter the fees to the older ages.
12294. The President asked you a little while ago about the regalia, and you said the only thing was a banner. Do not all your subordinate Lodges provide themselves with regalia? Yes, but in the majority of cases the member purchases that out of his own private pocket.
12295. But there is a certain amount of Lodge regalia? Yes, for the officers.
12296. May I ask if all members of your Lodge pay 6d. a week for Doctor and medicine? No.
12297. Suppose that there was no colliery Doctor, and that each member of your Lodges had to pay for Doctor and medicine, what do you think would be a fair rate of contribution per week? We could not get a medical officer below the 6d.
12298. But take the total per week? 15d.
12299. That is, in your opinion, the lowest that should be contributed? That is the lowest we can do it for.
12300. *Mr. Slade.*] Your 39th rule, page 11, says—"And neither he nor his representatives shall be entitled to any benefits, sick pay, or any other sums insured on behalf of the members so offending until after the expiration of three months from the date on which the member again brings himself into compliance." Is that rule carried out? Yes.
12301. Then after a man has paid up everything is he refused all sorts of benefits for three months afterwards? Yes, that is after a member has been unfinancial.
12302. Then after he has paid up he is still refused the benefits for three months? Yes.
12303. Have any of your members ever objected to that? No.

Mr. J. Reid.

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12304. Has it ever been tried in a Court of Law whether you can support that law? No.
12305. On page 18, the 16th Funeral Fund rule is as follows:—"That it be imperative on all members within 3 miles of the Lodge-room to attend the funeral of any deceased member, or his wife, under a penalty of not less than 2s. 6d." Is that carried out? Not now; that law is rescinded with us. In some of our Lodges it is carried out.
12306. It is no longer penal then if they do not attend? No.
12307. *Mr. Newland.*] Do you have a medical examination of members' wives? Yes.
12308. I see that according to rule 35, maximum sick pay is to be 21s., and the minimum not less than 5s.? Yes.
12309. Is it within the province of any Lodge to lower its sick pay at any time? No, only after the lapse of some weeks.
12310. Then it is not left optional with the Lodges what their sick pay shall be so long as it does not exceed 21s.? That is only in reference to the sliding scale.
12311. Then it is not optional with the Lodges? Yes, there is only one Lodge in the district at 21s.
12312. What do the others pay? 20s.
12313. None less than 20s.? No.
12314. I see on page 18 that you have authority to examine the books and accounts of every Lodge? Yes.
12315. Have you ever done so? I have not been required to do so.
12316. What salary do you receive? £15 a year.
12317. *Mr. Gelding.*] You have had two or three questions asked you about rule 39. Is it not the case as soon as a member brings himself into compliance he is entitled to the medical benefits? Yes.
12318. It is simply the sick pay and other donations he is deprived of for three months? Yes.
12319. The reason why you did not alter your District rules, and amend this 38th rule especially, is that the general rule shall be under consideration for two years? Yes.
12320. Could you explain to the Commission any reason why your average funds per head have gone back 5s. 2d. during the year? Yes. It is on the Sick Fund that we have lost.
12321. As your members are getting older the average number on your sick funds continues to get greater every year, does it not? Well, I cannot say whether it is every year or not.
12322. But it is going that way is it not? It will lead to that.
12323. Have you studied these statistics of the Manchester Unity for the past year? No I have not had the time.
12324. If I told you that in the mining districts the sickness is greater than in any other district what will you say to that? I could not deny it.
12325. And do you think then, considering that, that 1s. 3d. is enough to keep up these benefits? I said no before. I think it requires more to pay 20s. a week.
12326. Is it not a fact that there is very great competition among the Friendly Societies in this district? Yes.
12327. Could you explain the competition that is going on at the present time? I do not think I need explain much, but in the first place the first competition we have to work against is the colliery Societies, because when a man joins the colliery he has to join the Society, and we have got that to compete against us.
12328. What do they pay into these colliery Societies? 6d. per week.
12329. And what benefits do they get? 15s., 10s., and 7s. 6d.
12330. And what in case of death? £20, the same as we pay, and £12 10s. for a member's wife. I am speaking of the colliery I am about myself.
12331. Would you give us the name of the Secretary of that Society? Mr. George Jones, Glebe, Burwood, Newcastle.
12332. Would you explain to the Commission any other great competition that is going on now with other Friendly Societies? Yes, I can say that the Grand United Order lately competing against us.
12333. In what way? In the lowness of their initiations.
12334. What do they do? The way they do it is, in opening a Lodge they set apart so many nights and initiate the members at a half-rate, and after a Lodge has been opened for six months perhaps application has been made I presume for leave for a certain number of nights more to initiate at this half-rate again.
12335. Is there any other Society does that? I saw in the *Morning Herald* recently that the Independent Order is doing the same.
12336. Do they resort to the same system? Yes, the same system of half-rates of initiation fees.
12337. Does any other Society do it? Well I think they all do it, but these are all I know of.
12338. *President.*] In the colliery Society you pay no initiation money into the fund? It is simply that when you start to a day's work you become a member of the Society on the first pay-day.
12339. And when you leave the colliery you leave your money behind you? You can or you may continue to be a member.
12340. Does your District Treasurer get pay? Yes, two guineas a year.
12341. How often are your books audited? Every six months.
12342. Do you think that is sufficient to keep up the status of the Society and to see that nothing wrong is going on? Yes, I think so.
12343. How many auditors have you? Three.
12344. And do you publish the result every six months? Yes.
12345. And issue it to each of the Lodges? Yes.
12346. *Mr. Holdsworth.*] Has each of your collieries a Society connected with it? Yes.
12347. Could you supply us with the names of the Secretaries of each of these? No, I could not.
12348. Could you tell us where we could get them? The way to get at them would be to address a letter to the Secretary of that fund to each particular colliery.
12349. Do miners have any special risk? Yes.
12350. Risks that other men have not? Yes.
12351. That would account for the sickness being greater? Yes, of course.
12352. You might naturally look for greater sickness among miners than among the ordinary classes? Yes they are subject to accidents.
12353. And they would require a larger contribution to meet that particular risk.
12354. You have been a long while in the mining districts? Yes.
12355. Last year the sickness was above the general average? Yes, I think so, very much.
12356. Was there any great strike on last year? No.

- Mr. J. Reid, 12357. Do you think the demands on a Society are affected any way by a strike? It would not do for me to say that.
- 18 July, 1882, 12358. Do you think that being out of employment injuriously affects individual members of Societies? We chiefly depend on our medical officer for that. We do not pay sick money without we receive a medical officer's certificate.
12359. In reference to the increase of sickness last year, do you think that one or two years would be any guide for a Society? No, I think it would not; it is scarcely right to take one single year for it, because it might happen that we might have more sickness in one year than in another.
12360. You say that there is great competition among different Societies initiating at half-fees? Yes.
12361. They only pay the initiation fee once, I take it? That is all.
12362. Then the only real effect would be the loss of the interest of the money each year? Yes, but you must remember on account of this low initiation scale there is an inducement for members to go to that Society that perhaps might go to another.
12363. But do you think that this leads to a looseness in the introduction of members? I believe it does.
12364. And it is calculated to produce a certain amount of fraud and misstatements? It is no fraud as long as they are made aware of it.
12365. But would men make misstatements in reference to it? They have to be examined by a medical officer.
12366. Can you say whether their contributions are higher, or as high, as yours? I cannot say.
12367. If they were higher, would that not compensate for the low initiation fee? I do not think they are.
12368. Are any members of the Societies benefited by joining the Societies? Yes.
12369. And would not anything which induces them to join these Societies be a service to the people? Yes, I suppose it would, looking at it in that light.
12370. Do you consider that people joining these Societies is an advantage to the State? Yes.
12371. *Mr. Langley.*] You have stated that the Independent Order of Oddfellows have been initiating at half-fees? Yes.
12372. Do you know that of your own knowledge? I saw it in the paper either Saturday or yesterday.
12373. Since you got your summons to attend here? Yes.
12374. Did you see it before? No, though I have been told of it.
12375. *President.*] Do all your members, prior to initiation, undergo a medical examination? Yes.
12376. Have many candidates been refused on account of being unsound in health? We have had some, but I cannot say for other subordinate Lodges besides the one I belong to myself.
12377. And the wives of members also have to undergo an examination? Yes, before they are registered they have to have a certificate from the medical officer.
12378. In case the wife's health is not sound, what position is the member in? He is in the same position, but his wife is not registered to the Funeral Fund, and where she is not registered we do not pay the benefits should anything occur to her.
12379. Do many of your members belong to more than one Society? Yes.
12380. Have you found many of the members shamming sickness in connection with the Societies in order to get these payments? I could not say that.
12381. But has it not come under the knowledge of the medical officer? No.
12382. It has not been reported to him at any time? If it has it has not been reported to the Lodge.
12383. Do you think it is wise that persons should be permitted to be members of more than one Lodge? Well, I am a member belonging to the Manchester Unity, and, joining the colliery, I am compelled to join a Society of the colliery. I might have been paying to the Manchester Unity for ten or twelve years, and I do not think it would be reasonable or right for me to give up my membership simply because I might only be six weeks in that colliery.
12384. But would not that be met by making it so that the sick pay should not exceed one guinea a week? The members would not like to pay to a Society without receiving the benefits.
12385. But you would be in no worse position. They would be paying the full amount of contribution into both Societies, and not receive medical attendance from one? Yes, they have to pay 6d. for a Sick and Funeral Fund, and 6d. for a Doctor too.
12386. You do not favour then the view that the law should make provision that the members should not be permitted to join more than one Society? No.
12387. Do you not think that it holds out the inducement for a great deal of fraud? It might do so, but I cannot say whether it has done so or not.
12388. Do you not think it would pay a member to be able to get his three guineas a week, if he is ordinarily earning only 30s. or £2? It might be an inducement, but I do not know of it being done.
12389. You received a return from us recently, asking you to furnish us some information? Yes.
12390. Did you understand the information required? Yes.
12391. What is the occupation of most of the members of your Society? The majority belong to the mining population.
12392. And the risk to life and accident is greater than in other trades and callings? It is the general opinion that both miners and mariners have a greater risk attached to them, simply on account of accident, not of sickness.
12393. And you have paid in connection with your Lodges a good deal more money on account of sick pay than you would in other trades and callings? I cannot say that we have. I could not give you the information, because I have never had anything to do with it; it is more for the subordinate Lodges.
12394. Do you think a higher rate should be charged to these occupations than to men following the ordinary occupations? Our Societies would not work so agreeably if that were adopted.
12395. You have nothing further to add to your evidence? No.
12396. And nothing to suggest to the Commission? No.
12397. About this demonstration on the 28th of May, 1881? Yes.
12398. Do you have these every year? No.
12399. It showed a deficiency? Yes.
12400. How was it made up? From the surplus of a previous demonstration we had.
12401. Did the proceeds go to the General Fund? No, we keep them separate.

- 12402. This shows there was £16 some odd shillings to your credit? But there is a deficiency of Mr. J. Reid. £3 15s. 9d. to make up.
- 12403. How will you make that up? Out of the next demonstration we have. We lent it from the 18 July, 1882. Management Fund, and will pay it back next year.
- 12404. And you have the demonstration with the general concurrence of the District? Yes.

Mr. John Somerville, sworn and examined :—

Mr. J. Somerville.
18 July, 1882.

- 12405. *President.*] What Society are you a member of? I am a member of two Societies.
- 12406. What are they? The Manchester Unity and the Order of Druids.
- 12407. How long have you been a member of the Manchester Unity? About twenty-two years.
- 12408. Are you still a member? Yes.
- 12409. And how long have you been a member of the Druids? About seventeen years.
- 12410. Do you hold office in the Manchester Unity? Yes.
- 12411. What office? In one of the Lodges I am Treasurer, and I am Grand Master in the District.
- 12412. What Lodge are you the Treasurer of? The Loyal Junction Lodge.
- 12413. What number of members have you in that Lodge? Thirty-seven or thirty-eight.
- 12414. What amount of funds have you to your credit in connection with the Lodge? In the Lodge alone we have £617, that is, at the end of last quarter.
- 12415. And how old is that Lodge? Twenty-four years.
- 12416. What would be the average ages of the members of that Lodge? I could not say.
- 12417. Are they young or old men? Partly both; there are no very old men; I could not say what the average age is.
- 12418. Do you know the amount of contributions received during last year? I could not say that.
- 12419. Could you tell me the amount of money paid on account of sick pay or funeral donations during the year? No.
- 12420. Has there been any defalcation in connection with your Lodge by any officer or member while you have been a member? No.
- 12421. What contributions do you pay? 6d. a week to the Funeral Fund, 2d. to the Management Fund, Medical Fund 6d., and a penny to the Widow and Orphan Fund. Members who do not require the doctor do not have to pay more than 9d.
- 12422. Do you approve of members being permitted to join more than one Society? Oh yes.
- 12423. Do you not think it holds out an inducement for fraud? No, my experience shows me different. Those belonging to two Societies are not so suspicious as those belonging to only one.
- 12424. You do not think there is an inducement for a man earning 30s. or 40s. a week to draw his three guineas if he belongs to three Societies? No, the Doctors are a safeguard against that.
- 12425. Have you found any sham sickness at all? Not to any extent.
- 12426. But you have found the Doctors deceived sometimes, have you not? That I could not speak of.
- 12427. Do you favour the principle of a uniform contribution, in preference to a graduated scale contribution? No, that is one of the greatest errors we have got—admitted old men at the same rate as young men.
- 12428. Then you are in favour of a graduated scale? Yes.
- 12429. Members paying in proportion to their ages? Yes, the younger a man enters the Society the smaller should be his contribution.
- 12430. Is there much competition in this town among Friendly Societies? Yes, a great deal.
- 12431. Is it injurious, or has it worked to the general good of Societies? It has caused a great number of the Societies to raise the amount of sick allowance above what the contributions will warrant. That is the only bad effect I have seen.
- 12432. What do you think is a fair allowance for sick pay? I think 15s. a week, and £15 on the death of a member, and £10 on the death of a member's wife, is as much as our present contributions will warrant us in paying.
- 12433. Is that what your Society pays? No, we pay £1 a week.
- 12434. That is higher? Yes, higher than I would recommend.
- 12435. You think the contribution is insufficient to secure the payment of these amounts? Yes.
- 12436. You are of opinion if that amount has to be paid, a larger contribution should be paid? Yes, either that, or there must be a smaller sick allowance.
- 12437. Are you an office-bearer in connection with the Druids? Yes.
- 12438. What office do you hold? Treasurer in one of the Lodges.
- 12439. What number of members have you? Seventeen.
- 12440. What funds have you? £104 at the last balance, independent of our District Fund. That is, the Lodge money is £104.
- 12441. Have you had a larger number of members? Yes.
- 12442. Many? Oh yes.
- 12443. How many more? Speaking from memory, I think we had at one time about 120.
- 12444. And that is reduced to seventeen? Yes, through the defalcations of the Secretary.
- 12445. What was the nature of the defalcations? We could never find it out; he burnt the books and destroyed the papers.
- 12446. You have no idea of the amount of money? No, we had nothing to trace it by.
- 12447. Did you take any action against him, by prosecuting him? We got a solicitor's advice. He was a defaulter in the municipality here.
- 12448. What was his name? George Tribe. We waited to see if they got a conviction; then when we found they could not we dropped it.
- 12449. You do not know what the Society lost? We could not tell.
- 12450. Was it a large sum or a small sum? My opinion is that it was a good round sum. But it had been going on some long time.
- 12451. Is there any other case of defalcation you know of? No, not in connection with the Druids. We have a trifle, a bill in connection with the District, that we expected was paid in England, and we find it is not paid, but it only amounts to a trifle.

12452.

* Mr. J.
Somerville.
18 July, 1882.

12452. Under £20? Yes.

12453. That is the District Secretary, was it? Yes; he has left the district, and we do not know where he is.

12454. What contributions do you pay into the Druids? Sixpence a week for Sick and Funeral Fund, the same as the Manchester Unity.

12455. And do you get the same benefits? No; the sick benefit is only 15s. per week.

12456. I presume the claims for sick pay arising from accident are very large in connection with the Societies? They are large, but not particularly so.

12457. Is your Society of Oddfellows composed principally of miners? A large majority of them are miners, but there is a good number that would stand as miners in your books that are not miners now, having gone into business throughout the district, but the great majority are miners.

12458. And it is the same with the Druids? Yes.

12459. From your experience, then, do you believe there is a larger risk in connection with the occupation of a miner than with an ordinary tradesman? It would be hard to tell that; I could not give an opinion on it.

12460. Are they not more subject to accidents than other tradespeople? I could not say.

12461. You cannot speak of the mortality amongst miners? No, no further than I have seen returns from other sources.

12462. During your long connection with Benefit Societies I presume you have read the Friendly Societies Act? Yes.

12463. And know its provisions? Yes.

12464. Have you read its provisions? Yes; the great fault is to allow so large a scale of benefits to be paid out of so small a contribution.

12465. You think the amounts paid are too small to ensure these large payments for sick pay? Yes.

12466. And do you believe the present Friendly Societies Act affords all the protection and shelter that the members of the various Societies have a right to expect? Well it is not properly administered.

12467. You believe the administration is defective? Yes; we have great experience of that in this district at the present time.

12468. Have you anything further to add to your evidence already given, or have you any suggestions to make that would be of service to the Commission? No, I have no suggestions to make; I am perfectly satisfied that amendments could be made in our general rules, but I do not think they would be of benefit in an Act of Parliament; my experience is that the Districts are too large, and that the Districts should be left to work themselves.

12469. What is the position of the District Lodge of Druids? You will have to get the Secretary for that.

12470. Is it in a good position financially? Yes.

12471. Who is the Secretary? Mr. Jones, check weighman of the Lambton Mining Company; his address is Mr. John Jones, Burwood, Newcastle.

12472. *Mr. Langley.*] From your experience of the working of Friendly Societies would you advocate an audit by a Government official annually? No; I would be in favour of the present system of sending in returns, but would compel the Societies to send them in regularly under a penalty.

12473. Would you have them attested or sworn to? They should come from the members, not a Government official.

12474. But would you have them officially attested? By whom?

12475. By the auditors or officers of the Lodge? They are so now.

12476. Have you ever found in your connection with Friendly Societies that mistakes have been made in the returns? There are apt to be mistakes because they are too complicated.

12477. Then if the accounts are too complicated do you not think it would be a good thing for a Government official, say once a year or two years, to examine the returns? No; it would be an injury.

12478. In cases of disputes would you be in favour of the Board of Arbitration, or would you prefer that all cases should be dealt with by the Courts of Law? After they have exhausted their own laws I think the same as it is now would be the best.

12479. Would you prefer the Police Court rather than a Board of Arbitration as a final Court? Yes, after they exhausted the laws, because it would cost less.

12480. But do you not think if there was a Board of Arbitration connected with the various Friendly Societies and composed of members of each Society, that it would come cheaper than going to a Court of Law? No, I think it would be cheaper done in the Courts of Law.

12481. *Mr. Newland.*] During your experience has it come under your notice that the Lodges have suspended their sick pay? No, I have known it to be reduced, but not suspended.

12482. Reduced for any lengthened period? No, not to any great period of time under my observation.

12483. Has it been frequently reduced? No, I only know of two cases since I came to this District.

12484. What cases were they? There was one twelve years ago, and there was the Druids when the defalcations I spoke of took place.

12485. Have you ever heard of any defalcations in any of the other Societies? I have heard of them, but have not known of them in my own experience.

12486. *Mr. Gelding.*] You have been a good many years connected with the Grand Board of Management of the Manchester Unity? Yes.

12487. Do you not think after a member has exhausted (say) the Lodge District, and the highest tribunal there is, he has got all the natural justice he can expect, and that he should not be allowed to go into a Court of Law? No, I have seen cases where I believed he did not receive justice.

12488. You believe then without a Board of Arbitration belonging to the Society, picked from the members of various Districts, who can know nothing of the case personally, a member does not get justice from them? Not in all cases.

12489. You belong to the Junction Lodge, do you not? Yes.

12490. Are you aware whether a large amount was paid during the past year for sick pay? Yes.

12491. Do you know the amount? I could not give it from memory.

12492. Was it £244 11s. 3d.? If that is in the report I'll vouch it is the case.

12493. You had 141 members good last December? Yes.

12494. How comes it that the sum paid for sick pay happens to be so large? We had three cases of long standing sickness, that is one reason; we had an old man, a butcher here, who was laid up for about two years, and we had a larger amount of sickness last year than we have had for a very considerable time.
12495. Have your members increased or decreased? We have gone back and forward; we have been higher than that; I think we have been as high as 149.
12496. What does it cost to open a Druids' Lodge in this locality for regalia, and so on? I could not answer that.
12497. Do you go in for economy? Yes.
12498. Do you not think Lodge officers could very well do without beards, scarves, and all this business? Yes, it is a great drag on the Society; I would go to the full extreme and have nothing whatever.
12499. *President.*] Have you anything further to add to your evidence? No.
12500. Does your District contribute to the Sydney District or is any capitation made at all to the Sydney District? No, only to the Board of Management.
12501. What is the amount paid to them? I could not give it from memory, but I think it is about 8d. a year they pay per member.
12502. That is from the District to the Board of Management? Yes, I believe it is only 6d. now.

Mr. J. Somerville.
18 July, 1882.

Mr. Richard Bailey sworn and examined:—

12503. *President.*] What Society are you a member of? The Ancient Order of Foresters, Court Robin Hood, No. 2487.
12504. Are you the Secretary? I was up to the end of last quarter, the 30th June, in this year.
12505. How long had you held office? About eighteen months.
12506. How long have you been a member of the Court? Something over two years; three years, I believe.
12507. What number of members have you in that Court? 104 financial and unfinancial.
12508. When was the Court established? On the 1st August, 1853.
12509. What amount of subscriptions do your members pay? 1s. a week for subscription, and 1s. a quarter for superannuation.
12510. What are the benefits given by your Court? Sick benefits, £1 a week for the first six months, 8s. for the second six months, and 5s. a week afterwards as long as the illness continues.
12511. What funeral donations do you pay? On the death of any member who has been initiated twelve months, and is financial, his widow, child, or relative, receives the sum of £20, as allowed by the District Funeral Fund, and on the death of the wife of a member, who has been admitted twelve months and is financial (provided she has been registered to the Funeral Fund), such member receives the sum of £15 if he presents, if required, a certificate of his marriage or satisfactory proof thereof.
12512. What is the total value of the funds of your Court? I think about £1,200.
12513. That is the independent funds of the Court apart from the District? Yes, there is cash in the Savings' Bank to the amount of £1,124 16s. 3d.; Court property, £30; and £25 owing by the regalia trustees, making in all £1,179 16s. 3d., that is till June the 30th of this year; it is slightly more now.
12514. Is the money invested to the credit of trustees? Yes.
12515. Do your officers, Treasurer, and Secretary give a bond? The Treasurer gives a bond of £10, but they do not require any bond from the Secretary.
12516. Does the Secretary receive the moneys at the meetings? Yes.
12517. And hands over the amount to the Treasurer at the close of the meeting? Yes.
12518. And does the Secretary give no bond? They never require any from him.
12519. Have there been any defalcations in connection with the Society to your knowledge? Not that I am aware of.
12520. What do you pay your medical officer? 30s. for each member per annum.
12521. That includes medicines? Yes.
12522. Do all the members participate in the medical benefits? Yes.
12523. There is no special registration fee? No; the shilling a week entitles them to all benefits unless in the case of country members, who only pay in 9d. a week, but get no medical benefit.
12524. Can you tell me the total receipts from all sources for last year? £419 18s. 5d.
12525. Now can you tell me the expenditure for last year? £432 18s. 8d.
12526. That makes a deficiency of about £13? Yes, but that includes an item which we paid out of our own funds for a funeral donation, and which we should have received from the District; this has to be recouped.
12527. Then in this gross expenditure you do not include the funeral donations that have been paid by the District? We have only had one, and that has not been recouped yet.
12528. That would leave you with a credit of £8? Yes.
12529. Do you think that is sufficient, looking to the future and seeing that the members are growing older? I think not.
12530. Do you think 1s. a week is a sufficient contribution to provide the benefits that are promised? No, the mistake is in paying the doctor so much, and the members have it in contemplation to get him to reduce the amount or get another doctor.
12531. What has been the cost of the management of your Society? The cost total for the last five years has been £160 1s. 5d., that is, £23 6s. for 1877, £39 3s. for 1878, £35 11s. 6d. for 1879, £29 12s. 3d. for 1880, £32 8s. 8d. for 1881.
12532. Is there much money spent in your Court in connection with regalia and Lodge furniture? Very little; there has been no money spent in this way for the last five years; the regalia was purchased eight or nine years ago, and resold to the members.
12533. Do you favour the principle of a uniform contribution, or do you approve of a graduated contribution of paying according to age? I think the uniform scale would be the best.
12534. You think it is more equal than a graduated scale? I fancy so.
12535. But is it fair as a matter of equity that a young man should pay the same as an old man? I imagine that one should try and help the other.
12536. How do you deal with matters of dispute between your members? We have an arbitration committee of twelve appointed, and they settle them.
12537. Do you approve of that rather than going to the Law Courts? I think so.

Mr. R. Bailey.
18 July, 1882.

- Mr. R. Bailey,
18 July, 1882.
12538. Do you approve of the provisions of the Friendly Societies Act which provide that you can recover arrears? Certainly.
12539. Have you had occasion to do it? No, but we have threatened them; I believe it is a good principle.
12540. You have a quarterly audit in connection with your books? Yes.
12541. How many auditors have you? Three as a rule.
12542. Would you approve of a Government officer being appointed to investigate (say) every year the books and documents of each Society? I think it would be a very good plan.
12543. All your members undergo a strict medical examination? Yes.
12544. And the wives of members? No, not the members' wives; but the member has to make a statement giving the nature of the wife's last illness, and whether she is now suffering from any particular complaint.
12545. Do you publish in your balance-sheet the names of members who receive sick pay during the quarter? Yes, and the amount they receive.
12546. Have you been connected with any other Society besides this? No other Society.
12547. Do you understand the Friendly Societies Act? I have never read it.
12548. Do you favour the principle of permitting persons to be members of more than one Lodge? Yes, I think so. I think a man should have the right to be a member of as many Lodges as he can pay into.
12549. And would you give him the right to receive benefits from all these Societies? Yes.
12550. You would not limit the amount he was to receive? I do not know; if he was a member of four or five Societies, I think the amount should be limited.
12551. If it was not limited, would it not hold out an inducement to fraud? Well, it might in some cases.
12552. Do you pay your officers? Yes, the Secretary and Treasurer.
12553. And you know of no case of defalcation in connection with your Society? No.
12554. And you feel quite clear that the contributions are not sufficient for the benefits that are paid? I think they are sufficient, only we pay the Doctor too much.
12555. What is your Court principally composed of—miners, labourers, mechanics, or what? We have a mixture of all sorts, but have no miners, or only one; they are principally business men and farmers.
12556. Have you anything further to add? No, I do not think I could give you any further information.
12557. *Mr. Holdsworth.*] I notice your contribution is equal to 13d. a week, which is 56s. 4d. a year? Yes.
12558. That has to be divided into three parts? Yes.
12559. 18s. 9d. is set aside for sick pay? Yes.
12560. Does that meet your sick pay? We keep our funds all in one, and do not divide them.
12561. Then there is 37s. 6d. and two-thirds for all other expenses, out of which you pay 30s. for the Doctor? Yes.
12562. Only leaving 7s. 6d. to pay for the management and everything else? Yes.

Mr. David Beveridge sworn and examined:—

- Mr. D. Beveridge,
18 July, 1882.
12563. *President.*] What Society are you a member of? Two, the Foresters and the Protestant Alliance.
12564. How long have you been a member of the Foresters? Fourteen years.
12565. What Court? Court Friendship, No. 4,584.
12566. Do you hold any office? Secretary.
12567. How long have you held that office? Over ten years.
12568. What is the date on which the Lodge was founded? 20th June, 1868.
12569. What is the number of members in the Lodge? 111.
12570. Is that the largest number you have ever had? Yes.
12571. Did you admit many members last year? Yes.
12572. Did you lose many? Yes, we have lost a good many the last three years.
12573. What is the cause? Non-payment of dues.
12574. Can you tell the Commission what the amount of contributions last year was? £237 7s. 5d. to the Sick and Funeral Fund.
12575. What to the Incidental Fund? £54 5s. 4d.
12576. Now what has been the expenditure for the year? £172 12s.
12577. What is the total value of the funds of the Court? £461 3s. 9d.
12578. What do you pay your medical officer? We do not pay him through our Society.
12579. You have no doctor? Yes, we have a doctor, but he is paid through the colliery.
12580. Do all the members of your Lodge work in the colliery? No, but they pay the same through the Society.
12581. That is a considerable saving then to your Lodge? Yes.
12582. Does that include the chemist as well as the doctor? That includes chemist and all.
12583. Have there been any cases of defalcation in connection with your Society, as far as your knowledge goes? Not this many years.
12584. Do your Secretary and Treasurer receive some small payment? Yes.
12585. Do they furnish a bond or guarantee? No.
12586. Neither the Treasurer nor Secretary? No.
12587. Are the moneys invested in the names of Trustees? Yes.
12588. What is the nature of the investments? It is in the Bank.
12589. Bearing interest? Bearing interest.
12590. Do you favour the principle of a man being a member of more than one Society? I do; I consider that one Society is too little for a working man.
12591. Would you limit the number? Yes, to two.
12592. I presume your Lodge settles matters of dispute, the same as other Courts under the Foresters? Yes, by an Arbitration Committee.
12593. You pay a uniform contribution? Yes.
12594. Do you approve of that principle, or would you prefer a graduated scale? I have heard many arguments on the subject, and it might suit in certain localities to have a graduated scale, but it would not suit in all.

Mr.
D. Beveridge.
18 July, 1882.

12595. And do you personally approve of it? No, I do not.
12596. Do you hold any office in the Protestant Alliance? I hold the secretaryship.
12597. What Lodge is that? The Black Diamond, No. 19.
12598. Have you got many members? Thirty-six now.
12599. Is that the largest number you have ever had? No.
12600. What is the largest number you have had? Eighty odd.
12601. What is the cause of the numbers being reduced so? Non-payment of dues.
12602. Any defalcations amongst the members? No.
12603. Any defalcations in connection with the Lodge? None whatever.
12604. What amount of funds have you got? About £37.
12605. And how old is the Society? Nine years past.
12606. And it has only accumulated £37? Yes.
12607. Have they had large funds at their disposal? Yes; it is through sickness.
12608. What amount have they paid last year for sick pay? Somewhere over £100.
12609. Have they any of their members permanently on the Sick Fund? Not at present.
12610. What are the members of the Protestant Alliance Lodge principally composed of? Working men who work in the colliery, and tradesmen.
12611. And the contributions paid by the members of the Protestant Alliance—what would they be? 1s. a week, without the doctor.
12612. And yet the funds are not equal to meet the amount of your outgoings? Well, a levy has been put on to try and raise the funds of the Society; they used to pay 9d., but seeing that a certain amount of sickness has fallen on that Lodge they have increased their contributions to a shilling a week for six months.
12613. You do not regard the Society as being in a good financial position at the present time? Not that individual Lodge.
12614. What are the ages of the members in the Lodge? They vary from eighteen to forty-eight.
12615. Would you approve of a Government officer being appointed to inspect the books of the various Friendly Societies? I certainly would.
12616. Do you think it would afford greater security to the members? It would be more satisfactory to the public and to the members.
12617. Do you approve of the provisions of the present Friendly Societies Act, which provide that members in arrears may be summoned for those arrears? Yes, I do.
12618. Have you ever in connection with either of these Societies taken that step? Not at the present moment, but I have instructions to do it.
12619. In the Protestant Alliance Lodge? Yes.
12620. Not in the Foresters? No.
12621. Do you publish in your quarterly returns the names of members who get sick pay and the amount they receive? Yes.
12622. You have paid a great deal of attention to the working of Friendly Societies? Yes, I have.
12623. During your experience have you paid special attention to the present Friendly Societies Act? I have.
12624. Have you found it in every respect sufficient for the good guidance and government of Friendly Societies? I am satisfied with the Act if it was carried out properly.
12625. Do you think it has been administered properly? As far as I know; it has been administered to my satisfaction in anything I have been connected with it.
12626. Have you any suggestions to make to the Commission? No.
12627. Nothing to suggest that may be of service in future legislation? The only thing is, seeing the increase of population in this district, that the Government ought to allow the Societies something towards their expenses.
12628. You are of opinion that they are a blessing to the State? Yes.
12629. And that it is the duty of the State to encourage the Societies? To encourage the Societies.
12630. Do they encourage a spirit of thrift and saving amongst the working classes? Yes, decidedly they do.
12631. *Mr. Smith.*] You are the only Court of the name Friendship existing in the Foresters under the New South Wales district? Yes.
12632. Do you know of any other Court of Foresters existing by that name? Not in the New South Wales District.
12633. If it went forth to the public that a Court of Forestry known as Court Friendship went insolvent it would be untrue? Yes; there is another Order of Foresters not connected with the Sydney District, which is termed the Royal Foresters, and they may have taken the name Court Friendship.
12634. *Mr. Newland.*] What is your reason for saying you think you should be allowed the privilege of joining more than one Society? Well, if a working man has a large family, if he happens to get sick, a guinea a week is not sufficient to keep his wife and family.
12635. Would it not be preferable to be allowed to double the benefits in one Society? That has been tried, but it does not seem to work well.
12636. Has your Society ever suspended its sick pay at any time? No, not the Foresters.
12637. *Mr. Gelding.*] You said the present Friendly Societies Act was quite competent to meet all the necessities connected with Friendly Societies at the present day? Yes, I think so.
12638. Do you carry out the provisions of the Friendly Societies Act in conducting the business of your two Lodges? As far as I am concerned I do.
12639. Who pays your sick pay? The Treasurer.
12640. Do not the Trustees do it? No.
12641. Are you aware that there are clauses in the Act which say that the Trustees shall do all the work? Our Registrar says the Secretary shall inform the Treasurer of the amount to pay.
12642. Do you not think that if the Act was made more simple it would be far better? I think it is simple enough to meet all requirements.
12643. Do you not think that clauses 43, 44, 45, and 46 should be amended, seeing that the Secretary and Treasurer do this work, and not the Trustees? Well, that might be altered, but the Act gives a Society power to make laws and by-laws to amend that.

- Mr. D. Beveridge. 12644. And you think the Act is so perfect that it does not want altering? I am quite satisfied with it, as long as it is administered rightly.
 18 July, 1882. 12645. *President.*] Are these (*produced*) the general rules that govern all the branches of the Protestant Alliance in Australasia? Yes, it is one general code of rules.
 12646. Are you aware of any defalcations taking place in connection with the Grand Lodge of the Protestant Alliance or any private Lodge? No.
 12647. You have nothing further to add to your evidence? No.

The Commission then adjourned until 2 p.m. on Tuesday, 18th July.

TUESDAY, 18 JULY, 1882.

(Held at Newcastle.)

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
 P. J. NEWLAND, Esq.,
 JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
 P. R. HOLDSWORTH, Esq.,
 W. E. LANGLEY, Esq.

Mr. Thomas New sworn and examined:—

- Mr. T. New. 12648. *President.*] What Society do you represent? The Ancient Order of Foresters.
 18 July, 1882. 12649. What Court? Court Hunter.
 12650. What office do you hold? Secretary.
 12651. How long have you been a member of the Society? Twenty-five years, but not in Newcastle; in Maitland and Newcastle.
 12652. In the District? Yes.
 12653. You have held various offices? Right through—the whole of them.
 12654. How many members have you in your Court? 101; ninety-seven financial, and four unfinancial.
 12655. What amount of funds have you to your credit at the present time? £220 2s. 4d. last December.
 12656. What was the amount of subscriptions received last year? £290 9s. 9d.
 12657. What was the amount of expenditure for that year? We have been belonging to the Sydney District, and have had to pay our District levies; the total expense for the five years amounts to: Sick pay, £392 2s. 9d.; District levies, £225 13s. 3d.; working expenses, £90 15s. 8d.; and doctor and medicine, £464 14s., or a total of £1,173 5s. 8d.
 12658. What have been the total receipts during the five years from all sources? £1,393 8s. 2d.
 12659. What contributions do your members pay? A shilling a week.
 12660. A uniform contribution by all alike? By all alike, except country members, who only pay 9d., as they do not get the medical attendance or medicine.
 12661. What do you pay the doctor and chemist? 6s. 6d. a quarter to the doctor, who finds his own medicines.
 12662. What are the benefits? A guinea a week for six months, 10s. for the next six months, and then 6s. as long as the member lives.
 12663. And the funeral donation, what is that? £20.
 12664. And on the death of the wife? £15.
 12665. Do you think a shilling a week is sufficient to ensure all these benefits? If you had a thousand pounds in the Bank to start with it might be sufficient, but not as we are; I think a guinea a week sick pay is too much.
 12666. You are clearly of opinion that it is insufficient to ensure these large benefits? I think so; there are two or three dragging on us for a long time, and they are taking the money away.
 12667. What would be the average ages of your members? Well, I should think they would be thirty-eight or forty; there are a good many young members, but there are several old ones.
 12668. Have you had many members join during the last year? Four or five; we had two proposed last night.
 12669. Did many leave last year? I think three fell out for non-payment of dues.
 12670. Have you had any defalcations in connection with any of the officers of your Court? None at all.
 12671. Do your Secretary and Treasurer receive payment for their services? The Secretary does; the Treasurer receives 5s. a quarter.
 12672. Do they give any bonds? They have not done so yet, but we shall have to do so.
 12673. Your leaving the District, was it your own act or that of the District? Our own act.
 12674. What was the object of leaving the district? We should have done it some time ago, as we had a Court at Armidale, and it is expensive bringing the members from there to Sydney.
 12675. You regard the cost of going from this part of the district to Sydney as being very great? Yes, it has been very great; it has cost us £20 this last year.
 12676. You are not a member of any other Friendly Society? No.
 12677. And never have been so? No, never.
 12678. Are you strongly in favour of a uniform contribution in preference to a graduated scale? Yes.
 12679. Would you be in favour of a Government officer being appointed to inspect the books of the various Societies or Lodges every year? I have nothing against it; but in country places like this so many Secretaries are appointed that he would have a job to find out the particulars.
 12680. Do you think it would do good? If the Government had an annual return I think it would do.
 12681. You do not think it is desirable to have an officer going through the books? I would not be against it, only I think it would be difficult to get at the books; for sometimes you get a Secretary that cannot manage the affairs; if the Government got an annual return, like I send to the District every year, they can see exactly how the Societies are working.
 12682. What is your Society chiefly composed of? There are a great many miners round the District, and a great many mechanics.

12683.

12683. Are all your members or candidates subject to a medical examination before they are admitted? *Mr. T. New.*
Yes.
12684. And members' wives as well? Yes.
12685. Do you publish in the quarterly returns and balance-sheet a list of names of members who have been on the sick list? No; on the annual balance-sheet we publish the amounts but not the names.
12686. Do you approve of a person being permitted to be a member of more than one Society? I would if he were an honest man.
12687. What is your opinion about it? I always understood that a member could not receive the benefits.
12688. But he can? I do not think it is right.
12689. Do you think it holds out an inducement for fraud and deception? I believe if a member is a member of one Society it is sufficient.
12690. Do you find miners more subject to accident than other tradespeople? Sometimes they are, and sometimes they are not; we have a good number of miners in our Society; probably forty-five out of the hundred.
12691. And has there been more sickness amongst them than amongst the others? Yes.
12692. Arising principally from accident? Yes, but we are all subject to accident.
12693. You have read the Friendly Societies Act? Yes.
12694. As a matter of opinion, do you consider the Act sufficient for all purposes—for the good government of Friendly Societies? There is one thing; if a Society should prosper and get some money they should be allowed to put it to the best advantage.
12695. You think in the matter of investments the Act is rather too restrictive? I think it is.
12696. Your Lodge has no freehold property? No.
12697. Where do you meet? The "Hunter River Hotel."
12698. Have you no place you could meet away from a public-house? We had a hard fight to go to the Protestant Hall, but got defeated.
12699. Do you not think it would be better to go to a public hall than to a public house? Yes; though we can keep quite away from the bar.
12700. There is nothing further you would like to add to your evidence? No, I think not.
12701. And no suggestions you would like to make? No, I do not know of anything.
12702. You said the Lodge was instituted when? On 10th June, 1876.
12703. *Mr. Newland.*] Have you been in connection with Friendly Societies other than in the mining districts? Yes, eighteen years in Maitland.
12704. Do you see any difference in the management or sickness here from other places? We have had a great deal of sickness during the last three years.
12705. Is it greater in the mining districts than elsewhere? Well, there have been accidents happening in the mines, but there is not more bodily sickness.
12706. There is more sick pay paid? Well, I was four years in Maitland, Secretary there, and we paid a great deal of money there in sickness.
12707. But the money paid for accidents is called sick pay? Yes, but you cannot call it any more sickness happening.

18 July, 1882.

The examination of Mr. David Beveridge was resumed:—

12708. *President.*] The Commission understand you can give some important evidence with reference to Colliery Benefit Societies? I can.
12709. Are you a member of any of the Colliery Societies? Yes.
12710. Which one? The Accident Fund, Wallsend Pit; but it does not come under the Friendly Societies Act in any way whatever.
12711. It is simply an Accident Society? Yes, that is all.
12712. For the employés in the pit? Yes.
12713. What do they pay? There are no fixed amounts—it is according to call.
12714. What does the amount usually come to weekly? It comes sometimes to 6d., and will go as high as 1s., or as low as 3d.
12715. What are the largest amounts paid towards assisting any of the employés in the pit? 20s. a week for twelve months.
12716. And what funds have they got in connection with the Accident Fund? They have no funds.
12717. It is simply a voluntary contribution? Yes, every fortnight they each pay the call; there might be as much as £70 in hand.
12718. Do they provide any doctor? No, a doctor being occupied in the colliery we have no necessity to provide any doctor.
12719. Then it is almost a Society outside the other Societies? Yes.
12720. Simply a sort of Mutual Aid Society amongst yourselves? Yes, and for men who are too old to go into the ordinary Benefit Societies.
12721. And do the whole of the employés contribute towards this fund? Yes; there might be one or two exceptions to the rule, but taking it generally the majority of them do pay.
12722. And is it every fortnight that a call is made? Yes, a Committee is appointed to see the amount of money is required.
12723. Have they rules? Yes.
12724. Printed rules? Yes.
12725. Will you send us a copy? Yes, with pleasure.
12726. Then do the members of the Sick and Accident Fund who happen to be members of Friendly Societies also receive the sick pay from them and this money? Yes.
12727. Does the proprietary of this colliery subsidize the Sick and Accident Fund? No.
12728. Do they subsidize the Sick Societies? No.
12729. Then they do not in any way contribute? No, not in any way.
12730. And they do not in any way encourage the habits of the men by giving them some subsidy? No.
12731. Has any application or appeal ever been made to them? Yes.
12732. And they have refused? Yes, several times.

Mr. D. Beveridge.

18 July, 1882.

12733.

- Mr. D. Beveridge.
18 July, 1882.
12733. Then I understand you have also a fund for providing medical attendance and chemist? Yes, alone.
12734. Apart from the Sick and Accident Fund? Yes.
12735. The proprietors do not contribute towards that fund? No.
12736. It is simply sustained by the members themselves? Yes.
12737. Are there a good many accidents occurring in connection with the occupation of a miner? Yes.
12738. Some of these resulting in death? There have been three deaths during the past three weeks through accident.
12739. And you say an appeal has been made to the proprietary, and they have never shown any disposition towards assisting the miners? No, they have not.
12740. And what is the condition of the funds of these different Societies—are they in a healthy state? As far as I am concerned they might be down this fortnight and up the next; it is the call that puts them up.
12741. I presume the majority of miners belong to some Society or other? Yes, all the miners very nearly belong to one Society or another.
12742. Are a large proportion married men with families? The biggest proportion of them are married men with families; there might be one-third young men.
12743. In connection with this accident fund you speak of, have there been any defalcations at any time? No.
12744. If there is any balance of funds, how are they invested? They do not keep any; they only keep a certain amount in the hands of the Treasurer to go for change and so on during the fortnight. They do not keep any funds in hand the same as a Friendly Society.
12745. They have no fund except the amount of the call? That is all.
12746. If there are several accidents they have to make a large call? Yes.
12747. Is that the principle that governs the whole of these collieries? All except one.
12748. Which is that? The A. A. Co.'s.
12749. What do they do? They have a Sick and Accident Fund.
12750. You are not a member of that? No, each colliery has a separate rule for itself.
12751. I suppose these Societies work in connection with the Trades Protection portion of your Society? No.
12752. Then a strike would not affect it? Not one iota.
12753. Then must an accident happen to him when engaged in a particular work in order that he may receive the benefits? Yes.
12754. If he fell off the coach between Wallsend and Newcastle would he be paid? No.
12755. But if he met with an accident in the pit he would be entitled to be paid from this fund? Yes.
12756. So it is entirely restricted to the colliery operatives alone? Yes. I should like to say that Societies composed of working-men such as those in a colliery cannot be carried on the same as those in a township, as a man in business may be able to look after his business to some extent even if he is sick, but a working-man when he is sick cannot go and earn a day's living, but has to throw himself on the Society, thus causing the expenses of a working-man's Society to be heavier than those of Societies in a township.
12757. All the members of your Society are working-men? Yes.
12758. And not like those in the city? Just so.

Mr. Henry Rushton sworn and examined:—

- Mr. H. Rushton.
18 July, 1882.
12759. *President.*] What Society do you belong to? The Sons of Temperance.
12760. The Grand Division or a subordinate Division? Both.
12761. What office do you hold in the Grand Division? Grand Worthy Patriarch.
12762. Are you Grand Worthy Patriarch of the Grand Division here? At the present time.
12763. That is No. 2? No. 2 Grand Division, Hunter River.
12764. What office do you hold in the subordinate Division? None at present.
12765. How long have you been connected with the Sons of Temperance? About sixteen years.
12766. What number of members have you under the Grand Division? I could not say at present; Mr. Asher, our Grand Scribe, will be able to give you that information.
12767. And the benefits you cannot tell? He has all that prepared for you, I believe.
12768. Has there been some secession of the Grand Division by one of your Lodges? Yes.
12769. Do you know all the circumstances connected with that? Most of them. I visited the Lodge once or twice in connection with the matter.
12770. Were not some funds applied for some purposes of law expenses? After the secession took place we found that they had paid their costs out of the funds of the Division.
12771. And how were the funds paid on the other side? They were paid by the National Division in Sydney.
12772. What number of members seceded? About thirty, I think.
12773. What was the cause of the secession? Objecting to some action of the National Division in Sydney—that was the reason they stated; it was in regard to some levies which they said were illegal.
12774. As far as you know, what is the general character and position of the Sons of Temperance in your jurisdiction? Generally speaking, with the exception of one or two, I think they are in a very fair and prosperous condition; the worst of them is the Star of the West Division at Wallsend; I mean financially when I say that.
12775. But financially, all the other Divisions you consider in a good position? Yes.
12776. Are you increasing in numbers? Yes.
12777. Through your District? Through our District.
12778. Have you lost many members during the last year? Not within the last year, but a few years ago we lost a few, but we are making that number up now.
12779. You are not in a position to tell the Commission what has been paid on account of sick pay? Not through the Grand Division.
12780. Can you tell in connection with your own Division? Yes; for the five years the sick pay was £408 4s. 7d. 12781.

12781. What was paid on account of funeral donations during that time? £90.
12782. Can you tell what the total expenditure was for the five years? No, I do not think I can, but these returns have been furnished to the Commission if I mistake not. The total amount received for sick and funeral donation in five years has been £606 6s. 9d., and the total expenditure £708 6s. 7d.
12783. That is the Division you say is not in a good financial position? Yes.
12784. What have you to the credit of that Division? About £40.
12785. And how many members? Sixty-nine.
12786. Have you had any defalcations in connection with any of your officers? No, none that I know of.
12787. What contributions do your members pay? 7½d. a week.
12788. What benefits do they get for that? 15s. a week.
12789. And medical attendance? Yes; but the doctor is paid through the colliery; every person working at the colliery has 6d. a week stopped from his wages, so the doctor is paid in that way; the members of the Division pay 7½d. a week.
12790. Who makes the payment to the medical man? The proprietor of the colliery—it is left in the Bank, and is paid to the credit of the doctor.
12791. Then do all your members work in the pits? Nearly all of them.
12792. But those who are not working in the pits, how do they get medical attention? They pay the doctor through the Division.
12793. That makes about 1s. 1½d. a week, including the 6d.? Yes.
12794. Do you think that is enough? No, I do not.
12795. You do not think the contributions are sufficient to ensure all the benefits? No, I do not, especially in a mining district.
12796. You regard mining as a risky occupation? Yes.
12797. As the employes are more subject to accident than other people? Yes.
12798. That has been your experience? Yes, and I have been twelve years in a coal-mining township.
12799. Otherwise they are a healthy body of men? Yes, but they are more liable to accident; a person may be sick in a country place and recover in a few weeks, but a man meeting with an accident in a pit is thrown on the Lodge for five, six, or eight months, as the case may be.
12800. Has your Lodge taken any steps to raise the contribution? We raised them to try and enable us to pay £1 a week, and we went back again and lowered the contribution, finding it impossible to do it—that is to pay the £1 a week—on account of the number of accidents some of our members had met with.
12801. What would be the average ages of your members? About thirty-five years in our Lodge at Wallsend, as we have a large number of old men; in fact I think I must be mistaken in saying that; I would I think be wrong in saying forty.
12802. But you are not able to give the Commission the particulars of the matters in dispute between you and the Division I referred to? You could get the particulars more fully from the Secretary to the Grand Division.
12803. Has there been much competition amongst the Friendly Societies here? A great deal in the mining townships.
12804. What has been the nature of that competition? Lowering the fees for a certain time.
12805. Has that had a good or bad influence on the Societies? I could hardly say what the result has been.
12806. They have not lowered the contribution fees? Yes.
12807. But not the contributions? No.
12808. You have nothing further to say? No.
12809. Can you give us any information in connection with the Sick and Accident Funds in connection with the collieries, how they are sustained, and how they are worked? There is a Society formed by the miners amongst themselves; the fund which they have established is not for any person who may fall sick, but for those who may meet with an accident in the pit or about the pit. They are generally allowed £1 per week, and the contributions to meet the funds are regular, according to the number of accidents that occur; some weeks it may be 3d., some 6d., some 9d., and some 1s., and sometimes even 2s.; according to the number of accidents, they meet the demand by making a levy upon the whole of the members of the fund. In case of a death through an accident, a levy of 1s. 6d. upon full members, and 9d. upon half members is made; and the amount thus raised is paid to the widow or relatives of the deceased.
12810. That is by a call? Yes; the night previous to the pay the committee of management meets and reckons up what their expenses will be, when they make a levy on each member, and directly the man receives his pay he goes to the Secretary and pays his contribution.
12811. Is there not another Society in connection with the pits which provides medical attendance and chemist? No, only the one I refer to where the 6d. per week is stopped from them.
12812. It is compulsory? It is compulsory; they never receive that 6d., but it is kept from their pay and paid to the doctor and chemist after their usual pay is paid.

Mr. Alfred Asher sworn and examined:—

12813. *President.*] What Society do you represent? The Sons of Temperance.
12814. What office do you hold? Grand Scribe.
12815. How long have you held that office? About four years.
12816. And how long have you been connected with the Sons of Temperance? I think about fifteen years.
12817. Have you had any other connection with any other Friendly Society? None.
12818. What is the total number of members in connection with your Grand Division? 475.
12819. What would be the total funds of these Divisions? £3,293 8s. 9d.
12820. How are these funds invested? I have no idea.
12821. The Trustees? Oh yes, every Lodge has its Trustees.
12822. Can you tell what has been the total expenditure for the last five years? £4,733 13s. 8d.
12823. What has been the total income for the five years? I can only give an estimate of that, because there are one or two Lodges which have not sent in complete returns, and of course the estimate for expenses is the same. There has been an income of about £6,000.

12824.

Mr.
H. Rushton.
18 July, 1882.

Mr.
A. Asher.
18 July, 1882.

- Mr. A. Asher.
18 July, 1882
12824. What are the contributions paid by members under your jurisdiction? Well, each Division makes its own by-laws, and they charge whatever contributions they like. In most cases I think it is 6d. a week.
12825. Does that include medical attendance? No, that is always charged separately. In the Lodge to which I belong we pay 6s. 6d. a quarter in advance to the doctor.
12826. That is in addition to the 6d. a week? Yes.
12827. Do you think that is sufficient? I do not think it is. Of course I am speaking now from my own experience of my own Division.
12828. What benefits do you give for this contribution? £1 a week sick pay for the first six months, then 15s. for the next three months.
12829. And a funeral donation? Yes; but we have a general Funeral Fund for the whole Order.
12830. To which you pay a capitation allowance? Yes; it has been 1s., but I think it is now 1s. 6d. per member per quarter.
12831. That ensures your funeral donations being paid? Yes, that is it.
12832. Can you tell the amounts paid separately for funeral donations and sick pay during the five years? It was £1,517 14s. 11d.; the medical, £1,326 12s.; exclusive of doctor and benefits, £1,836 6s. 9d.
12833. Does that include the cost of management? Yes, everything is included in that.
12834. Does your Grand Division pay its officers? Yes.
12835. Do your subordinate Divisions pay their officers? The two Secretaries in most cases are paid.
12836. Do they furnish a bond of fidelity? I do not think so.
12837. Do they in connection with the Grand Lodge? No.
12838. Do the Trustees give any guarantee? No.
12839. Have you had any defalcations in connection with any of your subordinate or Grand Divisions? No, I do not think so; I do not know of any in my position as Grand Scribe, but as a member of my own Lodge I think I could say there have been.
12840. What has been the extent or nature of them? This Lodge to which I belong severed its connection with the Grand Lodge of which I am an officer. Those who were members of the Grand Division wished to remain members of the Order, and reorganized the Division and elected fresh Trustees, and had them registered, and the old Trustees entered an action in the District Court against them, and paid the expenses of the lawsuit out of the funds.
12841. You regard that as a misappropriation? I do.
12842. Not a defalcation? No, a misappropriation.
12843. Was there any protest against the money being applied to pay these expenses? No, simply because it was done while they were severed from us; we subsequently amalgamated again, and there was a committee appointed to go through both sides' accounts, and it was found that they had paid certain moneys for this lawsuit.
12844. How were the expenses paid on your side? By the head of the Order—the National Division.
12845. Do you know what the amount was? Nine or ten guineas.
12846. What was paid by the National Division? £36.
12847. They have amalgamated again you say? Yes, but they have not acknowledged the Grand Division by sending in returns.
12848. What number of members have you? About ninety.
12849. Are they all disaffected in this way? No.
12850. Only a small portion? Yes.
12851. You do not know of any defalcations in connection with any of the Lodges or Divisions? No, I do not.
12852. How have the Divisions under your jurisdiction been generally managed? Of course there is a set of officers appointed for the half-year, consisting of the Worthy Patriarch, Deputy Secretary, Financial Secretary, Treasurer, Chaplain, and Doctor.
12853. Do you consider the management good? I think so—yes. Of course I have no experience of the management or working of any other Friendly Societies, so I cannot compare them.
12854. Do all your members undergo a medical examination prior to admission to the Lodge? Yes.
12855. What are most of your members—what are their occupations chiefly? They vary according to the locality in which the Lodges are situated. In Newcastle they would be a little of everything; at Waratah they would be principally labourers, with a few miners; at Wallsend they would be very nearly all miners; and as you go up the country they would be agricultural labourers.
12856. Has there been any proposal made to increase the weekly contributions? Not that I am aware of.
12857. Do you think that the weekly contributions should be on a graduated scale or of a uniform character? I am in favour of a uniform scale.
12858. Do you approve of the conditions—conditions contained in the Friendly Societies Act—empowering the officers of Societies to recover arrears of contributions from their members? I certainly do.
12859. Have any of your Divisions taken action against your members? None that I know of. The Division to which I belong passed a resolution once to do so, but I think the officers were afraid to carry it out.
12860. Do you approve of matters of dispute being settled in your Lodge, or by the higher Courts of your Order, rather than go to Courts of Law? I do.
12861. Do you favour an Arbitration Board to deal with matters of dispute? Yes, I do.
12862. And their decisions to be final? Yes.
12863. Would you favour a Government Inspector to be appointed to go and investigate the books? I would, most decidedly.
12864. How often are the accounts of your Lodges audited? Every quarter, I think.
12865. Is there anything in connection with this secession you would like to state to the Commission beyond what you have stated? I do not think so.
12866. What would be the average ages of members under your jurisdiction? I am sure I could not say—I have no idea.
12867. Have any of the funds been invested in any other way than in the Banks? Not that I am aware of.
12868. There is no freehold property? Yes, at Singleton and Raymond Terrace.
12869. Is that the property of these Lodges? Yes.

12870. Is that included in the amount you speak of? Yes.
12871. Where do most of the Divisions meet under your jurisdiction? Not in public-houses, generally in schoolrooms or halls.
12872. Where do they meet? Newcastle, in the Congregational schoolroom; Waratah, in the Northumberland Hall; Wallsend, in the School of Arts; West Maitland, in the Masonic Hall; East Maitland, in the Temperance Hall; Morpeth, I don't know; Singleton, in the Temperance Hall; Tamworth Division, in the School of Arts; Raymond Terrace, in the Temperance Hall.
12873. Have you increased in number during the last year? No.
12874. Has there been a falling off in numbers? Yes.
12875. Many? There is a falling off of nearly 200 in five years.
12876. Have you got last year's and the year before? Yes.
12877. What was the number in 1880? 517.
12878. And what in 1881? 388; but then of course there are two Lodges whose returns I have not got; I think they have about 100 members, making a total of 488.
12879. You have no later date than that? No.
12880. But there has been a falling off of upwards of 200 in the five years? Yes.
12881. Have there been many joining your Divisions during the last four months? Yes, in some of the Lodges; the falling off is caused principally by Divisions that are broken up.
12882. Dissolved? Yes.
12883. What has been the cause of their dissolution? Want of interest.
12884. Not want of funds? No.
12885. There has always been sufficient funds? Yes.
12886. What has become of their members? They have divided the funds and gone out of the Order.
12887. That has arisen from want of interest? Yes; in most cases the Divisions are in sparsely occupied localities, and the members living a long distance away are unable to attend their Division meetings.
12888. Have you anything further to add to your evidence? No.
12889. No suggestions to make to the Commission? No.
12890. *Mr. Holdsworth.*] Did not one or two of your Divisions break up and divide large funds? Yes.
12891. Did not one divide a very large amount recently? Not to my knowledge.

The Commission then adjourned till 9:30 a.m. on Wednesday, the 19th July, 1882.

WEDNESDAY, 19 JULY, 1882.

(Held at Newcastle.)

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,

W. E. LANGLEY, Esq.

Mr. Edward Claridge sworn and examined:—

12892. *President.*] What Society do you represent? The Grand United Order of Oddfellows.
12893. Have you brought a copy of your rules with you? Yes (*produced*).
12894. What office do you hold? I am Treasurer of the Honeysuckle Lodge.
12895. How long have you held that office? About twelve years.
12896. How many members have you? We have 202, of whom about forty are unfinancial.
12897. When was the Society instituted? August 6, 1868.
12898. What amount of money have you to your credit? £755 9s. 6d.
12899. What amount of contributions do your members pay? 1s. 1½d. a week, if they pay to the doctor; if not, only 7½d. a week.
12900. Are there many of your members who only pay 7½d. a week? No, not many.
12901. Then the majority of members pay 13½d. a week? Yes.
12902. The members that only pay 7½d. a week who are members of your Society are also members of some other Society, where they get medical benefits? No, they mostly live out of the district, and some of them object to the doctor because they do not like him, and for frivolous things like that.
12903. What was the total amount paid last year for sick benefits? £136 18s. 4d.
12904. And what did you pay on account of medical benefits? £163 7s. 6d.
12905. What was the total expenditure for last year? £32 19s. 5d., exclusive of what I have already given you.
12906. Your District pays the amount of the funeral donation? Yes.
12907. That is not charged against you? No.
12908. Can you tell us now what the total amount of income was for last year? £456 0s. 1d.
12909. What was the total expenditure? £416 3s. 6d.
12910. That leaves a profit of about £40? Yes.
12911. What has been the total amount paid on account of sick pay and other benefits for five years? £442 5s. 4d. on account of sick allowance; then medical benefits, £621 13s. 9d.; and working expenses, £136 7s. 11d.
12912. Do you know what was paid on account of funeral donations during the five years? We have lost four members, three wives, and two children, making a total of £127.
12913. That was paid by the District? Paid by the District.
12914. What were the total receipts for the five years from all sources? I have not got that information with me.
12915. What benefits do you give? £1 a week for the first six months, 15s. a week for the next six months, and 5s. for the next twelve months.

12916.

Mr.
A. Asher.
18 July, 1882.

Mr.
E. Claridge.
19 July, 1882.

- Mr. E. Claridge.
19 July, 1892.
12916. What amount of funeral donation do you give? According to a graduated scale.
12917. What is the highest amount? £30.
12918. How long has a man to be a member to get that? Ten years.
12919. What do you give in case of the death of a wife? £10; and if five years a member, £15; and if ten years, £20.
12920. Do you think 13½d. is sufficient to ensure all these payments? Yes.
12921. Do you consider your Society in a good financial position? Yes.
12922. And able to meet its financial obligations? Yes.
12923. And 13½d. is quite sufficient to ensure these payments? Yes.
12924. Have you had any defalcations by officers or members of your Society? We had a little at first starting; we were in difficulties, and we had one member who did away with a trifle; but it was under £5.
12925. Did he make it good? No, he absconded.
12926. How long ago is that? Thirteen years ago; at the formation of the Lodge.
12927. That is the only case you know of? Yes, that is the only case we know of.
12928. Your members pay a uniform contribution? Yes.
12929. Do you favour that principle rather than a graduated scale of payments? Yes; we have always found it work very well.
12930. And you are personally in favour of it? I am personally in favour of it.
12931. You settle your matters of dispute in the same way as other Lodges of the Order? Yes.
12932. Do you favour the principle of allowing a Lodge to take members in arrears into a Court of law? We have never done it; we do not care about using the power, as we think it is against the spirit of our institution. If a member is not able to pay his contribution the other members sometimes endeavour to make it up for him, and sometimes let him run out.
12933. Then you disapprove of the principle? Myself I do, and the Lodge does too.
12934. You do not favour the principle of going to the Courts? No.
12935. How long has a member to be in arrears before becoming unfinancial and not entitled to sick pay? In fourteen weeks he becomes unfinancial, and is then a month before he is good on the books again or entitled to benefits.
12936. What would be the average ages of your members? They are nearly all young members; the oldest is about fifty.
12937. Are there many at that age? No, only one or two.
12938. Have you increased your number of members during the last year? Yes.
12939. Have you lost many members during the year? No, not many.
12940. Have you made a larger number than those who have retired? Yes.
12941. And they are principally young men? All young men.
12942. You have quarterly audits of your receipts and expenditure? Yes.
12943. Are competent persons chosen to make the investigation? Yes, as competent as we can get in our own Order.
12944. Would you approve of the Government appointing an officer to go round visiting all the Lodges and inspecting the books and accounts? That is according to whom the expense would fall upon; if the Lodges or Districts had to bear the expense it would come too heavy; but if this officer was to be paid by the Government it would be very desirable.
12945. Is the cost of management of these Societies and of keeping and sustaining all the different Courts very expensive? Not very.
12946. The management and government of Friendly Societies is not very expensive? Not very.
12947. What do you mean by "not very"? We keep within strict limits, and most of the officers do the work almost gratuitously.
12948. Do you pay your Secretary? Yes.
12949. And Treasurer? Well, he gets a nominal sum.
12950. What do you give your Secretary? We have increased our members now, and have raised the salary to £20 a year; in previous years it was much less; before last quarter he did not get above £3 a quarter.
12951. Does he give a bond? Yes.
12952. The Treasurer the same? Yes.
12953. How many Trustees have you? Two.
12954. Are the moneys invested in their joint names? Yes.
12955. For the Society? For the Society.
12956. You have no freehold property? No.
12957. All your assets are in money? Yes, in the Government Savings' Bank.
12958. Do all your members undergo a medical examination? Yes.
12959. And their wives as well? Yes.
12960. And their children? No.
12961. You register the children to the Funeral Fund? Yes.
12962. What do members pay who desire to register their children? A shilling.
12963. Is that all that is required? Yes.
12964. What amount do you pay in case of their death? If the member has belonged to the Order for not less than six months, £1; if over twelve months, £2.
12965. Do you think then that with all these benefits you speak of 13½d. is sufficient? Yes, I am quite sure of it, because every fund has increased.
12966. The members are daily getting older? Yes.
12967. And you are sure that the payments are sufficient for the next twenty years? No; I say for what I have experienced; I cannot say for the next twenty years. I do not think it would do for the future; it makes us rich on account of having so many young men.
12968. But they will get old? Yes; and unless they keep adding young members I do not think it would be sufficient.
12969. Have you insured your life in any Insurance Office? No.
12970. Have you any idea what you would have to pay over this amount of 13½d. a week? Yes, I think so.

12971. What do you think it could be done for? I am sure I could not say.
12972. Could you do it for 6d. a week? No, I do not think they could.
12973. What is your Society principally composed of—miners or tradesmen? Tradesmen and labourers; we have only about a dozen miners in our Lodge.
12974. Who is the medical officer? Dr. Knaggs.
12975. How long has he been the medical officer? About eight years.
12976. How much do you pay him? Sixpence per member per week. That covers everything.
12977. That is 26s. a year? Yes.
12978. What radius does he embrace in visiting your members? 2 miles.
12979. 2 miles from town or from the Lodge-room? Both; we are close together.
12980. Where do you meet? The "Black Diamond Hotel," Blane-street, Newcastle.
12981. Is it desirable for Friendly Societies to meet in public-houses? No.
12982. Have you taken any steps to provide another meeting-place? No; the staircase from the Lodge-room is outside the hotel altogether, and it is away from the public-house.
12983. But has it not a bad influence to meet in public-houses? Yes, I dare say it has.
12984. Do you spend much of your funds in regalia? No.
12985. Does it cost much to open a Lodge under your Constitution? Oh, no.
12986. About how much? The expenses of the officers, according to the distance it might be; 10s. or £2.
12987. Each Lodge or each member? Each Lodge.
12988. Do you get a warrant or charter? A warrant; I do not know what they charge for that.
12989. You do not know what the total expense would be? No; very small.
12990. What have you paid for regalia? Regalia, £2 18s., and testimonials, £2 10s.
12991. Has that been paid out of the funds? Out of the Management Fund.
12992. Then your members provide their own regalia? Yes.
12993. And that is for officers' regalia? Yes.
12994. *Mr. Abigail.*] Do you divide your funds? Yes, we have a Management Fund and a Sick Fund.
12995. You do not spend money for any other purpose than that set forth in the rules? No.
12996. Were you Deputy Grand Master in 1880? Yes.
12997. Were you present at a meeting in George-street, Sydney, in February of that year? Yes.
12998. Do you recollect a matter being brought forward about the Newcastle Lodge having spent £30 out of the funds of that Lodge for a dinner? Yes.
12999. What view did the meeting take about that? The views were conflicting. The City of Newcastle Lodge said that the money was received from an excursion.
13000. Did not the meeting on that occasion condemn the action of the Lodge for having voted the money from the funds of the Lodge to spend on a dinner? Yes.
13001. Did they inflict any fine on the Lodge? No, I do not think so; I do not recollect it.
13002. They simply contented themselves with condemning the action? Yes. It was this way: they said they had received the money as profit on an excursion, and had placed the money in one of the funds and took it out again. It was contended that after it had been placed in the funds it should not have been taken out again.
13003. The amount was actually made in this manner? So they told us.
13004. Was there any documentary evidence? We had the word of one of the members who was on the Committee.
13005. Has your Lodge ever resorted to the system of half-fees in admitting young members? Yes, I think we did once.
13006. How long ago is that? A long while ago.
13007. You said very positively that you believe this 13½d. a week is sufficient to meet all the requirements of the Society? Up to the present time.
13008. Does it make any provision for contingent liabilities—the increasing ages of the members? No.
13009. Have you any doubt that the liabilities increase with the age of your members? No, I have no doubt of it at all.
13010. That is not taken into consideration? No.
13011. You simply go by the fact that you are paying your way and adding a little to your funds? That is all.
13012. Have you ever gone into figures to see how much that increase ought to be every year? No, I have not.
13013. You have not ascertained at what rate your liabilities increase? No.
13014. Have you ever had any cases come under your notice where members have spent their contributions at the bar, instead of going to the Lodge-room to pay them? No.
13015. Do you think it advisable to adopt the system of half-fees? No, I do not.
13016. *Mr. Newland.*] Did not a large proportion of the members of the City of Newcastle Lodge protest against the misuse of these funds for the dinner? Yes.
13017. And they sent the protest on to the General Meeting? Yes.
13018. *President.*] You have nothing further to add to your evidence? No.
13019. Have you any statement or suggestion to make to the Commission that might be of service? I should like to make a statement with regard to the sick allowance. The Act says that a member shall not receive more than 20s. or 21s. a week —
13020. No, that is the old Act, not the present Act. Do you approve of persons being permitted to be members of more than one Society? Yes, we consider two guineas a week is little enough, but that it is as much as ought to be paid, and we would limit the sum to that amount.

Mr. Henry Sneesby sworn and examined:—

13021. *President.*] What Society do you represent? The City of Newcastle Lodge, Grand United Order of Oddfellows.
13022. When was your Society established? January 1st, 1855.
13023. What office do you hold? I have been Secretary four and a half years now.
13024. What is the number of members in your Society? 280 on the books.

Mr.
H. Sneesby.
19 July, 1882.

13025.

- Mr. H. Snecsbey.
19 July, 1882.
13025. How many are financial? Thirty-two are unfinancial.
13026. What amount of subscriptions have you received during last year from all sources? £737 17s. 5d.
13027. What was the total amount of expenditure for a like period? £714 11s. 5d.
13028. What has been paid for sick benefits for the past five years? In 1877, £216 12s. 8d.; 1878, £243 14s. 6d.; 1879, £221 14s. 6d.; 1880, £203 14s. 7d.; 1881, £269 8s. 8d.; making a total of £1,155 4s. 11d.
13029. What has been paid during the five years for funeral allowance? £316.
13030. What proportion of that has come from the District? None at all.
13031. How long is it since your Lodge left the District? Five years this month.
13032. Then all that sum has come from your own funds? Yes.
13033. What amount have you paid for medical attendance? £1,102 18s.
13034. What has been the cost of management for five years? Including the Sub-Committee of Management levy the amount is £258 2s., or an average of £51 12s. 4d. per year.
13035. That includes salaries and everything of that kind? Salaries and everything; rent of room and printing.
13036. What were the total receipts for the five years? £3,594 14s. 4d.
13037. What was the total expenditure for the five years? 2,832 4s. 9d.
13038. Leaving a profit of over £700? Yes.
13039. What amount of money has been spent on account of regalia and testimonials? None at all; there has been nothing spent, but we have given donations to various cases of distress amounting to £51 4s.
13040. Has that been taken from the funds? Yes, and given in cases of distress, either to members or others.
13041. How do you recover the arrears of contributions due by your members? The law has never been put into force up to the present time; when he becomes unfinancial he is called upon, and if he cannot pay he is struck off the books.
13042. You do not approve of the provision in the Act allowing you to go to the Small Debts Court? No.
13043. What is the highest sum you pay in case of death? £30.
13044. And on the death of a member's wife? £20 is the highest; that is provided he has been a member ten years; but our Funeral Fund laws will explain that.
13045. What are the contributions that your members pay? For full members, or those paying to the doctor, 13½d. a week; non-medical members, or country members, 7½d.
13046. And do you think that is sufficient to ensure payment of all the Society's obligations to its members? It has been up to the present time.
13047. Do you think it is large enough to ensure payment? As far as my experience goes it is.
13048. Have you had any cases of defalcation in your Society by any of its officers? We have.
13049. What has been the nature of them? There was a Secretary some ten or twelve years ago, and we found a defalcation amounting to something over £100; it was principally the fault of the members of the Lodge, who were too idle to go to the Lodge and pay their subscriptions, but if they met the Secretary in the street would give him the money, and he absconded; we did not follow the law, as he got away before we could prosecute him.
13050. Is that the only case you know of? The only case I know of, though I have been twenty-two years a member of the Lodge.
13051. Do your officers receive payment—the Secretary and Treasurer? Yes.
13052. What salaries do they get? The Secretary now gets £4 a quarter, and the Treasurer, £1 per quarter.
13053. Do they give a guarantee bond? Yes. I am under a bond of £80, I think it is.
13054. And the Treasurer? I think he is under a bond too, but I do not know the amount.
13055. Do all your candidates seeking admission undergo a medical examination? Yes.
13056. And members' wives? Yes.
13057. Have you found many persons refused on account of the doctor not passing them? Only two or three within the past five years.
13058. Are you of opinion that the medical examination is of a satisfactory character? Our medical officers have always given us satisfaction in that respect, as far as my knowledge goes.
13059. You have quarterly audits? Yes.
13060. By two or three Auditors? Two Auditors.
13061. Chosen by the members? Chosen by the members.
13062. Would you approve of the Government appointing a public officer to investigate and inspect the books of all Friendly Societies every year? Yes, I would have no objection to that.
13063. Have you read the Friendly Societies Act? I could not positively say I have read it through, but I have very often looked into it for information with regard to the working of my own Lodge.
13064. Do you find it affording all the security necessary for the good government of Societies? As far as my knowledge goes it does; there are some things in it that the officers of our Society would wish to have altered.
13065. What is the nature of these? With reference to the disabilities a Society labours under, two or three of the oldest members of the Lodge are of opinion that we have no power to lend money in any other manner but that set forth in the Friendly Societies' Act of 1874; whereas if we could have lent money on house or other property being good security, our funds would have been much increased thereby; as it is the Banks receive the benefit of our money.
13066. Is that the only particular in which you think the Act should be amended? Yes, that is all that has been pointed out to me; our notice has been so short that we could not call a meeting of the whole Lodge to consider this; if we had had a month it would have been beneficial.
13067. Are you of opinion that the present Act is fairly and reasonably administered? To the best of my knowledge and belief it is.
13068. And you have no suggestions to make to the Commission? I have no other suggestions to make for the reason I have just stated; want of time to consider the matter.
13069. You have nothing further to add? Nothing further.
13070. *Mr. Smith.*] How many years were you connected with the District? Twenty-two years.
13071. Have you made greater progress as a neutral Lodge than you did under the old system? Yes, I consider

consider we have, because we have a funeral fund now ; we have paid £316 out of it, and still there is an accumulated fund of £362 2s. 9d. to its credit.

13072. I suppose the matter of economy induced you to leave the district? Yes, the members were dissatisfied with the way in which the money was being spent. We were paying a levy of 2s. or 2s. 6d. a member, and they were opening Lodges so far away that it cost too much for travelling expenses, and the members of the Lodge considered that these expenses could be considerably lessened, and that our quarterly levies should not have been so heavy, and when the money was paid to the District there was none of it belonging to them.

13073. As an old and experienced member of that Society, do you think the present government or management of your Society is cumbersome and expensive? No, I do not.

13074. I am speaking of the District? We are only subject to the Sub-Committee of Management, who levy us 3d. per quarter for each member.

13075. Do you approve of the principle of governing Societies in this way—do you believe it to be a cheap mode of government? Yes, I believe it to be as cheap as it can be done.

13076. Notwithstanding that you have left the District? I am not speaking of the District now.

13077. I am asking, from your knowledge as a member of long standing, as to the cost of the governing bodies of your Society? In reply to that, I think the District itself is rather expensive, and that was the very reason we seceded.

13078. *Mr. Abigail.*] What is the nature of the bond you give—is it a Guarantee Society? No, two bondsmen go security for me.

13079. Are they members of the Society? They are.

13080. Do you think that system preferable to having a bond from a Guarantee Society? I think it equally as good, if the man is able to pay the bond, if he should be called upon to do so.

13081. Do you think it is likely they would push it against their own members? They would certainly enforce the bond.

13082. Does your Lodge send its annual returns direct to the Registrar? Yes.

13083. Have they ever sent in a quinquennial return, as set forth in the Act? I do not think there has been any such return.

13084. You know the Act makes provision for such a return? Yes.

13085. It has not been done by you? No.

13086. When a member has been paying his contributions for a number of years to your Society and is unable to continue them, do you give him any consideration? We have never done so up to the present time, though we have made him good on the books.

13087. But in the case of those whom you have struck off, you have never given them any consideration? We have never done that.

13088. Do you think that is fair to the member? Well, perhaps it may not seem fair, but he enters the Lodge with a knowledge that he will be served in this way if he does not comply with the rules.

13089. Has your Lodge ever made any votes for dinners, or things of that sort? There has never been but one social gathering since I have been in the Lodge. It occurred in this way: our Lodge got up an anniversary celebration and it took the form of a steam trip. There was £39 made over this trip, and they took £30 and had a social gathering.

13090. But the funds of the Lodge arising from the contributions of the members did not lose anything? Not a penny.

13091. Did the annual meeting condemn the Lodge for that? There was some doubt about it but it came to nothing, as they could not say anything after the explanation.

13092. Does the central body possess the power of controlling your actions, or voting censures if you committed wrong? Yes.

13093. And inflicting fines? No, I do not think so.

13094. They have power to censure, but not to interfere with your financial arrangements? That is all.

13095. *Mr. Newland.*] Which of the rules produced are you governed by? The latest edition. I brought the others because they contain the Funeral Fund rules.

13096. Do you not know there is a great deal of difference between them? Yes.

13097. And you do not accept these later rules? Yes; but the others contain the Funeral rules, and that is why we retain them.

Mr. George Buckley sworn and examined :—

13098. *President.*] What Society do you represent? The Grand United Order of Oddfellows.

13099. What is the date of the establishment of that body in this District? December 5, 1867.

13100. What office do you hold? Secretary to the District, and also private Lodge Secretary.

13101. How long have you held the office of District Secretary? Eight years.

13102. What is the number of members you have in the District? 1,656.

13103. What number have you in your private Lodge? 126.

13104. Financial members? Yes.

13105. What was the amount of receipts in your Lodge last year? £240 17s. 3d.

13106. What was the total expenditure on account of benefits, management, and medical allowance? £168 4s. 2d. and £37 8s. 8d., making a total of £205 12s. 10d.

13107. And leaving a profit of £35? Yes.

13108. What is the name of the Lodge? The Miners' Refuge.

13109. Located where? At Waratah.

13110. Are the members principally composed of miners? Yes.

13111. What amount has been paid on account of sick pay during the last five years? £562 13s.

13112. What amount has been paid on account of Funeral donation? £105.

13113. And on doctor and medicines? £113 14s.

13114. And on account of management? £218 1s. 11½d.

13115. Making a total for the five years of £894 8s. 11½d., excluding £105 for funeral donations, which is recouped from the District.

13116. And the receipts have been—? £1,180 0s. 1d.

486—2 Z

13117.

Mr.
H. Sneesby.
19 July, 1882.

Mr.
G. Buckley.
19 July, 1882.

- Mr. G. Buckley.
19 July, 1882.
13117. Leaving a profit of £280? Yes.
13118. All the Lodges pay the same contributions? Yes.
13119. Have you one general system of by-laws for the private Lodges? No, each separate Lodge has its own By-laws, which must be in accordance with the general laws. (*By-laws produced.*)
13120. With reference to your District Lodge, what is the total value of the funds? Up to December 31, 1881, £1,943 ls. 3½d.; at the present time about £1,990.
13121. Can you tell what amount of money has been received for the five years by the District Lodge? £4,259 15s. 3½d.
13122. What has been paid during that time for funeral allowance? £1,465 0s. 3d.
13123. What has been the cost of management? £1,783 3s. 10d.
13124. What is the total expenditure? £3,263 ls. 1d.
13125. And the total income was—? £4,259 15s. 3½d., leaving a balance of £996 13s. 11½d.
13126. What amount of levy do you receive from each of the subordinate Lodges? It is variable; for the last two years it has been 1s. 6d. per quarter.
13127. That is the amount paid now? Yes.
13128. Has it been more? Yes, it has been 2s. and 2s. 6d.
13129. What does it cost to open a new Lodge? It all depends on the distance away from Newcastle.
13130. What is the cost of the necessary machinery? £5 to £6.
13131. And the travelling expenses of the officers? We generally appoint some qualified person living in the town, to save expense.
13132. But if you have not any qualified person you send an officer? Yes.
13133. And the travelling expenses are paid? Yes.
13134. By the District or by the Lodge? By the District.
13135. Then the only charge against the Lodge would be the £5 or £6 you referred to for machinery? Yes, that is all.
13136. How long have you been connected with the Order? Ten years.
13137. You have had a good deal of experience? Yes.
13138. Have you found that the present Act affords your Society all the protection necessary for the good government of the Societies? Yes, I think so; I have never heard any complaints about that.
13139. Has it been fairly administered do you think? I think so, as far as my knowledge is concerned.
13140. Do you as a body suffer any disabilities from the present Act? Not that I am aware of.
13141. Do you know of anything that affects the free action of the Society? No, I do not.
13142. Have you any suggestions to make that might be of service? Well, there is one thing, and that is in reference to book-keeping; there should be something done to have one style throughout the whole of the Society.
13143. One uniform system of book-keeping? Yes.
13144. Would that simplify the duties? I think so, because while you are travelling about you attend a Lodge and examine the books, and if you find half a dozen systems of book-keeping you get bothered.
13145. As Grand Secretary, do you approve of persons being permitted to join more than one Lodge? No.
13146. Do you approve of the provisions in the Act for subordinate Lodges to sue their members for arrears of contributions? Yes.
13147. Have any of your Lodges availed themselves of that provision? Not to my knowledge.
13148. Has the matter been brought under your notice? Yes.
13149. And no action was taken? No action was taken.
13150. Would you approve of a Government officer being appointed to investigate and inspect the books and accounts of Friendly Societies every year? Yes, I think it would be a very good thing.
13151. You have nothing to suggest to the Commission? No.
13152. Do you consider that the amount of contributions paid by members of your subordinate Lodges is sufficient to ensure the payment of the obligations the Society incurs? I think so; I have always found that they have made it sufficient.
13153. No Lodge has dissolved for want of funds in connection with your District? No.
13154. Have there been any defalcations by members or officers in your District? Not in my term of office.
13155. Do the officers of the District give bonds for the due performance of their duties? Yes.
13156. How are the moneys of the District invested? In the Savings' Bank of New South Wales.
13157. To the credit of the Trustees? Yes.
13158. And the Secretary and Treasurer give a bond? Yes; also the Lodge Secretaries and Treasurers.
13159. And you are firmly of opinion that the amount is sufficient to ensure all the benefits your Society gives? Yes I am, from what I have seen in the Lodges.
13160. As a rule, what would be the average age of the members in your District? I know in my own Lodge the average age is thirty-one, but I could not say for the District.
13161. And you still think that 13½d. is enough, notwithstanding that your members are daily getting older? Yes, because we have young members coming in as we are getting older.
13162. Can you tell the Commission how many young members you admitted last year? Well, I believe three-fourths were under twenty-five years of age.
13163. Can you tell how many members you have lost during last year in the District? In 1880 we had 1,680 members; in February, 1881, we passed 250 away to open a new District at Bathurst; and the number now, in December, 1881, is 1,652, so that we made a large increase.
13164. *Mr. Abigail.*] You stated that the Friendly Societies Act has answered all the purposes necessary: have you ever had occasion to refer to it or to the Registrar on any question affecting the working of your Society? The only thing was in connection with Lodges being registered under the Act, and he sent me a communication stating what Lodges had been registered.
13165. You said you were positive about the 13½d. being sufficient? Yes.
13166. Have you made any calculation on which to base that opinion? No, only from past experience.
13167. In that do you calculate the contingent liabilities caused by the increasing ages of old members? Yes, with old members getting older and young members coming in all the time.
13168. What percentage do you allow? I could not say—I have not gone that far.
13169. You have never made any actuarial calculation? No.
13170. It is simply drawn from your experience of the present goings-on? Yes.

- 13171. Without any estimate of future liabilities? Yes.
- 13172. *Mr. Holdsworth.*] Does the £5 or £6 which you stated as the cost of the Charter include the set of books? Yes.
- 13173. *President.*] You have no further suggestions to make? No.

Mr. G. Buckley.
19 July, 1882.

Mr. Alexander Wilkinson sworn and examined:—

- 13174. *President.*] What Society do you represent? At present I am representing the Grand United Order of Oddfellows.
- 13175. How long have you held office in the Society? From 1854 until last June twelvemonths; that is about twenty-seven years.
- 13176. You are an old member? Yes.
- 13177. We have already got from some of your officers the particulars of the constitution of your Society, and the contributions paid by the members and the amount of benefits given by your by-laws; but I understand you have some suggestions to make before the Commission that might be of service to them? I have; I produce a tabulated statement in detail which shows the workings of the Lodge from 1873 till 30 June, 1882:—

Mr. A. Wilkinson.
19 July, 1882.

PRESIDENT LODGE, No. 1,056. GRAND UNITED ORDER, FRIENDLY SOCIETY.

Statement showing particulars of Income and Expenditure from 1st January, 1873, to June 30th, 1882.

Year.	No. of members good.	Unfinancial.	Withdrawn.	Expelled.	Died.	Entrance fees.			Yearly contribution.			No. of members sick.	Duration of sickness—days.	Amount of sick pay.			Cost of medicine and medical attendance.			Lodges to Sydney Funeral Fund.			Cost of management.			Benefits.	Contributions.	Reserve Fund.			Interest received.		
						£	s.	d.	£	s.	d.			£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.			£	s.	d.	£	s.	d.
1873	40	1	1	1	1	11	10	6	99	6	0	2	53	8	16	8	50	10	0	26	0	0	7	2	0	619	11	2	30	9	10		
1874	50	5	1	1	1	21	11	0	124	1	7	2	117	19	10	0	65	5	0	24	19	6	3	0	0	690	1	8	33	5	10		
1875	56	5	4	1	1	7	7	0	144	13	11	7	188	31	6	8	74	5	0	27	0	0	11	15	8	723	7	6	36	8	10		
1876	61	5	1	1	1	2	1	0	174	16	0	6	146	24	6	8	99	7	6	30	2	6	7	4	0	786	0	0	38	11	11		
1877	68	4	1	3	1	6	15	0	190	9	3	8	246	26	13	4	58	12	6	39	2	6	6	0	0	824	11	11	41	4	0		
2nd half	...	...	...	...	...	...	...	...	...	...	...	...	...	14	16	8	61	12	6	...	...	...	8	12	0	...	...	...	...	...	...
1878	67	13	2	3	3	9	11	0	227	7	0	12	234	49	3	4	134	12	6	36	12	6	12	14	6	865	15	11	51	18	0		
1879	85	13	2	4	2	15	19	6	239	15	4	13	162	96	4	2	147	5	0	57	3	6	15	9	2	917	13	11	55	0	4		
1880	81	14	2	7	1	5	12	6	270	3	2	9	238	50	6	10	165	5	0	59	0	0	12	17	4	972	14	3	48	12	0		
1881	94	7	1	4	1	7	6	6	277	2	6	8	227	39	16	8	174	12	6	51	5	9	10	13	0	1,021	6	3	51	1	0		
To June, 1882	93	13	1	1	1	5	7	6	140	18	4	8	126	18	10	10	87	8	4	24	3	6	6	10	6	1,072	7	3	26	16	6		
															208	18	6	770	15	10				73	5	6							

* Last five years as required by the notice.

June 30, 1882—Present capital invested in Savings Bank...£1,072 7 3
 ,, Interest to date 26 16 6
 ,, Cash in hand 17 7 4

Total capital of Society.£1,116 11 1—equal to £12 each financial member.

ALEXR. WILKINSON,
West Maitland, 19 July, 1882.

- 13178. You have examined and compared that with the books of your Lodge? Yes. I may say that in addition to the shilling a week we pay half a crown a quarter, which helps to pay the doctor. I have also to make the following suggestions to the Commission:—

President Lodge, No. 1,056, G. U. O. O. F.,
West Maitland, July 19, 1882.

In response to the invitation of the President of the Royal Commission appointed to inquire on the matter of Friendly Societies, I submit the following for their consideration:—

It is considered by the members generally that their Societies are Benevolent Institutions, and not Insurance Companies, and that the financial laws necessary for the former are not applicable to their management, and that if they fulfil the duty of relieving distress in their own day, it is as much as can be expected of them, and that they very properly leave to future generations the task of providing for future requirements. But the fact is that, in addition to their purely charitable objects, these Societies hold out to candidates for initiation the assurance of certain sums of money to be paid at the deaths of members and wives, together with a weekly stipend during incapacity for labour through sickness, and these engagements are entered into in consideration of a stipulated periodical payment. This of course constitutes an Insurance Society, and the natural laws which influence the average amount of sickness and the rate of mortality demand unconditional recognition in framing laws to accomplish the objects proposed. It unfortunately happens that the great bulk of the persons who are likely to join these Societies do not possess sufficient arithmetical knowledge to properly investigate this subject for themselves, yet it is of the most vital importance to the future interest and welfare of their fellow-men.

These Societies are self-governed, and it is only, therefore, by the voice of their members alone that any improvements can be carried out which are absolutely necessary to save a number of existing Societies from ruin. There can be no doubt that a majority of the members would cheerfully take the necessary steps to place these Societies in a healthy financial position if they could clearly comprehend the nature of the facts which demand the necessity for immediate reformation, but the labyrinth of signs and figures which meets them at the outset leaves an impression on them that the science of vital statistics is a sealed book to them.

The true object and mission of these Societies is to afford a competent support and complete independence during periods of sickness, incapacity, and disease, however protracted. To accomplish this, and in order that the objects may be faithfully carried out, it is necessary—

First—That the rates of contribution for the assurance of any specified benefit must be determined from a knowledge of average liability.

Second—To secure an equitable as well as secure principles, the rate of payment for each benefit must be graduated in accordance with the ages of members at the time of entrance.

Third—The number of members must be sufficiently large, over which the joint liability exists, to ensure a reasonable approximation to a working average liability.

Fourth—Legislative protection to the funds, and their regular and judicious investment.

Fifth—A quinquennial return with a view to the adjustment of any irregularity which the preceding conditions may have failed to provide for.

Expectation

Mr.
A. Wilkinson,
July, 1832

Expectation of life.	Mr. Neison.	Manchester Unity.	Whole population.
20 years.....	43 years.....	41 years.....	40 years.
40 "	29 "	26 "	26 "
50 "	22 "	20 "	24 "
Average sickness	Neison.	Finlayson.	Ansell.
20 years	Weeks. 0·83	Weeks. 0·98	Weeks. 0·77
40	1·18	1·17	1·11
50	1·96	1·64	1·70
Average sickness each decennial period.			
Ages from 20 to 30	8·5 .....	.....	8·0
30 to 40	9·6	9·0	9·3
40 to 50	14·5	13·5	13·2
Omitting fractions.			

In order to assure the payment of any given sum on the death of a member, it is necessary that the periodical contribution should on the average, with interest, be equivalent to the sum assured.

The rate of contribution for a given stipend during inability to follow employment in consequence of sickness can with equal certainty be determined.

When an actuary knows the age of a candidate for membership his table of sickness shows what is the average amount experienced from that period to death, the amount of liability for this item is thus discovered; the Expectation of Life Table furnishes the period over which the contribution may be anticipated to extend. The total in-payments with interest must be equivalent to the ascertained liability.

ALEX. WILKINSON.

13179. I gather that you are strongly of opinion that the present mode of governing your own body, with the small contributions paid, and they being of a uniform character, is not sufficient to meet all the requirements? No, it is not.

13180. What has been the increase in number of members during the last five years? In 1876 there were sixty-one good and five bad; now there are ninety-three good and thirteen bad. During the last five years we have had three deaths.

13181. Have you added to your funds during the last five years? Only by interest.

13182. If it was not for the interest accruing, you would be in arrears? We are £5 worse now than we were five years ago.

13183. Simply because the contributions are not equal to the requirements? Yes.

13184. Do you think a Society that provides a graduated sum to be paid at the death of members up to £30, after they have been in for ten years, and to £20 for the wives of members of ten years' standing, with the other benefits derivable from your rules—do you think that 1s. 1½d. a week is sufficient to provide all these payments? I do not think it is; we give 1s. 2d. as it is.

13185. You are quite clear that it is not sufficient? It is quite on a wrong principle altogether.

13186. Would you favour the principle of a graduated payment according to age, as being more equitable? I would.

13187. A young man joining at twenty should pay less than a man joining at forty? Just so.

13188. Then you would be of opinion that most of the Societies are formed on a wrong basis? I am quite of opinion that nineteen out of twenty are in a state of insolvency at the present moment, and I will give you an instance of it. I have here a return of the Sydney District, to which we belong; our Lodge is about eighth in age, and we possess more than three times the amount of value that the others have. Taking the whole District, with £2,019 as a reserve fund, it is only £2 14s. 7d. per member. Why every one of them is insolvent. It is outside the Society to present sick gifts altogether, and it was that which led me to withdraw from office in the Society, because they got a lot of young members in who would spend the money in this way. One man got a sick gift of £2 when he had only paid eight weeks' subscriptions.

13189. That is a departure from the rules? Yes, but there was a majority, and what could you do? I was Trustee for twenty-eight years, and gave it all up in consequence of these votes.

13190. Do the rules provide that, by a vote of the Lodge, they can make away with the funds of the Lodge in this way? No.

13191. It is in violation of the by-laws? They are silent on the point; it is a violation of the laws of insurance, but it is through such irregularity as this that the Societies are becoming so bad. There is another thing,—that Lodges will take members for three months for half-fees, and formerly you had to be a member twelve months before you got benefits, but now it is six months.

13192. Do the Lodges of different Orders in the District unfairly compete with each other? Yes, they have tried it only lately in Maitland, and have reduced the time to six months instead of twelve.

13193. And admit them at half-fees? No, the entrance fees have been lowered, but I do not look at that; I should like to do away with them, and charge a fair contribution.

13194. You do not look at the matter of initiation fees as a matter of great concern? No.

13195. What would you, as a matter of opinion, consider a safe financial basis for Societies to be placed on, as far as accumulated funds are concerned? That would require a great deal of working out. In the first place, I would want the age of each member, and, to calculate the number, the expectation of life and average sickness for that man's life.

13196. But from your knowledge of the District and members, and the long experience you have had, what would you think is an approximate amount of money sufficient to insure them against any future liability and contingency? That is according to time; we should at least have double the amount we have got.

13197. And then your Lodge is in a better position than any of the others? Yes; and there is another thing that several of the Societies registered under the Friendly Societies' Act experiences; there is a great deal of speculation going on.

13198. Has any matter of defalcation come under your own notice? No, not for years—not since this Act came into operation.

13199. Do you think the present Act is an improvement upon the previous one? Yes, but it would be a greater improvement if there was a table by which the Societies should abide.

13200. Do you think that, in future legislation, provision should be made for a table showing the basis on which new Societies should be established? Yes.

13201. Do you think a Government Officer should be appointed to make an annual inspection of the books and vouchers of the Societies? Well, I should recommend a quinquennial one, but perhaps an annual one would be of great service; there is a great difficulty in getting officers of any intelligence at all to manage these affairs, and they are quite at the mercy of the Secretaries.

13202.

Mr. A.
Wilkinson.
19 July, 1882.

13202. How are the funds invested? In the Savings' Bank.
13203. Bearing interest? Yes, the ordinary interest.
13204. To the credit of trustees? Yes.
13205. Do your officers receive pay? No; the Secretary does, £5 a year, and the expenses of stationery and postages.
13206. Do the Secretary and Treasurer give a bond or guarantee to the Society? Well, I insisted upon them doing so, and I see by the minutes that they have done it. At the commencement of 1854, I was elected Treasurer, but I would not accept the office until they received my bond; I gave it with the consent of the Lodge; and warned them on my resignation of the necessity of both Treasurer and Trustees giving bonds according to the Act; and I see by the minutes that it has been done.
13207. How many Lodges have you in this Hunter River District? We do not belong to the District, because there are a great many mining people in Newcastle, and they are more liable to accident; and, since our refusal to join, the City of Newcastle Lodge has withdrawn from it because the drain was too great on their funds. Four or five Societies have either broken up or have merged into others.
13208. The miner's occupation is more risky than others? Yes, I think so.
13209. Do you think that, in applying the principle of insurance to Friendly Societies, a man's occupation should be taken into consideration? Yes, decidedly; more particularly where there is a whole community engaged in mining.
13210. Do you think the medical examinations are sufficiently full and searching? No, I do not; I am sure they are not.
13211. Are you of opinion that many persons have been admitted into Societies that would not have been admitted if the doctor had done his duty? Yes.
13212. Do you approve of persons being permitted to join more than one Society? I do not, because if they get ill and draw £4 or £5 a week, they do not get well, and will not get well.
13213. You have seen a good deal of imposition? Yes.
13214. And you think if they are permitted to join more than one Society the amount of benefit to be received should be fixed? Yes.
13215. What amount? I should say a guinea a week.
13216. And you believe there has been a great deal of imposition practised in connection with Friendly Societies? I am positive of it.
13217. Do not the wives of members undergo a medical examination? No.
13218. Do you not think it necessary? It is necessary, and this is recognized by certain questions that are asked of candidates, but it is done in such a way that the members do not know what they are doing; there should be a declaration made that they and their wives are in a good state of health.
13219. Seeing that your Society gives a funeral donation on the death of the wife, do you not think it necessary to have an examination? Certainly.
13220. What amount is paid to your medical officer in connection with your private Lodge? £2 a year for married, and 7s. 6d. a quarter for single, and it is for that we levy this 2s. 6d. a quarter I spoke about. Thus all we have is 12s., to give all these benefits, out of which working expenses have to come, from a contribution of 1s. per week.
13221. Who is your medical officer? We have two, Drs. Morson and Blackwell.
13222. That sum paid includes medicine? Yes.
13223. What radius do they visit? 3 miles from the Lodge room. There is another thing presses very hard on Societies. For instance: A person who was a member of the Manchester Unity allowed himself to become bad on the books, and some time afterwards he lost his sight, and came down here, and they gave him a sick donation. He brought two or three actions against them; whereas, if they had acted up to the laws he should have been expelled. There was £120 costs to the District.
13224. Are you in favour of private Lodge disputes being dealt with by the higher Courts? Yes, all disputes should be settled amongst themselves, and not go to the Law Courts at all.
13225. Do you favour the principle that the officers should have power to recover arrears of contributions? Yes, although we have never acted upon it, because we think it better to let them go.
13226. Do you think it is a good provision? I think so.
13227. How long has a member of your Society to be in arrears before he is suspended from benefits? Thirteen weeks.
13228. Then, after he has been thirteen weeks in arrears, he is suspended from benefits for another eight weeks? Yes, I think so.
13229. You have already told us you are in favour of a graduated scale of payments? Yes.
13230. And of not taking the initiation fees into consideration? No, I would leave that out.
13231. And you are in favour of a Government inspection of the funds? Yes.
13232. And are opposed to interference on the part of the law Courts? Yes; the Societies themselves should deal with them.
13233. The decisions of the Superior Courts should be final? Yes, because they are removed from any feeling that might actuate the members of the Lodge.
13234. What Lodge was it that spent so large a sum of money in law expenses? It was a district; the branch was up at Gunnedah.
13235. And you are entirely opposed to any such steps as was taken by that Lodge? Yes, though it was forced on them by some legal gentleman trying to get up a case.
13236. Looking over this annual report of the G.U.O.O.F., I presume you have gone through the returns of "number of members," "number of persons sick in connection with each of the Lodges," "amount of sick pay paid," and "total worth of the Lodges"? Yes.
13237. Have you not been surprised to find the large number of members, and the small amount of money to their credit? I have, very much so.
13238. And many of these Lodges are of old standing? Yes; we are eighth on the list, and we are twenty-nine years' old.
13239. Does this not go to prove that the contributions must be very inadequate? Yes.
13240. There is the Traveller's Home, a Lodge with 133 members, and £336 8s. as the total worth of funds; is that an old Lodge? Yes, it is older than our Lodge by some three or four years.
13241. What would go to prove the opinion expressed by you that the older a Lodge got the worse the funds were? Yes.

13242.

Mr. A.
Wilkinson.
19 July, 1882

13242. The members become older, and consequently a greater burden to the Society? Yes, and its funds can only be recouped by having a lot of younger members joining them; and in this report the Lodge is recommended to take members at a reduced rate on purpose to get them to join.

13243. You observe that some £95 3s. 2d. was paid for sick pay by this Lodge? Yes.

13244. And the proportion of the 133 members was fifteen on the sick funds? That is a large proportion.

13245. Would that arise chiefly because the Society is an old one, and a number of old members are in the Society? No; not always. I find the younger ones that join are the first to reap the benefits; these members go on the funds for three or five days. Thus, on April 11, there is a member two days' sick pay; another one a donation of £2, and his contributions had been very trifling; he was under six months a member, and was not entitled to benefits—another eleven days, another five, another five, another two, another five, another five, another three, and then five days, six days, seven days. It appears to me to be a fraud on the Society; they go on the funds if their fingers ache.

13246. Are you aware that in connection with many of the Societies it is a rule that no member shall go on the funds for a shorter period than a week? No, I am not aware of it; I do not think there is any such provision as that.

13247. Were these declarations on the funds for two or three days, a preliminary kind of sickness leading to something more permanent? No, these names do not occur again.

13248. Have you a Widow and Orphan Fund? No, it is a District affair, and we do not contribute to it.

13249. What is the cost, as far as your experience goes, of opening a private Lodge in connection with the District? About £10, if they come up from Sydney.

13250. Does that include warrant, charter, and all? Yes; I think ours was about £11 odd. There are several Lodges of the Order in this District, and they do not average more than twenty-five members in each Lodge. There is a Sons of Temperance Lodge in East Maitland, and I think their funds have gone down. A second Lodge in West Maitland got some £500 from a bazaar in West Maitland, and they have about £17 per head, with seventy-four members.

13251. That is in a better position than most of the Societies? Oh yes; it may be that being Sons of Temperance, and steady sober men, they are not so liable to sickness as men who drink.

13252. Where does your Lodge meet? At Mr. Why's, a private house; that is another thing—it is very bad for lodges to meet at public-houses.

13253. Do you think it leads to intemperate habits? I am certain of it. In Maitland none of the Lodges meet in public-houses.

13254. Have you ever heard of members going to pay their contributions who have paid them at the bar instead of in the Lodge-room? No, but they may have spent money extra.

13255. Have you anything further to say? No, except that there should be an article giving Societies power to adjust their own differences, a graduated table, and inspection of books.

13256. *Mr. Abigail.*] Are you aware that, under Part II of the Friendly Societies' Act, provision is made for new Societies submitting an actuarial table with their application to the Registrar? I noticed that, but it is never done.

13257. Then the Registrar is not administering that portion of the Act? No; the members of these Societies do not understand anything about that—it is Greek to them.

13258. Can you tell us the reason that they accumulated funds in years past—such large sums as you have in hand? There were ten or twelve of us who never drew anything from the funds. Through us a good many joined, and left off after a time when the gold-diggings broke out, and we got the benefit of their contributions and entrance fees. Then we had a judicious investment of the funds, and made collections to defray expenses on other occasions.

13259. So, if all legitimate demands had been met and taken, you would have been in a different position? Oh yes; a member would not then go on the funds unless it was absolutely necessary.

13260. *Mr. Newland.*] Seeing you have taken such a great interest in the working of Friendly Societies' have you endeavoured to have your views brought before the general body? Yes, I have; but I found I was talking over their heads.

13261. Have you ever sent your suggestions to the General Annual Meetings of the Order for consideration? Some years ago I did, and drew up a code of rules, and was presented with a testimonial.

13262. How many years ago is that? It must be fifteen or sixteen years ago.

13263. *Mr. Holdsworth.*] You consider the initiation fee a secondary consideration? Yes, I do.

13264. And it is only really worth the interest it will produce? Yes.

13265. The contribution is the great object? Yes, that is the sole object.

13266. Have you noticed the sickness increase when there is a want of employment amongst the people? Well, in Maitland there has not been much of that kind, but for any excuse they like to go on the funds.

13267. Do you think the present mode of government of these Societies is a proper one? No; I think there should be a general mode—and I think there should be only one in a town or district, as the greater the number of members the greater the security.

13268. *Mr. Gelding.*] You are aware that a good many Lodges have seceded from the Districts in your Order? Yes.

13269. Do you believe that it is advantageous to them? Decidedly not; this Lodge wants to secede, or to become neutral, but I am strongly opposed to it—in numbers is our security.

Mr. John McFadyen sworn and examined:—

Mr. J.
McFadyen.
19 July, 1882

13270. *President.*] What Society do you represent? The Rose of Australia Grand United Order of Oddfellows.

13271. How many members have you? 178.

13272. When were you instituted? November 18, 1868.

13273. What is the total value of your funds? On 31 December last year they were £526; they are considerably more since.

13274. Are you connected with the Sydney or Hunter River District? The Hunter River District.

13275. How long have you been an office-bearer in the Society? About ten years.

13276. How long have you been connected with the Society as a member? About twelve years.

13277. What amount of contributions do you receive weekly? 7½d. a week; that is for sick and funeral benefits.

13278.

Mr. J.
McFadyen,
19 July, 1882.

13278. And what for medical? 6d. to the medical fund.
13279. That is altogether? 13½d.; occasionally we make a levy to work our own management expense fund.
13280. What were the total receipts of your Lodge for last year? Sick and funeral, £328 8s. 3d.; management fund, £41 11s. 8d.; or a total of £369 19s. 11d.
13281. What was the expenditure during that time? Sick pay for the year, £296 9s. 8d.; doctors, £13 16s.; expenditure for management, £16 19s.; or a total of £327 4s. 8d. The amount for management is salaries alone.
13282. You do not include the rent and other things? For that year postages, printing, &c., £3 6s. 2d.; repairs, rent, &c., £4; making £7 6s. 2d. to be added to the other.
13283. What was the amount received for five years from all sources? £1,626 16s. 5d. for sick and funeral, and management, £243 7s. 2d.; and £52 10s. 6d. for doctor.
13284. What has been the total expenditure during the five years? Funeral, £150, this we receive back from the District fund; sick pay, £1,365 15s. 8d.; management, £77 5s. 6d.; printing, &c., £33 9s. 11d.; rent, £24 6s. 6d.
13285. Have you spent any money for regalia or testimonials? No; there is £2 2s. 6d. for refreshments to officers when there have been special meetings.
13286. Have you made many members during the last year? Yes.
13287. Many new members? I could not say exactly the number of members, but perhaps nine or ten.
13288. Have you lost many by removals? No, we stand about the same.
13289. Do I understand that the members of your Lodge receive medical attendance from the collieries? Yes.
13290. Is the money deducted from their pay by the proprietors? No, it is voluntary.
13291. Is that the general practice in connection with all the collieries? Yes.
13292. It is not stopped from the fortnightly wages? No.
13293. And does that also secure medical attendance for the wives and children? Yes.
13294. Have you had any cases of defalcation in connection with the officers or members of your Society? No, never.
13295. How are the moneys to the credit of the Society invested? In the Building Society, as a fixed deposit.
13296. What Building Society? The Northumberland Building Society.
13297. What rate of interest do you get? Six per cent.
13298. What amounts are invested? £550 now, but when our return was made up it was only £500; we have been getting 6 per cent., but it will be 5 per cent. now.
13299. You have paid a large amount for sick pay during the last five years? Yes.
13300. Is the mining occupation more risky than other occupations—are miners more liable to accident than others? I dare say they are.
13301. You find that a number of accidents occur in connection with these collieries? Yes.
13302. Which make the members unable to follow their occupations? Yes, but there is a large number of men.
13303. What is the total number of men employed in the collieries? 260 at Lambton, and it used to be 360; at Wallsend, one of the largest, there are 550; I could not say how many at Minmi; 450 at the A. A. Company.
13304. You do not know the total? No.
13305. You have no idea what are employed at other mines? No.
13306. Would there be over 2,000 in the whole of the collieries? No, there is supposed to be 1,800 in the district.
13307. And are most of these persons employed in the collieries members of the different Benefit Societies? A very large number of them are.
13308. But they are all provided with medical attendance? Yes.
13309. Is it a matter of compulsion for employes to pay to the doctor? No, but they themselves make it compulsory.
13310. Do you think the amount you pay in the shape of contributions is sufficient to ensure the benefits the Society gives to its members? Well, scarcely; but taking all things into consideration, the young Colony, the number of members who join and leave again, the Society has an advantage that is incalculable to those who are unacquainted with it.
13311. And you profit in that way? Very considerably.
13312. Have you any suggestions to make to the Commission in reference to the working of Friendly Societies? The only suggestion I would like to make is that I would like to see a calculation made as to what it would take for a Society to sustain itself, but the actuaries do not take into consideration the migratory character of the people in a new Colony. I would also like to see an Inspector appointed to superintend these Societies, in order that there might be a check on them; and further, I believe it would be beneficial, so far as any knowledge I have had of the working of Societies is concerned, that one system of book-keeping should be adopted; it would make the Societies better, and could be utilized to very great advantage, as in remote parts where people are not so close, it would simplify the duties of the Secretaries.
13313. Are the moneys you speak of invested to the credit of the Trustees? Yes.
13314. Do your officers receive any pay? The Secretary, that is all.
13315. What salary does he get? £3 15s. a quarter.
13316. Does he give any bond? Well no, the Treasurer gives one, because the money is handed over to him at the table as soon as it is taken every night.
13317. Any matters of dispute arising are settled by the higher Courts, after the Lodge has dealt with them? Yes.
13318. You have no further suggestions to make? No.
13319. *Mr. Abigail.*] When you were about investing your funds in the Building Society, did you apply to the Registrar to see if it was in accordance with the Friendly Society's Act? We could read it in the Act without applying.
13320. That you can do so? Yes.
13321. Is it not clearly in opposition to the clause "Investment of Funds"? Well, I did not think it was illegal.

- Mr. J. M'Fadyen.
19 July, 1882.
13322. But reading that 42nd clause what do you think now? I scarcely see that it is illegal now.
13323. What security do they give you? We have the security of the Directors.
13324. You have a receipt? We have the personal security of the Directors and Trustees.
13325. You do not think it is illegal? I scarcely think it is.
13326. Have you any special security except the receipt given you for the deposit of the money? No.

NOTE.—At a subsequent sitting the following letter was received from the witness, and it was ordered that it should be printed with his evidence:—

John Davis, Esq.,
Sir,

Referring to Mr. Abigail's question in reference to obtaining the sanction of Mr. Oliver as to investing of Fund in a Building Society, I may state that such mode of investment has been inserted on the annual returns of the Lodge to Mr. Oliver.

Newcastle, 19 July, 1882.

I am, &c.,

JOHN McFADYEN.

The Commission then adjourned till 2 p.m. on Wednesday, 19th July.

WEDNESDAY, 19 JULY, 1882.

[Held at Newcastle.]

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,

P. J. NEWLAND, Esq.,

JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,

F. ABIGAIL, Esq., M.P.,

P. R. HOLDSWORTH, Esq.,

W. E. LANGLEY, Esq.

Mr. George Maher sworn and examined:—

- Mr. G. Maher.
19 July, 1882.
13327. *President.*] You are a member of the Guild? I am Warden.
13328. Of the District? Of West Maitland Branch, St. John the Baptist.
13329. How long have you held the office? Getting on three years.
13330. What is the total number of members in the District? 107.
13331. Is that the largest number you have ever had? We have had 108, but some have left and gone to the Sydney Branch.
13332. How many Lodges are there in your District? One in Morpeth, one in East Maitland, and one in West Maitland.
13333. What is the total number in the three Lodges? I am not in a position to tell you that, but I think make up as much as we are; probably they make another hundred.
13334. What is the total amount of subscriptions received by your Society during 1881? I am hardly in a position to answer that question, but the Bursar would be able to tell you.
13335. Can you tell what amount has been received for five years? No, I have not got that down.
13336. You cannot tell then what has been expended during that time? I cannot; I produce a document giving the information I have prepared.
- Name of Society, St. John's Guild, West Maitland. Date of establishment, July 6th, 1863. Position in Society, Warden. Number of Members, 107. Amount of subscriptions, one shilling and twopence weekly. Benefits, one guinea per week sick pay; mortuary donation and doctor free, single brethren, £20 (twenty pounds sterling); married, £30 to £40 (thirty to forty pounds sterling.) How managed—by twelve councillors elected by members annually. Sick pay—amount paid in 1877, £59 2s.; 1878, £120; 1879, £143 17s.; 1880, £76 11s. 6d.; 1881, £61 7s. Mortuary donations—amounts paid in 1877, £52; 1878, nil; 1879, £30; 1880, £40; 1881, £35. Doctor and medicine—amounts paid in 1877, £73 2s.; 1878, £73 11s.; 1879, £80 2s.; 1880, £97 7s.; 1881, £99 2s. Regalia, 1877, 1878, and 1879, nil; 1880, £11 14s.; 1881, nil. Testimonials, nil. Arrears—A member in debt to the Society fifty-two weeks deprives himself of membership—he is struck off the rolls. Cost of management for year 1877, £25 19s.; 1878, £37 3s. 6d.; 1879, £48 17s. 3d.; 1880, £38 11s. 1d.; 1881, £31 2s. 4d.
13337. What contributions do your members pay? 14d. a week.
13338. What are the benefits? A guinea a week when sick for twelve months; 10s. 6d. for the next twelve months, and then 5s., with the option of settling up and getting so much to pay them off.
13339. All the members pay one uniform contribution? Yes, but country members, who do not get the doctor, pay 4d. a week less.
13340. What do you pay your doctor? £1 per head.
13341. Do you pay a chemist? No; he supplies the medicines himself.
13342. That includes medicines as well as attendance? Yes; we have to find our own bottles to get the medicines.
13343. You cannot tell the Commission what the total value of your funds is? At the last balance we had £1,103 14s. 6d.
13344. What amount of funeral donation do you give? At the death of a Brother when he has passed his noviciate we give the wife £30, and if he is over five years a member, £35.
13345. Have you a Widow and Orphan Fund? It is included in that.
13346. Do you give any additional sum to this? No, that is the full amount.
13347. What do you pay to your members in case of the death of the wife? In case of the death of a wife £12 is paid to the Brother.
13348. Do I understand you to say that this £1,103 is the fund of your own private Lodge? It is, of our own private Lodge.
13349. Can you tell what funds the other Branches have got? No, I do not know anything about it.
13350. How long has your Society been established in Maitland? Since July 6, 1863.
13351. Do you make many new members? Sometimes we might get six in the half-year.
13352. Have you lost many members? We have lost some who allowed themselves to get bad on the books, and we have had to expel some in cases of drunkenness and things of that sort.
13353. The Society is confined to members of your Church only? Yes.
13354. Up to a certain age? From eighteen to forty-five.
13355. How are your funds invested? We have £150 lent on mortgage; all the rest of our money is in the Savings Bank, except a small current account.
13356. To the credit of Trustees on account of the Society? Yes.

13357.

Mr. G. Maher.

19 July, 1882.

13357. Are your Secretary and Treasurer paid? The Secretary is.
 13358. What is his salary? £20 a year.
 13359. Does he give a bond of fidelity to the Society? I do not think it has ever been required.
 13360. Does the Treasurer give a bond? No.
 13361. Have you had any defalcations or misappropriations of money by any of the members of the Society? Not during my connection with the Society.
 13362. Do you consider the amount paid by the members is sufficient to ensure all the benefits your Society provides? I think it is sufficient the way we are going on; we are making money every year, notwithstanding that we pay every call upon us at the first meeting.
 13363. No portion of your funds is spent for any purpose but that which is provided for by the by-laws? No, none whatever.
 13364. What would be the average ages of the members of your Branch? We have a great many young men, and seven or eight old men that have been members since the establishment; if they were left out the average would be thirty or thirty-five.
 13365. What is the Society principally composed of? There is scarcely a miner in our Lodge; principally tradesmen in the town and farmers' sons round the district.
 13366. Do all the members of the Society who happen to be sick or to have met with an accident participate in the benefits? All the members after they are twelve months in the Society, up to which time they are only considered as novices.
 13367. What I wish to know is whether members who are better off in life participate? They have as much right to have it as others.
 13368. And they take it? And they take it as a matter of fact.
 13369. Are you in favour of a uniform contribution being paid by members of Friendly Societies? Yes, I think it is a very good thing; it has worked very well in our Society.
 13370. Do you approve of young and old paying alike? That is a question that requires more consideration than I have been able to give to it; I think there should be some difference.
 13371. Then you favour the principle of a graduated scale of payments? I do.
 13372. According to age? According to age.
 13373. Where does your Branch hold its meetings? St. John's School, West Maitland.
 13374. Do you pay rent? We have had the free use of it from the Bishop, it being a Catholic school.
 13375. Have you or your Society taken advantage of the Act to recover arrears of contributions from your members? If they let themselves go bad on the books for twelve months we strike them off; we do not sue them.
 13376. You do not approve of that provision? No, we do not.
 13377. And you are of opinion that the amount of contribution paid by your members is sufficient to ensure the payment of all benefits provided for by your by-laws? Yes, we are in a position to pay anything likely to come against us for some time.
 13378. Have you read the Friendly Societies Act? I have not.
 13379. Have you or your Society or its officers laboured under any disadvantage arising from that Act, as far as you know? Not that I am aware of; we have not had any trouble.
 13380. Have you any suggestions to make to the Commission for the good working of Friendly Societies? Only in that matter you referred to, in reference to graduated scales.
 13381. Would you be in favour of a public officer being appointed by the Government to investigate and inspect the books of Societies once a year? Yes.
 13382. All Societies? All Societies, to keep them up to the mark.
 13383. *Mr. Langley.*] Do you know that the investment of money on mortgage is illegal? No, I do not think it is.
 13384. *Mr. Abigail.*] Are you aware that the 32nd clause of Part III of the Act makes it imperative that the Treasurer shall give a bond? I am not aware of it.
 13385. Can you say whether your Society has made any progress in its funds for the last five years? Yes, considerable.
 13386. Can you give us the amount? We have made about £400 during the last five years.

Mr. Michael Murray sworn and examined:—

13387. *President.*] What Society do you represent? St. John's Guild, West Maitland.
 13388. What office do you hold? Bursar or Treasurer.
 13389. How long have you been a member? The Society was established on 6 July, 1863, and I joined two or three years afterwards.
 13390. You are the same Branch as Mr. Maher? Yes.
 13391. What amount of money has been received during the past five years? I have not that, but I will make it up and send it you.
 13392. I suppose there is no special information you can give the Commission in reference to the working of your Society? I do not know; the Society works very well; it is in a safe and sound position.
 13393. And you are of opinion that the contributions are sufficient to ensure all the benefits your rules provide? I think so; yes.
 13394. How do you settle matters of dispute between the members and officers? We never have any disputes.
 13395. But you make provision in your rules? If an officer transgressed, he would be brought before the Council the same as any other member.
 13396. And their decision is final? If there was a case that there was any difficulty about, they could call the past and present Councils together.
 13397. There is no appeal beyond that? Not unless they went to the Law Courts.
 13398. Do you approve of the officers of Societies taking the members to the Law Courts to recover arrears of contributions? No, we never do that; if a member allows his contributions to go for twelve months he is no longer a member of the Guild; we never go to law about contributions.
 13399. Do all your members before initiation undergo a medical examination? Yes.
 13400. Do you think the examination is sufficient to ensure the Society against fraud? I was at one time

Mr. M. Murray.

19 July, 1882.

Mr. M.
Murray.

19 July, 1882.

time of opinion that the doctors were not careful, but I believe our present doctor is very careful; he has rejected some. I know one he rejected, and in fact two, and one went to another doctor, and was accepted for the Oddfellows. We have had doctors who were very careless.

13401. Do you favour the principle of permitting a man to join more than one Society, and to receive benefits from more than one? Well, I should like to consider before giving an opinion; I do not know that there is anything wrong in it if the man pays his subscription to all.

13402. But suppose he is a working-man receiving 30s. a week, and can receive four or five guineas a week when ill, is he likely to get well soon? That is it—it might lead to fraud; but if he were an honest man he could not do this.

13403. Would it not open the door to a great deal of fraud and danger? It would, but it could not be practised without the connivance of the medical officer.

13404. But could not they sham rheumatism or sciatica? They might do that.

13405. Do you think it would be better to fix the amount members should be entitled to receive by statute? I do not know I am sure, but I think it would; but at the same time it would be a hardship to a man to pay the full amount if he did not get the amount back again.

13406. It would be fairer to the Societies, would it not? I think it would.

13407. Has your Society suffered from disabilities under the present Act? No, not to my knowledge.

13408. Do you think the Act affords all the security and protection that the members and Societies have a right to expect at the hands of the State? I am not very conversant with the Act, and cannot say anything about it.

13409. You have no suggestions to make? No.

13410. *Mr. Newland.*] Have you been a member of any other Society? No.

13411. *Mr. Abigail.*] Are you aware that you are acting in contravention of the Act in not taking a bond from the Treasurer? I am not conversant with the Act. I was never asked for a bond; if I had been I would have given it.

Mr. William Low Kidd sworn and examined:—

Mr. W. L.
Kidd.

19 July, 1882.

13412. *President.*] You are a member of the Sons of Temperance? Yes, No. 5, Sons of Temperance.

13413. How long have you been Secretary? Three months at present, but I have been Secretary before at different times.

13414. What number of members have you? About ninety just now.

13415. Is that the largest number you have had? Oh no, we have had as many as 150.

13416. What has been the cause of the decrease in the number of members? I can hardly say; there have been a few left lately through a dispute in the Division; but a good many leaving the district is the principal cause.

13417. Many through breaking their pledge? Yes, a few in that way.

13418. A number getting in arrears? Yes.

13419. Have you admitted many new members in the last twelve months? No, very few the last two or three years.

13420. What is the value of your funds? About £390.

13421. What have you paid for sick pay during the last year? £65 3s.

13422. What was paid on account of doctor and chemist during that time? The members in our Division contribute 6s. 6d. a quarter for those registered to his list, and it is paid to him.

13423. What was paid to him by those registered? I do not think it is here; there have been disputes in the bills, and they have not been settled. I cannot tell the Commission that.

13424. What contributions do the members pay? 6d. a week, not including the doctor.

13425. And what benefits do you give to members? 20s. a week for thirteen weeks, 15s. for the next thirteen, 10s. for the next twenty-six, and 7s. 6d. during the remainder of the sickness.

13426. And what funeral donations? £20; and £10 on the death of a member's wife.

13427. What have you paid during the last twelve months for deaths? That is paid from the General Funeral Fund.

13428. Is your Division in the Funeral Fund now? Not at present. (See Mr. Asher's evidence, *ante*.)

13429. Do you know why they have not rejoined the fund? There was a dispute as to the amount of the levies, and we were suspended.

13430. What did you pay? It was 1s., but was increased to 1s. 4d., and it is now 1s. 6d.

13431. That is a sort of insurance? Yes.

13432. What is the nature of the dispute? It arose through the levy being increased to 1s. 4d.; our Division thought they had no authority to do that, and refused to pay it.

13433. But would not the constituted authorities be the best judges as to whether it was necessary to increase the fund? Yes, but the members held that they had no right to increase it without a vote of the National Division.

13434. And was it increased without a vote of the highest body of the Order? Yes.

13435. Then the National Division did not give power to the Board to do this? No, though it was afterwards legalized.

13436. But has not the executive body certain powers? They have now.

13437. But had they not prior to this dispute? No.

13438. Then if the fund was getting so low that it would not meet the demands upon it, would they not have power—? They had not at the time; it was provided that the levy should be increased by the National Division.

13439. How often does the National Division meet? Every twelve months, and this occurred within three months of the meeting.

13440. What was the result of this split? Well, the disruption does not exist, but there have been no terms made with the Funeral Fund, and the levies have not been paid up, so the Division has to insure its own members now.

13441. Do they prefer that? I do not know, but they came to the conclusion that it would be cheaper to do it.

13442. Do you think it would be cheaper? Our experience proves that it would have been; we have only averaged one death a year, and our contributions would be £30 in the year. 13443.

Mr. W. L.
Kidd.

19 July, 1882.

13443. Do you not as a man of business, and having some knowledge of finance, know that you could not insure the lives of ninety members, themselves and the wives also having a collateral risk, for 1s 6d. each per quarter? I know it could not be done if the members were to remain in the Division, but the fact of a great many paying in and then leaving is what has kept this Division as well as many others.
13444. Do you think it would be possible for you to make a better investment of your funds, either in your Division or in some other way, to secure these payments at death for 1s. 6d. per quarter? I do not know that we could; we complained of the heavy tax for supporting the Grand Division of this District as well, 1s. per quarter, and we object to pay that without getting anything for it.
13445. What do you get for that? Nothing at all.
13446. Is no provision made for your members travelling? Well, there is a clearance, and that is all the benefit obtained from belonging to the Grand Division.
13447. But you do get a great advantage from the funeral fund? Yes.
13448. Would there be so much objection to the payment of this 1s. 6d. to the funeral fund as to the 1s. a quarter to the Grand Division? No.
13449. And yet the members took exception to the raising of the fund? Well, it was the way it was done; there was some unpleasantness about it.
13450. What was the final upshot of it? The members came to an understanding and came back again.
13451. Did you resort to the Law Courts to decide the dispute? Yes.
13452. What position did the members take who took exception to the levies? They attended the meetings of the Division, but they declined to pay the levies, and the other parties held meetings and deposed the Trustees that had been appointed, and we brought an action to set aside the Trustees.
13453. What was the result of the action? It was withdrawn.
13454. Why? The Judge did not seem to understand the case; he told us he could not understand it.
13455. Who was the Judge? I think it was Judge Dowling.
13456. And he nonsuited you? I think he was going to do so, when our solicitor asked for leave to withdraw the case.
13457. How were the costs paid? We paid our own costs.
13458. Out of your own pockets? No, out of the Division funds.
13459. By whose authority was it drawn? By the officers.
13460. And paid by the Trustees? No, it did not pass through the hands of the Trustees.
13461. Do you not think that was a misappropriation of the money? We were advised by Mr. Brown, solicitor, of Newcastle, that it was not.
13462. Had you any misgivings on the matter? No, it was talked over and we took his opinion.
13463. But the Division had no funds? Yes.
13464. But the funds could not become the property of those who seceded from the Division? It was taken by the officers.
13465. But did not the funds belong to the Division and not to those who seceded? Yes, but we were advised that we were the Division.
13466. Did the constitutional party take any steps to recover the money? No.
13467. Who paid the costs on the other side? I do not know; I cannot speak for that.
13468. What were the costs paid by the Society? £9 7s.
13469. Were there any funds in the hands of the parties afterwards? Yes.
13470. What amount? I think the sum of £3 or £4 had been handed over.
13471. Then there actually were two Divisions existing for a time? Yes.
13472. Did you hold separate meetings? Yes, on the regular night, and continued to do so all along; they called meetings of the Division; the first meeting I went to attend and was refused admission.
13473. Did your attorney advise you as to the course you took? Yes.
13474. You did not appeal to the higher Courts of the Order in the case that was in dispute? I wrote drawing the attention of the Most Worthy Scribe or Secretary to the Funeral Fund, and asking that the case should go to arbitration, but there was no reply.
13475. But what was the question? Whether the Funeral Fund Board had the right to increase the levy.
13476. But would it not have been better to have paid the amount and then have appealed than to have created a division and disruption? The members said that if they did anything of that kind they would never get it back.
13477. Do you know you have saved anything by it? I do not know that we have.
13478. Have you not created a bad feeling, and spent your money and got nothing in return? I do not know that there has been any bad feeling.
13479. If you sue a person to a Law Court, it is not likely to create a feeling of friendship between the parties? No, but we only sued them in their official positions.
13480. Then you have not got anything by the action you took in the matter of secession? No.
13481. Do you think on reflection that it would have been better to have taken the other course and paid the money under protest? It might have been; but one great reason was that we had a general Funeral Fund in this district for years and never paid more than 1s. to it, and we were saving money every year, having £700 in hand.
13482. What became of this large fund? It was distributed amongst the various Divisions.
13483. At the time you speak of the Divisions were in a more healthy state than now? Yes.
13484. With a larger number of members? Yes.
13485. And consequently a larger revenue than now? Yes.
13486. The National and Grand Divisions are the Supreme Courts in connection with the Order? Yes.
13487. All the laws and constitutions emanate from the National Division? Yes.
13488. And are all subordinate Divisions bound by these laws? Yes.
13489. You have liberty to appeal to these Courts if you have a grievance? Yes.
13490. If you are not satisfied with the first investigation have you a right of appeal? We can appeal to the National Division from the Grand Division.
13491. You can appeal from the Subordinate Division to the Grand, and then to the National Division? Yes.
13492. Is their decision final? Yes.
13493. Is this the first case that has been brought before the Law Courts in Newcastle in connection with your Division? I believe so.
13494. You have no recollection of any other case? No.

- Mr. W. L. Kidd.
 19 July, 1882.
13495. Do you summon your members for non-payment of arrears? We never have done.
 13496. You are aware that there is a provision in the Act giving you power to do it? Yes.
 13497. But you never have done it? No.
 13498. Have you had any cases of defalcation in connection with your Division? Yes.
 13499. To what extent? Nearly £20.
 13500. How long ago? About six or seven years ago.
 13501. Who was it? The Financial Scribe.
 13502. What steps were taken to deal with him? The case was entrusted to three Brothers to investigate, and I was appointed to act for him, and it was in furnishing returns to the Recording Scribe that I detected the fraud. It was remitted to three Brothers to compare the pence cards with the books, and this was the amount brought out; he gave a promissory note in payment of this, and the money was paid.
 13503. That is the only case you know of? That is the only case I know of.
 13504. Do the Secretaries and Treasurer of your Division give any bond or guarantee? No.
 13505. Has that always been the practice? I think a bond has been taken on several occasions a few years ago, but it has been discontinued.
 13506. Is your Lodge well managed and well conducted? I think it is.
 13507. Do you think it is right to refrain from taking bonds from the Secretary and Treasurer? It would certainly be better to have a bond.
 13508. Do you not know that the Act provides that there shall be a bond or guarantee? Yes, I know it does.
 13509. Do you pay your Secretary and Treasurer? The Secretaries are paid, the Recording Scribe £2 a quarter, and the Financial Scribe £1 10s.; and the Treasurer has been allowed 10s. a quarter for travelling expenses on one occasion.
 13510. Do all candidates prior to initiation undergo a strict medical examination? They are supposed to.
 13511. But do they? We have to take the doctor's word for it.
 13512. Do you believe the examination is sufficiently searching? No, I do not, because there are members who are scarcely ever off the funds after they are admitted.
 13513. Do you approve of persons being permitted to be members of more than one Society? Yes, to a certain extent. I would not approve of them joining four or five, and receiving payment from each of them.
 13514. Do you think it would be prudent to allow a man to belong to more than two Societies? No, I think the sick pay should not amount to more than £2 a week.
 13515. Do you think that the amount paid by your members at present is sufficient to secure all the benefits your by-laws provide? I think it is rather small. We had a proposal to amend the by-laws, and it would have been increased but for this dispute.
 13516. Do you think that in a Society providing a funeral donation of £20 on the death of a member and £10 on the death of the wife, with 20s. a week sick pay, 6d. a week is sufficient to secure all these payments? I think it is too small, and that there should be a small addition made to it.
 13517. Are you not sure the amount is too small? I believe it is too small.
 13518. What are your Divisions principally composed of? A few colliers, but principally tradesmen I think.
 13519. Have you paid any attention to the sickness and accident that the members of the different bodies are more liable to—what class are most liable to accident and sickness? I do not know; there are two members who have been the greatest drag on our Division, one suffering from sciatica, and the other from asthma and rheumatism.
 13520. What are their occupations? One is a miner, and the other a stonemason.
 13521. You have not found the mining portion of the members of your Society have been more subject to accident than others? No, we have had a few of them, but I do not think they have drawn more than a fair share of sick pay.
 13522. You could not form any accurate opinion from the number you have had in your Division? No, I do not think so.
 13523. Are you a member of any other Society? No other Friendly Society.
 13524. You have been a good many years connected with this Society? Yes, about fourteen years.
 13525. Have you quarterly or half-yearly returns made out? Quarterly.
 13526. Are the Auditors appointed by the Division? Yes.
 13527. Are there two or three? Two.
 13528. Are the quarterly reports submitted to a meeting? To a summoned meeting of the members.
 13529. And adopted by the meeting? Yes.
 13530. Do you furnish annual returns to the Registrar? I do not know whether it has been done. I have not occupied the position since they were required.
 13531. Would you be in favour of the Government appointing officers to visit and investigate the books and vouchers of Friendly Societies every year? I believe it would be a good thing if it were done. I know a good many members are very lax in spending money, but are willing to pay away a donation towards any charitable purpose.
 13532. How is your money invested? In the Savings Bank.
 13533. You have no freehold property? No freehold property.
 13534. Has your Division suffered any inconvenience from any imperfection in the present Friendly Societies Act? I am not aware that it has.
 13535. Have you any suggestions to make to the Commission in the shape of amendments that might be useful? No, I am not prepared to suggest anything at present. I have had no time to think over the matter so as to make any suggestions.
 13536. *Mr. Langley.* In the case of this dispute, I understand you to say you wrote to some officer with regard to the suspension of your Lodge? Yes.
 13537. Have you received any reply to the present time? I do not remember now, but I know I wrote as directed by the Division, protesting against that, and asking that the case should be put to arbitration, but there was no response to that while I was acting as Secretary.
 13538. Has there ever been any reply since then? No, not in reference to that.
 13539. Then in a matter such as that, do you not think it would be well that some arrangement should be made by which a Board of Arbitration, composed of members of different Societies, could deal with questions such as yours? Yes, I believe so; we were willing that that should be done in this case, and we thought it should be done.

13540. Then you think the appointment of a Board such as I suggest would be advantageous to yourselves and to other Societies? I believe it would, if the members of the Board were acquainted with the working of Friendly Societies.

Mr. W. L. Kidd.

13541. *Mr. Abigail.*] How long had you been paying to the Funeral Fund? I think we joined it at the time it was started, about 1876.

19 July, 1882.

13542. Could you tell the amount you had paid to them altogether? No, I could not.

13543. Had you received more than you had paid? No, I believe not.

13544. Then as a matter of fact you gave up a benefit; the Division surrendered a benefit in taking the position they did? Yes, but we were suspended—we did not withdraw.

13545. You did not comply with the rules of the Funeral Fund? Not in reference to the matter in dispute we did not; we paid what we considered their legal levy up to date.

13546. Can you state the reason this dispute was not taken before Justices of the Peace, according to the 14th clause? We were advised that it would have to be taken before the District Court.

13547. *Mr. Smith.*] I understood you to say that, if it were not for certain circumstances—large numbers of persons joining your Society and leaving again—the Division would have collapsed? I believe most of our Societies would; most of them depend on that.

13548. That is your experience? Yes, it is.

13549. Then, that being the case, it is a fact that they are not based on a proper basis? No, I believe not.

13550. *Mr. Holdsworth.*] Are not the Grand Division representatives elected by the subordinate Divisions? Yes.

13551. Then have you not the remedy in your own hands if they do not do you justice? We have to a certain extent, but all who have passed the Chair are entitled to a chance of election to the Grand Division, and they can go on their own account and can carry anything against the wishes of the Division.

13552. *President.*] Your Division is the oldest in the Hunter River District? Yes.

13553. And has the largest number of members eligible for representation in the Grand Division? I do not know if it has that.

13554. There are a larger number of Past Worthy Patriarchs? Well, I think there are a good number.

13555. There are a large number eligible for election? Yes.

13556. No person can represent the Division unless elected? They must be elected.

13557. So the power of representation is in the hands of the subordinate Divisions? Yes.

13558. If they disapproved of their action? They could reject them at the next annual election.

13559. You are aware that no member of the Division who passes the Chair has any right to go to the Grand Division unless elected by the subordinate Division? I know they have not, though some members hold that they have.

13560. Do I understand that you have unlimited representation? Only those who have passed the Chair. The members here believe the Grand Division is useless altogether.

13561. You know the Oddfellows have a District Lodge? Yes.

13562. And a Board of Management as well? Yes.

Mr. John Thorn sworn and examined:—

13563. *President.*] What Society are you a member of? The Sons of Temperance, Day Dawn Division, Mr. J. Thorn, No. 5.

19 July, 1882.

13564. How long have you been a member? I could not say.

13565. How is your Society worked at present? It works very badly—the expenses are too great. For the first six or seven years the Division worked well—they accumulated about £500; but the last five, six, or seven years it has been going back, and the consequence is that the working expenses are so heavy with the Grand Division and the Funeral Fund, and the expenses of the officers of the Division have been so great, that I believe it is reduced now to three hundred odd pounds. There must be something radically wrong when the expenses are so high and the contributions are going back.

13566. You had a larger number of members then, had you not? We had about one hundred and odd members.

13567. Had you 150 members? I do not think we ever had that; now we have ninety odd.

13568. Would not that make a great difference in the income? Yes, but then we had the risk of the sick.

13569. But you would have a larger income? Yes.

13570. What is the heavy expense you complain of? The first thing is that we have to pay 1s. a quarter to the Grand Division.

13571. What advantage do you get for that? None whatever; we do not get any assistance from them whatever.

13572. Suppose your members leave the District, is the fact of their belonging to the Grand Division of no service? They might get a clearance, but that might be done without having a Grand Division.

13573. But is not that an advantage to the members? If it could be done by their own Division I do not see that it is.

13574. But if you were leaving the District, do you think the members would be glad to receive you, an old member, without a certificate? They could have it from the Division here.

13575. But the Division cannot grant a clearance? Well, I do not see why we should pay 1s. a quarter simply for that purpose.

13576. Do you not think it would be an inconvenience if they could not get a clearance? Well, I think it would if they could not get it somewhere, but it could be worked by the clearance coming from the Lodge.

13577. What is done with the 1s. a quarter? They do not tell us.

13578. What funds have the Grand Division got? I do not think they have any; I have never heard them say.

13579. What does the Grand Division pay to the National Division? I do not know; I could not tell you; it cannot be a great deal, because No. 1 Grand Division is 3d. a quarter capitation, and ours is 1s.

13580. Is not that matter fixed by the representatives sent by the subordinate Divisions? Yes, but they often represent themselves and not the Division.

13581. Has not the Division the power in its own hands? Yes, but there are certain officers who have the right to be there; they cannot prevent them going, but they need not pay them.

13582.

- Mr. J. Thorn. 13582. With reference to the representatives, you are aware that the Constitution provides that the representatives should be confined to Worthy Patriarchs and Past Worthy Patriarchs elected by the Divisions? Yes, they are elected at the end of the year, then they can go; then you have an election the next October, and they are generally all elected.
13583. Has not the Division the power of saying we will not send anybody? They do not elect them to send them, but simply as members; if not elected, then they could not go at all, but if elected you could not prevent them from taking their seats.
13584. Is it not in the power of the Society itself to make its annual choice of representatives in October of those who are qualified to represent them? Yes, quite so.
13585. That is the only election that takes place? Yes, but if you want to send a delegate you have to elect him extra.
13586. If the law is as you say, is not the power entirely in the hands of the members? No doubt about it.
13587. And could not the majority of members express their dissatisfaction at its representatives if they imposed a higher rate of levy than was necessary? Yes, certainly they could.
13588. So if there was a large proportion of members in each Division who were dissatisfied with the heavy capitation, the matter could be cured by the representatives of the Division being withdrawn? Yes.
13589. Do you know what the benefits are? Yes.
13590. And you know that they are similar to what other Societies give? Yes.
13591. Have you any suggestions to offer to the Commission? Nothing particular.
13592. Have you any special matter you would like to bring under the notice of the Commission? No, not particularly. I know that if Societies work like ours, it is impossible for them to stand.
13593. What have been the working expenses last year? Well, reckoning the National, Grand, and other expenses, they have been more than the sick benefits we have paid.
13594. Do you know the amount paid last year for sick pay? I could not tell you.
13595. Do you know the amount paid by your Division to the Funeral Fund? There has been none; there has been a dispute, but before that we paid 1s. to the Grand Division, and 1s. 4d. to the National Division. That was what caused the dispute, as when members asked what was done they could get no satisfaction out of it.
13596. Do you get no balance-sheet? I do not think so; there is a sort of report, but I do not think there is a balance-sheet.
13597. *Mr. Langley.*] Do the majority of members in your Division think they have been fairly treated in this dispute? They do not.
13598. That is the opinion of the majority? It is the opinion of the majority that the dispute would not have arisen had the other party in any way given way a little so as to get a little satisfaction.
13599. Is there any probability of arrangements being made by which the members of your Division can again participate in the benefits of this funeral fund? I think so, if there is any fair settlement, but if they have got to pay such an enormous amount of money and contributions, in a few years they will be like other Divisions in the district, broken up.
13600. Have you taken any steps recently to bring about a reconciliation? There has been some communication both to the National Division and to the Grand Division, but they have not come to any settlement yet.
13601. *Mr. Abigail.*] Where is this Grand Division situated? In the Northern District.
13602. It is composed of representatives of the Northern District alone? Yes.
13603. It is not controlled in any way by the Sydney people? Not that I know of.
13604. Can you tell us whether it is a rule to pay their representatives to be present? Oh yes; they elect the members in October; these can go without being sent, but if they want to send a delegate they pay him so much.
13605. That is the Division does? Yes.
13606. But does the Grand Division? I could not tell you.
13607. You cannot say whether this money is distributed in this way? I could not say.
13608. Did you take up this position in the dispute, that you did not know how the money was spent? We say that every subordinate Division is supposed to pay its delegates if they send them, so what other expenses they incur we know nothing about.
13609. There is no doubt about the dispute having punished both parties? No doubt about it.
13610. Do you know the total cost? I could not tell.
13611. It has all been paid out of funds subscribed for sick and funeral benefits? Some has, I believe, that of our side, though I opposed that.
13612. You believe it to be wrong to pay this money in law costs? I believe money subscribed for the sick should be kept for that alone, and that any money spent otherwise is illegally voted.
13613. *Mr. Holdsworth.*] Can you tell me whether it is the practice to pay your members for every little thing they do? For a good many things they do.
13614. Are you aware that in all other Friendly Societies it is the practice for nearly all the work to be done without payment? I could not tell you.
13615. Does the Treasurer give any bond? I could not tell you; he is supposed to, but I could not say whether he does or not.
13616. You know that the Act provides that it is necessary? Yes.
13617. Then is it not a part of your duty to see that it is done? Yes, but what can one do; we have called attention to it. I know it should be done, but do not know whether it has been done in the present case.
13618. And no action was taken when you called attention to it? I do not know about this Treasurer.

The Commission then adjourned until 2 p.m. on Monday, 24 July.

MONDAY, 24 JULY, 1882.

Present:—

FRANCIS ABIGAIL, Esq., M.P., IN THE CHAIR.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

Mr. Henry Cox Colyer sworn and examined:—

13619. *Chairman.*] You are a solicitor? A solicitor.

13620. Have you any recollection of being consulted in connection with Lodge 25, Protestant Alliance, in the matter of a misappropriation of their funds? Yes, I find I was consulted in March, 1880.

13621. Will you state to the Commission the grounds of the consultation? I am afraid it is too far back, and being to a certain extent in a friendly way—

13622. Were you consulted in a friendly way? Yes; that is, without any intention of my carrying out any proceedings. I gave the Trustees distinctly to understand that I would not go into a Criminal Court.

13623. Well, just the particulars, if you please? On 17th March I wrote to one J. C. Pettit a letter in these terms:—

Mr. J. Pettit, Government Stores, Queen's Wharf.

Sir,

128, Elizabeth-street, 17 March, 1880.

I have received instructions from the Trustees of the No. 25 Lodge of the P.A.F.S. of Australasia, of which you were recently the Secretary, to communicate with you respecting the deficiency in your accounts, amounting to not less than £150, and to give you notice that unless something satisfactory be received from you not later than Monday next unpleasant proceedings will ensue.

Yours truly,

H. C. COLYER.

13624. Did you receive any reply to that? Yes, on 20th March, in these terms:—

To H. C. Colyer, Esq., 128, Elizabeth-street.

Sir,

Gannon's Forest, 20 March, 1880.

In reply to yours of 17th, I beg to state I am of opinion that every Master of No. 25 Lodge, P.A.F.S.A., and two of the Trustees have held that position, have acted contrary to Rule 144 of the Registered Rules of that Society, inasmuch as many members have been allowed to contribute less than 1s. per week, and the Trustees now attempt to make me answer for their and the Lodge's neglect, although I had my books duly audited before I left office, now over two years ago. Having been referred to Rule 182, I refer them to Rules 144, 122, 132, 121, and 134, and as their action has not been ordered by the Lodge, I hold them liable for any steps they have or may take against me.

I am, &c.,

J. C. PETTIT.

13625. Did you make any other communication? I saw the Trustees in the meantime, and as the result I wrote the following letter:—

Mr. J. C. Pettit, Government Stores, Queen's Wharf.

Sir,

128, Elizabeth-street, 28 March, 1880.

I beg to acknowledge the receipt of yours of 20th instant, which I laid before the Trustees yesterday. I carefully referred with them to all the Rules to which you called my attention, but can find nothing in any of them to help you out of your present dilemma. Hoping you will reconsider the matter before next Tuesday, and not compel the Trustees to proceed against you,—

I am, &c.,

H. C. COLYER.

I find I received a reply to that, and I suppose I handed it over to the Trustees. There was evidently something impertinent in it, because I have so marked it. The only other document I have is the Auditors' report. I think this must be the original; it was no doubt handed to me as part of my instructions; it is as follows:—

THE Auditors appointed at the summoned meeting of No. 25, held on Wednesday, the 4th instant, to investigate the accounts with alleged discrepancies in the entries in the various books of the Lodge while Bro. J. C. Pettit was Secretary, viz., the term from July, 1875, to December, 1877, inclusive, have to report that they commenced the audit with a desire to make a thorough investigation into the accounts, but found so many difficulties in the way, through not having the whole of the Pence-books, and the extremely careless and improper manner in which the Ledger was kept, that they had to confine themselves to a comparison of the Ledger, Cash-book, and Minute-book. The two latter, so far as the Cash-book had been kept, agreed to within a very small amount, but a very great discrepancy has presented itself in the comparison of the Ledger with the Cash and Minute Books. In many cases they find that amounts paid by members have been carried to the total column without being entered in the fortnightly column, that is the proper cash column, and in numberless instances the amounts paid by members are entered in the proper column but are not carried out to the total columns, consequently they have not been able to make out a correct balance of the Ledger, as to do so would necessitate the re-entering of all the amounts, and a comparison of every entry in all the Pence-books, an operation which would occupy two men for at least a month.

The total amount of the discrepancy reaches £138 8s. 10½d. (one hundred and thirty-eight pounds eight shillings and ten-pence half-penny), but the Auditors have reason to believe that that amount does not include all the items lost sight of, as from a more cursory glance at a few pages in the Ledger it is found that by omitting to carry the amount paid in to the proper cash column in that book, nearly £5 has been found which is not included in the above amount.

As before stated, the Auditors desired to make a careful inspection of the whole of the books from the inauguration of the Lodge, but found the time taken in the investigation would be far more than could be spared for the purpose; but as there is no reason to suppose that any necessity exists for such an inquiry, no object would be gained by going in to the matter.

WM. FOSKETT.
W. BUCHANAN.
W. B. FOSTER.

Sydney, 17th February, 1880.

J.P., Chairman, 18/2/80.

I have also another document —

13626. *Mr. Greville.*] The date of that if you please? 17th February, 1880, and initialled by the Chairman of a meeting, "18/2/80, J.P." I do not know who that is. There is a paper of accounts here which I have

Mr. H. C.
Colyer.

have no doubt was made out by the Auditors as a specimen of what they found; if it is of any service I will leave it. (*Put in as follows*) :—

24 July, 1882.

Date.	Ledger—Amount.	Receipt—Amount.	Date.	Ledger—Amount.	Receipt—Amount.
1875.			1876—continued.		
24 June	£ s. d. 28 19 3½	£ s. d. 32 12 10½	29 November	£ s. d. 18 18 0	£ s. d. 17 8 9
8 July	10 5 1½	12 9 1½	13 December	24 13 0	15 12 0
22 „	17 9 7½	18 0 4½	27 „	49 19 1½	46 5 6
12 August	23 3 4½	24 5 0	Total.....£	299 13 5½	270 16 4
26 „	15 13 3½	17 11 3	Extra.....	16 9 7½	.....
9 September	29 17 5½	21 8 1½	Grand total...£	316 3 1	.....
23 „	33 4 3	38 15 0	1877.		
14 October	15 13 1	15 17 4	10 January.....	13 13 9	15 0 9
28 „	25 7 4½	28 10 7½	27 „	12 2 0	11 18 7½
11 November	8 7 4½	9 13 7½	7 February	14 12 7½	11 9 1½
25 „	10 3 9	10 1 2	21 „	12 2 11½	12 6 1
9 December	39 18 3	41 0 0	7 March	21 2 2	18 7 9
23 „	21 2 2½	18 16 1½	21 „	47 0 11	46 17 6
Total.....£	285 4 5½	298 19 10½	4 April	13 2 8½	11 4 5
Extra.....	19 9 3	.....	18 „	17 7 6	17 15 0
Grand total...£	304 13 8½	.....	2 May	16 13 0	19 6 4½
1876.			16 „	23 16 6	22 0 0
13 January.....	14 19 0	14 19 0	30 „	7 15 0	6 0 0
27 „	9 15 4½	13 17 3	13 June	18 6 6	14 11 4
10 February	24 16 10½	22 10 6	27 „	45 1 10	50 8 4
24 „	19 10 4	17 14 11½	Total.....£	262 17 5½	257 5 3½
9 March	19 17 9	16 19 9	Extra.....	38 16 4½	.....
23 „	49 11 4½	50 13 0	Grand total...£	301 13 10	.....
13 April	7 11 0	6 13 6	11 July		
27 „	15 8 9	12 4 6	25 „	11 15 6	12 1 0
11 May	30 11 10½	21 9 7½	8 August	19 8 6	18 12 6
25 „	13 1 6	19 14 0	22 „	13 15 6	17 0 3
8 June	22 4 0	24 19 0	5 September.....	15 15 9	23 0 1
22 „	44 10 1½	42 10 3	19 „	18 9 10	12 11 0
Total.....£	271 17 11½	264 5 4	3 October	58 4 4½	55 3 1½
Extra.....	20 5 0	.....	17 „	17 8 0	10 2 9
Grand total...£	292 2 11½	.....	31 „	13 5 3	15 10 3
13 July			17 „	17 0 6	12 1 0
27 „	13 4 4½	12 3 6	14 November.....	16 0 10½	18 12 6
10 August	16 0 0	16 4 0	28 „	23 6 6	14 6 3
24 „	16 9 0	18 15 3	12 December	15 11 9	18 14 0
6 September.....	21 0 6	20 1 3	26 „	54 3 10½	43 3 6
20 „	7 6 3½	8 17 9	Total.....£	294 16 2½	£270 18 2½
4 October	63 15 10½	53 4 4½	Extra.....	34 4 6	.....
18 „	18 1 7½	17 7 5	Grand total...£	329 0 8½	.....
1 November	15 9 8	13 10 2			
15 „	16 1 6	13 7 10½			
	18 14 6	17 13 6			

13627. *Chairman.*] When you were consulted by the Trustees, do you remember telling them that they could not take proceedings against this man? I am not quite clear, but my impression is that I thought the by-laws were defective or in conflict with the Act—that is my impression; I think also I told them they would have to be careful about criminal proceedings, because their books had not been kept in such a shape as to ensure conviction before a Jury.

13628. You are thoroughly conversant with the Friendly Societies Act? Yes.

13629. And know that the 13th clause of the Second Part makes provision that any one member of a Society can institute proceedings before two Justices of the Peace? Yes.

13630. Would it not have been a simple matter to have sustained the charges against this man Pettit? I am only speaking as to my impression. I told them if they took any proceedings they would have to change their attorney; but I think the ground of my advice that they should not proceed criminally was that their books were not kept in such a way as to ensure conviction. I know I have advised that the by-laws were in conflict with the Act in many respects.

13631. Suppose the by-laws were in conflict, you would proceed according to the Act and not according to the by-laws? I should imagine so.

13632. You have never had any personal conversation with Pettit? Not, I think, since this matter.

13633. Supposing their books had not been kept in a thoroughly satisfactory manner, do you think that would have had any important effect before a Bench of Magistrates? I think so, judging by the parallel case; when Banks prosecute defaulting officers, they frequently get out of the charge where it is shown that the books have been badly kept.

13634. Then in that case the law must be very defective, as it would only be necessary to keep the books badly? I am not speaking of the books of the party charged; what I mean is that we have found as a matter of fact in numerous cases, where a man has doubtless been guilty, he has been acquitted from the facilities offered to him either by bad bookkeeping or any other cause; and I think the proceedings of this Lodge had been so loosely conducted that I thought they would have great difficulty in sheeting the charge home to him.

13635. *Mr. Langley.*] If by documents signed by Pettit it could be shown that he had received moneys from members, he being Secretary, could it be sustained? Yes, unless it could be explained away in some

some other way. I would like to remind you that I am speaking from memory and very much at random. I am not prepared to say positively that I advised that they could not proceed. If the evidence has been given that I did so advise, I may venture to say that I did, and that I think the grounds of my advice have been what I have stated.

Mr. H. C.
Colyer.

24 July, 1882.

13636. *Mr. Slade.*] If the statement was made here that you had been challenged to proceed, is that the truth? That is absolutely false.

13637. Did you ever receive a communication from Pettit that he was prepared to meet any and every charge? I think it is quite possible some such expression was in the letter I alluded to, and which, I think, I handed over to the Trustees.

Mr. Thomas Stewart sworn and examined:—

13638. *Chairman.*] What Society are you a member of? The Independent Order of Oddfellows.

13639. Where situated? Marrickville.

13640. When was it established? I cannot give exactly the date; I think it was October, 1881.

13641. What position do you hold? Secretary.

13642. How long have you been Secretary? Since 1st January last.

13643. What is the number of members? Thirty financial at present.

13644. What amount of subscriptions do you pay? 1s. 3d. a week.

13645. What benefits do you allow? A sick allowance of a pound a week.

13646. For how long? I cannot give you the term.

13647. The benefits you give are set forth in your rules? Yes.

13648. How long have persons to be members before they are entitled to full benefits? Immediately they join they are entitled to the benefit of doctor and chemist.

13649. But to sick pay? I think it is six months.

13650. Not more? Not more.

13651. What Lodge were you connected with at Pymont? A Lodge of the same Order—the Loyal Pymont Lodge it was called.

13652. Were you one of the parties who opened it? No; I was one of those who joined at the opening.

13653. Who opened it? It was opened by an officer of the Oddfellows in Sydney—Garcia his name was.

13654. And what did it cost to open? I have a list of expenses which I prepared at the time; there was then no Grand Lodge in Sydney, and we were governed from Melbourne; the amount of the expenses connected with the opening of the Lodge I copied from the vouchers, and they come to £56 12s.

13655. What is represented by that; have you the items? Yes, I have all the items; there are two items specially, namely, £8 for advertising expended from August 2nd to October 10th, and £19 for bill-posting. I produce the following as a Statement of Amounts expended in connection with opening of Loyal Pymont No. 14, I.O.O.F.:—

Wright, Heaton, & Co., carriage of goods from Melbourne, 10s.; A. Grey, making robes, scarfs, collars, aprons, sashes, &c., £3 8s.; H. Weekes, wig and beard, £1 10s.; W. H. Jeffries, spirit lamps, 9s. 6d.; A. Grey, supply of velvet, linen, tape, lace for regalias, £7 13s. 2½d.; E. Fisher, one felt hat, 6s.; P. Lee, drawers, ballot-box, and cartage, £4 4s.; Sydney Evening News, advertising from August 2nd to October 10th, £3; Sydney Herald, advertising from August 2nd to October 10th, £3; Sydney Telegraph, advertising from August 2nd to October 10th, £2; Hordern J. L., tapestry and binding, 15s. 3½d.; coffin, £3; J. Brown, seal and die, £2 10s.; Ultimo Hall Co., rent from August 4th to September 3rd, £1 16s.; stamps, 14s.; bible, 17s. 6d.; marbles, 4s.; paper, 6s.; stationery, 2s.; conveyance of officers on opening night, 19s. 6d.—£37 5s.; printing posters, &c., £12 and £7 7s.—total, £56 12s. I certify that I have copied these amounts from the original accounts.—THOMAS STEWART, Secretary.

13656. So that the posting cost nearly half the total amount? It cost £19 7s. out of a total of £56 12s., and the advertising cost £8 from August 2nd to October 10th.

13657. In what year was that? This was in 1879.

13658. Do you believe that there was any large over-charge in any of these items? Well, if there was not the expenditure was very extravagant, especially the posters and advertising.

13659. Were any legal proceedings taken against you for the payment of any of these? Yes.

13660. By whom? By the printers; they sued us for £12 for printing posters; we disputed the bill on account of it being extravagant.

13661. What was the issue? They got a verdict, and we had to pay the money, besides the solicitor's charges.

13662. Did the Lodge plead anything about the registered Constitution? Yes, we pleaded that we had no right to pay the money, that the man who incurred the expense should have paid it; but at that time we were not in possession of reliable information. I was elected Secretary only a week before this action, and I wrote to the Grand Secretary in Melbourne on the subject, and he replied that £5 was all the amount that could be expended by any man in opening a Lodge, and that was to be repaid subject to its being passed by the members of the Lodge when it was opened.

13663. You had to pay the whole amount? Yes, we had to pay £12 for the posters, and three guineas for law costs.

13664. Did anybody swear on that occasion that they had a perfect right to expend any amount of money in establishing new Lodges? Yes, the depositions are in the Court now to that effect.

13665. Was it a member of the Order who swore that? Yes.

13666. And you afterwards found that it was not true? That it was not legal.

13667. Yet you had no cause of action to get a refund? We had a case, if the members had been willing to do it, but they would not agree to go to any more expense.

13668. The party who swore that, was it the party who opened the Lodge? Yes, it was Garcia.

13669. Do you know of any other Lodge where similar action has been taken? I know there are other Lodges where the expenditure has been extravagant, but I do not think there have been any Court cases over them. I think the Lodges of this Order at Waterloo and Woollahra, and North Shore suffered; the latter Lodge at present is in difficulties owing to something of the kind.

13670. Being strangled at the commencement by the heavy expenses in opening? Yes.

13671. And are you of opinion that it is favourable to Societies to adopt such a course? Not at all, some are opened and they must be pretty well insolvent to start with; a debt of £50, £60, or £70.

13672. What is the condition of that Lodge now? I could not say; I have joined another Branch of the same Order.

13673.

Mr.
T. Stewart.
24 July, 1882.

13673. How long have you left it? It must be about twelve months ago.
13674. What was the state of it then? They were getting on very well, but there was a kind of ill-feeling about this expenditure which seemed to drag all through.
13675. How long has the Pymont Lodge been started? It was opened in 1879.
13676. Have you had any other experience of Friendly Societies but these two? No.
13677. Have you studied the Friendly Societies Act in a manner to give an opinion upon it? No, I cannot say I have.
13678. You are Secretary of the Lodge, and have been Secretary of the other one? Yes.
13679. Are you of opinion that a uniform system of bookkeeping should be adopted by all Lodges? I am.
13680. And would you be in favour of a Government officer examining their accounts occasionally? Yes.
13681. Have you heard of any case where embezzlement of funds has taken place? No, I have not.
13682. Have you known any case where members have declared themselves sick when they have not actually been sick? No, I have not.
13683. Have you had any experience in the attendance of doctors? Yes, there is something wrong in that quarter too; the Lodge doctors generally do not seem to give the attendance required—they attend the members as if they were receiving nothing for it.
13684. They make a pauper matter of it? Yes, they give the outside people the preference.
13685. But do they not accept responsibilities when they undertake to attend members of the Lodge? They promise to attend on a member for a certain amount of pay.
13686. And your experience is that they do not fulfil their engagements? They do not as they should do, or there would not be so much trouble.
13687. This wig and beard, what is that for? It is part of the regalia, the initiation ceremony or secret work.
13688. *Mr. Smith.*] Was the financial condition of the Lodge at Pymont such as to create a favourable impression on its members at the time of your leaving? Yes, things were improving, but still I believe the funds were not as they ought to be.
13689. Did that have anything to do with your action in leaving? No, that was through removal from the District.
13690. What would be about the ages of the members in that Lodge? The average ages?
13691. Yes? I could not say exactly; these are things we do not take a great deal of interest in.
13692. But you being Secretary and having to go to a considerable amount of work in connection with the Lodge, would know whether they were young or old members? They were all ages, but not above forty-five.
13693. Was there a large proportion at that age? No; I think they would average about thirty years; I dare say the majority would be under thirty years; the Lodge I am in now consists of nearly all young members from twenty to thirty-five.
13694. What were the occupations of the members of the Lodge at Pymont? They were all working-men with a few engaged in businesses in town, but very few.
13695. Did the members of that Lodge complain of the action of the doctor in any shape or form? Yes, several times; there are of course a lot of trivial complaints that need not be brought before the Lodge at all.
13696. Does the same exist at Marrickville? We have had some trouble there, but then we could not get another.
13697. Did you call for applications for the office? Yes, we advertised for tenders.
13698. And did no medical men apply? No, not one.
13699. And you had to fall back on your old medical officer? Yes.
13700. At the same rate of pay per member? 2s. per member per annum, including medicines.
13701. Who is the medical man? His name is Dr. Tibbits, he is a surgeon I believe and not a physician.
13702. Then you are absolutely forced as a Lodge to continue his services simply because you cannot get another? That is it exactly.
13703. What rate of contribution do your members pay per week? 1s. 3d. a week.
13704. How is it divided? For every financial member at the end of each month we allow 2s. 6d. to the Sick Fund, 2s. a quarter to the Funeral Fund, which is paid to the Grand Lodge, and 9d. per quarter to the Grand Lodge for incidental expenses.
13705. That is the Management Fund? Yes, a levy made on us for management.
13706. That is all the charge made on your Lodge by the Grand Lodge? Yes.
13707. There are no levies? The only charge made by the Grand Lodge is 9d. for incidental expenses; the 2s. for the Funeral Fund is kept for the donations.
13708. How many times has an attempt been made in Marrickville to induce an influx of members by a reduced scale of initiation fees? It is a recognized thing that we admit them in this way when we get fifteen together; if we can get that number together to join we allow them to join at half-fees.
13709. How often has it occurred in the history of that Lodge? We have never initiated any at full fees since I have been in the Lodge.
13710. And since when was that? Since December last.
13711. And since then you have not initiated any members at full fees? No, none.
13712. And how many have you initiated at half-fees? I could not give you the exact number.
13713. But approximately? I suppose a dozen at the least.
13714. You meet fortnightly? Yes, we meet fortnightly.
13715. Do you think persons seeking to become members of your Lodge wait for the number to be made up to be admitted at half-fees? We generally make it a point to get them together if possible.
13716. Then you prefer to initiate a number at half-fees? Certainly.
13717. Can you point out to the Commission the advantage of that principle over the principle of initiating them singly at full fees? I do not see that there is any advantage, except that we prevent them joining other Lodges or Societies, and we want to get them.
13718. Then the object would be to prevent them joining other Societies? Yes, and to strengthen our own.
13719. Do you know that it is the custom in the most successful Lodges of other Friendly Societies to initiate at the full charges? No; I believe it is the custom to initiate at half-fees, so far as I have heard.

13720. You do not know that of your own knowledge? No; but I have heard it from several members of our Order that other Orders do it to a large extent.
13721. Has there been any unpleasantness on account of members having come in at half-fees? Not at all.
13722. It has never had any bad effect on the members of the Lodge? No.
13723. Where do you meet at Marrickville? In a church belonging to the Primitive Methodist people.
13724. What rent do you pay? 5s. a night.
13725. Do you consider your Lodge to be in a healthy condition at the present time? Yes, I do.
13726. *Mr. Greville.*] You produced an account of the expenditure incurred at the opening of the Pymont Lodge? Yes.
13727. Was that account audited? No, it was not; but I copied the amounts from the original accounts.
13728. Were the vouchers produced? No; these expenses were all incurred before the Lodge was instituted—before it was a Lodge.
13729. But did the person who incurred the expense when repaid produce vouchers for the payments? The fact of the matter is that the major portion of that account was paid out of funds he had taken himself without our consent whatever.
13730. But in lieu of the money did he produce any receipted accounts? I could not say.
13731. Then no suspicion existed in the Lodge that the money had not been spent? The only suspicion was that the charges were too high.
13732. But was there not a suspicion that the man did not pay the money he said he did? We could not have any suspicion of that, though no doubt a lot of members thought so.
13733. Then did the man produce receipted accounts? Yes, I believe so.
13734. And yet a suspicion existed? Well, I would not like to swear that all the accounts were receipted, because it is so long ago since I kept them.
13735. I want to know whether it was mere recklessness of conduct, or whether there was just cause for suspicion of peculation? We thought it was reckless expenditure.
13736. And did you acquit the man of peculation? No.
13737. You thought perhaps there was a little of both? We did not know what to think about it.
13738. *Mr. Holdsworth.*] The Lodge was established by Mr. Garcia? Yes.
13739. Was he a Grand Lodge officer? He is now.
13740. Was he then? He was a Deputy I think.
13741. Do you not think in a case of this sort that the Grand Lodge ought to be held responsible? Well, it was so far away, being in Melbourne at that time.
13742. Does it not appear somewhat hard to you that a new Lodge should be rendered bankrupt before it starts, and the Lodge have no redress? Yes it does, and we would have gone for redress had there been a Grand Lodge in Sydney.
13743. *Mr. Langley.*] Did any members of your Lodge denounce that expenditure as a robbery and swindle to your knowledge? Well, I do not think there is one who did not.
13744. When you wrote to the Grand Lodge in Melbourne did they give you to understand explicitly that no person was authorized to spend more than £5 in opening a Lodge? Yes, and I tried to get that letter from the Grand Secretary to-day, but could not. It not only stated that, but also that he was to be repaid if the amount was passed by the Lodge.*
13745. I notice an account for the carriage of the officers to the Lodge on the opening night? Yes.
13746. Do you know whether a carriage was provided for the officers who took part in opening the Lodge? I do not at all.
13747. Were you there on the opening night? Yes, I was.
13748. Did you see a number of officers present from the city, of whom I was one? Yes, I did.
13749. If some of these officers were to tell you that they never saw such a thing as a conveyance would you believe them? I would not know what to say.
13750. If they stated that they paid their own expenses there and back would you believe them? I could not do anything else.

13751.

* Note by the Secretary:—This letter was subsequently forwarded to the Commission by the witness, and is here appended.

A 2.

Independent Order of Oddfellows, Grand Lodge of Australia,
Russell-st., Melbourne, 16 August, 1880.

Thomas Stewart, Esq., Secretary, Pymont Lodge, No. 14.

Dear sir,

Your letter under date of August 9th came to hand this morning, also a statement of the expenditure incurred in opening your Lodge. I certainly must confess surprise and astonishment at the reckless expenditure, as per statement.

You ask in your letter is Brother Garcia empowered to contract debts for opening new Lodges. The Commission of a District Deputy does not empower a person to contract debts on account of the Order.

You also ask the date of the authority from the Grand Lodge, giving him power to open Lodges and contract debts. There is no authority given to any Brother by the Grand Lodge, authorizing him on behalf of subordinate Lodges to contract debts either in opening Lodges or otherwise.

In opening a Lodge there is a certain amount of preliminary expense which must of necessity be incurred prior to the opening, to meet the outlay and reimburse the Brother or Brothers. The Grand Lodge passed a resolution to pay a sum not exceeding £5 to the Brother or Brothers who open a new Lodge, such payment not to be made until the Lodge is six months in existence; this you will observe is to meet the opening expense of the founder or founders. The Lodge having been opened the members then control their own expenditure. You ask me to rectify this wrong, and also to appoint some one to do the Grand Lodge business. I am unable to control the expenditure; that is a matter that rests with yourselves, and in regard to the removal of a District Deputy, that lays entirely with the Grand Master,—he appoints them, and he alone can remove them from office. From what I can hear, you will shortly have a Grand Lodge of N.S.W., your G.M. will then appoint his D.D.G.M. for your Colony, and I trust that he will be able to exercise that supervision which distance has hitherto prevented.

I post you, as per order, one dozen clearance cards. With kind regards,—

I remain, &c.,

W. JUDGE,

G. Secretary.

Mr.
T. Stewart.
July, 1882.

13751. With regard to the position of your funds when that account was paid of Miller and Glassop's, was the Lodge solvent when you made that payment or not? That puzzles me, though I know the funds were not very great at the time, and I believe we had to break into the Sick Fund to pay the account, but am not certain.

13752. I think you stated that the posting and printing were enormous? Yes.

13753. If posters were put on every house in Pymont at the time, do you think the amount you were charged was extreme? Yes, our solicitor pleaded that on our behalf, but it was no use.

13754. What was the cost of opening the Langley Lodge at Marrickville, including all books and regalias? £30, and Pymont cost more like £70, irrespective of any books whatever.

13755. Has the Pymont Lodge ever brought this matter under the notice of the Grand Lodge of New South Wales since local government was obtained? No, I do not think they did—they were sick of it altogether.

13756. Do you not think it would be only fair in the interests of the Lodge to have brought the whole matter before the Grand Lodge of New South Wales? Yes, I dare say it would.

13757. Have you ever heard what it cost to open the Waterloo Lodge? No, I could not tell you the amount, but I know I have heard in Lodge circles that that Lodge among others was opened with just the same reckless expenditure.

13758. And did you ever hear that there were any inquiries as to who "A. Grey" was? I know nothing about the parties; we had no opportunities of knowing, as the accounts were all paid before the Lodge was opened.

13759. Out of what fund? Out of the proposal fees; two or three came over together and took 5s. per man, and out of the proceeds they defrayed the expense.

13760. In any future legislation on Friendly Societies, do you not think that steps should be taken to prevent any person expending money except the members of the Lodge themselves? I think the better plan would be to allow the Grand Lodge officers to say where the Lodge shall be opened, and to vote an amount of money to be spent, to be repaid by the subordinate Lodge.

13761. You are aware that £5 is the recognized amount? Yes.

13762. You mentioned something about the North Shore Lodge? Yes.

13763. Does their grievance arise from the same cause? From some reckless expenditure, I believe; at present they are unsettled and do not know what to do—whether to leave the Order and go to another or to disband altogether.

13764. Do you know whether it is reckless expenditure in connection with the Lodge, or charges made against the Lodge which they deny ever having received value for? I cannot answer that; but I know it is money matters in connection with it by one of the Grand Lodge Officers.

13765. Would you name him? I believe it is Mr. Garcia, but would not be certain.

13766. *Mr. Rubie.*] Does not one of your rules say that a bonus of £5 shall be given to a member for instituting a Lodge? No; any man can open a Lodge, and can expend a sum not exceeding £5, the sum to be repaid after the Lodge has looked into the affair and is satisfied with the expenditure.

13767. And what would that be expended on? There would be some advertising, but not much; then they would require to get a room, which, however, need not be paid for; and there would be some stationery, which would not have to be paid for; so that £5 would be ample for all preliminary expenses.

13768. The other expenses would be paid by the Lodge after its formation? Yes.

13769. Is Mr. Garcia still a member of your Order? Yes; he holds a position now as Deputy Grand Master.

13770. Has he ever been brought to account for the large expenditure? Not by the Grand Lodge. He has never been brought to account in any Lodge; but all the Lodges I have named are grumbling about him.

13771. And is it not one of the duties of the Grand Master of the Grand Lodge to take cognizance of such a case? I wrote to Melbourne about the case, and was told that as the Grand Lodge of New South Wales was about to be opened they would not do anything in the case; but they gave me a decisive answer that £5 was all that any one was authorized to spend.

13772. *Mr. Newland.*] Is it necessary for the working of your Society that all this paraphernalia should be obtained and belong to the Lodge? Well, that depends on the different views of people; I believe it is necessary to have it, as it seems to have a good effect on new members, though it might be reduced a little.

13773. *Mr. Slade.*] Are you aware whether at the opening of these two new Lodges the usual medical examination of persons proposed took place? Yes, it did.

13774. Are you quite sure of that? Yes.

13775. Did you see the examination certificates? Yes; I saw the examination certificate of every man initiated during my term of office.

13776. You are quite sure you are stating the truth respecting Marrickville particularly? Yes; that is, from the time I joined the Lodge as Secretary.

13777. But at the opening? No; I was not at the opening.

13778. Have you ever been at the opening of any Branch of the Order? No.

13779. Are you aware whether the members are received without a medical examination? No; they must produce a certificate signed by the surgeon.

13780. Referring to that bill of accounts, are you quite sure that the sum of 19s. 6d. was expended for the purpose stated? I do not know where the money has gone to, but this charge was made on us.

13781. Is the Commission to understand that if the money was not paid for that purpose, it must have gone in some other irregular manner? It must have done so; and on the very night the Lodge was opened a kind of banquet was given to Brother Garcia; perhaps the 19s. 6d. was spent over that.

13782. Are you aware whether any of the money of the Lodge was used in paying for the banquet? I am not aware of it; I know that before we were properly made members we were asked to join in a banquet and pay our entrance fee.

13783. There is an item in the bill for £3 for a coffin? Yes.

13784. Can you say whether the article was worth £3? No, I should think £1 would buy it. I think we gave £1 for the coffin in our Lodge, and £1 for a box to cover it.

13785. To the best of your judgment £1 instead of £3 would have been sufficient? Yes.

13786. Is the Commission to understand that the charges all bear an equal degree of exorbitance? Yes, decidedly.

13787.

13787. And is it necessary for the working of a Lodge that all these things should be provided? No, I do not think so; there is a chest of drawers and ballot-box, four guineas; we could have done without the chest of drawers and we have since disposed of it for £1.
13788. There is another item on the bill for marbles? These were black and white.
13789. Are they not usually sold at the rate of about 3d. a hundred? I could not say I am sure.
13790. There is an item of 4s. for that; how many members did your Lodge open with? I do not think above fifty, but I would not be sure.
13791. *Mr. Gelding.*] Could you tell the Commission the state of the finances of the Marrickville Lodge? At the end of June there was £21 8s. 8d. in hand.
13792. Have you ever examined the books that were in the Lodge at the time of opening? Yes.
13793. Then if it was publicly asserted that no medical examination took place of a number of these members who were at the opening it would be untrue? Well, I think the public assertion must be wrong.
13794. You said that in these Lodges the most of the members are working-men? Yes.
13795. And do you think you require all this expenditure where working-men are concerned in banding together for mutual good, to aid one another in sickness and distress? Well, there is no doubt that it causes an amount of feeling in a Lodge; the members like a little departure from the ordinary business, and the initiation ceremony is always looked upon as something good and worth coming to see; they would not come if they had simply the dry business every night.
13796. Have you ever heard the cost of opening Lodges in connection with other large Friendly Societies? No, I have not.
13797. Are you aware that they dispense with all this ceremony? No, I believe they have a certain amount of initiation ceremony.
13798. Very simple? Yes, just as simple as ours.
13799. Do you not think some £5 or £10 should be sufficient to open a Lodge instead of £30? No, I think £25 is a fair amount.
13800. You are in favour of an extravagant system of opening Lodges in preference to a simple one? My experience is that if there is not a certain amount of initiation ceremony the members lose interest.
13801. Then all the Lodges have to pay not less than £30 for opening expenses? Well, £25 is a fair sum.
13802. What salary do you get? They pay me £8.
13803. Does the Treasurer get paid? We elect a Treasurer and vote him £1.
13804. How often are audits made? Every six months.
13805. Do you not think quarterly audits would be better than half-yearly? I dare say it would be a greater check; it would cost a lot of extra work to the Secretary and the Finance Committee as well.
13806. It would not be much trouble in a Lodge of thirty members like yours? No.
13807. Do the Treasurer and Secretary give guarantee bonds? Yes, by a Society.
13808. Do you believe in the wisdom of this keen competition that is taking place in Friendly Societies? No, I do not.
13809. Are you in favour of a uniform contribution, or would you favour a sliding scale? I am in favour of a uniform contribution.
13810. You think a young unmarried man of eighteen should pay as much as a married man of thirty-five? Yes, I think so.
13811. You think it is fair? Yes, it does not make any difference to the Lodge whatever.
13812. But it does to the member? Not unless the man himself is unhealthy; there is no benefit derived except by the man himself who is an actual member of the Lodge.
13813. Medical benefits? They cost the same in any case.
13814. *Mr. Langley.*] Are not all the Lodges of your Order compelled to send in quarterly returns showing the receipts and expenditure? Not the expenditure; only the receipts, on account of the initiation of new members during the quarter ended.
13815. Do you know if the returns are examined by a Special Committee appointed by the Grand Lodge or not? Yes, I believe so.

Mr. Thomas Sanders sworn and examined:—

13816. *Chairman.*] What Lodge are you a member of? The Prince Albert.
13817. Of what Order? The Grand United Order of Oddfellows.
13818. How long has it been established? I think it is about thirty-five years.
13819. How many members have you? I think forty members now.
13820. And what is the worth of your funds? I cannot tell you; I have not the honor of being Secretary the last seven months, but have been Secretary for seventeen years; I gave up my position as Secretary last Christmas.
13821. You have been seventeen years Secretary? I have.
13822. What has been the general character of the Lodge—has it been flourishing? It has been flourishing, but we have had a great deal of sickness.
13823. Have you had a larger number of members than now? Oh yes.
13824. How many? When I entered the Lodge, thirty years ago, there were 145 members in it.
13825. And what were the funds, the largest amount you can remember? About £350.
13826. And now you have about £50? About that.
13827. Have you any doubt as to the soundness of the Society? I have no doubt at all; within the last six months there have been four members on the funds.
13828. What is about the age of your members? I am the second oldest member in the Lodge.
13829. And what is the age of the others? It runs from about sixty-four to twenty-one.
13830. And the larger proportion of them? Would be about thirty-five.
13831. Are you paying your expenses? Oh yes.
13832. And adding anything to the Reserve Fund? Not at present.
13833. But have you been for some years past? We were prospering very well, but as members got into arrears sickness came on them.
13834. Have you any doubt that your present financial position is not sound? I have no doubt about it, because if we had no sick members we would come round and be flourishing again. Two of these members were sick on the funds for six months and then died.

Mr.
T. Stewart.
24 July, 1882.

Mr.
T. Sanders.
24 July, 1882.

- Mr. T. Sanders.
24 July, 1882.
13835. About what time was it when you had £350? That is somewhere about the time when I first joined the Lodge.
13836. There has been a gradual going back ever since? A gradual going back and also a gradual getting up.
13837. Are you conversant with the provisions of the Friendly Societies Act? I think I know the Act pretty well.
13838. Do you think it answers the purpose for which it was passed? Yes, I think it is a very good Act.
13839. Has any of your decrease in funds been occasioned by misappropriation by the officers? No.
13840. Have you ever resorted to the system of half-initiation fees? To the best of my knowledge I think we made an application to the Sydney District twice; I think it is a very good idea.
13841. It takes in young members to balance the aged? Certainly.
13842. How are your funds at present invested? In the Bank.
13843. In the names of Trustees? Yes.
13844. Do they give a guarantee bond? Yes.
13845. From a Society or the members? Some of the other members will go bond for them.
13846. *Mr. Newland.*] How long have you been paying 1s. 3d. a week? Next month it will be twelve months.
13847. What were you paying before? 1s.
13848. And never increased it? Once before for six months to 1s. 3d.
13849. But you have been working for all these years at 1s? Yes, at 1s.
13850. Have you not been requested repeatedly to raise your dues? Yes, by the district officers.
13851. And has not your Lodge on frequent occasions when giving distress gifts away been warned that they were not doing what was proper? Well, there have been several applications to us to help the distressed, and sometimes we have given £1 and sometimes 10s.; still I was always against it.
13852. But were you warned that you were doing wrong? I cannot recollect.
13853. *Chairman.*] How often do you have audits? Every three months.
13854. And did the Auditors call attention to the fact that your Lodge was going back? Yes.
13855. And did the Lodge take any notice of it? The only notice we could take was that we should have to stop the sick pay.
13856. Your attention was called to the fact, and after conversation no further steps were taken? No.
13857. Are you in favour of the present system of auditing by members of the Lodge, or would you prefer a Government officer auditing the accounts? I should be in favour of a Government audit of the books.
13858. Anybody but the members? Anybody but the members of the Lodge.

Mr. James Dummer sworn and examined —

- Mr. J. Dummer.
24 July, 1882.
13859. *Chairman.*] Are you a member of a Society? I am.
13860. What? The Protestant Alliance Friendly Society of Australasia.
13861. What Lodge? No. 25.
13862. How long have you been a member? Since we started, nine years ago.
13863. Are you a regular attendant? Not lately I have not been.
13864. Were you attending when Mr. Pettit held office? I was.
13865. Have you a knowledge of any charges having been made against him? Verbally—not otherwise.
13866. Were they made when you were present? They were.
13867. Were you present when the Special Auditors brought up their report? No, I was not.
13868. Did you hear what the report was? No.
13869. Have you ever received concessions from that Lodge in the way of making you good on the books when you were unfinancial? No.
13870. You were Treasurer at one time? I was.
13871. During your term of office were there ever any errors found in your books? No, not to my knowledge.
13872. Did you never have to refund or make good certain amounts of money? I made good certain amounts of money that were supposed to be deficient through the death of the previous Secretary.
13873. Not from any irregularities of your own? No; the previous Secretary died, being taken with paralysis. In preparing the books for the quarterly audit the funds could not be properly adjusted, and rather than any doubt should be thrown on my accounts after the Auditors made up the books I paid the amount out of my own pocket.
13874. Did the Auditors know you were making good another man's deficiencies? I could not say.
13875. You did not tell them? I did not; I accepted the Auditors' report in good faith; some accounts I paid over, and refunded the balance out of my own pocket.
13876. What was the amount? So far as I could find out, it was between £7 and £8.
13877. And you state that you did not have the money—that it was the irregularity of another man? Yes, so far as could be ascertained.
13878. But you did not tell the Auditors of your Lodge so? Of course I did—I told the Auditors.
13879. If Pettit has said it was your own irregularity, would that be true? No, it would not.
13880. Have you any knowledge of any other irregularities having occurred in connection with the Society? Not that I am aware of.
13881. Have you sufficient knowledge of Pettit's operations to state whether he misappropriated the funds of the Lodge? I was not in office at the time.
13882. Are you aware whether it is a custom in the Society to allow the Secretary to make concessions to members who could not pay their contributions? I never heard such a thing mentioned before.
13883. *Mr. Langley.*] If any person has sworn before the Commission that the deficiency was made up by you while Pettit was Secretary, would that be true? He was not Secretary then, not till afterwards; Mr. Ibetson was Secretary.
13884. *Mr. Rubie.*] Were the books audited at your residence one night? They were.
13885. It was very late before they arrived at a conclusion? Very late.

13886. In fact they made up without examining the pence-books? They were not examined at my house.

13887. Did the Auditors attempt to go through the pence-books? No.

13888. Was it that audit which brought your accounts in to the debt of £7 or £8? Yes. That was after the death of Brother Beetson.

13889. You were not Treasurer during the time that Pettit held office? Part of it.

13890. Your accounts and Pettit's were only audited and closed? Yes, by the Auditors.

13891. It was only when Pettit again put up for office that these deficiencies were discovered? Oh, it was before, during the time that I was Treasurer. I had my books balanced when I left the office, and the deficiency I made up myself before I resigned.

13892. So you are of opinion that it was Pettit's deficiency? No, it was the previous Secretary.

13893. Then did you bring these deficiencies before the Lodge? I brought them before the Auditors.

13894. Was it at your instance that the special audit was appointed? There was none during my term of office.

13895. But, subsequently, do you know there was a special audit held? Not in my house there was not.

13896. But are you aware that a special audit was held since you left office? No.

13897. *Mr. Slade.*] Have you had any doubt that you had none of these moneys that you had to make up? I have not the least doubt in my mind about it. The deficiency arose during my term of office when Beetson was Secretary, and was taken ill, and for a time we could not hold the Lodge meetings. He had drawn some moneys from the Treasurer to pay some accounts, and I must have paid these accounts over again; but as he was struck down, so that he could not give any account of these transactions, the Auditors could not find out any other way to correct the books than to bring me in in debt.

13898. And you paid it so as to have the audit clear, and not because you believed you owed the money? Just so; I paid it to have the audit clear before I resigned my office.

13899. Are you quite clear on the subject of these concessions? The only instance I remember was one of the old members who had fallen into difficulties, and the concession was made that he could rejoin the Lodge as a new member.

13900. And that was according to law? That was according to law.

13901. Do you know of any instance in which persons who owed subscriptions to the amount of several pounds were let off over half the amount? I never knew of anything of the kind.

13902. If such a thing had been done, would it have been done by vote of the Lodge? It could not be done otherwise.

13903. Could the Chairman order it to be done by the Secretary without a vote of the Lodge? I do not think that any member in that office would be guilty of such a thing; I never heard it mentioned in any way during my term of office.

13904. Do you think concessions, amounting in the aggregate to £150, could be made without you knowing it? I do not think so.

13905. *Mr. Gelding.*] At this date that this took place in your house, were your accounts in such a condition that the Auditors could not make anything out of them, and you all went to sleep over them? No.

13906. The audit was finished that night? Yes.

13907. And if a witness stated that, he stated what was false? Yes.

13908. *Chairman.*] How long were you Treasurer? Between nine and ten months.

13909. And you have been a member of the Society? Since it started.

13910. Have you found any difficulty in working the Friendly Societies Act? Not at all.

13911. Have you any suggestions for its improvement to make? There is one suggestion, that is in the matter of levies; the Friendly Society I am a member of issues a levy of 2s. a quarter, but they have no authority to do that, and it is only done by a vote of the Lodge. In the subordinate Lodge constitution there is no authority for the W.M. to issue a levy of any description; the Lodge has power to increase its contributions, but not to impose a levy. This I have strongly opposed, and it is only by a majority of one or two that it has been carried. The only authorized levy is to be made by the Grand Council, which is 6d. a quarter per member.

13912. Is that not a question for the Grand Council to decide? That is a question for the Grand Council to decide, but I thought it might have been within the province of this Commission.

13913. You are opposed to levies? Yes, because they have no authority to impose them.

13914. What do you pay? A shilling a week.

13915. Do you think that is sufficient? No, I do not, and I would rather pay 1s. 3d.

13916. You say there is no provision for a levy in the constitution? Not for the subordinate Lodge.

13917. But does it not give the Council power to give authority to levy? No.

13918. Then you are more in favour of a fixed contribution than of a levy? I am, most decidedly.

13919. In reference to the matter of audits, are you favourable to the present system, or would you favour the appointment of a Government Auditor? I do not see what difference it would make; some might think that a Government Auditor would be sufficient, but I have always found the Auditors do their duties correctly.

13920. Do you think the Auditors did their duty in passing over Pettit's books, when there was a deficiency of £150? I was not in office at the time, and do not know anything about it.

13921. Do you not think a Government Auditor would have found some deficiencies? These arose greatly in this way. I think it is a bad system for members to pay money promiscuously to any officer they happen to meet in the street. During the time I held the office of Treasurer, a good many pence-books were paid in to me, and persons might make a complaint that so much was paid, and a good deal of the deficiency might have taken place in this way.

13922. But did not the books show that the money had been paid and not paid over to the Treasurer? I do not know what the amount of the deficiency was.

13923. And that there were eight audits in the meantime, and that the Auditors had that staring them in the face; you would not consider that a satisfactory system of audit? I should not, and had I been in the Chair at the time I think I should have found a different system.

13924. And you think that a Government Auditor might have found it out sooner? He ought to have done.

13925. You were Treasurer during some portion of Pettit's time? Yes.

13926. Was there any difference between you as to the amount he received and what he paid you? No, they were found correct up to the time I left office.

13927. So the deficiency spoken of all occurred after you left office? Yes.

FRIDAY,

Mr.
J. Dummer,
24 July, 1882.

FRIDAY, 28 JULY, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
F. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. Alexander Kethel sworn and examined:—

- Mr. A. Kethel. 13928. *President.*] I understand you have had a long experience in connection with the working of various Societies? My experience has been confined to the Manchester Unity.
- 28 July, 1882. 13929. How long have you been a member of that Society? About twenty-five years.
13930. And you have occupied important positions in connection with the working of the Society? Yes, I have filled nearly every position at different times.
13931. I presume you have given a good deal of attention to the present Friendly Societies Act? Not of late years I have not taken such an active interest in it, but when I was in office I of course studied it a good deal.
13932. Are you not now in office? I am simply a member of the Board of Directors, the supreme Court of Appeal in the Manchester Unity.
13933. What is your general opinion as to the bearings and operation of the present Act? I hardly know how to begin on that—it is a very comprehensive subject.
13934. We have thought that you were one of those who would be able to make some good and wise suggestions and recommendations to the Commission? I would rather you put some leading questions to me and I would endeavour to answer them.
13935. I wish to ascertain from you what is your opinion with reference to the provisions contained in the present Act—are they sufficient to afford security and protection to the members of the different bodies? No, they are not, that is my opinion, but even if they were they have not been administered.
13936. You think that the administration is defective? Undoubtedly; as far as the Government administration of the Act is concerned, I look upon it as a dead letter to a large extent.
13937. Have you any suggestions you can make to the Commission that might be embodied in the Commission's report? Well, yes, I might venture one or two that have suggested themselves to me. I would suggest that a Department of the Registrar of Friendly Societies be organized on an effective scale; that an officer such as the Registrar be appointed who should devote his whole time to the administration of the Act in its various bearings; that he should be a man selected through having special qualifications for it; and being paid a liberal salary, should be expected to supervise and carry out the whole of the administration of the Act; that a gentleman of actuarial experience should be connected with the Department in addition, and no Society should be registered unless it was proven that their contributions were sufficient to meet all the benefits the members were to receive.
13938. Do you consider that at present the Societies are paying sufficient contributions to ensure financial success? I do not; many of them do I dare say, but I believe a large number of the Societies do not pay sufficient.
13939. You are quite fully aware of the benefits given by the various Friendly Societies to their members? Well, I am aware of the average of them.
13940. Do you consider, as a matter of opinion, that the contributions paid by the members of these Societies are sufficient to ensure the fulfilment on the part of the Societies of the obligations to their members? No, I do not; in the case of large Societies having many Branches extended over the country of course the risk is lessened, but simply isolated Societies are more apt to fail by having the sphere of their liabilities confined. There are many instances of failure in Societies from that cause.
13941. Has it come under your notice that a great deal of competition has taken place? I can only speak personally from what I have witnessed from hand-bills and posters through the city, and advertisements in the daily papers.
13942. What would you consider a fair financial position for a Society with (say) a couple of thousand members, the average amount of accumulated funds, so as to place the Society beyond all doubt? Well, providing the average age was about thirty years, I believe, taking it all round, it could not be less than £10 per head.
13943. You think any large Society or body such as I have mentioned would not be in a sound healthy state unless they had to their credit an average of £10 a head? That is provided they give an average amount of benefits. I take as the foundation for my remarks the average assistance to members of a guinea a week reduced at six and twelve months, a funeral donation of £20 and £30, and at his wife's death £15, with medical attendance and medicines for himself, wife, and family under the age of sixteen.
13944. Taking these benefits as the average basis of a district embracing a number of Lodges with 2,000 members, and with an average age of thirty-five, would you consider that a contribution of 1s. a week would be sufficient to place the Society in anything like a hopeful state? Certainly not.
13945. Speaking of your own Society, do you consider the amount of contributions paid by the members of your own Lodges within the Sydney District is sufficient? In many of them the contributions are sufficient, but in some I believe they are not.
13946. Do they pay a uniform contribution? No.
13947. Is it a graduated scale of contributions? No.
13948. What is the nature of it? The contributions are alike without regard to the age of the members at admission, and range from 1s. to 1s. 6d. a week, the higher sum being chiefly paid by members of Lodges in the interior, where the medical officer's fees are heavier than in the settled districts.
13949. Have you given the matter of a graduated scale of payments by members any thought or consideration? Yes, I have moved twice, I think, to have it adopted.
13950. You approve of that principle? I do, believing that it is the only sound principle.
13951. The amount I suppose should be according to the age at the time of initiation? Yes.
13952. You regard it in principle as a more fair and equitable system than the present one? Yes.

13953.

13953. And more likely to ensure success? Yes, of course due care being taken that a man is sound at the time of his examination and initiation. Mr. A. Kethel.
13954. With regard to the medical examination of members admitted into your own Society, do you regard it as sufficiently searching and satisfactory? With most of the medical officers it is, though some shirk their duty. I myself was three-quarters of an hour being examined. 28 July, 1882.
13955. But you are aware that the medical men do not devote so much time to the examination now as they did formerly? I believe so.
13956. Do your members' wives undergo an examination? They do now.
13957. How long has that been in practice? I could not say—I think it is four or five years. Mr. Gelding would be a better authority.
13958. In what particular do you regard the present Act as defective? It is defective especially in the fact that the returns required by the Act are not rendered, and in the apparent ignorance of the administrators of the Act of the way how to enforce the provisions. Mr. Oliver, when I was Secretary of the Manchester Unity, had so much to do with his other duties that he had no time to devote to Friendly Societies, though I gave him a considerable amount of information. There should be provision made for compulsory returns to be furnished at stated intervals, and that the positive age of every member in every Society should be furnished annually, with a statement of their funds, which would enable the Government to decide whether each Lodge or Branch was in a solvent position or not.
13959. With regard to the funds of these Societies, how are your funds invested? The most of the funds are invested, I believe, first, in the Government Savings Bank, and secondly, in freehold property.
13960. Your Society does not in any way invest money in share property? No.
13961. Do you take a guarantee of fidelity from your officers? Yes, every officer who has the handling of money gives a fidelity bond, and the officer at the head of each Branch is bound under a penalty to see that the bond is furnished.
13962. You are aware that the present Act allows the officers of Societies to sue members for arrears of contributions? Yes.
13963. There is power given under the Act to sue defaulting members? Yes.
13964. Do you approve of that provision? No, I do not.
13965. Do you approve of Friendly Societies or their officers in any way having recourse to Police Courts or Law Courts to settle matters of dispute that may arise? No, I hold that arbitration would be the justest and cheapest mode of administering justice, because I find that lawyers and Judges cannot be made to understand the social workings of any Society; and the cases are generally decided on some point that the members themselves consider of no importance.
13966. Then you would favour a Board of arbitration? I would.
13967. To deal with all cases of dispute? Yes, that is it.
13968. That is, a Board that would be able to meet every case? Yes. I do not know whether it would be better to have a permanent Board or allow the parties themselves to select the arbitrators. There is a provision in the Act that arbitrators may be appointed.
13969. But would it not be wise to make similar provision for dealing with this matter of dispute by arbitration? Yes, but there would be a danger of its becoming a permanent Court of Justice, and thus lose its semi-private character.
13970. How long do you consider a man ought to be in arrears before being suspended from benefits? Well, taking the Society which I know most of, I think the laws they have in operation are very just and fair. He goes out of medical benefits at the end of the quarter, and ceases at the end of a year to have the right to make himself good.
13971. Would you erase the name of a member after he is twelve months in arrears? No, I would give him the right under certain circumstances to apply for permission to rejoin, and on the condition that he did not suffer any wrong physically or morally I would admit him.
13972. Then you would permit a member to rejoin on receiving a certificate of health? Yes, and on receiving the consent of the governing bodies.
13973. And payment of his contributions? Yes.
13974. I presume you are of opinion, in common with most persons who have taken a long interest in Societies, that Friendly Societies tend very much to great social reform, and to a proper feeling amongst people of every centre of population? Yes, I believe they are one of the most powerful agencies for elevating the working-classes.
13975. And consequently they must be a great help to the State? Yes, so great that I have no means of estimating it.
13976. It tends to promote a spirit of thrift and self-dependence? Yes.
13977. Do you find many persons who have joined in a humble position in life and have got on in the world still retain their connection without participating in the benefits? Yes.
13978. And do not register for the medical benefits? Yes, but a great many register and give the medical officer the benefit of his fees. I may say that the Lodge of which I am a member is the only one that is not connected with the Medical Institute.
13979. And in your Society there are a number of members whose position is so improved that they do not take the benefits? Yes; it is often looked upon as a bit of snobbery for a man to leave the Society when he has made his position in the world.
13980. Have you seen a report from the local Branch of the British Medical Association published in the papers? Yes, I have, and have laid it aside for quiet perusal, but I had forgotten about it.
13981. You do not remember a paragraph stating that they objected to Members of Parliament, Magistrates, and others registering for medical attendance and the benefits of the Society? Yes, I noticed that especially.
13982. Did it not strike you as a remarkable paragraph? Yes, I thought it totally unworthy of any sensible educated man to pen such a paragraph.
13983. Is there any other provision of the Act you would like to make any special reference to? Yes, there is one, the provisions of which I have endeavoured to bring into force, and that is, that an examining officer should be appointed, and should have power to visit every Lodge or Branch, either in the city, the suburbs, or the country, without giving notice when he was coming, but to drop in at any time and examine their books and vouchers for the investment of their funds, inquiring into the whole organization of every Branch, and seeing that everything required by the laws of the Society or the laws of the land is being attended to. 13984.

- Mr. A. Kethel. 13984. Then would you be in favour of a Government officer visiting these Lodges? I am not so clear upon that point; I would rather that the supreme authority of every Society should appoint its own officers, so that the men should be well acquainted with all its laws and rules—men who would be able to look into the internal organization as well as the finances of the Lodge; I would embrace not only the finances but the whole of the social fabric of the family.
- 23 July, 1882. 13985. But are not the finances the most important? Yes, but they are not the only important point.
13986. What is your opinion with reference to costly machinery, such as regalia and other paraphernalia? Well, as far as I know, there is none paid for by the Society except that worn by the officers during the time they are in the chairs in the Lodge-room.
13987. But that is an expenditure imposed on the funds of the Society? Yes.
13988. Do you think it is necessary to have coffins and cross-bones and all sorts of implements? I must plead ignorance of the cross-bones. Speaking as a practical utilitarian, I do not consider them necessary; but then all men do not think as I do, and it is necessary to attract in order to gain the interest of the comparatively uneducated portion of the working-classes, and to have something more than the four naked walls and the bare floor of a Lodge.
13989. Then you think it is necessary to have regalia? More or less, yes, I do.
13990. What would be the expense of the regalia of one of your Lodges for the officers? I dare say it would be £5.
13991. For the whole of the regalia? £5 or £6.
13992. What would it cost to institute a Lodge—including regalia? Well, including books and charter or dispensation, and regalia and boxes to keep their things in, £10 should leave a margin. I believe £8 would do, but I will say £10 in order to make no mistake.
13993. To what limit of age would you admit members? I would rather not answer that question, because many men at forty are of sound constitutions, and are as good risks as men at twenty.
13994. Is there anything else that strikes your mind in reference to the present Act? No; I think the questions you have put and the answers I have given embrace pretty well all that suggests itself to my mind at present.
13995. *Mr. Abigail.*] I think your last answer requires some explanation—about men at forty being as good risks as men at twenty? I mean that a young man of twenty has all the accidents of early manhood before him, whereas a man of forty, if robust, is likely to attain to a fair age. That is what I meant by the remark.
13996. I understand you to be in favour of Government supervision over the financial part of the arrangement? Oh yes, I do not mean to exclude Government supervision.
13997. You mean that the internal working of Societies can be left to the Societies, though the financial position may be overlooked by a Government officer? Yes.
13998. What provision would you make in any new Act, where the Government might find a Society regularly going back in its funds so that it is becoming impossible for them to meet their liabilities? There are only two ways to meet such a case,—either to increase the contributions or decrease the benefits, and the Government to protect strangers joining them should have power to compel them to do either one or the other.
13999. Are you in favour of Societies being permitted to build halls out of Lodge funds? I would only allow them to invest a certain portion of their funds in that.
14000. Would you make any provision that the funds of a Society becoming insolvent should be transferred to the parent Society? I would insist on the funds being transferred to the parent Society, and every member of that Branch having a claim on that Society. Any member who honestly desires to remain a member of the general Society should have the power to do so.
14001. The object of the question is to get your opinion on the question that Lodges should not be allowed to break up and divide their funds, and so throw the old members out of benefits? They should not, though the Friendly Societies Act gives them power in that direction.
14002. Do you think the Friendly Societies Act should set forth a scale of contributions as the lowest that could possibly be charged? Well, I think it would be fair to do so. We have it set forth in our returns from England, and as Secretary we had an accomplished Actuary for many years.
14003. Do you know that the Friendly Societies Act makes provision for an actuarial certificate for new Lodges starting? No.
14004. Would you be in favour of a uniform system of book-keeping being enforced in all Lodges? Yes, I think it would be very desirable.
14005. In your large experience of Friendly Societies, I understand you have no doubt that the benefits usually given by the Societies cannot be given for 1s. a week contribution? Except in an exceptionally healthy locality, and during an exceptionally healthy period.
14006. *Mr. Holdsworth.*] Large organizations, if I understand you aright, you conceive possess a great advantage over small ones? Yes.
14007. Do you think it would be any advantage if the large organizations could make a common fund for sickness, as they do for funerals? I am not prepared to answer that in the affirmative. It would be safer for the general solvency of the Society, but a rule like that would bear heavier on individual Branches, because there are certain professions or trades more liable to accident or death than others.
14008. Do you think it would be wise in a Benefit Society to have special provision to meet any particular case of that sort? Yes, not in isolated cases though.
14009. You consider the amount that a Society should have to its credit with the average age of from thirty to thirty-five should be £10 per head to be safe? Yes.
14010. Would that not depend a great deal on the age of the Society itself? Well, it would, but I take the average ages of the Societies at present in existence in the Colony from fifty years to five; but I find that the average ages in healthy Lodges do not vary one year in ten.
14011. You consider all matters should be settled by arbitration? I do.
14012. Do you think it would be wise to have a simple form of arbitration bond appended to the Act that any member could draw up? Yes, I think it would be a very desirable appendix to a new Act.
14013. *Mr. Langley.*] I understood you to say that you were in favour of a graduated scale of contributions according to age? Yes.
14014. Might I ask how you would arrange any cases of young men, say, that were drawing out almost constantly sick pay, as against those who did not draw out any for years; do you think it would be fair to make the party who had not drawn out for years pay the same as the one who had been drawing out? Yes.
- 14015.

14015. On what grounds? I do not see that any grounds are required, for if you once admit that, you admit the question of individual interest coming in to every Society; but it is a fact that such Societies are based on the law of average; but if you introduce that you destroy the law of average. Mr. A. Kethel.

28 July, 1882.

14016. Then if it is not individual interest, how do you justify the question of graduated contributions? I understand that the basis on which I set it is the basis on which all the Insurance Companies of the world are founded, that every man at a certain age is liable to a certain amount of sickness and a certain liability to death.

14017. Do you know of an Insurance Company in the world in which the amount drawn out by the individual members is not taken into consideration? I hardly see the drift of that question.

14018. Is the amount paid out proportionate to the amount paid in? In some cases it is not; if a man dies the day after he has insured his life it is not commensurate, but if a man lives fifty years it is so.

14019. But is that not an exceptional case? I have taken the two extremes.

14020. But do you not think that, in drawing up any scale of graduated contributions, something should be taken into consideration for the amount the person draws out in sick pay? It might be justice, but I do not see how you could better the scale.

14021. Is it impossible? No, but it would involve more labour than you would get from members of Societies.

14022. Then would not a graduated scale of payments entail a great deal more trouble to Societies than that in which each member would pay alike? It would at first, but once launched it would not. A graduated scale is at present in use in all of the best Societies of the United Kingdom.

14023. In all? In the largest, I believe.

14024. Suppose you find that there is another Order aggregating in membership as much as the Manchester Unity that has worked for years on an equal amount of contributions, should not that also be considered? Unquestionably, because it is only since the actuarial scale has been developed that they have adopted this; and acting on the advice of the highest actuaries they have made it compulsory on all Lodges.

14025. Do you consider 7½d. a week in a District like Newcastle, where mining casualties are frequent, is sufficient to cover everything but doctor and medicine? Yes, I dare say it would be, but I would not like to give a positive opinion on that.

14026. You have stated that 1s. a week is not sufficient? Yes.

14027. Then how do you think 7½d. is sufficient to cover everything except the doctor? It might be; it is a question that requires considerable thought and figures to answer definitely.

14028. But I presume it is a matter you have considered very fully, as to what is sufficient to carry on the business of a Lodge? If you take medicines and medical benefits away there is nothing but sick pay and funeral money; the management expense is very little.

14029. What do you think is sufficient to carry on the affairs of a Lodge soundly? I know in my Lodge we pay 1s. 2d. a week, and I know also that that is not sufficient.

14030. Then if that is not sufficient, how can 7½d. be sufficient to cover all outside the doctor and medicine? Well, of course I must know what the doctor and medicine cost; I am not prepared to give a reply to that; I would not feel justified in saying it was sufficient, though I might think it was; I would have every Lodge's contributions submitted to the leading officers of the Society of which it formed a part.

14031. But if you find in the Sydney District that a certain amount, 14d., is not sufficient, how is it possible for 7½d. in Newcastle to do? I do not say it is possible, but say it might be possible under certain circumstances; if I had ten minutes quiet with it at home I would give you a very much more positive answer.

14032. With regard to the inspection of the Lodge, do you not think that, as far as regards the internal working of Lodges themselves, an officer well versed in this working is more useful to the Society than a Government officer? Yes, I said I preferred that the governing bodies should appoint them.

14033. Have you found that young men of from twenty to thirty receive as much, or less, or more than those ranging from thirty-five to forty or forty-five in sick pay? I would not say positively, but I believe the bulk of the sick benefits are received by the men who join at the earlier ages; of course the reason is that the bulk of the members join at the low ages.

14034. *Mr. Rubie.*] I understood you to say that you were in favour of a graduated scale of payments? Of contributions, yes.

14035. Would you make any provision in that for a Superannuation Fund? No, I would make the Superannuation Fund a special separate matter, so as not to introduce any disturbing elements into the calculations.

14036. You have a provision I presume for such a fund in your rules? Yes, but it does not come under the form of superannuation—it is simply reduced sick pay.

14037. Then after your members receive a certain amount of sick pay, I presume you pay a guinea and then 10s. a week? Yes.

14038. What is the next amount? I think it is left to a summoned meeting of the Society to continue as long as the illness lasts.

14039. *Mr. Slade.*] Would you favour a separate Superannuation or Pension Fund for permanently disabled or aged members? I would.

14040. In that fund they would be relieved from all payments, and be at liberty to do what they could? Yes.

14041. And would receive the funeral gift at last? Yes, I think it would be a decided benefit to any Society.

14042. Are you aware of any Society that has such a fund? I think the Ancient Order of Foresters has.

14043. How did you arrive at this minimum of £10 per member before a Society should be considered in a good solvent state? It would be hard to explain that now. I was over two years Chief Secretary of the Manchester Unity, and while in that capacity all the correspondence and publications of the Home Society came into my hands, and I made myself familiar with the tables on which the benefits and contributions were based, and compared them with our own Lodges, and so I formed my opinion. I could not say now how I manipulated the figures, but that was my conclusion.

14044. At what time in a Society's existence do you consider it ought to come into possession of this £10 a member? I have not given a great deal of thought to that, but I should think in about twelve or fifteen years.

14045.

- Mr. A. Kethel. 14045. Have you ever considered how long a member must belong to a Society before his payments would amount to £10? No, I had not; it is not necessary for the stability of a Society to consider that; the actuaries would not consider that.
- 28 July, 1882. 14046. The average subscriptions are about 56s. a year? Yes, perhaps rather more.
14047. From that comes funeral levies first, management expenses secondly, doctor and medicine thirdly, and we will presume 3½ days-sickness per member per annum; have you imagined how long it would take to bring the savings up to £10? No, I have not.
14048. *Mr. Gelding.*] Would you give the Commission your opinion about allowing members to join more than one Society? That is rather a delicate question; to an honest man there should be no limit, but unfortunately there are very few men who join more than one Society without some purpose of personal gain. I have had to discharge a man who was a member of two Societies, and the bulk of whose time was spent on the sick list, and therefore I consider that it would be better if a member was limited to one Society as a contributing or financial member, though I question whether it would be right to limit the right of a man to join a dozen if he liked.
14049. Have you ever studied the 44th clause of the Act? I object to the clause.
14050. You do not think there would be any serious labour incurred by Secretaries in adopting the sliding scale as adopted in the Manchester Unity? No, there are no complaints of it by the Lodges in New Zealand, where the Lodges are worked on that plan; it simply requires a little extra care.
14051. You are aware that more than half a million of people are working under that rule at the present time, are you not? Yes, I am.
14052. And instead of the Society decreasing under that rule it is virtually increasing? Yes, I am aware of that.
14053. *President.*] You have nothing more to add to your evidence? No.
14054. If anything should suggest itself, if you will send in a written statement we will append it to your evidence? I will with pleasure.

Mr. Robert Ball sworn and examined:—

- Mr. R. Ball. 14055. *President.*] What Society are you a member of? The Protestant Alliance is one.
- 28 July, 1882. 14056. How many years have you been a member? About twenty-two years.
14057. You have filled various offices in connection with the Society? Nearly all the offices except the tiler.
14058. You are also chief officer of a Branch of the Daughters of Temperance? Yes.
14059. You are Worthy Patriarch of one of the Divisions? The Princess Alice.
14060. What is the financial position of that Society? The state of the funds at present is that they owe no man anything, and have about a pound ahead.
14061. And what is the number of members? About twenty.
14062. How long have you been in that position? That is up to last quarter; they had £21 5s. 2½d.
14063. And what benefits do you give? Half benefits, the same as usual; they only pay 6d. a week.
14064. How long have you been in that position? We have been in a worse position, because as regards sickness we were compelled to suspend, by unanimous vote, sick pay for a time, and we had to do it for six or twelve months.
14065. Who is the medical officer of your Society? Dr. Shewen.
14066. Has Dr. Belgrave been your medical officer? He was.
14067. Has the Society been in such a position that he was never paid? He was always paid; I had the paying of him, and I ought to know. I am not aware that he ever had to apply twice for his money.
14068. Have you had a much larger amount of funds to your credit? They never had a large amount, owing to the daughters getting sick.
14069. You have had a larger number of members? We have, but not a great deal; it has been rather a select Division.
14070. What contributions do the members pay? 6d. a week, and each member by resolution has to register for the doctor, paying 2s. a quarter for that.
14071. Do you consider the Society at the present time in a good financial position? For the numbers I do.
14072. Are you of opinion that the funds are sufficient to insure the payment of all the benefits to the twenty-one persons? At the present time they are, and we have always found the money, and would do so; the only thing is the suspension of sick pay.
14073. How long has it been suspended for? The twelve months is not up yet. It was for six months, and it has been agreed to continue it for a further six months.
14074. What is the reason you suspended your sick pay? The young members began to confer about the funds going down, and they gave a notice of motion and called a meeting, and agreed to it themselves, so that they should not be left without any funds.
14075. And do you regard a Society that has to suspend its sick pay as being in a good position? It does not look well, but we thought it best to do it for safety; because they are in this position that as they belong to the Funeral Fund the funeral donations would be met at once. I think there have been four deaths.
14076. In what length of time? Since 1877.
14077. You have had an extended experience in reference to the working of Friendly Societies? I have had a little.
14078. Have you any suggestions to make to the Commission? I should like to see similar Societies if they could be brought two or three together so that one lot of expenses might work the lot; but we have tried it here, and there has been a feeling that they liked their own independence; but I think myself that 6d. a week is hardly sufficient to ensure the benefits, and I think the same with reference to the 1s. a week for the male Branches.
14079. You consider then that the contributions generally are too small? I do, and think that if they made it 2d. a week more it would be better and safer.
14080. You have nothing further to suggest to the Commission? No, not beyond that.

14081. *Mr. Abigail.*] Do you think the establishment of Female Benefit Societies is of advantage to the community or to the people who join them? I believe it is more to the people that join them.
14082. Have you known any cases of Treasurers or other officers making away with the funds of their Societies? Only one.
14083. Do you think having a Government officer to examine the accounts of Societies would be beneficial? I do not think it would do any good.
14084. Are the accounts generally so satisfactorily kept and audited that they do not want any attention? When we come to look at what they have to go through they ought to be if they are not.
14085. But the question is, is the auditing of the accounts so satisfactory that they do not want any further examination? I should be perfectly satisfied with it.
14086. Have you had much experience in examining the accounts of the Friendly Societies? Yes.
14087. Have you found the Secretaries generally competent to keep books and so on? Well, taking them as working-men there has been a great deal more noise than anything else.
14088. If the statement has been made that your Daughters' Division has failed to pay the doctor's accounts it would not be correct? It would be false.

Mr. R. Ball.
28 July, 1882.

Mr. Henry Asher sworn and examined:—

14089. *President.*] What Society are you a member of? The Hebrew Mutual Benefit Society.
14090. What number of members have you? Thirty-three.
14091. Is that the largest number you have ever had? No, the Society has been broken up a long time, but we have reformed it again.
14092. What was the reason it was dissolved? They gave too much benefits.
14093. Your expenditure was greater than your income? Exactly so.
14094. And you were dissolved for want of funds? Yes.
14095. What amount of funds have you to your credit now? £95 7s. 11d. at the end of June.
14096. What was the expenditure last year? £7 to the doctor, and £9 9s. to the chemist last quarter.
14097. Is that the average? Yes.
14098. What contributions do you pay? 1s. a week, and 1s. a quarter extra.
14099. What does the Secretary get? 8s. a month, and pay my own contribution out of it.
14100. What do you pay to the cleaner? Just a small gratuity occasionally.
14101. Do you consider the sum of 1s. a week sufficient to ensure all the benefits you provide? Yes; we have no sick benefit, only a funeral donation.
14102. And what is that? £5 for twelve months' membership, and £10 after two years if clear on the books of the Society.
14103. Do you receive any assistance from the members of your own Communion who do not happen to be members of the Society? No, unless they like to join as honorary members.
14104. No donations? No, we have had none yet.
14105. And your funds have been wholly made up from the contributions? Just so.
14106. What was the contribution before the Society was dissolved? I believe 15d. a week, with a guinea a week sick pay, doctor and medicine, and £20 at death of members, and a funeral and stone found free.
14107. What funds were there to the credit of the Society when it was dissolved? Nothing at all—they were in debt.
14108. Do you consider that the shilling that is now paid is sufficient to meet all your liabilities? Yes, because we have no liabilities; most of our members are working-men, and they have given a guarantee that they will not take the benefits unless they actually want it; we save 11d. a month from each member.
14109. Is that after you have paid your doctor and chemist? Yes.
14110. Do you pay anything for the use of the building? No.
14111. Do all your members undergo a medical examination? Yes.
14112. Your Society is a registered Society? Yes.
14113. Only recently registered? Last month, I think it was.
14114. How do you invest your funds? In the Bank.
14115. To the credit of Trustees? Yes; we have £52 10s. in the Bank at 5 per cent. interest.
14116. Do the officers provide any guarantee? No.
14117. Do you propose that there should be a bond or guarantee? No.
14118. Your Society is wholly confined to your own communion? Yes, exactly.
14119. How often do you have your accounts audited? Every quarter.
14120. *Mr. Rubie.*] You say you have only lately come into existence again? About three years since.
14121. And it broke up for want of funds? Yes.
14122. Are you giving the same benefits they gave? We gave no sick benefits at all.
14123. All you provide is—? Doctor and medicine, and the funeral donation I mentioned before.
14124. *Mr. Langley.*] Have the whole of these funds accumulated since the Society was re-started? Yes, we began afresh with thirteen members.
14125. Without any funds at all? Without any funds at all.
14126. In your opinion, could you work your Lodge or Society satisfactorily for less than 1s.? I do not think so.
14127. *Mr. Abigail.*] Seeing that under the full benefit system you failed at 1s. 3d. a week, have you any doubt that those benefits could not be given for 1s.? We could not do it.
14128. The benefits you gave are about the same as those of other Societies? Yes, but we charged no entrance money then.
14129. Your expenses are about 4s. 1d. a month? Yes.
14130. *Mr. Smith.*] Were you a member of the old Society? Yes.
14131. Was it a registered Society? I believe it was.
14132. Was any action taken by the Registrar? I do not think there was, but I do not recollect.
14133. Were any persons put to inconvenience? Yes, I believe one or two never got their money to this day; they had nobody to get it from.

Mr. H. Asher.
28 July, 1882.

- Mr. H. Asher. 14134. Then some injustice was done through the bursting up of the old Society? Yes.
 14135. And that resulted from the fact that you gave larger benefits than most of the Societies? No
 28 July, 1882. Society ever gave the benefits; for they provided funerals and stones, and for people to come to the house and pray for them.
 14136. How many years did the Society exist? Oh, a long time.
 14137. What is "a long time"? Eight or twelve years, to the best of my recollection.
 14138. Were there many members in connection with it? Oh yes, nearly all the Jews in the country.
 14139. Then they would be very strong? Yes, very strong indeed.
 14140. You said you paid no entrance fee? Yes, a very large entrance fee, according to age.
 14141. Were any members sustained by that Society in their old age? There were two or three pensioners.
 14142. Permanent? Yes, while they lived.
 14143. There was no special provision in the Society for that? No; it depended how long they had been in it; the Committee could vote them the money.
 14144. Is it a fact within your knowledge that the Society gave a large pension and house free of rent? Not a house.
 14145. Did they find clothing and food? Not to my knowledge.
 14146. But they gave a pension? Yes.
 14147. Do you know what was the amount per week paid by way of pension to any of the old members? From 7s. 6d. to 12s. 6d.
 14148. Is it not a fact that some members had as much as 30s. a week? Not to my knowledge; they may have had it.
 14149. Could it have escaped your notice as a member? I should not think it would.
 14150. All the wealthy Jews in this city of Sydney were identified with the old Society? Oh no—not one quarter of them.
 14151. Then if it were said you had received large donations of money would it be true? I do not know.
 14152. There are two sections of Jews here? There are two Synagogues, but they are both the same.
 14153. Did the old Society make any provision for the orphans of deceased members? No, none whatever.
 14154. Is it a fact that a number of children, I think some five, were educated and maintained by the old Hebrew Society? No; that is the Orphan Society—a different Society entirely. We have three Hebrew Societies in Sydney; we have the Philanthropic Society, the Widow and Orphan Society, and we have this one, but they are all distinct.
 14155. I see the balance-sheet shows you have paid a guinea for the registration of these Rules? Yes.
 14156. These Rules were twelve months in operation before you sought to register them? No, we had to get them altered before we could get them registered.
 14157. I suppose you have not much knowledge of the working of the Friendly Societies Act? No.
 14158. Are you a member of any other Friendly Society? I am not now, but I was at one time.
 14159. Then there can be no doubt about the stability of the Society under the present amount of contribution you now receive? None whatever.

The Commission then adjourned till Monday, 31st July.

MONDAY, 31 JULY, 1882.

Present:—

JOHN DAVIES, Esq., M.P., C.M.G., PRESIDENT.

JOHN GELDING, Esq.,
 E. GREVILLE, Esq., J.P.,
 P. J. NEWLAND, Esq.,
 JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
 P. R. HOLDSWORTH, Esq.,
 E. J. RUBIE, Esq.,
 W. E. LANGLEY, Esq.

Mr. James Thomas Hewitt sworn and examined:—

- Mr. J. T. Hewitt. 14160. *President.*] What Society are you a member of? The Prince Albert Lodge Grand United Order of Oddfellows.
 31 July, 1882. 14161. How long have you been a member? Four years.
 14162. Do you hold any office? Secretary.
 14163. How long have you held the office? About twelve months.
 14164. What is the financial position of your Society? At the present time we are only worth about £45, and have fifty-one members.
 14165. What is the cause of your funds being so low? I attribute it to the sickness which has been very prevalent amongst the members during the time I have been a member.
 14166. Has there been a large proportion of sickness amongst your members? Yes, there have been within the last six or eight months four or five continually on the funds.
 14167. Are they old members? Old members.
 14168. How long has your Lodge been in existence? Upwards of thirty years; I am not sure of the date.
 14169. What is the largest number of members you have had at any time? I am not aware.
 14170. And most of those remaining are old men? Well on an average they range between forty and sixty.
 14171. What are the contributions paid? 1s. 3d. a week.
 14172. Have they always been 1s. 3d.? No.
 14173. For how long have they been that? The last twelve months.
 14174. You were compelled to raise the contributions? We were not actually compelled, but it was thought advisable by the Lodge in order to better the condition of things to have an extra 3d., and the members agreed to it.
 14175. Do you think your Lodge would have been in existence now if you had not done that? They would have been in existence, but they would not have been on such a financial footing.
 14176. You would not have had £45 to your credit? Undoubtedly not. 14177.

14177. What do you think is sufficient to give the benefits that your by-laws provide? I think myself that our Lodge will never be able to do with anything less than 1s. 3d.; but in case of a new Lodge I imagine 1s. would be quite sufficient, because you would have a greater percentage of young men, while in this Lodge the majority are old members, and are thus liable to sickness more than young men, as a rule, are.

Mr. J. T.
Hewitt.
31 July, 1882.

14178. But do you not think young members joining would become old men? Yes, and a Lodge in its infancy should provide against that.

14179. And could that be done by the payment of 1s. a week? I imagine so.

14180. Do you not think your Lodge is a striking proof that it is not sufficient? It is certainly not very creditable.

14181. Is it not a striking proof that the contributions are not sufficient? I cannot say definitely upon that point, because I believe any Society at all can be worked for 1s. a week, and there is ample proof of it, when you look round at other Societies and compare their position with ours. It only requires management and system.

14182. Do you know any Society that has been in existence thirty years that is in a better position than yours? I could name six that have only been in existence half the time.

14183. You are aware that the liabilities are growing all the time? Yes.

14184. That the members grow more liable to sickness and death? Yes, I am aware of that of course.

14185. And you still think that a Society could be carried on for 1s. a week? Yes, that is my firm conviction.

14186. How do you invest the small funds that you have? They are invested in the Savings' Bank.

14187. In the names of Trustees? Yes, we have Trustees.

14188. Have you had any cases of defalcation in connection with the Lodge? No, not that I am aware of.

14189. *Mr. Golding.*] This book (*produced*) is, I suppose, your cash receipt book? Yes.

14190. And do you think this is a good way of keeping members' contributions? No, I do not, and I aimed at a reform, but I cannot say what the result will be until we next meet.

14191. The way in which the pence-money is entered down here, it is almost an impossibility to know what a member owes or the position he stands in? Well, you can understand it—or at least I can—but I know it is not a proper mode of doing it.

14192. You have given some attention to the working of Friendly Societies? Yes, during the last two or three months.

14193. Do you not think it would be advisable to have a uniform system of keeping your books? Yes, and it is the case in our Order, our Lodge I think being the exception.

14194. Have not the District Officers taken steps to compel you to keep the books in a proper way? Not me personally; they have called attention to the irregular system of book-keeping, and we are aiming now at something better, but no definite action has been taken so far.

14195. You are quite sure that 1s. a week is enough for young Societies to pay? Yes.

14196. Out of your own Order, are you aware of any other large Society that only pays 1s. a week? I have heard that the Manchester Unity only pays that.

14197. Considering the age of your members now, and the small amount of capital, do you think 1s. 3d. is sufficient to meet your demands? If things go on as they have been, I have no hesitation in saying that £45 will never see us over another twelve months.

14198. And do you not attribute that to the fact that you have been working in this cheap manner in the infancy of your Lodge? I cannot say, as I have been a member only two or three years.

14199. Is the minute-book (*produced*) the only minute-book you keep? From the time I have taken office it is.

14200. Are the minutes of each night confirmed in the usual manner? Yes.

14201. Do you ever have them signed? The Noble Grand as a rule signs them.

14202. In 1880 there are nights in which the minutes of the night's proceedings are entirely omitted;—was there any lapse of meetings on those nights? I cannot answer that, for I might not have been there; my secretaryship dates from January 24 this year.

14203. And in a very large proportion of cases the minutes were unsigned; were they confirmed the same way as the others? I believe so.

14204. There are some nights referring to matters on the preceding night of which no notice is taken in the preceding night's minutes? I should think that was the elective Secretary's fault for omitting to put it down. He keeps the minute-book; I have nothing to do with that.

14205. Do you not think it would be wise to have your books paged, so that you would know that they are the correct minutes? Yes, I am sure of it.

14206. And headed with the name of the Lodge? Just so.

14207. You are quite sure that these are the minutes of that Lodge, though it bears no evidence of it? I am certain of it. As soon as I was appointed Secretary I did my best to bring about a better style of book-keeping; and I am trying to aim at a reform, though with a certain amount of opposition; but I hope the matter will be settled at our next Lodge meeting, and that we shall have a better system.

14208. *Mr. Newland.*] Has not your Lodge, on repeated occasions, tried to raise their contributions? They have.

14209. And they have failed? They have failed.

14210. How long is it since your Lodge endeavoured to do that? Some two years ago, I think; eighteen months or two years ago.

14211. Have you not lately endeavoured to increase your funds by levying on yourselves? On our last Lodge night I think a resolution was brought forward that we should pay the District levy out of our own pockets, without touching the funds of the Lodge, but the motion was defeated after a little debate, the reason being that there were about eight or nine young members there who came prepared to draw their clearances in the event of the motion being carried.

14212. Have not similar attempts been made in the past, which have also failed? Yes.

14213. Has there not been a general complaint on the part of the District officers at the manner in which your Lodge was conducted? Yes.

14214. The District officers have no power to fine the officers for any irregularities according to their laws? Quite so.

14215.

- Mr. J. T. Hewitt.
31 July, 1882.
14215. *Mr. Langley.*] Is no supervision exercised over the working of your subordinate Lodges by an appointed or elected officer of the District or Grand Lodge? Well, there is no direct supervision, with the exception of the District or Lodge transacting the regular business that transpires between them.
14216. Is there not provided by your constitution an officer, a District officer, who is supposed to exercise supervision over the different Lodges, and to see that they are working in accordance with the constitution? Yes; in that sense of the word the District has power to supervise all the Lodges, and see that they are working in accordance with the constitution.
14217. Has it been known to the District that your Lodge has been carrying on your business in such a loose and irregular manner as they have been doing? I believe it has.
14218. And have no steps been taken to compel them to act up to your constitution as registered under the Friendly Societies' Act? The only attempt that has been made has been that the District officers have visited the Lodge and endeavoured by force of speech to try and alter the state of affairs. That is the only action I know of that has been taken.
14219. Are you certain of that? That is all I know of.
14220. But does not your constitution give certain powers to the District, in case of a Lodge acting illegally? Yes, if a Lodge is acting illegally it does; but you cannot call illegal anything that the Lodge has done since I have been a member of it; it has only been the want of system, and the rough way things have been done; it has been legal, but unbusinesslike.
14221. Is it not illegal to commence the business of one Lodge meeting without confirming the minutes of the previous Lodge night? It is illegal.
14222. Then if you had no minutes how could you be acting legally? It would be quite illegal, but in the course of answering these questions I am only speaking of the time I have been appointed, since when the minutes have always been confirmed.
14223. You have stated that you have tried to bring about a reform? Yes.
14224. Have you been supported in that by the District officers? Undoubtedly.
14225. And has anything come of it? Nothing definite yet, but I have great hopes that there will be; and I am certain a reform will be brought about in a short period of time.
14226. But do you not think, where the interests of so many people are at stake, that it is the duty of the District officers to interfere when they find a Lodge acting illegally and going to the bad as your Lodge appears to be doing? Undoubtedly.
14227. Then have these powers been exercised to your knowledge? No, only in what I have just mentioned, the District officers going there and giving advice.
14228. They have taken no other action or pointed out to you what could be done under the Act if you continued to act as you have been acting? Not that I am aware of.
14229. If the same state of things that you refer to is carried out in each Lodge, would not the Lodges become independent of the District? That is a question I can hardly answer. I know that we could not get away from the District for want of funds, if for nothing else.
14230. But if you are acting illegally as regards your funds what claim have you on the District, if the District knows you are acting in this way? We would have no claim on them, but the District so far has always met all our claims, and I fancy it is their look out.
14231. Do you not think, in cases where a Lodge acts in opposition to or in defiance of the recommendations of the governing body, the Friendly Societies Act should give such powers to the governing body as would prevent anything of the kind occurring again? Yes, undoubtedly.
14232. Unless there is a power of the kind, do you think it is possible subordinate Lodges can be carried on with due regard to the interests of its individual members? No, I do not.
14233. *Mr. Smith.*] Can you explain to the Commission why this book (the balance-sheet book) is so mutilated? No, I cannot.
14234. How long has the book been in your possession as Secretary? It has only been in my possession since January 24.
14235. You have apparently done the principal writing and figuring in it? No.
14236. And you cannot account for the mutilation? No, I cannot; I have only entered two things in that book that you have possession of now.
14237. Are these the balance-sheets that are presented to your Lodge? Yes.
14238. They are not signed by any Auditors? I believe they are.
14239. Do you know that there are one or two that are not signed by any Auditors? No, I am not aware of that; I can vouch for the last three reports being audited and found correct; and the Auditors, if they have not signed the book, have signed a paper which the Lodge holds possession of to that effect.
14240. *President.*] I see the name of one of your members, "James Wiseman"; is there such a member? Not at the present time.
14241. There was in 1859? I do not know; I was not a member.
14242. You cannot tell what the practice was in reference to sick pay in those days? No, I could not.
14243. What is your practice now in reference to sick pay? A brother who requires sick pay has to forward a certificate signed by our medical officer, and thereupon the Secretary sends word to the Sick Committee, who go and visit him and report to the Lodge at the next meeting, and on their report the money is either paid or not, as the case may be.
14244. How much do you allow? £1 a week for twenty-six weeks, and contributions paid.
14245. What do you give after that time? 15s. a week.
14246. And after that? 10s. a week, I think.
14247. Do you give full sick pay now? Yes.
14248. At the present time? Yes, at the present time.
14249. You have not suspended benefits? Not now—it has been done.
14250. How long since? Two years ago the benefits were suspended for twelve months by unanimous vote of the members.
14251. Have you any of your members now on the sick funds? No, we have not.
14252. Has it been proposed by the officers or members to take any steps to place the Lodge on a proper financial basis? Yes, several times, and I may mention that they are going to hold a public meeting and initiate members at reduced rates to try and help them out of the fire.

14253. And do you think it is likely that many will join the Society even at the reduced rates under existing circumstances? I can hardly answer that question; there are so many inducements held out now, and so much competition, that it is a hard matter to say whether you could get half a dozen to join.
14254. Do you think that the competition existing is a healthy one? I do not think it is.
14255. You have nothing further to add to your evidence? No.
14256. *Mr. Slade.*] On January 10th, 1882, there was a motion proposed and seconded that a certain member be expelled from the Lodge for entering under false pretences as regards his age;—was he expelled? Yes.
14257. Has such a case as that come to your knowledge at any other time? No.
14258. Either in your own or any other Lodge? No.
14259. Is it within your knowledge that the Society to which you belong has had to take action in order to protect themselves from such misrepresentations? No.
14260. Have you had to refuse candidates for such a reason? No, not to my knowledge.

Mr. J. T.
Hewitt.

31 July, 1882.

Mr. Henry Hund sworn and examined:—

14261. *President.*] You are a member of—? Travellers' Home Lodge, Grand United Order of Oddfellows.
14262. You are the Secretary? The Secretary.
14263. Have you held the office long? About two years.
14264. You recently advertised for a medical officer? Yes, about four months ago.
14265. Had you many applications? Yes, we had seventeen.
14266. Do you remember the names of them? No, but I have a list of them. I produce a list of the names of doctors tendering for the Society, and the prices:—Dr. Rigley, 14s.; Dr. Norrie, 15s.; Dr. Hawkins, 16s. and £1 1s., accouchement fee; Dr. Hirst, 20s. and £1 1s.; Dr. Steel (accepted) 15s. and £1 1s.; Dr. Williams, 14s.; Dr. Parker, 14s. and £1 1s.; Dr. Cummen, 20s. and £1 1s.; Dr. Eichler, 20s. and £1 1s.; Dr. Degner, 16s. and £1 1s.; Dr. Belgrave, 10s. and £1 1s.; Dr. Durham, 16s. and £1 1s.; Dr. Bestick, 18s. and £1 1s.; Dr. O'Connor, 14s. and £1 1s.
14267. What was the lowest tender? Dr. Belgrave.
14268. What was the amount? 10s. per financial member per year, and then there was a guinea extra for accouchement fees; some doctors did not tender specially for accouchement, and in these cases there is no price opposite their names in the list which I have produced.
14269. What tender did you accept? Dr. Steel's.
14270. What was his rate? 15s.
14271. Do you know the reason why the Society did not accept the lowest tender? Well, the tender that was accepted was not so much the amount as the man thought to be the best doctor. Dr. Steel was thought to be as good a doctor as there was in Sydney, and being 5s. lower than Dr. Hirst or Dr. Norrie, who would class with him, his tender was accepted.
14272. You have no difficulty at any time in obtaining the services of a medical man? Never, to my knowledge.
14273. What is the financial position of your Society at the present time? Very good.
14274. What amount of money have you to your credit? I think about £380.
14275. And how many members have you? On our books we have 170, but we returned last quarter 132 financial members to the District, but to the doctor only 123, as some of them are non-medical members and living in the country.
14276. They have not to pay as much contributions? Those that are non-medical members only pay 9d. a week.
14277. And you consider the Society in a good position with £380 and 130 members? Yes, I think so.
14278. But your liabilities extend to 170 members? No; when a member becomes unfinancial to the extent of 15s. he is unfinancial and is no longer entitled to any benefit until eight weeks have elapsed after he becomes financial again, so that he must pay up all he owes in order to be entitled to benefits.
14279. But suppose death took place? They would get nothing.
14280. They are suspended from funeral donations as well as sick pay? From all benefits.
14281. What do you pay a week? 15d. a week.
14282. How long have you been doing that? It is only six months that we have paid 1s. 3d. a week, but we were paying 13½d. a week and 1s. levy.
14283. What was the object in raising the contribution? It was to make it more easily understood by the members, doing away with the levy which had to be collected at the end of each quarter.
14284. And do you consider that the contributions are sufficient to provide the benefits for each of your members? The amount we pay now I think is, but I do not think it is too much. Some pay less, but I do not think they can do with less.
14285. *Mr. Slade.*] Are any of those in arrears for a very long time? Some of them about two years.
14286. Are they in a position to pay if they would? I do not know.
14287. Do you know the circumstances of any of them? Only one, who is on the Railway; he was I think a guard at one of the stations near Liverpool.
14288. From your own knowledge can you say that any of them refrained from paying up from disinclination and not from poverty? This one did.
14289. And are there any others? I think most of them have gone from town, and have come to the conclusion that it is too much to pay.
14290. Is it a fact that you have Members of Parliament who do not pay up? It is quite true.
14291. Is he in a position to pay if he liked? Yes.
14292. Is it a fact that there is a Member of Parliament a member of your Lodge who is in arrears largely? Yes, about twelve months.
14293. *Mr. Rubie.*] Are you aware that your Society is liable to any of these members dying within twelve months, should their relatives claim the funeral donation? We have no rule to that effect that I know of.
14294. Then those who are once enrolled never cease to be members? They can be expelled and can be struck off.
14295. But till this is done they do not cease to be members? Yes, but the members cease to get any benefits for eight weeks after they become unfinancial.

Mr.
H. Hund.

31 July, 1882.

- Mr. H. Hund. 14296. *Mr. Greville.*] Have you no regulation for striking off all members after a certain amount of arrears have accumulated? Well, I think we have, and about two years ago we struck off about half a dozen members who were largely in arrears. There is some law that after a certain time they can be struck off, but they have to be notified first, and if a member goes away we cannot notify him.
- 31 July, 1882. 14297. Whatever provision there may be it is not carried into execution? Not very often, because a member might go to England and let the arrears run on all the time, and then come back again and pay up his arrears when he returns.
14298. Then the number of members on your books is no criterion as to the number of financial members there are? No.

Mr. Abraham Garcia sworn and examined:—

- Mr. A. Garcia. 14299. *President.*] What Society are you a member of? The Independent Order of Oddfellows.
- 31 July, 1882. 14300. Do you hold any office? Yes.
14301. What office? Second in command, the Deputy Grand Master.
14302. How long have you held the office? Since February last.
14303. Have you held any previous office? Yes.
14304. What was that? That of Grand Warden for twelve months.
14305. How many subordinate Lodges have you opened? Fifteen.
14306. You opened them yourself, with the assistance of the other officers? Yes, I was the promoter of the fifteen.
14307. What did it cost to open each of these Lodges? I could scarcely answer that, for the simple reason that we have to define the "cost." Do you mean furnished, or simply the opening?
14308. The opening of the Lodge first? Well, in the opening of a Lodge the following things are necessary:—Warrant, £5; seal, £2 10s. There are one or two items in connection with this, in connection with our secret working; one costs £3; regalia, from £8 to £11; and advertisements in three papers for a period of about three months.
14309. What did that come to? Between £5 and £6.
14310. What else? Books for the Secretary and use of the Lodge, I should say about £2 10s.; ballot-box, 15s.; marbles, 4s.; circulars, 7s. 6d.; Bible, from 15s. upwards; lamps, 2s. 6d.; skull, £1; chains, about 1s. 6d.; and there are a few incidental expenses.
14311. What would they come to? £1 would cover them all, except on the opening night, which is a special arrangement.
14312. Does that include the furniture? There is no furniture.
14313. And has each of the Lodges that you have opened cost about this sum? Well, I happened to find an old balance-sheet before coming here, in which I find that the expenses were £28 2s. 11d.
14314. Is that sum of money taken out of the takings of the Lodge when it is first formed? Yes.
14315. The first night? The first night.
14316. And does every Lodge opened cost on an average the sum you have mentioned there? Some have cost more.
14317. What is the highest price that has been paid for opening a Lodge? I really could not tell you at the present moment.
14318. You do not know? I really could not tell.
14319. Do you think it is necessary that so large an expenditure should be incurred at the opening of a Lodge? Yes, for the simple reason that the Lodge must have the necessary things to work with, and the question is, whether they should be opened without anything in the Lodge to commence business with. What is the difference whether they are provided at the opening or afterwards?
14320. But are they necessary in opening Friendly Societies? I do not know that; we are bound by the ritual; but apart from that I should say no; there should be no distinction except a slight regalia for the officers.
14321. What becomes of all these large sums that are got in this way—£36 you have given the Commission as the total? It is paid for these necessary things.
14322. Paid to the Grand Lodge or District Lodge? No, to the various people that provide them. The charter fee is paid to the Grand Lodge, and you want books for the Secretary.
14323. They are not got through the Grand Lodge? No; we had no Grand Lodge at the time.
14324. Then the individual members get them, and they are repaid afterwards? Yes.
14325. And the only sum that goes to the Grand Lodge is £5 for the quarter? Yes.
14326. What are the initiation fees charged on the night of joining? Half the usual fees.
14327. Is that rule suspended by authority of the Grand Lodge, or how is it? The law is that for the opening night you can admit at half-fees; that is our law.
14328. The usual contributions are—? 15d. a week.
14329. And what is the financial state of most of the Lodges you have opened yourself? I believe every one of them, except perhaps one or two, is in a very fair position.
14330. What would be the total number of members? I have never opened a Lodge with less than fifty members on the roll, because a resolution was passed while we were under Victoria that the Grand Master would not give permission to open any Lodge without that number of members. Hence nearly every Lodge I have opened has had fifty members on the roll.
14331. You have had then fifty members on the roll? In nearly every case.
14332. How have they proceeded since? I believe that they have gone along satisfactorily, as far as I am able to obtain information.
14333. Do you approve of the provision of the Constitution allowing half-fees on the opening nights? Not in the main I do not.
14334. Do you approve of the uniform contribution of 15d. a week? Yes.
14335. You would not approve of a graduated scale of payments by members, according to age? No.
14336. What is the limit of age when you institute a Lodge? Forty-five years.
14337. That is the highest? That is the highest.
14338. *Mr. Smith.*] If it has been stated to the Commission that a Lodge started at Pymont cost between £60 and £70, would it be true? I believe not.
- 14339.

14339. The Lodge there was opened by you, was it not? Yes.
14340. Would you be in a position to give the Commission particulars as to the exact cost of opening that Lodge? They have the particulars already in the Lodge.
14341. If a balance-sheet was produced showing that this amount was expended, would you say then that it was not correct? I could not say that without I saw the balance-sheet.
14342. Do you know the financial position of the Lodge at Pymont? I do not; I have not visited that Lodge since some three or four months after the opening.
14343. Has it ever been brought under your notice that that Lodge has suffered from the fact that the charges were so great in opening that they have hardly been able to recover themselves? Not to my knowledge.
14344. You visited that Lodge for the purpose of opening it, with a number of other officers? Yes.
14345. You went by coach or some other vehicle? We did.
14346. Did you charge the Lodge for the cost of conveying you? Yes, we did.
14347. Some 19s. 6d.? Yes.
14348. Is it customary? I imagine so; both the Druids and the Grand United Order do the same thing; and for a simple reason, whether it would be just to a man who attended the Lodge night after night to permit him to put his hands into his pocket and tramp something like 3 miles from home for the purpose of opening the Lodge; besides carrying a large bundle of goods for its use.
14349. How many officers are necessary for the opening ceremony? Somewhere about eight or nine.
14350. Were there more than eight or nine on that particular occasion? I could not positively say how many there were, but there was a very large attendance of members and officers.
14351. There is a good deal of regalia and paraphernalia of one kind and another used in the opening of one of your Lodges? Yes.
14352. Does any particular tradesman in the city supply that regalia, or are you under any arrangement as to the supply of the necessary regalia and paraphernalia? No, even up to the present time; it was simply agreed that all should be done through the Grand Secretary's Office.
14353. Then I presume you would be in a position to give the order to whom you liked? Yes.
14354. That is invariably done? That has been carried out in the opening of the various Lodges by me.
14355. Then would the accounts be rendered to you or to the Grand Secretary? There was no Grand Secretary then.
14356. This has been your usual practice? All Lodges since then, I have done nothing more than open them. I have adopted a different principle, a system of personal canvassing, instead of issuing bills and placards and putting advertisements in the papers, having found it was an expensive mode of proceeding, and Lodges have been opened for a very small amount. Since the Grand Lodge has been here I have not interfered with the arrangements, except to obtain the members. Penrith and Mount Victoria, and Goulburn and Strawberry Hills, cost about 25s. I admit that in the opening of some of the older Lodges I have been more extravagant than otherwise, but not purposely so; as far as the bills rendered to myself are concerned they were correct; but I have now done away with the placards and advertisements, which are large items, and have since simply canvassed from house to house for the purpose of forming the Lodges. The Lodge at Strawberry Hills I opened with sixty members, and it cost about 25s. or not that; under the peculiar circumstances I was led into an extravagant outlay at Pymont which otherwise I should never have incurred. I opened about eleven Lodges here in fifteen months; it was quick work, and to show my actions were confirmed by the Grand Master in Victoria, I hold in my pocket documents confirming all my actions and speaking in the highest terms of me in my connection with the Order. If there has been an extravagant outlay in connection with some of our Lodges, by being judiciously advised by some of the heads of our Order, they could have increased their funds by holding social entertainments for what it cost them to open their Lodges. I have a document here giving the cost price of opening a Lodge in the Manchester Unity, amounting to £10 2s., but this does not provide for a great deal that is required, and so the question comes who pays the cost in these other Orders, the Grand Lodge or the subordinate Lodge. In our Order we only pay to the extent of £5, and it is a question whether any other Order has the extent of paraphernalia we have—I think not; and if you come to tot up all these items—and these things if not purchased at the start must be had afterwards—for if the Lodge was working without the necessary paraphernalia, and it came to the ears of the principal men in the Order, they would have either to obtain this necessary working paraphernalia or the charter would be suspended.
14357. *President.*] You do not believe a Lodge can be opened for £10 2s. in connection with the Manchester Unity? That is my opinion, because there is a note here: "Aprons are used, but need not be obtained unless it is necessary."
14358. *Mr. Smith.*] These personal canvasses you speak of, are they made by yourself? By myself and others who have joined with me.
14359. How many Lodges have you opened under this system? Five.
14360. Is it not a fact that the system of personal canvass necessitates on your part a very great loss of time? It is.
14361. And expense? Loss of time.
14362. For which time you make no charge on the Grand Lodge? No, none whatever. I could claim, I believe, but I have never done it yet—I could claim £5 towards the expenses, but I have never done it since I have been connected with the Order.
14363. Then no person who has assisted you in making this personal canvass has received any remuneration for his services? Not any.
14364. Are we to understand that none of these extravagant expenditures in connection with the opening of Lodges have taken place during your tenure of office? No, not any of them.
14365. And in order to prevent it you have adopted a new system? I have.
14366. From your experience in connection with your own Order, have you suffered in any way in working your Order under the Friendly Societies Act? I do not understand your question.
14367. Has any difficulty arisen in working your Society under the present Act? I do not think so; as far as my experience has gone, I do not think that we have had any difficulty with any of the Lodges under the present Friendly Societies Act.
14368. *Mr. Greville.*] What compensates you for the time you give in canvassing for the formation of these new Societies? It is simply the interest I have taken in the Order since it was established. 14369.

Mr.
A. Garcia.

31 July, 1882.

- Mr. A. Garcia. 14369. Have you no pecuniary interest? Not one single penny; since these things came up I have kept away from all pecuniary interest in it.
- 31 July, 1882. 14370. Then you give the time which is necessary simply from your love of the Order? Simply from my love of the Order.
14371. The accounts which were incurred by the Pymont Lodge in its opening, were they paid by you? Yes, paid by me.
14372. Were they passed in open Lodge, or were they paid by you out of funds which you received on behalf of the Lodge? Partly by these funds, and to show that the money must be made use of, I have a letter from Mr. Curtis, the Grand Secretary, which says that the money should be sent with the application; it should be paid prior to the institution of the Lodge, and also all moneys for goods.
14373. You made nothing out of the institution of these Lodges? Not one penny.
14374. Was there any direct or indirect profit received by you upon the goods supplied to that Lodge? No, not one single fraction; I never made a penny out of any Lodge I have been connected with, and I may say that when Glassop and Miller were doing the printing they made the remark to me that they would allow me 5 per cent., and I refused it, and said that whatever they had to give they could give it to the Lodge.
14375. When you went to the opening of the Pymont Lodge you were driven in a carriage? I was.
14376. Can you tell me who accompanied you? A number of members who were taking part in the opening.
14377. And they returned also with you? That I could not answer for.
14378. Was the carriage kept there until after the Lodge was over? I think it called back; it is about three years ago.
14379. Did you return in it? Yes.
14380. When you canvass for men to become members of a new Lodge, do you make any inquiries at the time as to their health or suitability for joining? Yes.
14381. And on what grounds would you pass over a man? On the ground of the doctor refusing him, and knowing that he was not a fit and proper person to become a member.
14382. You do not think that the zeal displayed in the initiation of new Lodges tends to introduce an unfavourable number of old lives? No.
14383. *Mr. Holdsworth.*] A warrant costs £5 I think you said? Yes.
14384. That is not including the books? Yes.
14385. But you named books without the warrant? That is the Secretary's books.
14386. You have opened most of the Lodges in this Colony? Yes.
14387. You opened them on half initiation fees? Yes.
14388. Are your fees higher or lower than most of other Societies? I hardly know.
14389. Your contributions are 15d., uniform? Uniform.
14390. The later Lodges have cost about 25s. or £1? About that.
14391. That is outside the warrant? Outside of everything; that is simply the circulars.
14392. That is outside of the £36? Yes, it is simply for the printing of some circulars that we deliver.
14393. £36 you take to be an average then? Yes.
14394. You open with fifty members? Fifty at the least.
14395. That have paid their initiations? That have paid their propositions.
14396. But fifty members at half initiation fees would not be sufficient? Yes, all Lodges have sufficient.
14397. Was there enough at Pymont? Yes.
14398. Was it not opened in debt? No.
14399. And were they not sued for the amounts? They were not in debt.
14400. How did they come to be sued in the District Court? There was some printing done for that Lodge, and they were sued for that.
14401. Who ordered the printing? I did.
14402. You admit that the expenditure was extravagant? I do.
14403. And you have avoided it since? I have.
14404. *Mr. Langley.*] It has been stated that the Pymont, Waterloo, Surry Hills, and North Shore Lodges, with which you had something to do, have all complained of over-charges:—is that true? I do not know.
14405. Are you aware whether any trouble was made about the Waterloo Lodge? There was.
14406. Are you aware whether there was any complaint about the Surry Hills Lodge? No, I only opened it.
14407. Are you aware of complaints about the North Shore Lodge? No, I am not; I believe false statements have been issued, into which the Commission has been inquiring.
14408. Did you, when the Pymont Lodge was sued as referred to, swear that you were authorized to expend certain moneys, and that you had the authority of the Grand Master in Victoria? No, I did not say so.
14409. If that has been sworn it is untrue? I simply stated that I thought the commission I held was sufficient to enable me to incur expenses in opening Lodges.
14410. Are you aware that immediately afterwards the officers of that Lodge wrote to the officers of the Grand Lodge asking if you were so authorized, and that a reply came back that you were not authorized to spend more than £5? I was not aware of it.
14411. If it has been sworn you think it is not true? That it is not true.
14412. Can you give the name of a single officer who rode in that coach, and were there not some ladies rode in it not connected with the Order? There were plenty of members.
14413. Would you name a single officer? I repeat my remarks that officers and brothers came down in it.
14414. Are you aware that with the exception of yourself, the four or five senior officers who took part did not ride in a coach that night, but paid their own expenses? I am not aware of anything of the kind.
14415. Could you name any one Lodge—with the exception of one opened the other night—opened with fifty members? I said fifty on the roll; and every Lodge that was opened had very near that number at the opening.
14416. You said that, by resolution of the Grand Lodge of Victoria, you could not open with less than fifty on the list? I said that by resolution of the Grand Lodge of Victoria, the Grand Master would not give consent to open a Lodge with less than fifty names on the list.
14417. Was there ever such a stipulation made with regard to any new Lodge in New South Wales? New South Wales was a part of Victoria, so far as the Order was concerned, at that time, and I was acting under that.

14418. Do you know a party named Mrs. Grey whose name appears in certain accounts? I do not.
14419. Do you know who the party was who made the regalia for Pymont and Waterloo about which so much talk was made? I do not.
14420. Were any inquiries made about that lady? I believe so.
14421. Were they able to find her? I do not know.
14422. *Mr. Slade.*] I understood you that you ordered all these goods for Pymont? Yes.
14423. Do you consider you gave fair value for the money you charged them? I do.
14424. Was the coffin worth £3? I believe Mr. Melville made it, and that was his charge for it; it was the cheapest I could get.
14425. Are you aware that the bill charged for a box for the coffin as well? No.
14426. If a witness giving evidence before the Commission states that the coffin would be dear at £1, would you take his evidence against Mr. Melville's charge? I would not.
14427. Referring to the carriage in which you went to Pymont, could any of the executive officers have ridden in that without your knowledge? They might have done so, and if my memory serves me aright arrangements were made that the carriage should call at Abren's to take up any of the officers who wished to use it.
14428. Did any ladies go in it? Yes, but not then; later in the evening.
14429. Do you again repeat that you gave fair value for the money? Yes.
14430. There was a chest of drawers which it was said was resold for one quarter of what you charged; were they worth what you charged for them? Yes, as far as I know.
14431. *Mr. Gelding.*] Would you inform the Commission how many members you can virtually open a Lodge with? The minimum number according to the Constitution is ten.
14432. I believe you told the President that your Society at the present time is in a highly favourable condition? I believe it is as far as I know, but I do not know anything about figures.
14433. I suppose you have a copy of the proceedings of the Second Annual Communication of your Grand Lodge? Yes.
14434. Could you inform the Commission whether the 1,293 members in December, 1880, were financial or not? No I could not; I have nothing to do with the finances.
14435. Are you aware that this shows your Order has been going back in numbers? No, I am not aware of that.
14436. *President.*] Have you any further evidence to add? I have a few words to add in order that I may show in what way I was led into this expense.
14437. All we want to know is whether you have any suggestions to make? I have not, but I might have had, had I had more time.
14438. Do you regard the present Act as sufficient for the purposes of working Friendly Societies? Yes, but it would stand amending.
14439. Do you think it is properly and fairly administered? I do not; I think the Trustees should be under a bond as well as the Secretary and Treasurer, because according to all rules I see two Trustees can draw money, and the third has to stand responsible for any misdeeds on the part of the other two.
14440. Is there anything else? No, I do not think of anything else just now.

Mr.
A. Garcia.
31 July, 1882.

The Commission then adjourned till Friday, 4th August.

FRIDAY, 4 AUGUST, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

Mr. Morrice Alexander Black sworn and examined:—

14441. *President.*] You are Actuary to the Mutual Provident Society? Yes.
14442. A member of the Institute of Actuaries? Yes.
14443. Have you given any attention to Friendly Societies and their financial basis? No, I cannot say I have, not during the last thirty-four years. It is that time since I was apprenticed to an actuary who had charge of a large Friendly Society, but since then I have not paid any special attention to them. I should say my attention was called to the Act that was passed in 1873, and I pointed out the defects in it in a letter to the *Sydney Morning Herald*, showing that the Act as proposed would be valueless, as not giving the requisite information.
14444. About what date was that? As far as my memory goes, it was in October, 1873. I know I did call public attention to it, but my impression is that the letter was not published.
14445. With reference to the Act that you have just made reference to, have you given it any particular attention? Well, I must confess I have not since it was passed; I gave attention to it at the time.
14446. In what particular did it strike your mind that the Act was deficient? I have a distinct recollection of reading it, and of being impressed with the fact that there was nothing in it that would enable any one to get at the right position of the Societies; there were no Schedules attached to it requiring the valuation of the assets and liabilities to be given—nothing attached to it that would render it from a professional point of view of any service.
14447. Was there any other point that struck your mind in which the Act was defective? I think my attention was directed particularly to the fact that there was nothing in it that would enable a professional actuary to arrive at the position of the Societies. As I have said, I have not looked at the Act since, and have not felt myself called upon to get up the subject; but I think there was something about statistics that were asked for. I do not think the Schedules were put in such a form as would have enabled us to arrive at satisfactory data; that is to say, the Schedules were not such as an actuary would have been able to compile

Mr.
M. A. Black.
4 Aug., 1882.

Mr. M. A. Black. compile or deduce data from the experience. I am sure that they were not in that form; that supposing I had been wanting to value the Societies; I could not have done it. I very much regret that I did not keep a copy of that letter, because I took a good deal of pains to expose the faults of the Act as it then stood, and to point out that no good results as far as disclosing the position of the Societies could possibly be arrived at. I am of course speaking from memory, as it is as far back as 1873.

4 Aug., 1892.

14448. You are aware that the Act provides for annual returns to be made by Friendly Societies? Oh yes; but there is nothing laid down or prescribed as to their character; the Act does not define the character of the returns.

14449. Have you some copies of returns? Any quantity.

14450. Will you produce them to the Commission? I have here some reports from my different professional friends when I was last in England, and have got a complete set. These are different actuarial valuations, and here is what I got from the actuary of one of the Friendly Societies myself; it is a form he supplies to Societies with the different particulars required to be furnished. (*Form produced. See Appendix.*)

14451. And are you of opinion that it would be necessary to have some form of this kind incorporated in the Act itself? I think so. It would be hopeless to try to get any reliable data without it.

14452. Then a return of this kind would furnish you with all the necessary information? Well, no; here is a complete set of forms that an actuary would ask for when called upon to make a valuation. I cannot put them in, as they are private, but I will give you the style of thing asked for—instructions for filling up forms, prepared by myself, for the valuation of the assets and liabilities.

14453. But I suppose we can get a table on a practicable basis? Yes; but I gather from Mr. Teece that the Societies are not in a position to give even the ages of their members.

14454. Oh no, that is an error? That I attach great importance to—getting the absolute experience of the Friendly Societies—that is to say, their sickness experience, because we talk about mortality experience here in our tables; and it does not follow that the sickness experience will be the same as the mortality experience, and we have nothing of this experience published; but if they could be got, I should think it would be most invaluable to compile the sickness experience of the different Societies; but without the ages at entrance, and ages at death, and the number of weeks' sickness they have experienced, it would be useless. If, however, that information could be elicited, it would be very valuable; and of course, in connection with these returns, besides the number of weeks' sickness per member, it should be elicited how much should be paid at each age for each member. It was not until one or two actuaries had been consulted in England that there was any improvement in the Societies there. They were as bad in England as they are here.

14455. Have you seen the form of return Mr. Teece has recommended? No, I have not.

14456. Has he not shown it to you? No. Of course these returns are by an able friend of mine, who has perhaps made more valuations than any other man, and he has these forms ready made, because he has a large practice, having reported on many Societies.

14457. Then unless the information you speak of in reference to the sickness and mortality were given, you would not be able to give anything like an estimate of value? I do not say that. I should say that the experience that I refer to would be very desirable to get, but it would not be at all necessary that the experience should precede the valuation. Just as the liabilities of the Mutual Provident and all other Societies are determined by the tables of mortality used by the English Offices, it would not be necessary that we should deduce the experience of the Societies here preparatory to making a valuation. I believe you could do nothing better than adopt the experience of the Manchester Unity of Oddfellows, as theirs is the largest experience of sickness, without exception, and it is under very competent management indeed; but then should not be lost sight of as a recommendation, the systematic collection of the experience of the Societies for New South Wales to be accumulated and recorded.

14458. You do not think it is necessary to get this information for it to form the basis of a set of tables to value these Societies now? Oh no, we have quite enough; we know the state of things here is not very much different from home, and it would be quite near enough to adopt the tables of the Manchester Unity of Mr. Ratchiffe; but if the thing is to be worked into shape, and we are to have Friendly Societies on a satisfactory and scientific footing, it should not be lost sight of.

14459. But speaking of the financial basis, do you think it necessary that we should have such information as you have indicated? Yes; but it would not be essential to determine their financial position. It is very interesting and necessary to have returns of their sickness, and to ascertain what the experience is, in order to find out what the contributions ought to be. When we do find that, we can compare it with the experience at home and see if it is more favourable; if so, the rates of contribution might be less; but a valuation could be determined by tables already existing.

14460. Then for Benefit Societies would you favour the principle of a uniform contribution from all members irrespective of the age at joining, or a graduated payment according to age? There can be no question about that; certainly a graduated scale; the other would be going back about one hundred years.

14461. Then you are not aware that most of the Societies have a fixed contribution? Well, a few hours ago I had a chat about it with Mr. Teece, but till then I did not know it. It was in primitive days when they took a uniform premium, before there were any glimmerings of science on the subject.

14462. And you are quite certain that it is necessary to have a graduated scale? Well, there is a rough and ready way the school-teachers have of adopting an assessment plan of assurance; if you want to treat of all things in common, there could be no possible objection to it.

14463. But I am asking you as to the equity of the thing? It is absurd.

14464. And as to the question whether it will place the Society in a financial position? Well, I am not sure. If you could get a good number of individuals to be so absurd, I think it would be quite possible that the Society should be financially in a sound position on a uniform scale if the payments are only high enough. If you get people foolish enough to all pay a uniform rate it would be quite within the bounds of calculation to have a uniform scale.

14465. But Societies giving benefits on the following scale:—£20 in case of the death of the member, and £10 or £15 at the death of the wife; a guinea a week sick pay for six months, 15s. the next six months, 10s. the third six months, with 5s. superannuation allowance, together with medical attendance and medicine for the member, his wife, and family, and often to the widow and orphan, and in most cases paying only 1s. a week;—would they stand? 1s. a week all round?

14466.

14466. Yes? Oh no; common sense would tell me that. Would you please state it over again?

14467. Societies with members averaging (say) forty years of age, and giving benefits on the following scale:—£20 in case of the death of the member, and £10 or £15 at the death of the wife; a guinea a week sick pay for six months, 15s. the next six months, 10s. the third six months, with 5s. superannuation allowance? No, 1s. would not do that.

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14468. And independent of that, there is medical attendance for the member, his wife, and children? Well, this will give you an idea:—Omit medical attendance, which is not within the scope of calculation, and confine it to an allowance of .£1 or a guinea a week, and £20 at the death of the member, and £10 at the death of a member's wife, it would range from 11d. at age 25 to 1s. 7d. at age 40, without making any provision for expenses.

14469. Without any allowance for expenses? Yes, and without anything for the doctor; that is, it is exclusive of the cost of the medical man, medical expenses, and cost of management.

14470. In what position would you consider a Society of 2,000 members with £6,000 in funds and an average age of members of thirty-six years? I could not tell, I am sure.

14471. They have about £2 14s. a member? They may be hopelessly insolvent, or there may be a surplus; it would depend upon the present value of liabilities,—in fact no one could tell; I would not even state the thing approximately, because it would be utterly hopeless.

14472. You are aware that members of Societies have to undergo a medical examination prior to initiation? Well, so much the better for the Societies.

14473. Seeing that the wives of members participate in the financial benefits of the Societies, do you think that they also should undergo a medical examination? Most decidedly. It is difficult I know, and that is one reason we do not like female lives, on account of the difficulty of getting full examinations.

14474. What is your experience in the Colony with reference to the mortality as compared with the mortality of the old country, among the working-classes especially? That I could not say. My impression I may give you, and that is, that it is more favourable; that is to say, I have made sufficient investigation to lead me to the impression that the mortality for those insured for smaller sums is better than amongst those insured for larger, and that is contrary to the experience at home, where they look upon those insured for large amounts as the best lives. But I have reason to believe that at home that question has not been so thoroughly gone into as its interest would warrant. Put it at those insured for sums below £500 and those above. I think our mortality would be less, but I have not enough data to go upon to say certainly.

14475. Is there anything you would like to give the Commission the benefit of, any statement you would like to make bearing upon this matter? No, I do not think so. I think that forms ought to be appended to any Act, making it compulsory on the members to furnish returns, and that they ought to be required to have a valuation of assets and liabilities made once in so many years. I am quite sure that is indispensable to any satisfactory working of Benefit Societies; that is to say, to secure to the members that there shall be no disappointment to them when they come really to depend on it. Without that I do not see that this security could be got.

14476. Then you are of opinion that in any future legislation such forms should be attached to the Act, making it imperative on Societies to furnish the necessary data? Yes; but probably the forms might be left to the Registrar. The Victorian Act works well, and I understand that they have got returns from every Society, but it should be made compulsory for them to have a valuation in a specific form; but at home they have got into the way of having valuations by unprofessional people, and getting them rough and ready. You can have it cheap and nasty, but if you want it done properly you have to pay for it.

14477. And how often do you think it could be necessary to have such valuations? Not oftener than every five years.

14478. In registering Societies would it be necessary to have some information of a substantial character as to the possibilities and probability of the Society continuing to exist, before the Registrar granted a certificate? That would require that you would have a certain minimum number of members.

14479. And basis of contribution? I think you can scarcely ask them to guarantee a certain number of members.

14480. But the amount of contribution? Yes, I think that might be fixed.

14481. But would it not be necessary to regulate the number of members in instituting a Society? No, I do not think you could do that. Most of the big Societies have been first little and then have crept up.

14482. In connection with Friendly Societies would you make any distinction with reference to occupations and trades and callings of the members? That forms part of the returns the actuary would ask for, and it is very necessary. I certainly would in the statistics; and when the experience was large enough of all the combined Societies, it would be desirable to distinguish and elicit information on that point no doubt.

14483. Do you think it would be necessary also in regulating the matter of payments to single out any of these occupations as being more hazardous and more subject to sickness? Well, I think that is a refinement that has not been gone into; it is the case, no doubt. I was reading the other day in connection with the relative effect of mortality and sickness, it does not follow that because the sickness among a particular class is greater than among another that the mortality is greater. There are many occupations, such as mining, that are liable to a great deal of accident; they may have a great deal of sickness in this way though they may be healthy men; while clerks and tailors may experience less actual sickness and yet have a higher death rate.

14484. But as affecting sick pay the miner would have a great risk? Yes; but I do not think refinements of that class have been introduced. Of course there must be a certain amount of things in common; we may talk about getting things as near as possible in an equitable division of profits, when at the best it is only an approximation.

14485. You have paid some attention to the tables by which the Manchester Unity is governed in the Old Country? Yes, I know something about that. That is a Society that, from being in a state of insolvency in 1845 or 1846, worked itself round and had rates deduced from its own experience; and it is my impression that they are now working satisfactorily.

14486. You are aware that they are now in a very good position? Yes.

14487. And they have some basis to work upon? Yes; they have a very good man who has taken a great interest in it, and their experience is very valuable. It is their experience which I recommended should form the basis for determining the benefits in these Colonies.

14488.

- Mr. M. A. Black. 14488. Are you aware of the payments that they make? I could not say. I did begin to read up something about it, but it is only a couple of days ago, and I have had so much private business on hand that I have been unable to follow it up.
- 4 Aug., 1882. 14489. Have you anything further to add? No, except this, that Friendly Societies business had come very little before actuaries until the Act was passed in England some few years ago. Neison and I think old Mr. Ansell valued and knew the position of certain large Societies, but the great bulk of us did not. These gentlemen I refer to made it a special study. As for myself, though I have had considerable practice in investigating the affairs of Building Societies, I have never had a Friendly Society placed before me in these colonies, and the consequence is that I have not had occasion to look into the matter, although I take an interest in it and am glad to see the thing is being looked into.
14490. I presume you are aware that there are some tens of thousands of individuals enrolled in the Societies? Yes, I apprehend that there are a large number.
14491. Do you favour the principle of Friendly Societies? Yes.
14492. You believe it is an advantage to the individual and to the State? I do indeed, especially in regard to sickness. I do not think it can be compassed in any other way. I do not really think it could be done by a Company. It would not do to limit the number of any Friendly Society; they have a better control over it if they have a sufficiently broad basis; they must be local, and local knowledge is a great thing in checking fraud. I am not aware of any Company that has ever efficiently dealt with sickness.
14493. Are you of opinion that the members of Friendly Societies should be encouraged by the State? I am of that opinion.
14494. Do you consider these Societies encourage a spirit of thrift and saving amongst the people themselves? Yes, and interest; they take an interest in the Societies if they could only be made to have them rightly managed.
14495. Do you consider they encourage a spirit of self-reliance? Yes. I remember a remark of Mr. Gladstone's when he introduced his Bill providing for life insurance under £200, to the effect that he would not face the difficulty of bringing these Societies all under one rule, or of crushing them up so as to undertake it nationally. He had no objection to the State saying—here is a solvent Society that we guarantee—but he would not seek to destroy their independence. It was so inbred into the soul of the people, the interest they took in Friendly Societies, that it would not be a wise thing to crush them out, even for the sake of making them all tally to one rule or taking them under Government patronage; but that is quite a different thing if we could leave the social element and yet get them solvent—that is the great thing.
14496. Are you of opinion that the Registrar should be an actuary? Not necessarily. Well, perhaps here he ought to be; at home, and before the Act came into force, the registration, I must be plain to say, was a great delusion and a snare—it was worse than useless; the Societies got a certificate from the Registrar, and people thought everything was right because he had certified to it. But he was no actuary, and knew nothing about the rates; he simply registered what he got, and it was a veritable sham under the Tidd-Pratt system. But under the new Act a very different state of things takes place; there is a Registrar who merely acts in the capacity of a Registrar, registering the Societies after the rates have been actuarially certified. But there is also an actuary attached to the office, and he sees to the quinquennial investigations of the Societies, and reports annually upon them, and in that way there is a complete and systematic report.
14497. You are not aware that the same thing exists here, that we simply have a Registrar? Yes, I am aware of it, and it is useless.
14498. And would your remarks just made apply with the same force if similar circumstances exist here? Not if it was to be taken up personally. I think his office is worse than useless, and the Registrar is helpless as regards information. It was most painful and ridiculous in England at that time.
14499. Do you think it would be necessary to have an actuary occupying the position of Registrar, or to have a Registrar and actuary? I think it would be rather superfluous to have the two; in a small place like this I think that one would be quite enough, but he ought to be a man that knew something about the science.
14500. Then I understand you that the Registrar should be an actuary? Yes; if you want to have the Societies reported on annually, and all the information put in the proper statistical form, you must have a man of that kind.
14501. Are you aware that they have something of that kind in Victoria? Yes, and I am well aware that they have one in New Zealand, and there it is a credit to the Colony.
14502. Have you seen the annual report furnished by the actuary there? Yes.
14503. Is that not the most complete report we have from any of the Societies? I think it is.
14504. Have you anything further to add to your evidence already given? No, I do not think so; I think I have made it clear that valuation reports should be required and schedules appended to the Act; but if you put to me any series of questions I will have pleasure in answering them.
14505. I understand you have no objection to furnish the Commission with the statistical information that can be prepared from the returns which are now out, and which at Mr. Teece's suggestion we have adopted? No; but I would not like to be bound by any one form.
14506. Will you look at this (*the form of return prepared by Mr. Teece*)? I should doubt if this is sufficiently detailed, but would not like to say so until I have looked into it. No doubt we could correspond and elicit more information if it were required.
14507. But we wanted to procure all the information we could in that sheet for you, in order that when we get the results from the Societies we should be able to hand them over to you and get the final result from you? Well, I hope they will be enough.
14508. But we should like to know if we have got all the information? Well you would not ask me to answer that off-hand. I will take the form and look over it.
14509. *Mr. Greville.*] Do I understand you correctly in saying that in framing tables of payments to be made it would be necessary to take the experience of England, instead of the experience of Australia, simply because the latter has not yet been obtained? Yes.
14510. If that be the case, there need be no great delay in fixing the minimum which should be paid by Societies in the future? No.
14511. Then the utility of obtaining the returns which we purpose obtaining will be principally in the future? Yes.

14512. What you would propose is that they should be the basis of future returns, so that ultimately we may have an Australian experience? Precisely.

14513. In fixing the rates of contribution here, would you take into consideration the large amounts which are paid by members into a Society for which benefits are never subsequently returned, in consequence of the men shifting about, or from other causes leaving the Society? No.

14514. Would it however be correct to take that into consideration when you had an Australian experience? I do not think it would; it is a miscellaneous source of profit that would go into the general fund.

14515. If in examining the accounts of various Friendly Societies in this Colony you found that the deficiency was compensated for by the number of withdrawals, would you not be justified in taking them into consideration? No; the profit that represents would go into the general fund, and it would be bettered to that extent, and the fund would not be wrong.

14516. But I glean from the examination of witnesses here that the Societies existing in New South Wales have simply been able to pay their way and not become insolvent because of the policies lapsing—as it would be termed in insurance? That is begging the question entirely; no scientific witness ever said that, because the thing resolves itself into determining the liabilities of the Society and the realised assets; and if the contingent and realised assets are not equal to the liabilities the Society is not solvent. A mere statement of that sort is worth nothing; it may be true, but it can scarcely be asserted of any Society.

14517. Would you be justified in taking that into consideration? No, because it would come in in the gain. There would be so much premium received which would not be received next year, and the funds would be increased by the fact that the members were off the books, and the accruing funds would be benefited by this means. Therefore, that fact of itself showed that all was taken into account that could be taken into account.

14518. Then, in fact, it is taken into consideration? It is taken into consideration; but I thought you meant whether in valuing the liabilities we would take it into account.

14519. And therefore, if there is a large amount of benefits paid for which are never claimed a less contribution would do in this country than in the old country? No, I would not go to that length; that would be a very unsafe basis to go upon; it would never do to introduce that as an element in the calculations and thus lower the contributions. If the contributions were too low, it might by a balance of errors right itself, but it would never do to start with the assumption that that is a source of profit, that is to enable you to lower the payments. You must start with the assumption that for the benefits promised you are to get an equal payment. If a member departs from his contract and goes away, it is so much good to the Society and will show itself in a surplus.

14520. You say it would show itself in a surplus, and what would you do with the surplus, seeing that bonuses are not added? A surplus is very easily disposed of. That is not a thing to be entered into in taking future contributions.

14521. Seeing that the information the Commission is about to collect will not be the basis of your advice to the Commission, I presume we need hardly wait until all the returns are in before you would be able to give the actuarial opinion which would be requested of you? No.

14522. There is another element of profit which has prevented these insecure Societies from exploding, which is that members have contributed who may be called honorary members; for a long series of years they never have and never will take any benefits; is that a fit subject for consideration? It would all go into the general profits, but it would not amount to a great deal I take it.

14523. Then you consider that, for the purpose of starting or to put these Societies on a firm basis, we should be guided simply by English experience? Yes, for the present.

14524. *Mr. Holdsworth.*] Referring to the last question of Mr. Greville's, would not Mr. Ratcliffe's last tables be more reliable than any imperfect tables we could find in New South Wales now? We have none now, and of course that would be so.

14525. If we obtained from the various large Societies the ages of the various members, that is, the number at each particular age in each Lodge, and the funds, that is all that you require on which to base a calculation? The ages on entering and the present age, together with the rates of contributions and benefits.

14526. Would you require the age on entering? It would be better.

14527. But is it absolutely necessary; there will be a great deal of difficulty about it? Well, we require the age at entrance and the duration, and from the age at entrance plus the duration you get the present age.

14528. If we could get the average ages in the Colony with the average amount of sickness, would it not form something like a guide to judge the sickness of this Colony with that of the mother country? Better without it, if only averages are dealt with.

14529. In future you would compel Societies to keep proper returns, so as to base your calculations hereafter on our own experience? Yes, so that they might have the returns in such a way that they could make them without difficulty.

14530. You say the mortality amongst the working-classes is less here than at home? I give that opinion guardedly.

14531. Would not the same rule apply to the sickness? It does not follow that because the mortality in a particular country or among a particular Society is low that the sickness will be the same. My last mortality report shows the mortality from accidents is as high as 14 per cent., while in English offices it is about 2 per cent. Taking accidents by themselves, the mortality in the Australian Mutual is vastly higher than in any other Society known, and that of course relates to fatal accidents; but by the same reasoning we know that people suffer and have to suffer sickness on account of accidents not fatal, and I am inclined to think that the sickness in these Colonies may be far in excess of what it is at home, though it may not at all affect the mortality.

14532. On the same plea, might it not follow that, though the mortality from accidents is heavier the sickness is lighter? No, because the accidents they have do not terminate fatally; for instance, in mining a man may get severely injured and be laid up for weeks, and yet it would not follow that it would shorten his life or that he would be permanently disabled, and there are a number of trades and callings in the same position.

14533. Do you not think that the more favourable climate the working-classes are placed in here would counteract all other reasons? No.

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14534. Then you think that the sickness is as heavy in New South Wales as in the mother country? I have given you the reason why I think it is probable it may be, but we are in the dark.
14535. Do you think it would be advisable to have a special Government Department in connection with Friendly Societies? Only to the extent of having a clerk, and actuary, or a skilled person as Registrar.
14536. You would want a statist, would you not? I would call the actuary the statist.
14537. Would one competent person be able to do it all? Yes, with a couple of clerks, if you get hold of a good skilled man who knows what he is about.
14538. You have not given any consideration I think to the sickness rates of Friendly Societies? No, except from my early association with a very well-managed Society in the North of Scotland, where I was trained; in my private practice it has not come before me.
14539. If I understand you, your view is that the number of lapsed members—while a sort of contingent profit—could not be taken into consideration in the calculation, because they are not reliable? Precisely so. I have heard that Mr. Neison, the well known actuary, theorized over it for the purpose of trying to get something to help out an insolvent Society, but found it would be no use.
14540. *Mr. Langley.*] Would not a return for ten years of the different Friendly Societies of the number of members who had resigned or left the Societies be of some value? Yes, as a statistical fact.
14541. But as a feature in connection with the working of Friendly Societies in the past? I do not think so.
14542. Would it be useful? No, I cannot see it.
14543. If it is proved that in the past this gain by members leaving and members taking no benefits had proved an important feature, would it not be of some value if that return were sent in to you? Yes—it would be a rather troublesome return—but I think I understand you this way: in the first year there would be a man who paid, we will say, half the year's subscription and then left the Society; but you cannot say that the premium that man paid or contributed for sickness is all profit. It was not profit; you would have to calculate the risk that the Society ran for this benefit during that time, and the difference between that and the payment he made would be the net profit, and that would be a most tremendously elaborate return to make. Then you would go into the second year, with a man who had contributed say two years and nine months for these benefits, and then went away. He had contracted for a benefit of so much at death, so much at the death of his wife, and so much for sickness. To sum up the total receipts from him and say we received so much premium as profit would be utterly delusive.
14544. But would it not be actual profit what was paid? No, certainly not; that is a popular delusion that people entertain when they come to us and ask us why we do not give them all their premiums back, as it is all profit.
14545. The net profit must form an important item? I grant it; but what could you make of it?—In every Friendly Society and Insurance Society there is a certain amount of miscellaneous profits, and that is one of them.
14546. Would the experience of Friendly Societies in Victoria, the statistical information that has been obtained, not be to some extent equally applicable to New South Wales? I think so, as far as regards the sickness and mortality experience collected there.
14547. I presume you are aware that there has been an exhaustive inquiry in Victoria? Yes.
14548. Have you seen the evidence at all? I have not. I have seen the New Zealand, but I have not had the time to study it.
14549. *Mr. Rubie.*] For the purpose of this Commission you think all necessary would be to adopt the tables of Mr. Ratcliffe? I think that would be near enough.
14550. And as nearly all the Societies at present have a uniform rate of payment, all that would be required to value them would be to get from the Societies the collective ages of the individuals? If you mean by that, to find out what the payments and benefits are and from that to ascertain what the present value of the payments and liabilities is, yes that is so.
14551. If the law was brought into force adopting Ratcliffe's tables as a minimum, those who belong to Societies such as there are at present would suffer; it would be rather unjust to compel them to pay at the age they now are in place of the age they joined at. The only thing would be that the surplus funds at present should act as a sort of loading of the premiums? No; if there is a surplus it would be a diminution.
14552. Yes, that is what I mean—to make up for the ages at which they are now? Yes; but it would be very complicated, and there would be a serious hardship in the matter.
14553. Further, relative to lapsed premiums or contributions, that would always find itself in the profits; and if so, at the quinquennial valuation it could be devoted to some other purpose of the Society? To augment the benefit or diminish the payment. There is one other thing you may be ignorant of; there are only two things which are open for an actuary to take notice of in these Societies; that is, the sickness and death rate.
14554. The other things, say expenses and medicines would be simply a matter of special provision? Yes, that is so. If you eliminate the expense you eliminate the whole subject, as that is a very vital part of it.
14555. A great deal of the work is done for nothing? So much the better.
14556. And the expenses would be at a minimum in these Societies? Yes.
14557. And if these two things were provided for, the sickness and death rate, the other expenses of management and doctor and medicine could be provided by a *pro rata* scale for the members? Yes; a large Society is not managed without money.
14558. Then you would take that into account with the sickness and mortality? Yes, and in graduating the premium for the benefit; the premium you ask for the benefit must involve a certain sum to cover the expenses of management.
14559. But a rate of contribution might be framed irrespective of expenses? Of course it could; the provision for expenses could be added to the net premium, but you need not necessarily separate them in announcing what the contribution is.
14560. But in these Friendly Societies the expenses are incurred totally outside of the mere working of the sick rate or death rate? You mean that there may be extraneous expenses outside the management; well, all that comes under the heading of expenses, and whether spent wisely or foolishly, it all must come out of one fund, namely, the fund for expenses, which has to be got from the members; and it is got, either from the contribution at initiation or so much is put on to the premium for expenses. The sickness fund ought to be by itself and the Assurance Fund by itself; and if it was well managed and properly done, there would be no difficulty whatever in seeing that the total expenses should be apportioned to the respective funds.

14561. I have a table framed some five years ago in Scotland for a Benefit Society which gives a table of premiums, a sickness table, and a superannuation table; the expenses of the Society were managed by an incidental fund, by a *pro rata* levy on each member? That can be done.

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14562. Then you think there would be no difficulty at once in any new Societies being formed in adopting Ratcliffe's tables as a basis? Yes, the rate of interest being higher here they would be specially computed; we would compute them on a 4 per cent. basis.

14563. *Mr. Slade.*] In calculating sickness rates, would you take the actual sickness on which benefits have been paid into consideration, or tables of sickness prepared by the Health Officers? No; the tables of sickness of Ratcliffe's have been deduced by scientific methods, from the experience of the Societies; and from these data we are enabled to compute premiums that will be adequate to the risks.

14564. Would the calculation be made on the sickness for which benefits have been paid, or on the whole of the experience of the Society? On the whole of the experience of the Society—on the whole of the members that have been exposed to sickness,

14565. And have received benefits therefor? Yes, just the same as in investigating the mortality of a Society you have to take into account not only the members who died, but the members existing and those who have gone off; those that are in the Society, those that have left the Society, and those that have become claims.

14566. But in case of death a person does die and you have knowledge of that, but you have no knowledge of concealed or unreported sickness;—would that interfere with the calculation? Not at all; it is all that are exposed to the risk of sickness in the one case or to the risk of death in the other; you could not deduce a table of sickness simply from those that have suffered sickness.

14567. I present you here with a form of returns called for by the New Zealand Government, and also a form called for by the Ancient Order of Foresters to work out that; would they be more useful than those called for now in New South Wales? This was what I had in view when I was looking at Mr. Teece's form; this is more to the point I think—it is a very good return. All this is necessary if we are going to get a sickness experience.

14568. *President.*] It is only fair to Mr. Teece to say that that return of his is simply for the purpose of obtaining the financial position of the Societies? I understand that.

14569. Would it do for that? Yes, decidedly.

14570. *Mr. Gelding.*] You were asked what you would do with the surplus of Societies that went on a sliding scale, could it not be distributed to the members, would not that be equitable? Quite so.

14571. I presume you would modify Ratcliffe's tables? I think so; they would have to be modified, I think.

14572. Considerably? I do not say considerably, it would be better to err on the safe side. I would give the benefit of the higher rate of interest.

14573. A good many of the gentlemen examined here believe that because they save a few pounds every year they are thoroughly sound; you do not believe so? No; I could give you many instances of Societies and Companies which held a million of money succumbing in the end.

14574. *President.*] You have nothing further to add? No.

The Commission then adjourned till Monday, 7th August.

MONDAY, 7 AUGUST, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
P. R. HOLDSWORTH, Esq.,
E. J. RUBIE, Esq.,

W. E. LANGLEY, Esq.

Mr. A. Kethel sworn and examined:—

14575. *President.*] The object of bringing you here is in reference to a statement made by Mr. Stephen Murphy before the Commission. In his evidence he states, "Mr. Alexander Kethel told me that Mr. Gelding was the only obstacle in the way of my being reinstated." I want to ask you if that is true? No, I did not say that.

Mr. A. Kethel. 7 Aug., 1882.

14576. Has Mr. Gelding at any time taken any action to prevent the admission of this man Murphy? As far as I know he has not; and I do not think he could do so without my knowledge.

14577. Did you ever tell Mr. Murphy that he had done so? Never.

14578. The question was asked Mr. Murphy, "Will you inform the Commission who informed you that Mr. Kethel said that Mr. Gelding was the obstacle to your reinstatement in the Lodge," and in reply he says, "Mr. Kethel told me himself"? There is no truth in that—not the faintest shadow of truth.

14579. And as far as your knowledge goes, Mr. Gelding at no time took any action to prevent this man's reinstatement? He took none, but rather befriended the man. I told Mr. Murphy that when he told me on his visit that I possessed a great deal more influence than he gave me credit for, and that if I liked to work for him I could get him reinstated, that no living man could cause him to be reinstated; that those who had influence obtained that influence by administering the laws truly, and that his only means of being reinstated would be through the regular tribunals of the Order. I told him that, and Mr. Carter the same.

14580. *Mr. Abigail.*] Did any one write a letter to you urging you if possible to use your influence to get this man back? Yes, I believe Mr. Abigail did; Mr. Carter also wrote to me—Mr. Geo. L. Carter.

14581. If Mr. Murphy said you gave him no opportunity of looking at the books when on his trial, would that be true? No, it would be a deliberate falsehood; I asked him if he required the books, and ordered the books to be produced, and told Murphy they were at his disposal.

Mr.

Mr. W. E. Langley sworn and examined :—

- Mr. W. E. Langley.
7 Aug., 1882.
14582. *President.*] Do you produce a letter here? I produce a letter.
14583. From Mr. Garcia? Yes.
14584. Sent to Mr. Melville? Mr. Melville, M.L.A. (*letter read as follows*) :—
N. Melville, Esq.—
Park-street, 2 August, 1882.
Sir,—Yesterday I appeared before the Royal Commission to reply to certain questions. Some person belonging to the Pyrmont Lodge in his evidence stated that the coffin made by you was not worth £1. I told the Commission it was a lie, and was well worth the money you charged, £3, I think; and furthermore, that yours were the cheapest I could obtain. It was told to the Commission with a view to damage my reputation. I thought I would inform you, so as to confirm my statement as to your charges and the value of the goods.
Yours respectfully,
A. M. GARCIA.
14585. Can you testify to the correctness of the signature? I can swear to the signature.
14586. Is the statement made therein, as far as you know, true? It is not; it is unmistakably untrue that any maker's name was mentioned.
14587. Has any such statement been made, as far as your knowledge goes, before the Commission? Mr. Melville's name was never mentioned before this Commission, except by Garcia himself.
14588. Do you remember who brought the Pyrmont Lodge business before the Commission? I think it was by a member of the Commission; I was asked some questions about it.
14589. And the reference was to the cost of opening? Yes.
14590. And the only name you remember in connection with that —? Was that of this Mr. Garcia.

Mr. John Slade sworn and examined :—

- Mr. J. Slade.
7 Aug., 1882.
14591. *President.*] You have expressed a wish to be examined before the Commission? Yes.
14592. With reference to the medical officers of various Friendly Societies? Yes.
14593. You are aware of the sum that is paid by the different Societies to secure medical attendance? Yes, over a space of thirty-two years in this Colony, I have made on behalf of Friendly Societies engagements and contracts with doctors.
14594. Does the present system work satisfactorily? As far as my experience goes, the terms on which medical men and the Societies have been have been mutually satisfactory, and with only some few exceptions mutually advantageous.
14595. Do you consider the amount paid by the Societies is sufficient to secure the best of the medical men? Yes.
14596. And good attendance to the members of the Societies? Yes.
14597. Faithful attendance on the part of the medical officer? Yes. I give as proof of this the fact that I have known Societies to have the attendance of the same medical man for a period of twenty-five years, others fourteen years, ten years, six years, and seven years. I have known a medical man elected fifteen or sixteen times to a Society without opposition, and when the contract between them was severed it was by mutual consent, and regretted by both sides.
14598. I presume that there is not much difficulty in securing a medical officer for a Society? I know of none.
14599. And what do you consider fair payment to a medical man? Without medicine, I should think 15s. or 16s.; upon these terms I have known doctors to attend Societies for the periods I have named.
14600. With reference to the present system of contributions to Societies by the members of Societies, do you favour the principle of graduated contributions? Yes, decidedly; I believe it to be the only safe principle on which Societies can work now and in the future.
14601. You are aware that most of the Societies at the present time have uniform contributions? Yes.
14602. Do you think that system is unequal in its operation, and that it tends to place Societies in an unfinancial position? Yes, I consider it both unfair and injudicious.
14603. Is there any difficulty in carrying out the graduated contributions? None that I can see; and as evidence I give the experience of a great Society in Great Britain, numbering 620,000 members. The experience there is that nothing but graduated payments will ensure permanent stability in Friendly Societies.
14604. In reference to matters of dispute, do you favour the present provisions in the Act to settle matters in the Law Courts? I favour the provision which provides that each Society should have an Arbitration Board, and I should supplement that by having a Board of which the Registrar should be President, their decisions to be final without appeal to the Law Courts, except in criminal matters. In no case of dispute or in civil matters do I favour resort to the Law Courts.
14605. What has been your experience of members declaring on the sick funds and shamming sickness? Some very pointed cases have come under my notice; I have known men receive large sums of money, some while malingering, and others concealed diseases for which the Society did not pay benefits; others received money while able to do their work. And concealment of age at entrance is another fraud which has given them large benefits in some cases, and only at the death of these persons has it been found out that they had defrauded the Society.
14606. Do you approve of persons being members of more than one Society? Yes; my reason being that a man who belongs to a Society and whose wages or salary is £3 or £4 a week cannot afford to avail himself of the advantages of his Society while the whole benefits are £1 a week, and he will work while really unable to do so.
14607. Would you limit the amount of payment? Yes, I would limit it to two Societies at a guinea each. This would be useful to a tradesman or good mechanic, while one would be no good at all to him. Shopkeepers in particular are largely injured by these, the Societies' rules preventing them from doing any sort of work while receiving sick pay, and £1 being totally inadequate to pay the expenses while sick.
14608. With reference to the superannuation or pensioning of members, would you make any special provision? I would, but entirely separate from all other benefits; a separate fund with separate Trustees, and administered separately.
14609. How would you sustain it? By a small yearly contribution to be paid by the members. There is one instance in this Colony of a Society which paid for about ten years, and then had £1,600 or £1,700 to start with. They did it, and for the last fifteen years they have pensioned about fifteen persons on an average for life.
14610.

14610. Then I understand you that this contribution should be outside the ordinary contribution? Yes. Mr. J. Slade.
14611. With reference to the present mode of book-keeping adopted in Friendly Societies, would you prefer a uniform system? Decidedly, yes; and that system I think should be furnished to the Societies in any new Act, by some one skilled in preparing such forms, and knowing the peculiar way in which Societies take their money and distribute it. 7 Aug., 1882.
14612. Do you think it should be the duty of the Registrar to supply a form of book or books? A form certainly.
14613. What is your opinion with reference to the management and expenses incurred in connection with these districts? My opinion is, that in some cases such management is grossly extravagant, almost criminal I may say. I know some districts which work for about 6½ and others 8½ per cent., but I have a Return here of a district with an income of £87 4s. 11d. which spent £136 11s. in management, the whole of the moneys being management, excepting £2 2s. donation to a Hospital. It is the Bathurst District of the Manchester Unity; the District shows a large balance in the Bank, but taking the half-year's expenditure, it is as I have stated.
14614. Do you think it would be necessary for the Government to appoint an officer to make an annual valuation of the assets and liabilities of the various Societies? I think that should be the most imperative provision of any new Act, and such statement should be made public as quickly as possible for the information of the public, and to let people know what Societies are worthy of their confidence, and to give them the chance of choosing on plain and straightforward grounds which Society they will join and support.
14615. Then I gather from what you have stated that you favour the view that, in any future legislation, there should be provision made for the rate of contribution to be paid by persons joining the Societies? I believe they should fix a minimum, but I think it would be wrong to go further than that, because if an arbitrary scale were fixed, the Government would in a measure become responsible for the tables they made, and if carried out and the Societies failed, parties that had paid according to the Government rates and valuation would have a claim against the Government if they did not work out successfully.
14616. Then this fixing of the minimum should be on some table founded on an actuarial report? Yes.
14617. With reference to dealing with defaulting Secretaries and Treasurers, have you any suggestions to make to deal with cases of that kind? I have, and I would make it imperative that no condonation or settlement be allowed outside of the Registrar's Court. All defalcations should be handed to the Registrar, and he should decide whether they should go to the Law Courts or be settled by arbitration. I have known of Treasurers who have appropriated the funds of a Society who have attended the meeting for the examination of themselves in the matter, and have assisted in making terms by which they would repay to the Society the money they had misappropriated, to pay it back in instalments. I know of several cases of this kind.
14618. Then I understand you would be in favour of exacting from each officer—Treasurer or Secretary—a fidelity bond? Yes.
14619. In every case? Yes.
14620. And you would make it imperative? Yes, I would.
14621. Do you think that the Society's books should be accessible at all times to an officer of the Registrar's Department? Yes, I would make it imperative that every Society should submit its books to a Government officer at any time he called, either at the Secretary's residence in reasonable hours, or at the Lodge room or place of meeting as duly advertised.
14622. Have you anything further to add? I do not know that I have.
14623. *Mr. Abigail.*] Does your experience apply to more than one Society? Only one Benefit Society with two Branches attached, these having separate subscriptions and separate benefits.
14624. Have you known any cases of misappropriation of Society's funds by officers or members? Yes, several; one case was that of a Treasurer who misappropriated money, and was allowed to give two securities for its repayment back in instalments, during the repayment of which he continued a member of the Society and took part in the proceedings.
14625. What was his name? One case was a man named Page, and another a man named Ralston.
14626. What was the amount in Page's case? £77.
14627. He remained a member, and is still a member? Yes.
14628. Of what Society? The Ancient Order of Foresters.
14629. Do you not know that is contrary to the Friendly Societies Act? Yes, and I warned them of the consequences of their act.
14630. Now, the next case? Is that of a Treasurer named Ralston; I think the amount was some £12 or £13; similar action was taken in this case.
14631. Any other case? The third case was a Secretary.
14632. The same order? Yes, the same Branch unfortunately.
14633. Do you know the amount? £8 or £9 I think.
14634. And the same mode was adopted? Yes, and I believe he is still a member.
14635. Any cases of other Branches? Yes; there was a Secretary named Edwards of a Branch at Pymont who paid the expenses of a ball out of the Society's funds, and it brought about the ruin of the Branch, which has been wound up under the Act in consequence of this; but the members of the Branch did not suffer in consequence of this winding up.
14636. None of them? They had one sick member to whom they owed a large amount of money; I was appointed to meet them, and I found they had only enough to pay him; they cleared off all their debts.
14637. Any other case? Officers I cannot give you any; but individual cases of private members, yes.
14638. Let us have them? There is the case of a man named O'Brien who received £26 while having venereal disease.
14639. Did the Lodge take any action? Yes, they called him before the Arbitration Committee; it was proved, but under the old Act we could not proceed against him.
14640. Any other case? A man named Patmore, who after receiving a sum of money was found to have been working at his trade all the time. He was called up, and was offered the alternative of paying back the money; he refused to do so, and left the Society.
14641. Is that the whole of the cases of that kind? No, there is the case of a man named Dawes, who concealed eight years of his age at the time he joined. He received a large amount of sick pay—nearly £200,

- Mr. J. Slade. £200, and when applying to be pensioned claimed his age as a reason; the age he appeared on the Society's books rebutted that claim; he persisted and on taking evidence he was found to have entered his age as six years younger than his sister, whom he was really two years older than she was. His case was tried and it was decided that he should receive no further benefits, and he refused to pay any more money.
- 7 Aug., 1882. 14642. Did you get any money back? Not a sixpence; there was no mode, according to the manner the law was then administered, by which we could recover. The fourth case has recently occurred; a man named Moran, who concealed four years of his age; he had received £122 16s. 6d. from the Society and had been 2½ years pensioned as well. On his death being registered we found he was four years older than he stated when he joined, when if he had given his right age he would have been too old to join at all.
14643. Would it not be well to insist on the production of the registration certificate? These men all made declarations that they were not older than they stated, but the breach of agreement was not found out until too late to get the money. There was another case in which a Branch of our Order in Queensland was concerned, in which a member surpassed his alleged age by six years; he had received a good amount of benefits, but on registering his death they found the concealment out, and I refused to pay the money.
14644. Has the District taken any steps to meet difficulties of this kind? They do when it pertains to the funeral gifts, but the sick benefit pertains only to the Branches.
14645. If you found the matter out before the funeral gift would you withhold it? Yes, we have done so.
14646. Is it not a great hardship to the wife and family? Yes, but they have reaped the advantage of this man's concealment all his life.
14647. That is the whole of the cases of this kind that you can remember? Yes, that is where the funds have been interfered with by the officers and where the Society has been imposed upon.
14648. Have you known any cases where sick members failed to get the benefits they were entitled to? No, except in one or two cases. Years ago it was the impression that if a man belonged to two Societies he could not claim benefits from both, and one of the old Societies in Sydney used to refuse to pay the full £1 a week if they found their members belonged to any other Society.
14649. Have you any cases in your Order where doctors have given certificates that members were sick when they were not? Not knowingly, but carelessly, yes.
14650. To any large extent? No, we have cases of medical men who have been totally unfit for the position.
14651. Are complaints frequently made by the members of want of attention on the part of medical men? Occasionally, but I take very little notice of that, as if you had a medical man to each member in a Society it would not please them.
14652. Mr. Langley.] In the case of syphilis you mentioned did the medical man certify? Yes.
14653. Though he knew that according to the rules a disease of that kind debarred the party from having any claim on the Lodge? Yes.
14654. Did that occur in Sydney? Yes, we suffered the loss of £26 through the carelessness of the medical man.
14655. Mr. Rubie.] Do you think that in any new Act it would not be well to define when the benefits should cease? I believe in all future legislation the liability of the Society to a member for benefits should cease immediately the member ceases to be in a position to be compelled to pay his subscriptions, directly he becomes unfinancial whatever the period may be.
14656. Mr. Smith.] The case you have referred to respecting Moran—is it not a fact that the Society took very great care to investigate as to the truth of his age? Yes, and it was only a question of veracity; the Branch refused him from his appearance, it being such as they thought made his statement untrue. He afterwards availed himself of an examination by the District Officers, and, in a measure, unknown to the Branch, was admitted at the age he stated.
14657. Mr. Gelding.] Had the District power to enter into that arrangement after the Lodge had repudiated the matter? The District rules at the time were such that if the Society was not satisfied the proposer and seconder could take him before the District Officer, who might order his admission.
14658. Do you think that is judicious? I do not think it is judicious at all.
14659. Mr. Newland.] Are you in favour of Societies having a dispensary of their own? I am; I am in favour of the medical benefits of Societies being administered so that they shall collectively form a Medical Board of sufficient medical skill to attend to the whole of their members; that they shall administer their drugs and medicines in the same manner, so as to secure the best attendance that can be got. The Ancient Order of Foresters has some sixty Branches over Great Britain worked on this principle, and they have 612,000 members, with a reserve fund of two and three-quarter millions.
14660. Have the medical men, in your opinion, been careful in the examination of candidates? I am sorry to say I believe them to be very careless.

The Commission then adjourned until Monday, 21st August.

FRIDAY, 17 NOVEMBER, 1882.

Present:—

JOHN DAVIES, Esq., C.M.G., M.P., PRESIDENT.

JOHN GELDING, Esq.,
E. GREVILLE, Esq., J.P.,
P. J. NEWLAND, Esq.,
JOHN SLADE, Esq.,

JAMES F. SMITH, Esq.,
F. ABIGAIL, Esq., M.P.,
E. J. RUBIE, Esq.,
W. E. LANGLEY, Esq.

Mr. Thomas Mervyn Shepherd sworn and examined:—

- Mr. T. M. Shepherd. 14661. President.] You are a member of —? The Ancient Order of Foresters.
14662. What office do you hold? Chairman.
14663. Have you been long connected with the Society? About fifteen years.
- 17 Nov., 1882. 14664. Has there been some irregular proceeding in connection with the finances of the Society recently? Well, that is rather a wide question.
14665. Have any defalcations taken place? No.
14666. Has there been any misapplication of the funds? It is my private opinion there has been.

14667.

14667. Will you describe the nature of it? The investment of £400 in connection with the purchase of a hall.
14668. What hall is it? The Friendly Societies' Hall.
14669. For your own Court? Our Court meets there.
14670. Is it the property of your Court? No, not exactly.
14671. Then is it a Joint Stock Company in which the Society has invested its funds? Yes, at least I think so.
14672. And are you of opinion that the investment is an illegal one? That is my opinion, though I stand alone in it.
14673. Have you called the attention of the officers of the Society to this misapplication of the funds? I have spoken of it, but as a legal opinion was submitted I had to submit and say no more.
14674. What was that opinion? That the members could invest their money in this way.
14675. Do you know who gave that opinion? Mr. Bowden, I hear.
14676. Are you aware that the Friendly Societies Act provides a mode of investment for the funds? I am.
14677. And it is on that ground that you have taken exception to the investment? I have taken no exception and have not opposed the matter, because I did not go to the meetings.
14678. What would be the whole value of your funds? Between £1,000 and £1,100 in all.
14679. What interest will these shares bear? Well, it was guaranteed 8 per cent.
14680. I am to understand, I suppose, that this is not a purchase by the Society of a block of land and the erection of a building thereon? No, the building was on the land when they purchased.
14681. And a number of Friendly Societies have participated? Yes.
14682. What is it designated? The Friendly Societies Hall Company.
14683. Limited liability? Yes.
14684. Incorporated? Yes.
14685. You have taken no action in your own Lodge or Court? No, only what I have stated.
14686. *Mr. Slade.*] Is this affair a Joint Stock Company or not? It is.
14687. Is it put forth as a joint stock affair? It is not so described.
14688. Are the shares at the disposal of any person who may go in for them? No.
14689. They are confined to *bona-fide* members of Societies? Yes.
14690. Can any outside persons get them? No.
14691. And unless the speculation turns out a success, there will be no source of revenue for the moneys invested? None whatever that I can see.

Mr. T. M.
Shepherd.
17 Nov., 1882.

Mr. Liphman Menser sworn and examined:—

14692. *President.*] What Society are you a member of? Several Friendly Societies.
14693. Have any of your Societies invested money in connection with the Friendly Societies' Hall Company? Yes; three.
14694. To what extent? £400, £200, and £100.
14695. Did you approve of the investment of the funds in this way? I did.
14696. Have you had any exception taken to the investment? None in the Societies, only by outdoor talk. I ought to state that this subject has been mooted for some time past, as all the Lodges having to meet in public-houses we had no place to go to, and the separate Lodges were not in funds to build halls of their own, so we called a meeting of delegates for the various Societies, and after two or three meetings it was resolved to bring a report up to the effect that we should combine to build a hall. Under the 42nd clause of the Act we found we could do it as separate Lodges, and thought that we could also do it in combination. It has been done in Sydney.
14697. What Lodges have done it in Sydney? The Protestant Alliance; and the Oddfellows' Hall has been built by the members of several Lodges, although under the same Order; but they were so powerful that they could do it, but we consider as we are all under the same Act, and having had advice from a solicitor, that we were justified in doing it in combination, for we have a rule passed that none but members of Friendly Societies can become shareholders.
14698. You have stated that the Company is a Joint Stock Company? It is, but only amongst members of Societies registered under the Act.
14699. You are clearly aware that the Friendly Societies Act prohibits the investment of funds in a Joint Stock Company? I take it that it means amongst non-members. To avoid any unpleasantness in any Lodge special meetings were held, and in this one particular Lodge that invested the £400 (that is the Foresters) I might say that we had seventy-four members, and that they were unanimous. The investment is sure, and we are getting the same interest from the Hall as we would get from the Bank.
14700. Did you find any inconvenience in investing your funds? We had a little difficulty at times in investing them in the Savings' Bank.
14701. But had you any difficulty in finding investments for your money that you had to lend? The members did not feel inclined to speculate.
14702. Do you not regard this as a speculation? No, it is as certain as the interest in the Savings' Bank.
14703. Who gives the guarantee? The Directors.
14704. Are they personally liable? They are liable.
14705. Beyond the property? It brings in double the amount of money already. The Directors have guaranteed the Bank interest of 5 per cent.; I have a guarantee from the Directors of 5 per cent.
14706. Have you brought a copy of the deed of settlement of the Company? I have not.
14707. In the event of the Society or Societies requiring their funds, how will they be able to get them? By giving due notice.
14708. What notice is necessary? Twenty-eight days.
14709. And by giving that notice could they demand the payment of the £400? No, but they will not want it as long as their interest is sure, and in addition to this they have two good Lodge rooms, instead of having to meet in public-houses as they had to do before.
14710. You have received no complaints from the members in reference to these investments? No; on the contrary, we have received praise. The members are quite satisfied with what we have done. We had our first half-yearly meeting last night, and it was reported that several new members had joined the Lodges in order to get shares; so that by this means we are actually increasing our number.

Mr. L.
Menser.
17 Nov., 1882.

14711.

- Mr. L. Menser. 14711. Did Mr. Bowden give a written or verbal opinion? I think it was verbal, but he answered a letter of mine in writing, saying that he could see no reason why it could not be done.
14712. *Mr. Abigail.*] Did you make any application to Mr. Oliver, as Registrar, to know if this could be done? Only through the solicitor.
14713. Did he forward on his opinion? He told me what Mr. Oliver in conversation had stated to him.
14714. He did not convey to you in writing what Mr. Oliver had said? No.
14715. Have you Mr. Bowden's opinion as to what you could do? Yes.
14716. Did you act upon it? Yes: it is as follows:—

Paramatta, 20 April, 1882.

L. Menser, Esq., Parramatta.

Re Friendly Societies.

Dear Sir,

I have looked into the matter in reference to Friendly Societies' Hall, and consider it not contrary to the meaning of the Act for the different Societies to unite to purchase suitable premises for their common benefit, provided provision be made in the building to meet the separate requirements of each Society.

It will, however, be necessary for the Trustees of each Society to obtain first the consent of a special meeting of their members, or a majority of such meeting.

Yours truly,

J. E. BOWDEN.

Upon that, a copy of which was given to each of the Lodges, they acted, and to secure that each Lodge should have a voice in the matter, besides the Directors appointed by the shareholders, each Lodge appoints its own Director or Trustee to represent them in the whole Board.

14717. Do you not understand that letter to mean that in the building each shall have its own separate room? Yes.

14718. How many Lodges are interested in it? Three directly, and all indirectly, as having shares.

14719. But only three Lodges have invested their funds in it? Yes.

14720. In this matter of shares, are the shares applied for by persons in the ordinary form or as members of Friendly Societies? There is a special form in which the applicant has to state that he is a member of such and such a Society, and none but members of Societies can obtain shares.

14721. *President.*] The 42nd section of the Act says that the Trustees may invest the funds or any part thereof to any amount in any Colonial Government Fund or Debentures or in such other security as the rules of such Society may direct, not being the purchase of house or land (save and except the purchase of buildings wherein to hold the meetings or transact the business of such Society as heretofore mentioned) and not being the purchase of shares in any Joint Stock or other Company with or without charter or incorporation and not being personal security, except in the case of a member of one full year's standing at least, and in respect of a sum not exceeding one half the amount of his assurance on life of such member, and so on. I think you will find Mr. Bowden has been at sea so far as that section of the Act is concerned? We do not look at it as a Joint Stock Company.

14722. *Mr. Slade.*] Have you been mixed up in Joint Stock Companies before? Yes.

14723. Have you any doubt but that this is purely a Joint Stock Company? I think that in a Joint Stock Company any one can become a shareholder.

14724. Is there any guarantee that these shares shall not be sold or exchanged to non-members? Well, of course, in case of bankruptcy or death the shares could be passed to non-members.

14725. If the speculation should fail, is there any means of recouping the Society except the property? Beyond the property itself, no, but it is worth more than we actually gave for it, so that it is impossible it should become a failure.

14726. Did you ever hear a report that Mr. Oliver did advise a way of making this legal? Yes, I believe he did, but I am not sure.

14727. Did you ever make a statement to the effect that Mr. Oliver had said he knew it was illegal, but if the Societies would pass a short rule legalizing it, he would register it? No.

14728. Is the position of Messrs. Coates and Gazzard the same as yours? Yes, but Mr. Coates knows nothing of the matter.

Mr. George Coates sworn and examined:—

- Mr. G. Coates. 14729. *President.*] What Society are you a member of? The Ancient Order of Foresters.
14730. For many years? Twenty-six years.
14731. Do you know how much of your funds has been invested in this Friendly Societies' Hall Company? Only from hear-say, £400.
14732. And you disapprove of the investment? Yes.
14733. As contrary to the Friendly Societies Act? Yes, I should have objected to sign the cheque, but I was not called on for my signature.
14734. You are familiar with the 42nd section of the Act? Yes; I think the funds should be only invested in the Savings Bank or Government Securities.
14735. Have you taken any action in your Lodge in objecting to this mode of investment? No.
14736. Is it your intention to do so? No; the thing is done, and cannot be undone.
14737. You are one of the Trustees? Yes; I was elected without my knowledge.
14738. And they withdrew the money without your consent or knowledge? Yes.
14739. Were you removed from office? No.
14740. No new Trustee has been appointed? No.
14741. How often do you change these Trustees? We do not change them at all.
14742. Could the money have been withheld without your knowledge or consent? It should not have been.
14743. Are you aware of the Trustees who signed the cheque? Mr. Menser and Mr. Gazzard.
14744. Have the whole of the funds of the Society been transferred to their account? Not that I am aware of.
14745. They have not been removed from your name? Not to my knowledge.
14746. It was one of your duties to guard the funds and protect them from improper use? Yes.
14747. Where did you receive information that a portion of the funds had been applied in this way? I went to the Treasurer and said that I understood that they were about to purchase a hall, but that I would

would not sign the cheque for it; he said that was needless, as that it was paid for already. I asked him how that could be done without my signature; and he replied that Mr. Menser said I was not a Trustee now.

Mr. G. Coates.
17 Nov., 1882.

14748. How was the money paid and the cheque signed? I cannot tell.
14749. You do not know how the money was drawn out? No, except that Mr. Taylor, the Manager of the Bank, refuses to acknowledge more than two Trustees, and Mr. Menser and Mr. Gazzard took it upon themselves to draw it out.
14750. There are three Trustees? Yes.
14751. And you have been ignored? Yes.
14752. Though you have acted for fifteen years? Yes.
14753. Had you intimated that you would not sign a cheque? Not before I went to the Treasurer.
14754. Were you removed because you would not sign it? I could not say that.
14755. Have you made any inquiries as to whether your name is still registered as Trustee? Yes, I met my co-Trustee, and he told me it was not.
14756. Have you been to the Bank? No.
14757. But you have had no intimation from the Court that you were removed? No.
14758. And it is only by accident you heard that you had been removed? That is all.

Mr. L. Menser was recalled and examined:—

14759. *President.*] It is stated that the Manager of the Bank declined to acknowledge more than two Trustees? Two Trustees.
14760. What is his name? John Taylor.
14761. What did he tell you? He told me nothing himself—his clerk told me.
14762. *Mr. Smith.*] Is not Mr. Coates the senior Trustee of the Lodge? He might be, but I would not be sure.
14763. And it is also a fact that you have never consulted him respecting this matter? No, I never had the opportunity of seeing him, or I should have done so.
14764. You never consulted him as to purchasing this property? I had spoken to him, although I did not officially consult him.
14765. Is it not a fact that you overlooked him as a Trustee? No, it is not; in the Bank book it is Gazzard, Menser and Coates; and the Manager only recognizes the first two names.
14766. What do your rules say? That the Trustees shall be empowered to do so and so.
14767. Were any orders or cheques drawn by Mr. Coates recognized? This is the first time we have had to draw money out of the Bank for years.
14768. If the Court appointed three Trustees, did the members have the knowledge that only two would be recognized by the Bank? I cannot say.
14769. What is the object of appointing the three? The rules say three shall be appointed.
14770. Mr. Coates is still a Trustee then? Yes.
14771. *Mr. Golding.*] Has Mr. Taylor got any interest in this property? He sold it to us.
14772. Would you like your name withdrawn like this? No.
14773. *President.*] Is it a Branch of the Sydney Savings Bank? The New South Wales Savings Bank.
14774. Was the money banked in the names of the three Trustees? I have never banked it—Mr. Gazzard always did that.

Mr. L.
Menser.
17 Nov., 1882.

Mr. Moses Gazzard sworn and examined:—

14775. *President.*] You are a member of the Foresters? Yes, I am.
14776. Are you a Trustee? Yes.
14777. How many Trustees has your Court? Only two. I have been Trustee about twelve or fifteen years.
14778. How many Trustees have to be appointed by your rules? I could not say.
14779. You are not aware that three Trustees are provided for in the rules? I have heard that Mr. Coates's name is on the books, but they will not acknowledge him at the Bank. Mr. Taylor told me that they would not acknowledge more than two.
14780. You drew out £400? Yes, for the Hall.
14781. Did you approve of that mode of investing the funds? Yes, I did, because we had nowhere to go to.
14782. You know that the duty of a Trustee is to apply the money for the purpose for which it was subscribed? To put it in the Bank and pay it out as instructed by the Lodge.
14783. Are you aware of the 42nd section of the Act? I have never read it.
14784. Have you been informed that it says that the Trustees have no power to invest money in a Joint Stock Company? Yes.
14785. You have received a legal opinion from Mr. Bowden as to your right in this matter? I have heard that he stated that we could do it.
14786. Who was the first Trustee elected in connection with your Court? I could not say.
14787. Was Mr. Coates appointed before you and Mr. Menser? Yes.
14788. Then he is the senior Trustee of the three? I do not know.
14789. Have you ever known him decline to act? I have been a Trustee some years, and he never did anything—I have always taken the moneys to the Bank—he never did anything that I know of.
14790. Do you think you have power to invest these funds as you have done, after hearing clause 42 of the Act—(clause read to the witness)? If I had known that before it was done I might have considered it.
14791. After hearing that read, you do not think you were justified? Well, they had a regularly summoned meeting, and it was carried to take £400 worth of shares.
14792. *Mr. Smith.*] In whose name are the shares taken? In the name of the Lodge.
14793. Of no individual? No individual.
14794. What do you hold to show you have invested the money? I do not know.

Mr. M.
Gazzard
17 Nov., 1882.

- Mr. M. Gazzard.
17 Nov., 1882.
14795. Have you no scrip? I have not; I do not know what the Secretary has got.
14796. What guarantee have you for the £400? I do not know.
14797. *Mr. Abigail.*] Who paid the money? Mr. Menser.
14798. Has he any papers? I do not know.
14799. Any documents? I do not know.
14800. Any scrip? I do not know.
14801. Were you present when the money was handed over? No.
14802. *Mr. Smith.*] You were guided by the meeting—the summoned meeting? Yes.
14803. And owing to the action then taken you were a consenting party to the money being taken? Yes.
14804. And if the Lodge had authorized the expending of that money by any other means, such as upon a picnic, you would have been guided by that? No, I would not.
14805. No one ever pointed out to you your position as a Trustee? No, I was guided by the Lodge that evening.
14806. Without knowing any better? Yes, after it was carried in the Lodge I thought it was all right.
14807. And you as a Trustee do not know what you hold as security? I do not know.
14808. You are sure that the shares were applied for in the name of the Lodge? Yes.
14809. How do you know? It was voted that it should be done so in the Lodge.
14810. Did you see the application? No, I did not.
14811. But the Trustees would have to make application for the shares? I do not know whether it was Mr. Menser or the Lodge.
14812. You did not see the form of application? No.
14813. And did not see any form of scrip? No, I did not.
14814. Did you sign a cheque for the withdrawal of the money? Yes.

Mr. J. Menser recalled and examined:—

- Mr. L. Menser.
17 Nov., 1882.
14815. *Mr. Abigail.*] What was the form of application for these shares? We applied on behalf of the Court for 400 shares to be allotted to the Court.
14816. Was any scrip issued? No.
14817. Was the application signed by the three Trustees, or by you on their behalf? By me on their behalf.
14818. Did you consult them? Not directly, but it was done in the Court.
14819. You did not apply to these men directly to authorize you to apply on their behalf? I did to Mr. Gazzard, but not to Mr. Coates.
14820. Do you know that the Companies Act does not recognize bodies of men, but only individuals? This does.
14821. Is there any special deed? The registration deed.
14822. You have no doubt that you applied for the shares on behalf of the Society, and not for yourself individually? No.
14823. Who signed the cheque for the money? The Secretary signed the cheque himself; we signed the receipt-book at the Bank. The cheque is signed by the officers of the Court.

Mr. M. Gazzard recalled and examined:—

- Mr. M. Gazzard.
17 Nov., 1882.
14824. *Mr. Langley.*] Did I understand you correctly that you signed a cheque for the money? We signed a cheque at the Bank to draw the money.
14825. Were you correct when you said you signed a cheque to draw the money? We signed a cheque at the Bank to draw it.
14826. *Mr. Rubie.*] In whose name is the money of the Court deposited in the Bank? Mine and Mr. Menser's.
14827. There is no mention of Mr. Coates's name? Not at the Bank.
14828. Is his name on the Bank-book? No.
14829. *Mr. Slade.*] What did you have to do in the matter beyond signing your name on one occasion? Nothing at all.
14830. You never applied for the shares? No, I did not.
14831. Have you ever had any paper exhibited to you as a receipt for the payment of the money? No.
14832. Have you any positive knowledge that the money has been paid? Yes; I have heard it read over two or three times.
14833. You do not know whether any receipt is in existence? No.
14834. Do you understand that you may be proceeded against personally for money illegally invested? I understand it is the Lodge that has done it.
14835. If their instruction was illegal would you do it? It would depend upon what it would be; I do not think they would do anything illegal.

Mr. L. Menser recalled and examined:—

- Mr. L. Menser.
17 Nov., 1882.
14836. *Mr. Smith.*] And what other Societies have invested in this Company? The Sons of Temperance and the Druids.
14837. These Lodges have taken shares which have been allotted to them? Yes.
14838. You have articles of association signed? No.
14839. Do you hold the documents from the Company? Yes.
14840. What do you hold, scrip or a receipt? A receipt; and the deed of settlement is signed by the other Trustee and myself.
14841. There is nothing to identify the Lodge except the receipt? There is no scrip given out at all—no one holds scrip.

Mr.

Mr. Henry Harrington Green sworn and examined :—

Mr. H. H.
Green.
17 Nov., 1882.

14842. *President.*] You are a member of the Independent Order of Oddfellows? Yes.
14843. What office do you hold? I am Grand Master.
14844. You have recently appointed new Trustees, have you not? No.
14845. You have not done so? No.
14846. You have not made any appointment of new Trustees? No.
14847. Have you removed any of the funds of the Lodge? Yes.
14848. With the concurrence of the Trustees—of the whole body of the Trustees? Yes.
14849. How many Trustees have you? Threc.
14850. Has any portion of the Funeral Fund been operated upon by the Trustees? Yes.
14851. What have they done with the Funeral Fund? It is invested in real estate.
14852. Would you give a description of the nature of the investment made by the Trustees? Well, what has been done is to be ratified by the general body. In the first instance, when the land was placed in the market it was purchased conditionally that the Order would accept it, and a private cheque was given for one-quarter of the purchase money, that is £834. Subsequently a meeting of the Executive was called for the purpose of laying the matter before them. Previous to this two or three meetings were held to know if it would be advisable, at each of which it was unanimously decided that it would be a profitable investment; and it was determined to purchase the land. We had previously obtained legal advice as to the step we were about to take. The matter is in embryo yet, although the name of the Order was used in connection with it.
14853. Is it a fact that two new Trustees and one old one drew out £200. It is not—I positively deny it. I produce the registered Trustees with the original Trustees as registered by the Registrar of Friendly Societies. (*Produced for inspection only.*) I may explain that at our last annual session of the Grand Lodge Trustees were elected, but the Journal of Proceedings will explain that a protest was made at the election, as to the mode of election. This had to be submitted to the Supreme Grand Body under which we work.
14854. What are the names of the Trustees of the Funeral Fund? We do not make any distinction—they are all vested in the Trustees; their names are Messrs. Richard Switson, James Farrell, and George Guess.
14855. And how long have they been in office? Since the foundation of the Grand Lodge, in October, 1880.
14856. Were new Trustees appointed at the last general meeting of your body? I think I explained that an election was had, but that the mode of election was objected to.
14857. What was the objection? That the mode of election did not accord with the clause of the constitution under which it was held.
14858. Who were the Trustees elected? Mr. Langley was one, and Mr. McMenemy was another.
14859. Were they to have superseded the old Trustees? They were to have done, but immediately on their election a protest was lodged against the mode of election.
14860. And what was the result? That protest has yet to be decided by the Supreme Grand Body.
14861. And in the meantime the old Trustees have acted? Yes.
14862. And they have withdrawn the money? Yes.
14863. And applied it for the purpose of purchasing this property? Yes.
14864. How much? £834.
14865. And are you aware of the 50th section of your laws, which provides how the Funeral Fund should be applied? I am fairly conversant with the law.
14866. And do you think that the appropriation of the Funeral Fund in the way which you have described is in conformity with the rules? I believe it is.
14867. What balance would you have to the credit of the fund after you have taken this amount out? I am not sure as to the figures, but about £400.
14868. £400 still remaining? Yes.
14869. What would be the annual drain on the fund in the shape of payments for deaths? It fluctuates; I am scarcely in a position to give you an average, because we have not been in existance long enough to get an average.
14870. Are you aware what was paid last year? I think about £110; that is merely approximate.
14871. And you consider it a lawful purpose to apply those funds to the purchase of a building? Yes; we did nothing without taking legal advice.
14872. Though it is provided how the fund should be appropriated "and for no other purpose"? I interpret that so that it may be invested profitably in real estate.
14873. And you do not take much notice of the latter portion of the 50th section of your rules? I have innumerable precedents.
14874. I am asking for your opinion? I am scarcely in a position to give an opinion. It appears to me it will be necessary for me to make some explanation before leaving.
14875. You may make a statement now? I am informed that Mr. Langley has given certain information; he is a member of our Executive *ex officio*, and has given his consent. We had no opportunity of calling a special meeting of the Grand Lodge because of the expense, and because time would not admit; but previous to the land being purchased I gave instructions to the Grand Secretary that he should be apprised of the fact. He was interviewed by the Grand Treasurer, and I have his word of honor that Mr. Langley gave his consent. I scarcely think I could explain the whole matter, because there is an animus between Mr. Langley and certain members of the executive body.
14876. We do not want anything of that? Well, it has been circulated in the city that we have been misappropriating our funds, and that is calculated to materially injure our institution. Of course I know the general public do not investigate these matters very closely. Mr. Langley was consulted in the case, and an intimation was sent to him by telegram. In presence of one of our Trustees he gave his consent, saying he thought it was worth a thousand pounds more than it was purchased at. I had some amount of difficulty in connection with this case because Mr. Langley was absent. He never confronted me personally, and if one single objection had been raised I should have hesitated; but the Grand Treasurer gave me his word of honor—when I remarked that Mr. Langley was absent on the morning of the sale—that he did not object. Since then he has raised no objection, except in an indirect way through the Lodge

- Mr. H. H. Green.
17 Nov., 1882.
- Lodge of which he is a member. I have a copy here of an intimation sent to all the Lodges, and Mr. Langley's Lodge amongst others received one. We received a protest from that Lodge, though they were present at the meeting at which action was taken. I learned subsequently that Mr. Langley influenced the passing of that protest. This is the only protest we have received. That is a brief summary of the case.
14877. Were you offered £1,000 profit on the purchase? Immediately afterwards we were offered £500, and subsequently £800, and more recently £1,000.
14878. In what part of Elizabeth-street is it? About 100 yards from Liverpool-street.
14879. *Mr. Abigail.*] This matter of the Trustees was referred to the Supreme Grand Council? The Supreme Grand Lodge of Australasia.
14880. How often do they meet? The Executive meets when any matter of importance is brought before it.
14881. And can they give a ruling? Yes.
14882. Which is binding? Yes.
14883. It has been referred to them? Yes.
14884. How long ago? I am not prepared to answer that question, because it appears that the Grand Secretary did not despatch it at once; but in April last I was in the office of the Supreme Grand Secretary, and I asked him if he had received such a document, and he said yes.
14885. You have had no communication since? None whatever.
14886. That is nearly eight months ago? Yes. I may say that indirect influence on the part of Mr. Langley has been used to obtain from the Grand Sire, the chief officer in Australasia, a decision; he has written a communication the purport of which I am not in possession of; but I have a private letter here—
14887. Does that letter contain any ruling on the question? No.
14888. Then we do not want it; so that eight months have elapsed and an important question affecting the proper position of your Trustees has not been decided? Well, our institution is of American origin, and we say distinctly that honorary membership is not recognized; and one of the clauses in the protest is with regard to Mr. Langley holding an honorary position.
14889. But the Grand Lodge appointed Mr. Langley? But if they violate the law their action will not stand.
14890. You have no quicker means of getting a settlement than what you have now stated, that you send it to the Grand Council? The delay does not rest with us here.
14891. Where do they meet? Their conferences are movable, but hitherto they have been held in Victoria.
14892. At what periods? They may be called together at any time.
14893. But what is the regular fixed period? Triennially.
14894. Whom did you consult legally? The solicitors, Messrs. Dawson & Sons.
14895. Have you their opinion? Their opinion was that we could go on and complete the purchase.
14896. The question was as to the legality of the action in completing the purchase? Just so.
14897. *Mr. Greville.*] Did Messrs. Dawson & Sons know it to be the Funeral Fund money? The laws were submitted to Messrs. Dawson & Sons for their opinion; they seem to have read the laws and gave an opinion, and advised us that we could go on.
14898. But were they made specially acquainted with the fact that you would operate on the Funeral funds for the purpose? They advised us that if we complied with the Friendly Societies Act with regard to one or two clauses pointed out to us, by having special meetings, all was clear.
14899. Was their special attention called to the intention of your Society to apply the Funeral Fund for the purpose of making the purchase? I could not say whether that clause was pointed out to them or not.
14900. Were they informed—it is not a question of a clause—that the funds which were to be used for the purpose of buying the land consisted partly or wholly of the Funeral Fund? Attention was drawn to the fact that the mother institution of the Order had invested their funds in almost a precisely similar way, but I do not think it was specially pointed out.
14901. *Mr. Langley.*] Was there any objection or protest whatever entered against Mr. McMenemy as a Trustee? I think I have already replied to that on the general principle. There was no objection to persons at all.

The Commission then adjourned till Monday, 20 November.

FRIENDLY SOCIETIES ACT INQUIRY COMMISSION.

APPENDICES.

Correspondence, &c., re Dennis Collins and Duke of Edinburgh Lodge, G.U.O.O.F.

(I.)

Copy of Minute of Meeting Sub-Committee of Management, June 17, 1880.

Moved by Director Brown, and seconded by Director Loughlin—"That Brother Collins be reinstated in the Duke of Edinburgh Lodge on the payment by him of all dues and demands, his resignation not having been in accordance with law."—Carried.

J. A. McCABBIN,
Grand Master.

Copy of above sent to Duke of Edinburgh Lodge.—A. L. SMITH.

Memo.—Letter from Grand Secretary to Collins, advised him (Collins) to render his arrears due to the Duke of Edinburgh *in full* and request admission.

Letter to the Duke of Edinburgh Lodge, requested the Lodge to carry out the decision of the sub-committee.
Augt.

ALFRED L. SMITH,
G. S.

(II.)

Mr. A. L. Smith,
Sir and Brother,

Kempsey, 10 March, 1881.

At a meeting of our Lodge the following proposition was carried, viz. :—Proposed by the N. F. Brother F. Lovell, and seconded by Brother Thomas Smith—*re* law 126—"That the distance of three (3) miles be extended to five (5) when members are duly summoned, and that same become a by-law of the Duke of Edinburgh Lodge.

I am also instructed to ask if legal to erase D. Collins' name from the Lodge books, he being run out by arrears of contributions, viz., sixteen months, and he not having complied with the decision of S.C.M.

I remain yours fraternally,

THOMAS J. HILL,
Secretary.

(III.)

To the N. G. Duke of Edinburgh Lodge,
Sir and Brother,

Kempsey, Macleay River, 23 March, 1880.

I respectfully apply to your Lodge for my clearance, according to law 113, and if the Lodge refuse it let me know the reason.

I see by your telegram to Sydney that you stated that I resigned on the 3rd December.

I demand a copy of that resolution.

I am yours fraternally,

DENNIS COLLINS.

(IV.)

Mr. D. Collins,
Sir,

Kempsey, 25 March, 1880.

I am directed by the members of the Duke of Edinburgh Lodge to acknowledge your letter applying for a clearance from the Lodge.

I am to remind you that you tendered your resignation on the 3rd December last. I am also to state that, as you did not withdraw your resignation, the Lodge accepted it on the 31st December and have since erased your name from the books, and therefore very much regret they have no power to grant your request.

I remain, &c.,
(For the Secretary),

W. T. DANGAR.

(V.)

To the N. G. of the Macleay Lodge.

Kempsey, 16 April, 1880.

Sir and Brother,

I have to inform you that Mr. D. Collins, who acts as your Inside Guardian, is an unfinancial member of the Duke of Edinburgh Lodge, and therefore is not entitled to act in your Lodge.

I remain, &c.,

JAMES MURPHY.

(VI.)

To the Most Worshipful Sub-Committee of Management, Sydney.
Sirs and Brothers,

West Kempsey, Macleay River, 13 April, 1880.

I beg to call your attention to the uncalled-for conduct of the Duke of Edinburgh Lodge, Kempsey, towards myself, and desire that you will inquire specially into the matters now submitted for your consideration.

On the 17th December last I verbally resigned from the said Duke of Edinburgh Lodge, and which resignation was put to the meeting of the members, but rejected owing to my having failed to comply with law 114. I have not since such meeting given in a written or any resignation, still, by the letter of the 25th ultimo (which I enclose herewith for your perusal) I am informed that my resignation was accepted on the 31st December last. Then again, a letter is received by the Noble Grand of the Macleay Lodge, West Kempsey, of which I am a member, stating that I am an unfinancial member of the said Duke of Edinburgh Lodge, and consequently not eligible to hold any office in connection with the Lodge. I enclose herewith the letter received by the Noble Grand of the Macleay Lodge, which is dated 10th inst. I am also informed that the Grand Secretary has received certain telegrams during March last, and the contents of which I desire you to specially consider and compare with the letters now enclosed. Undoubtedly there is an attempt to injure me, especially in the eyes of the new Lodge at West Kempsey, and I would ask you to consider whether the conduct of the Duke of Edinburgh Lodge is in accordance with the spirit and teaching of our Order.

I consider that the Duke of Edinburgh Lodge does not conform to the laws of our Order, especially laws 33 and 102. As to unfinancial members holding office and voting in the Lodge, also as to opening and closing the Lodge at proper times,—these two laws have been repeatedly violated, and I consider from the manner in which they have ignored the same that the business transacted must be null and void. For the good of the Order I deem it advisable to report these facts, so that if possible they may be remedied.

I desire that every inquiry shall be made into the treatment that I have received from the said Duke of Edinburgh Lodge, and that I shall receive that redress to which I am entitled.

I would add in conclusion that I have been a member of our noble Order for the last twenty-five years, during which time I have had the honor to be Grand Master of the Manning River Union Lodge for twelve years, and I am compelled to leave the Duke of Edinburgh Lodge owing to their admitting persons of very doubtful character.

I have, &c.,

DENNIS COLLINS.

P.S.—I joined the Macleay Lodge as honorary member, waiting the decision of the most worshipful the Sub-Committee of Management.—D.C.

I have given a true copy of this letter to the Duke of Edinburgh Lodge.

486—A

(VII.)

(VII.)

The Grand Secretary, G. U. O. Oddfellows, Sussex-street, Sydney.

Kempsey, 25 May, 1880.

Dear Sir and Brother,

I am directed by the officers and members of the Duke of Edinburgh Lodge (No. 1,379) to acknowledge your communication of April 28th, and to state that Dennis Collins is not a member of the M'Leay Lodge lately opened, not having paid any entrance fee to same, and that, not having withdrawn his resignation from this Lodge, we do not recognize him; and this Lodge farther desires to state that all officers in the Lodge are financial, and that their times of opening and closing have been as regular as they could with convenience to the good and welfare make them. I am also to draw attention to the fact of Collins admitting his having resigned from our Lodge, owing (as he alleges) to our admitting persons of doubtful character, which is not the case.

I have, &c.

W. T. DANGAR, N.G.

(VIII.)

Alfred L. Smith, Grand Secretary.

Taree, 2 June, 1880.

Dear Sir and Brother,

I am instructed to apply to the Sub-Committee of Management for a warrant to open a Grand Master Chapter in connection with Belmore Lodge. You will please forward to me warrant and ritual; and I have to ask you to appoint P.G.M. Brother Plummer to open the Lodge. At same time send me set of officers' charges for Manning River Union Lodge.

I am also instructed to forward to the Sub-Committee of Management a copy of minutes of Macleay Lodge of May 8th. I was at Kempsey on 22nd of May, and attended a meeting of the Macleay Lodge, and I have to regret I found things in a very unpleasant state through the conduct of Brother Dennis Collins, the person the District Master appointed to open that Lodge; and I may say had this District Officer known the facts of the case, Brother Collins would not have been appointed by any means.

When Brother Collins was asked by the District Master to explain his position in reply to your letter and Brother Dangar's telegram, it was then only the real fact of Brother Collins' case came to light, and he (Collins) saying he had joined the new Lodge as an honorary member awaiting the decision of the Sub-Committee of Management.

But you will find by the copy of the minutes heretofore referred to, that brother has not joined as an honorary member, neither will the members of the Macleay Lodge accept him at all.

And upon my visit to the Macleay Lodge on 22nd of May, I found Brother Collins in the Lodge-room, and after the minutes were confirmed, I asked him if he considered this was his place. He said he had the authority of the District Master to be there. I then asked, was it becoming an Oddfellow to put the law at defiance, and told him he should have waited the decision of the Sub-Committee, and left the Lodge in the hands of the other brother he had appointed with himself as Instructing Officer.

And while at Kempsey I gathered from several of the members of the Duke of Edinburgh Lodge the following facts:—Some time in December last, Brother Collins objected to a person becoming a member of the Duke of Edinburgh Lodge, and at the time would state no special reason, but if he was admitted he (Brother Collins) would resign; and after a great deal of discussion, Brother Collins paid his contribution, took off his scarf, and left the room. They asked him to put his resignation in writing; he saying—"That is all the resignation you will get from me." Some time was given Brother Collins to consider his case; and one of the members of the Duke of Edinburgh Lodge (Brother M'Que) waited upon Brother Collins and asked him to come back, he (Collins) telling that brother he would do no such thing, which ended in his (Collins') name being struck off the books.

I may add, in conclusion, this report may help the officers in comparing the statements of the Duke of Edinburgh Lodge and Brother Collins as to how things stand between them.

I am, &c.,

JOHN MANNERS, D.S.

Copy of Minutes.

Macleay Lodge being duly opened, the following are the minutes of the meeting:—

Proposed by Brother O'Brien, and seconded by Brother Hinchcliff,—That Brother Collins be expelled from the Order.

Proposed by Brother Hinchcliff, and seconded by Brother Fitzpatrick,—That Brother Collins be not admitted as an honorary member. Carried unanimously.

Brother Betts, Instructing Officer, said that, in accordance to law, Collins is no member on account of his paying no initiation fee.

Proposed by Brother Ptolemy, and seconded by Brother Gersbach,—That the motion against Brother Collins stand over until finally settled by the Sub-Committee of Management.

Proposed by Brother Ptolemy, and seconded by Brother Gersbach,—That Doctor Gaberal be Lodge Doctor for the Macleay Lodge.

8 May, 1880.

Confirmed—EDWARD M'MAIGH, N.G.

(IX.)

Mr. A. L. Smith,

Kempsey, 3 June, 1881.

Dear Sir and Brother,

Please enclosed find the sum of £1 2s. 6d., being amount of levies for forty-five financial members, which the late Secretary neglected to forward to you before.

I am also instructed to ask you to forward us 100 single pence cards as early as possible, as we are quite out of them.

Moved by Brother F. Lovell, seconded by Brother Dangar,—That the Secretary be instructed to ask permission from the S.C.M. to erase Brother D. Collins' name from the books of the Lodge for arrears of contributions, he not having complied with the decision of the S.C.M. at their meeting in June, 1880, and his arrears having extended over one year and six months. This question should have been laid before the S.C.M. at their March meeting.

I also enclose you subscription-list towards the building of a hall to see if the S.C.M. can do anything towards furthering the same.

Will you please send us the signs and password in cypher as we have lost them and want them for reference and the recognition signs. Awaiting an early reply,—

I remain, &c.,

F. LOVELL, Secretary.

Please address all communications in future to F. Lovell, Central Kempsey.

(X.)

To Mr. Alfred L. Smith,

West Kempsey, 29 July, 1880.

Sir and Brother,

In accordance with your instructions I went to the Lodge last night, but they would not admit me; in fact some of the members said before Lodge night that they would not be dictated to by the S.C. of M. Sir, I wish to bring before the notice of the S.C. of M. that the N.G. is unfinancial, he owing the Lodge over £5, and several others owe £3 and upwards, and they are all returned in the books as financial.

I most respectfully suggest that the S.C. of M. will have their books examined.

I hope that you will deal with my case as soon as possible, as I think that I am dealt with by the Duke of Edinburgh Lodge with great injustice.

Sir, allow me to return my sincere thanks to you and the S.C. of M. for the trouble that they took in my case; and I assure you that I have the welfare of the Order at heart.

I remain, &c.,

D. COLLINS.

(XL)

To Mr. Smith, (XI.)
 Sir and Brother, West Kempsey, 4 August, 1880.
 I went to the Lodge this night, and one of the members came out and told me that I owed £1 6s., which sum I gave him. He went into the Lodge, and returned and told me that I owed £1 16s., and that I would not be admitted unless I paid that amount, which sum I do not owe, but if I did the £1 6s. would make me financial. So you can see that they are trying to evade your decision, and making a fool of me; and I hope that the S.C. of M. will not submit to such treatment any longer.
 I am, &c.,
 D. COLLINS.

Mr. A. Smith, (XII.)
 Sir and Brother, Kempsey, 29 July, 1880.
 At last summons-meeting, held 28th July, an adverse motion was carried re decision in Collins' case, and the Officers are at a loss to know how to act in the matter. I may mention that Collins was unfinancial on the date of his written application for a clearance, he owing at that time sixteen shillings (16s.) contributions; and, further, his application was unattended with money, as per law 113.
 Please attend to this matter at earliest convenience, as want to have the matter decided next Lodge night.
 You can wire reply, which will be paid at this end.
 I remain, &c.,
 THOS. J. HILL,
 Secretary.

To Collins,—Next Lodge night tender your arrears in full, and request admission.
 To Lodge,—You are required to carry out decision of Committee; see law ten.

To Mr. Smith, (XIII.)
 Sir and Brother, West Kempsey, 18 September, 1880.
 I received your letter on the 15th instant. You say that you cannot see why the D. of E. Lodge refused me admittance.
 If you had their books inspected, I am sure that you would have no difficulty in seeing the reason. I did tender the amount that I owed the Lodge, and they owed me 8s. 6d. at the time, 5s. of which they paid since, so you see that I tendered more than I owed them. They are determined not to admit me. They say that they are not to be dictated to by the O. C. of M., and they will appeal to the biennial meeting sooner than admit me.
 Dear sir, allow me to return you my sincere thanks for the great trouble you have taken in my cause.
 Yours fraternally,
 DENNIS COLLINS.

Mr. Alfred L. Smith, (XIV.)
 Sir and Brother, G.U.O.F., Duke of Edinburgh Lodge, Kempsey, 26 September, 1880.
 Your letter dated 1st September, and bearing Sydney post-mark as being posted only on the 13th September, came to hand on 15th instant, and in reply I am instructed to send the following answers to questions asked:—
 1st. Thirty-six shillings (36s.).
 2nd. Yes; twenty-six shillings (26s.).
 3rd. Yes. He asked for admission, but refused to pay all dues and demands, stating he was not indebted to that amount, and the minutes of the S.C.M. were not confirmed.
 4th. There was no minute passed reversing decision of S.C.M.
 Minute moved, "That Brother D. Collins be reinstated on complying with decision of S.C.M."
 The warrant for S. M. Chapter is not required, as same was granted in 1874, but are in want of key to signs and passwords.
 Please send one Grand Master's apron,—
 And I remain, &c.,
 THOMAS J. HILL,
 Secretary.

[Appendices to Mr. G. Bretnell's Evidence.]

Average of sickness for a period of six years, 76 to 81.
 Aggregate of members, 8,078.
 Aggregate of sick members, 887.
 Aggregate amount of sick pay, £4,614 9s. 4d.
 Average of days, 3½ per annum.
 Average of sick pay, 11s. 1d. per annum.
 Average cost of management per member per annum, including rent, but not delegates fees, about 10½d.; delegates fees about 2d. per member per annum.
 GEO. BRETNALL,
 District Secretary.

Death-rate of Sydney District G.U.O. of O.F., from January, 1871, to December, 1881.

Number of deaths.	Ages.	Total of years.	Number of deaths.	Ages.	Total of years.
One	20	20	Four	45	180
Two	21	42	Four	46	184
Two	22	44	Three	47	141
One	23	23	Four	48	192
Three	25	78	Three	49	147
Two	27	54	Four	50	200
One	29	29	One	51	51
One	30	30	Two	52	104
Two	31	62	Three	53	159
Three	32	96	One	54	54
One	33	33	Three	55	165
Three	34	102	Four	56	224
Three	35	105	Two	57	114
Two	36	72	Four	58	232
Three	37	111	Three	59	177
Three	39	117	Three	60	180
Three	40	120	One	61	61
Four	41	164	One	64	64
Seven	42	294	One	65	65
Three	43	129	One	68	68
Two	44	88			
			Total		4,586

Total number of deaths, 104; the average age at death being 44 years 1 month and 17/20 days.
 GEO. BRETNALL,
 District Secretary.

[Appendix to Evidence of Mr. E. Schofield.]

1873.

Name of District.	Number of members sick.	Period of sickness.		Rate of sickness per member for the year.			Rate of mortality.
		weeks.	days.	weeks.	days.	hours.	
Sydney	448	3,409	5	1	0	2	1 in 102
Cumberland	3	11	1	0	1	6	1 in 57
Hunter River	32	110	1	0	2	1	1 in 93
Goulburn	32	80	1	0	3	0	1 in 191
Newcastle	100	338	2	1	0	0	1 in 112
Bathurst	27	103	4	0	1	6	1 in 190
Brisbane	113	447	4	0	4	0	1 in 130
Tamworth .....	.....	.....	.....	.....	.....	.....	none.
Rockhampton	4	12	2	0	2	0	1 in 96
Riverina	8	37	2	0	1	5	none.
Braidwood	16	58	2	0	2	7	none.
	783	4,600	0	.....	.....	.....	.....
Average of the whole .....	.....	.....	.....	0	4	2½	1 in 124

The above is compiled from the Annual Returns for the year ending December, 1873.

1874.

Name of District.	Number of members sick.	Period of sickness.		Rate of sickness per member for the year.		Rate of mortality.	Members sick.
		weeks.	days.	weeks.	days.		
Sydney	406	4,194	5	1	1	1 in 137	1 in 8
Cumberland	7	16	0	0	1½	none.	none.
Hunter River	29	146	1	0	3	1 in 93	1 in 9
Goulburn	50	217	3	0	3½	1 in 120	1 in 7½
Newcastle	91	389	1	1	1	1 in 140	1 in 4
Bathurst	43	196	5	0	3	1 in 95	1 in 9
Tamworth	33	100	0	0	1½	1 in 143	1 in 9
Rockhampton .....	.....	.....	.....	.....	.....	1 in 114	.....
Riverina	13	54	2	0	2	1 in 52	1 in 12
Braidwood	32	154	2	0	4	1 in 106	1 in 7
	704	5,463	1	.....	.....	.....	.....
Average of the whole .....	.....	.....	.....	0	5½	1 in 130	1 in 8½

Compiled from the Annual Returns for the year ending December, 1874; it may be mentioned that the omission of the Brisbane District is due to their having formed their Board of Management or Grand Lodge.

1875.

Name of District.	Number of members sick.	Period of sickness.		Rate of sickness per member.	Rate of mortality.	Members sick.
		weeks.	days.			
Sydney	536	3,894	2½	5½	1 in 94	1 in 7
Cumberland	8	36	5	2½	1 in 83	1 in 10
Hunter River	27	117	5	2½	1 in 275	1 in 10
Goulburn	67	304	1	4½	1 in 216	1 in 6
Newcastle	137	484	0	7½	none.	1 in 3
Bathurst	76	159	3	1½	1 in 256	1 in 6
Tamworth	46	218	1	3½	1 in 380	1 in 8
Rockhampton .....	.....	.....	.....	.....	.....	.....
Riverina	14	75	0	3	1 in 150	1 in 10
Braidwood	38	122	0	4	1 in 59	1 in 4
	949	5,411	5½	.....	.....	.....
Average of the whole .....	.....	.....	.....	5	1 in 120	1 in 6½

Compiled from the Annual Returns for the year ending December, 1875.

No returns from Rockhampton District, they having joined the Brisbane Grand Lodge.

1876.

Name of District.	Number of members sick.	Period of sickness.		Rate of sickness per member.	Rate of mortality.	Members sick.		
		weeks.	days.					
Sydney	528	3,832	5	6	6	47	1 in 82	1 in 8
Cumberland	14	53	1	3	21	0	none.	1 in 7
Hunter River	41	187	4	4	15	21	none.	1 in 7
Goulburn	60	355	5	5	8	0	1 in 78	1 in 7
Newcastle	73	389	2	6	7	53	1 in 86	1 in 6
Bathurst	95	374	5	4	11	3	1 in 147	1 in 6
Tamworth	43	189	5	3	7	0	1 in 101	1 in 9
Riverina	19	91	6	4	0	0	none.	1 in 8
Braidwood	35	185	5	7	0	0	none.	1 in 5
	908	5,660	3	.....	.....	.....	.....	.....
Average of the whole .....	.....	.....	.....	5	18	0	1 in 97	1 in 7½

Compiled from the Annual Returns for the year ending December, 1876.

1877.

Name of District.	Period of sickness.	Rate of mortality.	Name of District.	Period of sickness.	Rate of mortality.
Sydney	weeks. days. 3,874 6	1 in 106	Riverina	weeks. days. 41 0	1 in 189
Cumberland	38 1	none.	Braidwood.....	79 5	1 in 165
Hunter River	230 0	none.		5,647 1	.....
Goulburn	277 0	1 in 95	Average sickness of the whole...	5 dys. 8½ hrs.	.....
Newcastle	388 2	1 in 216	Average of the whole .....	.....	1 in 119
Bathurst.....	450 0	1 in 75			
Tamworth	268 1	1 in 273			

Compiled from Annual Returns for the year ending December, 1877.
The difference of the information supplied on this sheet as compared with previous years is due to an alteration in the form of Return.

1878.

Name of District.	Number of members sick.	Period of sickness.	Rate of sickness per member.	Rate of mortality.	Members sick.
Sydney	541	weeks. days. 4,369 6	days. hours. 6 6	1 in 94	1 in 9
Cumberland	17	31 5	2 0	none.	1 in 6½
Hunter River	88	234 2	5 7	1 in 77	1 in 8
Goulburn	67	279 2	3 16	1 in 88	1 in 8
Newcastle	119	315 2	4 20	1 in 456	1 in 3½
Bathurst	106	605 2	6 10	1 in 220	1 in 6
Tamworth	58	243 5½	2 10	1 in 651	1 in 12
Riverina	15	50 1	2 3	none.	1 in 11
Braidwood	20	99 1	4 8	1 in 79	1 in 8
	981	6,228 5½	.....	.....	.....
Average sickness of the whole .....	.....	.....	5 11½	.....	.....
Average of the whole .....	.....	.....	.....	1 in 115	1 in 8

Compiled from Annual Returns for year ending December, 1878.

1879.

Name of District.	Number of members sick.	Period of sickness.	Rate of sickness per member.	Rate of mortality.	Members sick.
Sydney	633	weeks. days. 4,309 2	days. hours. 5 13	1 in 90	1 in 8½
Cumberland	18	120 3	4 11	1 in 94	1 in 1½
Hunter River	36	137 6	3 3	1 in 102	1 in 8½
Goulburn	80	296 6	3 10	1 in 201	1 in 7½
Newcastle	79	427 3	6 2	1 in 122	1 in 6
Bathurst	104	520 5	5 12	1 in 165	1 in 6
Tamworth.....	83	281 0	2 21	1 in 98	1 in 8½
Riverina	17	33 3	1 10	none.	1 in 9½
Braidwood	22	71 3	2 22	1 in 171	1 in 7½
	1,072	6,196 7	.....	.....	.....
Average sickness of the whole .....	.....	.....	5 days	.....	.....
Average of the whole .....	.....	.....	.....	1 in 103	1 in 8

Compiled from Annual Returns for year ending December, 1879.

1880.

Name of District.	Number of members sick.	Period of sickness.	Rate of sickness per member.	Rate of mortality.	Members sick.
Sydney	765	days. 34,691½	days. hours. 6 3¼	1 in 137½	1 in 7½
Cumberland	20	755	3 9	1 in 223	1 in 11
Hunter River	36	712	2 2	1 in 169½	1 in 9
Goulburn	83	3,022	4 9	1 in 171	1 in 8½
Newcastle	126	3,443	6 9½	1 in 69½	1 in 4½
Bathurst	120	3,751	5 10	1 in 692	1 in 5½
Tamworth.....	120	3,098	4 6¼	1 in 145	1 in 6
Riverina	12	150	0 11	none	1 in 15
Braidwood	24	600	4 10¼	.....	1 in 5½
	1,306	50,222½	.....	.....	.....
Average sickness of the whole .....	.....	.....	5 13½	.....	.....
Average of the whole .....	.....	.....	.....	1 in 150	1 in 6½

Compiled from Annual Returns for year ending December, 1880.

1881.

Dear Sir,

Mudgee, 18 May, 1882.

In conformity with promises, I herewith enclose you a detailed valuation of the liabilities and assets of a Lodge belonging to the Society of which I am a member. In placing it before the Commission, I would like to say that it cannot be taken as more than approximate in its results, as I have not been able to verify it or test its correctness in any thorough manner. I have made my calculations as carefully as possible, and used the tables prepared by one of the officers attached to the Department of the Government Statist in Victoria, and so far as the time at my disposal would permit, I have made it as comprehensive as I could. I may say here that our Subordinate Lodges are only indirectly responsible for the sums payable at death of members or their wives, the General Funeral Fund being consolidated under the management of the Grand Council, and maintained by levies on each Subordinate Lodge; but as this is only a matter of convenience, and the Subordinate Lodge is the one responsible in reality, as its funds would be liable in the event of the Grand Council failing to meet its engagements. I have credited the Lodge whose position is now valued with its proportionate share of the amount to the credit of the General Funeral Fund on the date taken, 30th December, 1880.

L. E. Harcus, Esq.,
Secretary, Friendly Societies Commission.

I am, yours faithfully,
W. BARNETT SMITH.

VALUATION BALANCE SHEET.

Liabilities.			£	s.	d.	Assets.			£	s.	d.
Value of benefits assured to members and wives			5,846	5	3	Capital at 31st December, 1880			511	7	0
						Contributions in arrears			59	19	9
						Proportionate share of Grand Council Funds			213	15	0
						Value of future contributions			3,523	13	9
						Deficiency			1,537	9	9
			<u>£5,846</u>	<u>5</u>	<u>3</u>				<u>£5,846</u>	<u>5</u>	<u>3</u>

VALUATION of the future contributions and claims of the members of the Alliance Friendly Society of Australasia, under the Grand Council of New South Wales, as at the 31st December, 1881. Rate of interest, 4%.

Age of member.	Number of members at each year of age.	Annual contributions payable fortnightly, excepting contribution for doctor and medicine.		Number of members whose wives are registered.	Present value of sums payable at death		Present value of sick allowances.			Total value of sums at death and sick pay.
		Amount per member.	Total present value at each age for all members.		Of member at £25 with additional £5 after five years membership	Of wives at £15.	First period, at 21s. per week.	Second period, at 15s. per week.	Third period, at 5s. per week.	
18	2	£ 1 15 0	39-354	..	5-8850	..	20-77110	1-7640	1-3745	29-7446
19	4	1 15 0	78-776	..	12-1700	..	42-55020	3-7290	9-0050	61-4542
20	1	1 15 0	19-777	..	3-1800	..	10-93575	1-0035	0-8228	15-9420
21	1	1 15 0	19-932	..	3-3375	..	11-28540	1-1017	0-9022	16-6268
22	2	1 15 0	40-338	4	7-0850	3-9120	23-38770	2-3805	1-9835	38-6987
23	9	1 15 0	184-243	7	33-4350	7-2975	109-42155	11-5628	9-8258	171-6426
24	10	1 15 0	208-267	6	41-6845	6-6960	126-72450	13-8975	12-0175	201-0200
25	8	1 15 0	169-680	8	37-4850	9-6000	105-84840	12-0240	10-5760	175-5334
26	14	1 15 0	302-452	7	65-2680	9-0300	193-52550	22-7315	20-3315	310-8865
27	3	1 15 0	65-982	3	16-7940	4-1580	43-31250	5-2515	4-7715	74-2875
28	8	1 15 0	178-640	7	47-3040	10-4055	120-64000	15-0720	13-8920	207-2135
29	4	1 15 0	90-608	4	23-9085	6-3660	62-83620	8-0940	7-5600	108-7647
30	5	1 15 0	114-747	3	30-6460	5-1030	81-81075	10-8412	10-2562	138-6571
31	9	1 15 0	208-813	3	57-5500	5-4405	153-09000	20-8440	19-9755	258-9000
32	3	1 15 0	70-224	4	20-5445	7-7160	52-95150	7-4002	7-1812	95-7934
33	2	1 15 0	47-148	3	15-2040	6-1425	36-57360	5-2440	5-1485	68-3126
34	3	1 15 0	71-101	5	19-8900	10-8375	56-75670	8-3452	8-2845	104-1139
35	6	1 15 0	118-947	3	38-7940	6-8670	97-73925	14-7338	14-7788	172-9128
36	4	1 15 0	95-403	3	33-2880	7-2360	80-73240	12-4770	12-6300	148-3334
37	5	1 15 0	119-420	3	42-1960	7-6140	104-12325	16-5000	16-8450	187-2782
38	4	1 15 0	95-557	2	34-5070	5-3280	85-88580	13-9530	14-3610	154-0348
39	4	1 15 0	95-452	3	35-8820	8-3700	88-47300	14-7330	15-2790	162-7370
40	5	1 15 0	119-017	1	50-8050	2-9175	113-80950	19-4175	20-2938	207-2433
41	3	1 15 0	71-116	..	31-6080	..	71-81775	12-2625	12-9180	128-6062
42	..	..	..	1	..	3-1680	..	..	..	3-1680
43	2	1 15 0	46-805	4	20-7020	13-1640	49-28070	9-0060	9-6510	101-8037
44	1	1 15 0	23-194	4	11-6700	13-6500	25-23570	4-7130	5-0958	60-3645
45	7	1 15 0	160-671	2	84-3360	7-0650	180-70710	34-4820	37-6092	344-1993
46	2	1 15 0	45-856	..	24-8580	..	52-74570	10-2810	11-3130	99-1977
47	3	1 15 0	67-116	1	34-1600	3-7665	80-73135	16-0740	17-8380	152-5698
48	1	1 15 0	22-034	1	13-1940	3-8805	27-42390	5-5770	6-2420	56-3174
49	3	1 15 0	65-546	3	40-7340	11-9790	83-74905	17-3992	19-6418	173-6030
50	1	1 15 0	21-291	1	13-9620	4-1040	23-38675	6-0262	6-8618	59-3407
51	7	1 15 0	146-228	3	95-6400	12-6360	201-87510	43-8112	50-3142	404-2765
52	2	1 15 0	40-950	3	29-4660	12-9600	58-48080	12-9915	15-0555	128-9588
53	..	1 15 0	..	1	..	4-4265	..	..	..	4-4265
54	5	1 15 0	98-008	..	77-5800	..	150-38940	34-9425	41-2500	304-1119
55	2	1 15 0	38-290	2	31-8240	9-2760	60-85380	14-4855	17-2700	133-7093
57	1	1 15 0	18-400	1	16-7160	4-8495	31-04010	7-7662	9-4565	69-8283
58	..	..	..	2	..	9-9120	..	..	..	9-9120
59	1	1 15 0	17-220	..	17-5850	..	31-50000	8-3062	10-3475	67-6887
60	1	1 15 0	16-725	..	17-9430	..	31-66380	8-5785	10-8188	69-0041
61	1	1 15 0	16-293	..	18-3510	..	31-78665	8-8538	11-3318	70-3232
62	1	1 15 0	15-741	..	18-7530	..	31-86015	9-1298	11-8190	71-5619
63	2	1 15 0	28-542	..	33-9060	..	63-24780	19-8150	26-8980	149-8668
73	1	1 15 0	10-342	..	23-0130	..	25-87305	10-8495	17-7622	77-4977
			<u>£3523-686</u>							<u>£5846-2620</u>

Table with columns for district names (Newcastle, Bathurst, Tamworth, Riverina, Braidwood, Sydney) and numerical data representing financial records. Includes sub-totals for each district and a grand total at the bottom.

ORDER OF ROYAL FORESTERS.		INDEPENDENT ORDER OF ROYAL FORESTERS.		ANCIENT ORDER OF FORESTERS.		PROTESTANT ALLIANCE FRIENDLY SOCIETY OF AUSTRALASIA.	
Morning Star	7 9 0	151 5 8	0 16 3	148 18 4	4 18 0	159 10 11	31 13 0
Evening Star	7 3 6	*	2 12 10	168 0 10	9 10 2	153 7 8	31 13 0
Eden	1 5 0	†	3 10 0	173 2 0	5 7 4	179 2 0	49 1 0
Royal Plant	0 12 3	268 19 6	3 10 0	23 12 8	11 11 6	328 17 4	151 10 6
Concord	1 19 0	†	4 3 8	148 13 0	2 10 8	271 0 11	100 15 0
Harmony	7 17 3	†	1 12 6	122 15 10‡	28 11 10	171 15 10	96 13 0
Clarence	10 7 0	147 15 10‡	4 19 2	6 10 6	9 7 2	335 14 1	42 10 0
Perseverance	6 13 4	198 15 10	3 19 8	3 2 4	177 4 10	211 16 10	75 10 0
Royalty	6 1 9	104 11 1	3 2 4	10 0 0	10 0 0	131 10 8	8 14 0
Fidelity	10 3 6	†	2 19 2	5 0 0	17 10 11	190 10 8	64 0 0
Victoria	8 7 0	133 14 10	6 9 8	379 10 7	169 1 0	410 8 5	135 13 0
Unity	9 17 3	†	2 16 10	167 10 11	4 13 1	180 16 10	95 8 0
Progress	6 17 0	†	1 10 0	296 14 1	4 1 9	212 6 10	73 16 0
Fortitude	0 17 6	†	1 14 10	63 12 10	1 5 0	96 5 2	8 11 0
Friendship	8 18 6	†	1 4 9	276 5 11	17 10 5	305 4 7	59 6 0
Good Fellowship	6 17 6	†	2 4 6	89 4 6	20 6 0	102 6 0	8 1 0
Woolloomooloo	2 7 6	†		5 15 6		185 9 5	60 18 0
Royal Standard		154 5 11					
Total	109 3 10	1,154 8 8½	46 16 0	1,907 15 7	141 2 0	101 17 0‡	3,761 13 2
Total	1,396 10 8	3,415 5 10	390 8 4	9	14	1,163	67
Total	8,145	8,145	112	No	7		
Total	183 8 0	2,308 17 2½	174 11 0	2,429 11 10‡	540 3 10	476 18 0	8,998 2 8
Total	1,762 19 1½	5,798 6 0½	390 1 7	17	15	1,820	116
Total	10,695	10,695	37	No	10		
Pioneer	14 18 0	222 2 0	219 6 7	18 17 5	123 8 1	598 7 1	120 16 0
Royal William	5 0 0	106 8 0	116 14 4	10 13 10	112 1 0	350 17 2	66 5 0
Royal Alfred	10 1 0	203 19 10	239 5 4	19 13 3		472 19 5	59 18 8
Schomburg	4 8 3	243 10 11	249 2 9	30 5 2	26 11 0	553 18 1	53 0 6
Endeavour	4 1 6	94 9 4	134 11 5	8 10 2	55 8 6	297 0 11	60 2 0
City of Newcastle	33 0 0	230 3 3	197 8 7	15 7 2	63 16 6	540 1 6	37 3 0
Boyne	7 7 0	126 4 6	237 14 6	1 3 7	40 13 6	412 3 1	30 3 6
Prince of Wales	3 12 6	128 15 7‡	144 3 10‡	6 3 4	30 0 0	312 15 4	20 15 6
Belmore	11 6 6	164 13 7	141 2 11	36 12 0	32 10 0	336 11 0	42 0 0
Martin Luther	10 3 6	145 5 4‡	143 14 1‡	5 10 10	128 7 6	438 7 4	71 9 3
Cromwell	12 7 6	247 9 2	218 12 7	24 5 5	80 17 3	578 11 11	107 12 6
Brunswick		65 14 6	76 5 9	2 1 0		144 1 8	75 2 6
Garibaldi	19 12 6	78 13 1	179 18 2‡	6 19 8	15 14 9	300 18 2‡	42 17 6
Gladesville	10 13 0	†	44 13 0		60 0 0	115 11 0	15 0 0
Black Diamond	0 5 0	68 8 11‡	28 10 2‡	6 14 10	0 12 6	104 11 6	72 12 3
Prince Alfred	5 13 6	94 12 0	98 6 0	6 4 6	20 16 0	225 10 0	29 0 0
John Knox	10 14 0	82 5 0	110 1 4	11 7 0	48 3 0	257 11 1	60 0 0
Olive		11 4 0	13 15 6		15 0 0	39 19 6	9 16 6

* Returned on old Form; included in Management, Expense, &c. † Not separated from Management Expense Fund. ‡ Superannuation Fund. § Including Superannuation.
 † In addition to this, £2 15s. was improperly paid to meet deficit in an Excursion Account. ¶ Optional from Contingent Fund.

ANNUAL RETURN of Registered Friendly Societies for the Year ending 31st December, 1880—continued.

Name of Society.	Income.							Expenditure.							Miscellaneous.							
	Entrance Fees.	Contributions to Sick and Funeral Fund.	Contributions to Widows' and Orphans' Fund.	Contributions to Management and Expense Fund.	Interest Received.	Income derived from sundry sources.	Total Income.	Amount expended in Sick Pay.	Funeral Fund.	Widows' and Orphans' Fund.	Management Expense Fund including District Levies and District Gifts.	Expended for Medicine and Medical Fees.	Total Expenditure.	Balance on the year's transactions	No. of Members died.	No. of Members' Wives died.	No. of Members good at date.	No. over 3 and under 12 months in arrears.	Amount of Weekly Contribution.	Total period of Sickness.	Any bonus on the death of a Child.	Total No. of Members sick during the year.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.					s. d.			
PROTESTANT ALLIANCE FRIENDLY SOCIETY OF AUSTRALASIA—cont.																						
Pride of Cumberland	1 0 0	17 11 4½	.....	20 17 7½	.....	.....	39 19 0	4 4 0	.....	.....	83 0 1	10 12 0	47 10 1	deficit.	..	..	15	1	1 0 0	24	No	1
Young Australia	7 12 0	265 19 9	.....	265 19 9	14 12 0	183 1 11	707 5 5	67 16 0	45 0 0	.....	175 9 1	285 0 8	573 6 9	133 19 8	1	2	173	32	1 0 0	725	No	17
Napier	1 12 6	45 6 0	.....	46 18 5	3 2 5	.....	96 13 4	9 19 6	.....	13 8 6	18 10 7	37 2 6	79 1 1	17 17 3	.....	.....	35	4	1 0 0	67	No	5
Guiding Star	0 12 6	30 6 9	.....	27 15 9	1 10 0	11 2 0	71 13 6	8 6 0	.....	.....	28 1 8	27 0 0	63 15 8	7 17 10	.....	.....	21	4	1 0 0	66	No	1
Star of Mittagong	2 12 6	35 8 6	.....	24 17 3	10 1 11	0 7 6	73 7 8	14 17 6	17 5 0	.....	7 10 6	3 14 0	43 7 0	40 0 8	.....	.....	25	2	1 0 0	85	No	2
Marquis of Argyll	.....	52 17 7	.....	30 18 0	.....	10 14 6	94 10 1	35 14 0	17 15 0	.....	32 8 8½	17 6 6	103 4 2½	deficit.	.....	1	40	2	1 0 0	238	No	13
St. John's	15 15 0	275 16 0	.....	196 9 6	9 13 7	23 14 3	526 7 4	105 18 6	120 0 0	.....	133 13 2	152 18 4	512 10 0	13 17 4	4	.....	129	6	1 0 0	611	No	17
Bismark	6 0 0	107 3 0½	.....	119 1 0½	7 9 4	10 19 9	250 1 2½	21 0 0	.....	.....	106 11 5	64 10 0	192 1 5	57 19 9½	.....	.....	100	6	1 0 0	140	No	9
Persoverance	24 17 3	154 7 0	2 2 6	157 19 0	3 19 7	22 1 6	365 6 10	29 8 0	33 9 9	1 0 0	63 7 4	153 10 0	265 15 1	99 11 9	1	1	116	15	1 0 0	168	No	12
Nil Desperandum	50 17 9	116 11 0	.....	145 10 9½	4 17 3	0 14 9	327 11 6½	32 15 4	.....	.....	72 16 6	109 1 0	214 12 10	112 18 8½	.....	.....	105	15	1 1½	232	No	7
Native Rose	4 12 6	58 18 9	.....	53 5 0	1 19 3	41 8 0	163 4 0	7 7 0	30 0 0	.....	49 14 6	69 0 0	156 2 0	2 2 0	1	.....	37	7	1 0 0	49	No	3
Kiama	11 16 6	81 12 9	.....	133 5 0	4 16 0	.....	231 10 3	42 15 0	.....	.....	61 7 2	84 8 6	138 10 8	42 19 7	.....	.....	72	15	1 0 0	385	No	10
Star of the West	14 16 8	50 0 6½	.....	49 10 0½	0 18 11	.....	185 3 0	4 6 6	17 6 0	.....	36 10 1	37 18 0	96 0 7	39 2 5	.....	.....	47	13	1 0 0	25	No	4
Total	305 15 6	3,611 17 2½	2 2 6	3,886 6 2½	274 1 5	1,177 10 0	9,297 13 6½	1,463 0 4	933 10 9	100 19 0	2,322 10 8½	3,390 14 3½	8,257 18 0	1,066 17 11	26	12	2,811	289	..	10,714	4	337
AUSTRALASIAN HOLY CATHOLIC GUILD.																						
Immaculate Mary	10 11 3	*	*	265 8 9	15 13 1	11 10 0	393 3 1	30 9 0	47 0 0	.....	68 7 7	99 7 0	244 17 7	58 5 6	1	1	90	15	1 2	230	No	8
St. Peter and St. Paul	12 18 0	.....	8 8 10	104 4 10	.....	1 0 0	123 11 8	32 16 8	.....	.....	13 11 6	43 5 0	89 13 2	36 18 0	.....	.....	82	13	1 1	218	No	10
St. Augustine's	12 16 0	.....	.....	178 19 6	12 0 0	.....	203 15 6	84 10 10	.....	.....	47 32 0	63 4 7	145 7 5	58 8 1	.....	.....	54	14	1 2	230	No	9
St. Patrick's, Parramatta	18 8 6	*	10 9 8	223 17 8	21 6 11	128 5 10	414 8 7	102 2 0	135 0 0	.....	115 2 8	90 1 1	442 5 0	deficit.	3	1	93	6	1 2	631	No	17
St. John the Baptist	.....	.....	no details given.	.....	.....	.....	390 16 9	76 11 6	20 0 0	20 0 0	50 10 1	97 7 0	264 8 7	128 8 2	1	.....	109	5	1 2	510	No	19
St. Matthew's	1 17 6	47 10 1	.....	19 0 1	.....	1 1 0	69 8 8	10 4 0	.....	.....	2 14 1	36 8 9	49 6 10	20 1 10	.....	.....	18	4	1 2	68	No	7
St. Bede's	.....	.....	174 18 9	.....	2 10 0	.....	177 8 9	83 8 0	.....	.....	39 2 4	34 11 0	157 1 4	20 7 5	.....	.....	45	1	1 2	556	No	4
St. Joseph's	8 0 0	* .....	.....	148 14 9	26 16 7	.....	183 11 4	35 2 0	15 0 0	.....	26 8 8	43 7 0	119 17 8	63 13 8	.....	1	80	1	1 2	183	No	3
Total	64 11 3	47 10 1	202 17 3	949 5 7	81 6 7	141 16 10	1,869 4 11	405 4 0	217 0 0	20 0 0	363 8 11	507 11 5	1,512 18 4	334 3 2	5	3	527	53	..	2,726	..	77
LOCAL ORANGE BENEFIT SOCIETY.																						
King William III	0 8 6	* .....	.....	130 2 5	3 5 6	15 0 0	154 16 5	46 5 0	15 0 0	.....	52 9 1	.....	113 14 1	41 2 4	1	.....	99	16	0 6	370	No	9
Bismark	22 17 4	* .....	.....	123 12 3	16 1 0	15 0 0	177 9 7	52 10 4	60 0 0	.....	31 4 0	53 0 0	193 14 4	deficit.	3	.....	53	5	1 0	350	No	9
Wycliffe	0 7 0	* .....	.....	61 15 0	.....	.....	62 2 0	38 12 6	.....	.....	35 1 5	0 10 0	69 3 11	deficit.	1	.....	34	1	0 6	168	No	13
Total	19 12 10	.....	.....	315 9 8	19 6 6	30 0 0	394 8 0	132 7 10	75 0 0	.....	118 14 6	53 10 0	379 12 4	41 2 4	5	..	186	22	..	888	..	31
HIBERNIAN AUSTRALASIAN CATHOLIC BENEFIT SOCIETY.																						
St. Patrick's, Sydney	5 5 0	121 14 7	.....	121 14 8	34 18 10	3 16 11	237 5 0	162 7 6	30 0 0	.....	41 1 3	128 15 9	365 4 6	deficit.	.....	8	77	10	1 0	975	No	16
Sacred Heart	23 0 0	101 7 0	.....	121 5 2	15 2 6	.....	250 14 8	83 3 0	.....	.....	58 19 7	94 13 3	231 7 10	23 6 10	.....	.....	76	7	1 1	510	No	12
St. Benedict's	9 15 0	148 13 11	.....	148 13 11	8 12 10	8 6 0	324 1 8	99 6 8	50 0 0	.....	62 3 11	113 12 6	315 8 1	8 18 7	2	1	98	11	1 0	694	No	11
St. Joseph's, Sydney	18 7 6	143 1 10	.....	64 18 11	6 55 9	0 14 10	239 17 4	43 3 4	60 0 0	.....	51 1 5	83 14 3	287 19 0	1 13 4	3	.....	57	15	1 2	259	No	11
St. Joseph's, Orange	7 10 6	80 6 3	.....	93 1 11	15 15 7	42 14 2	249 14 5	43 10 0	21 6 10	.....	143 11 10	.....	208 8 8	41 5 9	.....	.....	57	28	1 1	201	No	7
St. Michael's and St. John's	46 17 0	*	*	108 7 3	.....	.....	155 4 8	11 6 10	.....	.....	89 18 4	27 10 0	128 10 0	26 14 0	.....	.....	45	12	1 0	68	No	8
St. Patrick's, Newcastle	.....	* .....	* .....	110 6 0	8 12 6	.....	118 18 0	31 8 6	20 0 0	.....	18 18 6	34 12 6	104 14 6	9 8 6	1	.....	36	14	0 6	186	No	9
St. Thomas'	10 5 0	38 0 11	.....	45 6 4	5 2 3	.....	99 0 6	7 0 0	10 0 0	.....	24 14 0	30 12 0	84 6 0	15 14 6	1	1	34	8	1 0	42	No	2
Total	120 5 6	643 10 6	.....	813 14 7	94 14 9	61 11 11	1,723 16 3	431 0 10	101 6 10	.....	475 3 10	519 10 8	1,675 13 9	182 2 0	7	5	480	100	..	2,895	..	73

DAUGHTERS' RETURNS.

ANNUAL RETURN of Divisions under the jurisdiction of No. 1 Grand Division Sons of Temperance, for Year ending 31st October, 1881.

Name of Division.	Where located.	No. of Division.	No. of Members last year.	No. of Members initiated during year.	No. of Members admitted by Clearance Cards.	No. of Members withdrawn by Clearance.	No. of Members withdrawn from the Order.	No. of Members who violated the pledge first time.	No. of Members reinstated during the year.	No. of Members suspended for non-payment of dues.	No. of Members resigned the Constitution.	No. of Members who violated the pledge second time.	No. of Members expelled for violation.	No. of Members expelled for non-payment of dues.	No. of Members died during the year.	No. of Members on 31st October, 1881.	No. of Honorary Members.	Receipts for year.		Working expenses for year.	Paid Doctors and Chemists.	Paid Sick Benefits.	Paid Funeral Donations.	Paid Capita Tax to Grand Division.	Cash in hand or invested 31st October, 1880.	Cash in hand or invested 31st October, 1881.
																		£ s. d.	£ s. d.							
Star of Peace	Newtown	4	61	5	...	...	...	...	...	...	...	...	...	...	9	57	...	£ 109 0 5	£ 11 8 0	£ 48 7 6	£ 27 0 0	£ 5 0 0	£ 1 8 1	£ 250 0 0	£ 258 3 9
Crystal Spring	Surry Hills	6	148	56	...	2	9	2	...	14	...	...	...	...	22	171	3	£ 329 2 4	£ 28 0 3	£ 120 15 0	£ 30 1 8	£ 45 0 0	£ 3 17 4	£ 106 8 4	£ 118 19 6
Advance Rose of Australia	Woolloomooloo	27	63	15	...	1	1	...	...	...	...	...	...	...	24	62	1	£ 95 16 0	£ 34 15 10	£ 44 10 9	£ 26 8 4	£ 1 9 8	£ 88 3 7	£ 86 1 1	
Equity	Surry Hills	41	110	36	...	1	1	...	...	6	...	...	...	...	25	118	...	£ 148 6 10	£ 30 2 5	£ 45 19 9	£ 25 0 2	£ 10 0 0	£ 2 18 6	£ 40 7 10	£ 61 8 2
We Hope to Prosper	Miller's Point	45	67	22	...	...	...	...	...	...	...	...	...	...	13	76	...	£ 106 9 10	£ 11 11 8	£ 29 6 0	£ 3 17 6	£ 1 11 11	£ 277 15 3	£ 295 2 6	
Star of the South	Sydney (West)	57	134	35	...	2	1	...	...	37	...	...	...	...	15	148	1	£ 274 18 8	£ 29 13 3	£ 95 10 10	£ 61 15 8	£ 30 0 0	£ 2 15 2	£ 165 15 8	£ 152 3 10
Pride of Camperdown	Camperdown	58	36	3	...	1	2	...	...	5	...	...	...	...	4	34	...	£ 62 5 5	£ 9 6 2	£ 15 10 0	£ 14 3 4	£ 0 15 0	£ 110 3 6	£ 115 5 9	
Florence Nightingale	Sydney (East)	62	186	32	...	1	3	...	...	...	...	...	...	...	29	184	...	£ 292 5 2	£ 25 14 3	£ 102 14 9	£ 69 6 0	£ 25 0 0	£ 4 14 11	£ 177 12 0	£ 187 18 9
Berean	Surry Hills	64	104	36	...	...	...	...	...	...	...	...	...	...	39	100	...	£ 196 0 8	£ 20 4 0	£ 58 10 4	£ 37 12 6	£ 5 0 0	£ 2 18 5	£ 158 5 3	£ 162 7 9
Hope of Wagga	Wagga Wagga	71	17	8	...	1	...	...	...	4	...	...	...	...	8	16	...	£ 19 8 5	£ 9 3 9	£ 1 9 7	£ 11 2 0	£ 0 4 11	£ 7 10 0	£ 12 0 0	
White Rose	Yass	72	19	...	...	...	...	...	...	...	...	...	...	...	8	11	...	£ 13 1 6	£ 7 12 9	£ 15 0 0	£ 11 2 0	£ 0 15 0	£ 22 0 1	£ 22 0 0	
Evening Star	Camden	74	13	7	...	...	1	...	...	...	...	...	...	...	1	18	...	£ 26 19 3	£ 6 10 7	£ 13 7 6	£ 13 7 6	£ 0 7 7	£ 11 7 2	£ 14 4 10	
		12	958	257	...	9	18	2	...	66	...	...	...	...	197	6 985	5	£ 1673 14 6	£ 233 2 11	£ 591 2 0	£ 306 7 2	£ 120 0 0	£ 23 16 6	£ 1415 8 8	£ 1485 15 11

SONS' RETURNS.

Dayspring	Sydney (East)	1	274	15	24	3 262	5	£ 528 2 7	£ 55 16 3	£ 246 18 0	£ 125 8 6	£ 6 127 10 0	£ 0 13 4	£ 6 1145 4	£ 5 1150 0 0
Rose of Australia	Sydney ()	2	97	7	1	...	1	2	1	10	1	3	3 98	1	£ 436 4 0	£ 35 16 9	£ 103 18 5	£ 138 7 4	£ 60 0 0	£ 4 15 6	£ 391 6 11	£ 374 17 3
Good Samaritan	Newtown	3	53	10	...	...	...	...	...	...	...	...	...	...	3	60	...	£ 142 1 8	£ 5 7 0	£ 75 1 5	£ 46 15 0	£ 2 12 7	£ 70 0 0	£ 73 8 7
Hand of Friendship	Lismore	10	20	1	...	...	...	...	...	...	...	...	...	...	4	26	...	£ 63 2 9	£ 27 8 6	£ 22 2 0	£ 7 10 0	£ 1 14 4	£ 576 13 6	£ 587 12 7
Star of the South	Camden	19	84	12	...	1	1	2	2	5	...	...	...	...	5	89	...	£ 211 8 5	£ 35 12 3	£ 109 3 0	£ 19 18 6	£ 4 2 0	£ 463 16 4	£ 490 19 7
Prince Alfred	Parramatta	29	72	14	3	2	...	...	...	13	...	1	4	9	1 73	...	£ 196 1 8	£ 38 1 1	£ 71 14 3	£ 34 8 6	£ 10 0 0	£ 3 8 3	£ 331 0 2	£ 348 7 4
Harmony	Chippendale	37	66	14	1	...	...	...	...	...	...	...	...	...	8	73	...	£ 178 18 3	£ 25 0 4	£ 91 9 0	£ 24 6 8	£ 3 8 3	£ 223 15 9	£ 262 14 4
Wonder of the World	Luddenham	40	41	5	...	2	...	...	...	...	...	...	...	...	3	1 40	...	£ 116 6 0	£ 12 2 8	£ 15 7 9	£ 53 5 0	£ 20 0 0	£ 3 250 0 0	£ 221 13 9
Nepesin	Penrith	42	95	10	2	...	1	...	...	22	...	...	...	...	1	104	...	£ 324 7 4	£ 69 13 9	£ 78 14 7	£ 42 14 0	£ 4 7 6	£ 1100 0 0	£ 1225 0 0
Golden Reefs	Greenfell	49	71	3	...	3	2	1	10	1	...	...	...	...	1	9 57	...	£ 117 6 6	£ 10 11 1	£ 40 16 0	£ 16 8 0	£ 2 18 1	£ 323 13 4	£ 342 7 4
Advance Australia	Woolloomooloo	56	108	11	1	...	1	1	9	...	...	...	...	...	17	103	...	£ 290 9 8	£ 25 10 7	£ 119 2 9	£ 146 9 6	£ 5 1 6	£ 103 17 2	£ 99 8 0
Hope of Richmond	Richmond	66	55	8	3	6	...	...	...	8	...	...	...	...	...	15	...	£ 92 9 0	£ 8 13 3	£ 56 19 0	£ 19 5 8	£ 2 0 10	£ 102 0 0	£ 105 0 0
Captain Cook	Botany	78	83	7	1	...	1	1	1	2	88	...	£ 239 13 9	£ 18 3 6	£ 94 3 0	£ 83 10 0	£ 10 0 0	£ 4 5 6	£ 526 8 10	£ 540 19 1
Olive Branch	Sydney (South)	83	51	...	...	2	1	2	10	...	...	...	...	...	...	49	...	£ 121 4 7	£ 19 4 8	£ 56 11 8	£ 60 16 8	£ 2 9 9	£ 238 0 1	£ 203 5 8
United Gold Reefers	Tambaroora	99	42	3	1	...	3	1	1	4	...	...	...	...	6	37	...	£ 57 17 2	£ 15 9 2	£ 21 5 1	£ 19 1 8	£ 1 9 0	£ 179 10 2	£ 130 3 9
Hope of Mudgee	Mudgee	105	37	...	...	...	...	...	...	...	...	...	...	...	11	3 23	...	£ 57 4 9	£ 16 15 7	£ 28 10 0	£ 25 0 0	£ 1 9 0	£ 45 0 0	£ 57 9 6
Rose of Roxburgh	Rylstone	113	13	4	...	1	...	...	...	2	...	...	...	...	2	14	2	£ 13 0 6	£ 0 18 9	£ 1 12 0	£ 1 12 0	£ 0 10 6	£ 132 17 10	£ 138 17 11
Hope of Camperdown	Camperdown	120	26	4	1	1	...	...	...	5	...	...	...	...	2	1 26	...	£ 69 6 0	£ 9 11 8	£ 41 17 6	£ 48 13 0	£ 1 5 6	£ 66 12 6	£ 62 7 3
Spring in the Desert	Wagga Wagga	122	63	12	4	1	5	1	4	2	4	4	4	4	6	8	...	£ 161 0 1	£ 24 6 0	£ 68 16 8	£ 13 0 0	£ 10 0 0	£ 3 100 0 0	£ 126 0 0	
Perseverance	Glebe	124	55	11	...	1	4	6	3 57	1	£ 326 6 6	£ 29 12 7	£ 54 6 8	£ 91 5 0	£ 60 0 0	£ 2 17 9	£ 42 0 0	£ 41 18 9
Good Intent	Sydney (East)	136	89	15	...	1	1	27	1	4	2 97	1	£ 352 6 4	£ 41 9 11	£ 91 10 0	£ 88 15 2	£ 30 0 0	£ 4 9 9	£ 529 6 7	£ 567 16 3
British Lion	Surry Hills	140	88	3	3	3	7	2	...	...	...	...	...	...	12	...	1	£ 230 16 8	£ 39 2 2	£ 124 7 0	£ 112 0 0	£ 3 16 6	£ 155 12 10	£ 116 0 0
Bethel	Sydney (West)	142	28	1	...	3	...	1	...	...	...	...	...	...	1	23	...	£ 90 0 6	£ 15 9 6	£ 29 17 2	£ 36 16 0	£ 1 5 0	£ 98 1 0	£ 79 7 7
Rising Sun	St. Peter's (Cook's River)	144	42	8	...	2	2	4	2	3	3 40	...	£ 171 10 8	£ 17 9 10	£ 55 18 0	£ 12 12 0	£ 60 0 0	£ 2 3 0	£ 376 10 5	£ 397 10 0
Hope of Ironbarks	Ironbarks	152	12	...	...	...	...	...	...	...	...	...	...	...	...	12	...	£ 16 9 6	£ 2 13 0	£ 5 9 6	£ 1 10 0	£ 0 12 0	£ 87 11 0	£ 95 0 0
		25	1674	178	17	20	35	16	20	131	10	5	13	142	21	1638	34	£ 4634 3 10	£ 600 9 10	£ 1703 18 5	£ 1269 8 2	£ 387 10 0	£ 79 10 7	£ 7663 19 2	£ 7838 4 6

[Appendix to Dr. Belgrave's Evidence.]

THE Commission having desired me to furnish in writing a supplementary statement containing any information on the subject of the inquiry which may not have been elicited from me during my rather lengthened examination, I have the honor, in compliance with the request, to submit the following:—

I infer from my experience as an honorary medical officer in the Sydney Hospital, and my observation in the city, that unless the operations of the Friendly Societies of the Colony become so protected by law as to afford to the wage classes a more reliable prospect of security than is now presented, the introduction of a Poor Law into the Colony will soon become unavoidable, so numerous and heart-rending are the cases of destitution and distress; and so extremely inadequate the agencies for charitable relief.

Though conscious of the fact that a very large proportion of the cases of sickness associated with destitution that come under treatment in Sydney hospitals is due to the habits of intemperance that unhappily prevail so widely in New South Wales in every rank of society, I believe no more effectual agency is available to prevent pauperism and promote the real independence and self-respect of the industrial classes than that presented in membership of a Friendly Society founded on a correct basis, and conducted honorably, and with sufficient publicity.

As regards the salutary influence of club practice on the prosperity and professional efficiency of medical men, to which such marked reference was made by the Commission during their examination of me, I beg to invite attention to the following points:—

First—that in towns—particularly their most respectable quarters—attendance on clubs is practically incompatible with peculiarly successful private practice, and is unassociated with indirect advantages.

This fact being recognized by the profession, the positions are now avoided by most men who feel they can acquire an introduction to practice by any other agency, as also all who are possessed of private means.

This incompatibility does not obtain in England, where in nearly every, and particularly the best country family practices, there are usually clubs, the circumstance being mainly, though not exclusively, conduced to by a desire on the part of practitioners to co-operate in local agencies having for object to relieve the working-classes in those of their trials connected with sickness. See A.

Though Lodges in England in their corporate capacity maintain to the full their independence, their individual members so highly appreciate the advantage of being attended by medical firms of established repute that they cheerfully consent to customs which are viewed with great disavour by Lodges and their individual members in New South Wales, such, for instance, as being ordinarily attended in illnesses of a slight character by assistants, the principal only attending when specially called, or when the case lies in his particular round.

In New South Wales, Lodge members, moreover, resent being shown into any other than the common waiting-room with private patients; which being disagreeable to the latter, in consequence of the club patients being generally in their working dress, and often enough in other respects undesirable persons to be sitting next to, the circumstance tells very unfavourably on the doctor, and usually effectually prevents him from cultivating a lucrative or even an agreeable practice.

In England club patients display no foolish pride, but from custom go to the surgery or hall, and never expect to be shown into the more private part of the house.

In country districts in England "club doctors" more frequently than otherwise receive extra payment from one of two sources for severe surgical cases, viz., from the Poor Law Guardians or the Local Cottage Hospital Committee. The custom, moreover, in the latter case being a recognized one, and not associated with any legal or social disadvantage, as both Boards of Guardians and Clubs usually subscribe to the local village hospital.

A peculiarity obtaining in New South Wales Lodges, and which acts very injuriously, is that complaints are entertained any time after the events have occurred to which they relate; and in giving judgment on disputes it is customary to permit the accusers to sit and even vote, whereas the doctor is requested to withdraw after having stated his side of the case.

This practice enables complainants to be judges in their own cause, and it also gives malevolently disposed people power to inflict great injury on local medical practitioners.

The indications for a new rule are here evident, and in all cases club doctors dismissed for any professional shortcomings should have right of appeal to the "Grand Lodge" or "Supreme Court" of the Order.

This privilege might be accorded without compromising the right of clubs to change their doctor from motives simply of personal preference.

In all cases where a visit is required to be made in the early or late night hours a small fine should be payable to the doctor, unless the case be one of accident, it being too much the custom of patients' friends to defer calling in the doctor until it suits their pleasure to "take a walk with an object."

The want of a rule of this kind often contributes to make a club doctor's life intolerable, and leads occasionally to really urgent cases being neglected.

It is in the interest of the industrial classes to pay the medical officers of their Lodges as liberally as circumstances permit, as the resources of medicine and surgery are now so numerous, varied, and valuable, that medical men absolutely require to lay out considerable sums yearly to procure fresh instruments, appliances, and books; most of which, however, can be dispensed with without the patient being any the wiser, though, may be not seldom, the loser. It is not possible for a medical man at the present day to afford his patients the advantages of the improved knowledge and means of treatment now possessed by even an average legally qualified apothecary without considerable expense to himself.

In my observation, the moral effect incidental to the fulfilment of Lodge duties surpasses in social value the pecuniary advantages accruing from membership, especially among those who participate in management, as their duties usually give rise to feelings of self-respect, order, and the habit of deferring to accepted authority.

The system, moreover, harmonizes well with our political institutions; but inasmuch as Lodge proceedings are rarely reported by the Press, it is susceptible of being put to very strange uses, in spite of protecting regulations.

The custom at present is to render all children up to 18 years of age participants in the medical privileges of their fathers. Some of these "children" gain twice as much as their fathers would in England. I suggest that in every case where such "children" gain not less than 10s. a week, a small payment should be made by them; and that certain privileges of associatship, as minors, should be accorded them, chiefly as a matter of policy in the interest of the cause, but partly as one of justice to the doctor.

A few Lodges only accord to aged parents living with a son, and to adopted children, the medical privileges of the family. I suggest that this practice should become general.

I think that in towns of the magnitude of Sydney, each great Order should keep separately, or in combination, a well-supplied store of surgical instruments and appliances for the use of their medical officers and sick and wounded members, though not necessarily gratuitously.

The mechanical and scientific resources of the healing art are now so rich, varied, and costly, and amazingly useful, that co-operation even among private medical men in this direction has now become a necessity, it being impossible for an individual living by his profession to equip himself with all available scientific adjuncts.

I have noticed that some "Grand Lodges" or "Head Centres" of Orders—comprising many Lodges, have occasionally invested their accumulated savings in the purchase of landed property, to the enrichment and consolidation of their Order, and the preservation from bankruptcy of Lodges whose members have become old and infirm, and whose numbers have not been adequately kept up by young recruits.

I believe every encouragement should be given to facilitate on the part of these governing bodies the investment of some portion of their savings in the purchase of improvable town lands; and I think the "Industrial Bank" suggested by the New South Wales Branch of the British Medical Association would be found an invaluable auxiliary in this connection.

I think also that it is well worthy of consideration whether when "town allotments" are sold by Government, local Friendly Societies should not enjoy some right of priority, in virtue of their services in preventing pauperism.

I am of opinion that small independent Lodges should not be permitted to be established, as such have too frequently ceased to exist for want of funds at the precise period their good offices were most urgently required; that is to say, when a majority of the original members were past work.

Local Lodges should always be associated with an Order, so that in the event of failure from the cause I have mentioned, the duty of maintaining the aged should devolve on the supreme authority or the entire Order by equitable distribution, as is done by the Foresters, a "Provident Order," which, by the way, possesses several singular but excellent rules—highly worthy of general adoption.

I know of few sadder spectacles than that presented by an old labouring man in a young, imperfectly organized Colony, who finds the prop on which he had long undoubtingly relied to assist him in the trials of his declining years fail him at the period he requires such support. Alms-houses for such there are none in New South Wales, rich as the old inhabitants are. As for sympathetic assistance from rich near neighbours, if he be a denizen of a large town, he probably has none, it being the custom in British city communities for the rich and poor to live in quarters distant from each other. Unless he possess relatives able and willing to succour him, he has in this Colony no haven but the Asylum, than resort to which many of the more deserving prefer to die, and to my knowledge actually have died.

I may remark in this place that it is customary with many small Lodges to attempt to make up deficiencies in their funds by entertainments and fairs. While I think resort to this method is justifiable in behalf of an Orphans' Fund, the existence of which should be obligatory I think on all clubs, that it would be better that some limit in the matter of *minimum* payments should be determined by authority on an actuarial basis, as in insufficient weekly payments is to be found the weak point of the system.

I, however, see no reason why it should not become the custom to hold certain annual entertainments, the proceeds of which should accrue equally to the local Lodge and the central authority, the latter undertaking a considerable share in providing the amusements, which they could thus do at a tithe of the expense now sustained. For several years some Lodges connected with my late practice in the north of London have held an annual *fête champêtre*, from which they generally netted £80 to £100. One of the local gentry usually cheerfully granted the use of a part of his park or a large field for the purpose; and the local clergyman invariably preached at the close of the anniversary service in the church a sermon on the duty and advantage of provident habits, the collection being added to the unofficial "Widows and Orphans' Fund," to which was also appropriated the produce of the annual entertainment. There was a tendency on the part of the lowest and the richest larrikins of the neighbourhood to turn these opportunities to their own account; the latter, however, meeting with pretty open contempt, became no longer a source of trouble; the former nuisance was met by constituting the members and their wives stewards and stewardesses, through whom alone vouchers for participation in the treat could be procured.

I notice also that the custom of immigrants coming out here with letters of recommendation to Lodges of the same Order to which they belonged in England is not so general as it ought to be. I believe the practice is very advantageously pursued by the Rechabites, a vigorously managed Order.

Considerable observation and some thought have led me to the conclusion that with proper organization, encouragement from the State, and Governmental protection during times of panic, of monetary interests legitimately secured on land and certain British securities, the provident principle, as susceptible of embodiment in correctly organized Friendly Societies, offer to a prudent nation and a just Government the means whereby one of the greatest domestic burdens of a country may be reduced to a minimum, while carrying in its train moral blessings of incalculable social force and value.

I fear, however, that the thoughtless and unbounded disregard of the future characterizing our colonial youth, and the numerous allurements for spending money to which they are exposed, are such that either compulsion or some great attractive force will require to be exercised to afford society the full benefit attainable from a national system of insurance against sickness and death.

However desirable it may be, I fear public opinion in English communities is not yet ripe for the adoption of the principle of compulsion, nor is likely to become so for several years; therefore, however humiliating the circumstance may be to the generous English mind, there is reason for concluding that the honor of first affording to mankind a practical illustration in the science of government of the possibility of absolutely preventing destitution in times of peace and average abundance by compulsory providence, will devolve on a State (Germany) comparatively despotic, but destined through the necessities of political self-preservation to solve many a problem in civilization heretofore deemed insoluble by happy-go-lucky English egoists, and indeed by all but social philosophers. Several of the latter have long maintained that the evil of poverty which pervades so great a part of the modern world could be almost eradicated from civilized States, attributing it rather to absence of organization and to faulty principles of government than to assumed imperfections of human nature.

I concur in this view, and believing, moreover, that the tendency characterizing English civilization to unduly subordinate public interests to pretended private or individual rights, has a distinct and growing tendency to artificially create pauperism among the multitude, and promote unnatural aggregations of wealth among the few.

I anticipate much good from the labours of the New South Wales Royal Commission of inquiry into the working of Friendly Societies, feeling that these institutions, remodelled in the light of science and experience, offer some prospect of affording to an industrial population the means of honorable protection against poverty resulting from the decay of natural power, and also from the numerous physical accidents inseparable from an existence characterized by so much activity and useful adventure as obtains among Englishmen.

I fear public opinion in this Colony is not yet sufficiently ripe for the introduction of the element of legal compulsion into the operations of Provident Societies. It appears to me, however, few right-thinking Englishmen will dispute that any man who does not fulfil, when he can, so primary a duty as that of providing for the contingencies of sickness and for old age, is unworthy of the privilege, and morally often unequal to the responsibilities, of the parliamentary franchise.

I therefore venture to suggest that this Commission should consider whether the time be not opportune for recommending to Parliament the incorporation of the principle of the moral duty of provident insurance on the part of every citizen in any measure it may be thought proper to pass in reference to the question.

The recognition of this principle could, I believe, be conveniently made by associating the exercise of the parliamentary franchise with the performance of the duty of provident insurance; I mean that no elector should be permitted to record his vote unless he could give evidence of having in minimum available measure fulfilled his primary social duty by protecting himself and his dependent kin from destitution through the medium of provident insurance as afforded by membership of an ordinary insurance in a simple "Friendly Society." I am informed that some such principle has lately been advocated by careful writers in England, and that the suggestion has taken root in public opinion. Though I have not had the pleasure of reading one of these productions, I could adduce many arguments supported by reason and experience that would commend the principle to any mind not incapable of apprehending facts, nor eclipsed by absence of faith in the potential moral powers of mankind. As the result of my own thought and observation, I have arrived at the conclusion that if the provident principle were to be made operative in the case of every man from the age of 18, pauperism, in the degraded and painful sense in which it is now familiar to Englishmen, would as a consequence ultimately cease to exist.

In response to the request so particularly made to me by the Commission for the names of persons and Lodges in a position to throw interesting light on the working of Sydney Clubs, I would refer to Mr. and Mrs. Burns, of Balmam, and to Mrs. Wilkes, widow of the late Grand Master of two Lodges in the northern part of the city; also to the following Clubs:—

Perseverance Division (Sons of Temperance);	North Star (Oddfellows);
Hebrew Mutual Benefit Society;	Loyal William Gane;
Court Friendship (Foresters);	Loyal Love of Liberty;
Princess Alice (Daughters of Temperance);	Prince George of Camperdown;
Native Rose (Daughters of Temperance);	Court Fortitude;
Miller's Point Lodge (Oddfellows);	

and another whose place of meeting was at the "Flower Pot," York, but the name of which I forget.

I believe it is in the power of the past and present officers of these Lodges to afford much useful information to the Commission on various financial, social, statistical, and moral points connected with Clubs. I may here remark that I have been unable to make up my mind touching whether the holding of Club meetings at public-houses be more productive of harm than good. In the absence of some legal encouragement to the exercise of providence such as I have indicated in connexion with the franchise, I am inclined to the belief that in England the good accomplished exceeds the evil resulting, as many men are induced to join a Lodge which meets in a public-house in consequence of its convivial associations, opportunities for a chat, smoke, etcetera, who certainly would not join if the Lodge met in a chapel or school-room. On the other hand, I have heard of men who on going for the purpose of attending their clubs, have spent the amount of their dues at the bar instead of entering the Lodge-room. The difficulty might in a measure be met by agreement with the publican; but, without the help of a distinct and obligatory regulation I fear it is insuperable.

In explanation of the advantage of the idea of a store of medical and surgical appliances, I desire to quote a case of a not unfrequent form of chest disease—where a single patient might require in the course of treatment the use of an aspirator, an inhalation apparatus, an invalid's bed and an invalid's chair, &c. &c. The cost of these (of the best make) costing

costing about £40, cannot be provided by a medical man for one patient; whereas an Order comprising many Lodges could do so advantageously, as the same apparatus could be used in the course of time for an indefinite number of people. By such an arrangement many lives now lost would be preserved.

I strongly recommend the Commission not to close their labours without examining some country medical practitioners and dissatisfied members of Lodges. The best country club I have ever been connected with, paid me mileage and per case—not on the contract system.

It was, moreover, a prosperous club, always in funds, and the system gave incomparably greater satisfaction to both members and doctors than the plan so general in New South Wales.

I think the plan ought to be tried here, the doctors consenting to a moderate scale of charges.

It may, perhaps, be advisable that I epitomize the views, so far as I can remember, that I have expressed to the Commission on the various points concerning which I have been requested to furnish information.

1. That the moral influence, or effect on mind, habit, and character, derived from membership of a Friendly Society is not the least advantage accruing.

2. That the tendency at present of the influences exerted by the Societies on the medical profession of New South Wales is debasing; and neither calculated to promote scientific practice nor to conduce to the pecuniary or social advantage of medical men.

3. That the inseparable union of the Provident Insurance Department of Friendly Societies with medical attendance in sickness acts injuriously.

4. That medical attendance should be confined to members of moderate means, they themselves, however, to at first judge whether the limitation applies to them, the Lodge reserving the power to exercise its right in notorious cases of departure from the rule.

5. I believe rich men have rarely joined a Lodge with the intention of participating in its medical benefits, and that the anomaly has mainly, though not entirely, arisen from originally poor members having become wealthy; I think, moreover, that the simple legal adoption of a new rule would suffice to correct the abuse, and that it would rarely require to be enforced.

6. I think defalcations in some Treasurer's accounts have occurred under circumstances over which the Treasurers had no control, and for which they were morally blameless, the money having been used without their knowledge by members of their family, though in consequence of their necessitous personal circumstances, and sometimes during the illness of the head of the family.

7. It appears to me the office of Lodge Treasurer is worse than unnecessary, and that the function could be better performed by the "Friendly Societies' Bank" manager, with whom the Financial Secretary of each club should at the close of each meeting deposit the money, however small the amount might be.

8. The establishment of a "Friendly Societies' Bank," with rigid Government protection, and only open in the evenings is necessary in large towns, and that sick dues should be paid through it.

9. I suggest that small independent Lodges be discouraged, and that when a local Lodge fails its liabilities should be assumed by the "Order."

10. While the country is young I believe special provision for the future sick and infirm could be very advantageously made, by according Orders and local Lodges certain privileges of priority in the purchase of town allotments.

11. I believe the great Orders ought in large towns to provide "Pensioners' Homes" for their friendless infirm members, and could do so to their own pecuniary advantage.

12. In Sydney a club store, not of medicines necessarily, but of medical and surgical appliances, invalids' beds, chairs, &c., &c., is urgently required for the use of members, and could, probably, be made self-supporting, if not a source of profit.

13. I submit that the practice of associating the provident principle and medical benefits with particular religious tenets is neither to be commended nor is necessary; and that the presumed cardinal objects of the Protestant Alliance and the Catholic Guilds, and such like bodies, could be more satisfactorily attained by more clearly declared means.

14. I think that every medical service—whether it be the examination of a candidate or the performance of an operation—should be paid for, though very moderately.

15. Experience indicates the necessity for limiting membership to one Sick Society.

16. That adopted children and aged parents of members (not themselves subscribers), living at their sons' expense, should enjoy the medical privileges of children.

17. That in cases of incurable lunacy, Lodges should only be liable to pay dues to legal dependants; and that where there are none of the latter, there should be no liability. In cases of recovery, however, all dues should be paid up by the Lodge; and in every case a special committee (with certain powers) of one or two should be appointed to guide and assist the recovered brother.

18. That the rights of members who have become bankrupt or been imprisoned for crime should be defined, and that special regulations should exist with a view to give restored members a fresh start in life.

19. That just rules for expulsion should be framed, but never be carried out without the consent of the central authority.

20. That the office of Registrar of Friendly Societies be enlarged in its scope and legal power.

21. That the duty of provident insurance should be made obligatory in every citizen from the richest to the poorest; and that the most promising means for accomplishing this at the present day would be by rendering it necessary to the exercise of the parliamentary franchise.

22. That a small fine should be payable for invoking the aid of medical officers "out of hours," cases of accident alone excepted.

23. I believe that an Orphan Fund should exist in connection with every great Order; and that the produce of annual fairs and entertainments should go to the fund; and that the State should contribute to it proportionately.

24. I think local Lodges ought to receive payments either in advance or once a week; that neither monthly nor quarterly accumulations should be permitted; and that the subscriptions at present made are insufficient; and the fact is recognised and deplored by the wage classes of the Colony.

25. That a minimum amount of insurance money accruing from clubs or insurance societies to widows or orphans should be protected by law, and not be liable to attachment by creditors.

26. That no extraneous subject, nor religious, nor political topics should be permitted to be discussed in Lodgerooms; and that this rule should have force of law.

27. I think the law ought to insure payments to Lodges by shipowners or their agents for sailors at sea; and that these should be made through the Shipping Master.

28. I think the "Accident Fund" of Trade Societies should be rendered incapable of being diverted to any other use; and that annual fairs and entertainments should be provided for adding to these.

29. Local Lodges should always subscribe to the local hospital, and enjoy the right (subject to approval of fitness on the part of the hospital authority) of nomination for admission.

In concluding this statement, I beg to reiterate the opinion of the necessity for examining medical witnesses from the country, and of the desirability for trying the system in one or two clubs in town and country—particularly in the latter—of payment per case and visit, but on a moderate scale.

[Appendix to Evidence of Mr. M. A. Black, question 14450]

This form, duly filled up by the Secretary and Valuer, must be returned to the Registrar, together with a report on the valuation signed by the Valuer.

FRIENDLY SOCIETIES' ACT, 1875, SECT. 14 (f).

Valuation of the Assets and Liabilities of the

as at

18 .

Return to be made by the Secretary of the Society.

(Add Scotland or Ireland when necessary.)

Register No. of Society.

(1.) (a) In what occupations are the members mostly engaged?

(b) In what localities do they chiefly reside?

(c) Does the Society assure benefits to females? If so, state what kinds of benefits are assured to them?

(2.) Fill in for each of the five years preceding the date of valuation the following particulars, omitting shillings and pence:—

Total amount received on account of

Year ending.	Total Funds at end of Year.	Amount received as interest.	Sickness Benefits				Sums at Death.	Annuities Commencing			Endowments.	Other Receipts (to be specified).
			(Ceasing at age	Ceasing at age	Ceasing at age	Throughout life.		At age	At age	At age		
31 Dec., 18 ..	£	£	£	£	£	£	£	£	£	£	£	£
" 18 ..												
" 18 ..												
" 18 ..												
" 18 ..												
Total.....												

Total amount paid on account of Sickness Benefits.

Year ending.	Ceasing at Age				Ceasing at Age				Ceasing at Age				Throughout Life.			
	Full Pay.	Reduced Pay.	Further Reduced Pay.	Permanent Reduced Pay (if any).	Full Pay.	Reduced Pay.	Further Reduced Pay.	Permanent Reduced Pay (if any).	Full Pay.	Reduced Pay.	Further Reduced Pay.	Permanent Reduced Pay (if any).	Full Pay.	Reduced Pay.	Further Reduced Pay.	Permanent Reduced Pay (if any).
31 Dec., 18 ..	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
" 18 ..																
" 18 ..																
" 18 ..																
" 18 ..																
Total																

Total amount paid on account of

Year ending	Sums at Death.	Annuities commencing			Endowments.	Other Payments (to be specified).
		At age	At age	At age		
31 Dec., 18	£	£	£	£	£	£
" 18						
" 18						
" 18						
" 18						
Total.....						

(3.) State according to the rules of the Society—

(a.) When full pay ceases and reduced pay begins, and what the reduction is?

(b.) When such reduced pay is still further reduced, and by how much?

(c.) Under what circumstances (if any) members become entitled to a permanent reduced sick allowance, and what proportion the same bears to full pay?

(4.) (a.) How are the management expenses provided for?

Year ending	Total Receipts on account of Management Expenses.	Total Payments on account of Management Expenses.
31 Dec., 18 ..	£	£
" 18 ..		
" 18 ..		
" 18 ..		
" 18 ..		
Total.....		

(b.) Fill in for each of the five years preceding the date of valuation, the following particulars, omitting shillings and pence.

(5.) When was the last valuation made and by whom?

Signature of Secretary

Registered Office.

Date

18

ABSTRACT

Valuation Age.	Average Sickness per annum in weeks.	Rate of Mortality per cent.
20		
25		
30		
35		
40		
45		
50		
55		
60		
65		
70		
75		
80		

- (3.) Have the tables used in the valuation, or the results of a valuation by such tables, been in any way altered to suit special circumstances?
If they have, state clearly and fully the nature and purpose of such alterations, and their effect on the results shown by the valuation.
- (4.) Has any allowance been made for any provisions in the rules relating to the reduction of sick pay in cases where sickness lasts beyond the time for which full sick pay runs?
If so, state clearly and fully how such allowance has been calculated, and the amount by which the estimated value of sick benefits on the assumption of full pay throughout is thereby reduced.
- (5.) How have the valuation ages been computed?

(6.) What average rate of interest has been realized on the funds of the Society for each of the five years preceding the date of valuation?

	Year ending.	Rate of Interest realized per cent.
	31st December, 18	
	" " 18	
	" " 18	
	" " 18	
	" " 18	

- (7.) Has an investigation been made into the mortality or sickness experience of the Society? If so, give the particulars of the observations, and the results deduced therefrom at the various ages.
(Where convenient, these particulars and results may be furnished on a separate sheet.)
- (8.) To what causes may be attributed the surplus or deficiency shown by the valuation?
Note.—Where the accounts of any of the various benefit funds are kept distinct, the answer should deal with each fund separately.
- (9.) Fill in the particulars required in the appended Schedule.

Reserve (or estimated net liability) required according to the Valuation for

Member's age at entry.	Sick benefit of throughout life. per week †					Sum of £ payable at death.	Sickness benefit of ceasing Deferred annuity of commencing Sum of £ payable at death. per week } at age ‡									
	Yearly contribution for benefit.	Valuation age 1 year older.	Valuation age 3 years older.	Valuation age 5 years older.	Valuation age 10 years older.		Yearly contribution for benefit.	Valuation age 1 year older.	Valuation age 3 years older.	Valuation age 5 years older.	Valuation age 10 years older.					
20																<i>Note.</i> —This part of the schedule is only required to be filled in when the contributions for the various benefits are not kept separate.
25																
30																
35																
40																
45																

* The amount of sickness benefit per week should be the maximum per member assurable by the Society, and when the Society does not grant such benefit throughout life the age at which such benefit ceases must be stated.
† The amount payable at death should be the maximum per member assurable by the Society.
‡ State at what age sickness benefit ceases and the annuity begins. The amount of sickness benefit, deferred annuity, and sum payable at death should be the maximum amounts assurable per member by the Society.

Signature of valuer,
Address,
Calling or profession,
Date,

[Appendix to Evidence of Mr. L. E. Harcus.]

To the President, Friendly Societies Act Inquiry Commission, Sydney.

Sir,

I have the honor, in accordance with my promise on examination before the Friendly Societies Act Inquiry Commission, to make the following suggestions in reference to the questions under your consideration. I understand it to be the object of the Commission to make such recommendations to Parliament as will form the basis of a measure which will repeal, or greatly modify, the provisions of the existing Act; and with this understanding I would suggest—

1. That the control or supervision of Friendly Societies be vested in a Department to be presided over by a Registrar, who shall have such clerical assistance as shall be found necessary for the effectual working of the Department.

In connection with this suggestion, I would recommend—

(a.) That the Government should have the necessary tables constructed to place the Societies in a position to give the benefits promised on the following basis,—

Table A. To give a funeral donation of £1 on the death of a member, and half that amount on the death of a member's wife.

Table B. To give a sick allowance of 1s. per week for six months, 9d. a week for a further six months, 6d. a week for a further six months, and 3d. a week during the further duration of the illness.

This being done, a simple multiplication will suffice to enable the Society to give whatever benefits may be thought desirable.

(b.) That the Registrar should be instructed not to certify the rules of any Society whose contributions were not based on the above scale, together with the necessary provision for the payment of the medical officer and chemist, if such benefits be given, and for the due payment of all expenses of management.

2. That the registration of the supreme body of any organization shall be taken to include the registration of each and every branch of such organization, which shall be duly returned to the Registrar by the Secretary and under the seal of such supreme body.

In connection with this suggestion it will be necessary to provide by enactment—

(a.) That the general laws of such supreme body shall declare the minimum contributions to be paid by each branch; such minimum contributions not being less than the amounts necessary to provide the promised benefits according to Tables A and B.

(b.) That the Secretary of such supreme body shall within one month of the institution of any new branch—or such other time as may be deemed necessary—be required, under a penalty, to make a return to the Registrar of such new branch.

3. That the Secretary of every such supreme body shall be compelled to keep a register of the members of the Society within his jurisdiction, in the following form:—

Name.	Date of initiation.	Age at initiation.	Married or single.	Sick pay received.	Date of death.	Wife's name	Wife's age at marriage	Date of marriage.	Date of wife's death.	Remarks.
John Jones	1/12/63	25	M.	£ s. d. 3 12 0	11/8/81	Mary Jones ..	19	3/9/63	.....

Note.—As the husband in the above example is supposed to have died before the wife, the Society is released from any liability on account of her death.

4. That the Secretary shall, at the end of each year, forward to the Registrar a return in the following form:—

Present age	Total number of members.	Total number of days' illness.	Amount of sick pay paid.	Number who have died a natural death.	Number who have died a violent death.	Amount of funeral donations paid.	Remarks.
34	47	141	£ s. d. 20 3 4	2	1*	£ s. d. 60 0 0	*Killed by colliery explosion.
35	40	130	19 0 0	1	.....	20 0 0	
36	29	147	21 0 0	2	.....	40 0 0	

which shall be compiled from the register referred to in the previous suggestion; this return to be in addition to the ordinary financial return.

5. That a uniform system of book-keeping be adopted for all Societies, this system to be devised by some person qualified to do so, and to be of as simple a nature as possible.

6. That a valuation of the assets and liabilities of each Society be made, at intervals of not less than five years, according to the most approved tables, and that, in the event of it being ascertained that the liabilities of any Society exceed the assets by more than 10 per cent., the Registrar shall be empowered to compel either a levy, not exceeding 5s. per member per half-year, or a sufficient increase in the contributions to balance the account within two years from the valuation being made, at the end of which period it shall be competent for him to order a re-valuation.

7. That Societies may, if they see fit, allow members to take double, treble, or quadruple benefits, by paying the proportionate contributions, provided that when such benefits are taken the members shall not be entitled to any benefits for a period of at least twelve months after initiation, excepting of course the medical benefits, if such be given by the Society.

8. That all cases of dispute—except those of a criminal nature—shall be subject to the various modes of settlement provided in the general laws of the Society, but that an appeal may then be made to a Court of Arbitration consisting of the Registrar and two other members to be triennially appointed by the Government, such other members to be persons acquainted with the workings of Friendly Societies, but not officially connected with any Society; the decision of such Court of Arbitration to be final. No case of dispute to be brought in any case before a Court of law.

9. That members in arrears may be sued for the same, provided that it shall not be competent for any Society to sue for more than twelve months' arrears; action in all cases to be taken within eighteen months after a member has paid his last subscription.

10. That an officer of the Government duly appointed should have the power at any time to inspect the books and vouchers of any Society, with or without notice.

11. That the internal management of Societies should be left solely to the members, the State simply providing for the financial and statistical details of the working to be regularly supplied.

I have, &c.,
L. E. HARCUS.

Ashfield, 7 Sept., 1882.

[Appendix to Evidence of Dr. W. W. J. O'Reilly.]

EXAMINATION FORM.

(Prepared by the N.S.W. Branch of the British Medical Association.)

To be used in the examination of persons seeking admission as Members of Friendly Societies.

Questions:—

1. What is your name?
2. What is your age?
3. Where do you reside?
4. What is your occupation?
5. Are you single or married?
6. What is your wife's age?
7. What is your wife's (if any) present state of health?

8. Has your wife been in a good state of health for the last three years?
9. Are you in good health, and have you been so during the last three years?
10. What was the nature of your last illness, and the date thereof?
11. Are your habits strictly sober and temperate, and have they always been so?
12. Have any of your near relatives suffered from consumption, insanity, or any hereditary disease?
13. Have you ever suffered from any important disease, such as fits or convulsions, epilepsy, habitual cough, or spitting of blood, or bleeding from any cause, bronchitis, asthma, any disease of lungs or chest, or palpitation or other disease or irregularity of the heart, or any constitutional or local disease, or dropsy, cancer, disease of bowels or liver, of kidneys, bladder, or other urinary organs, any irritability of bladder, gout, rheumatism or rheumatic fever, insanity, piles, ulcers, rupture, varicose veins, or any affection requiring professional aid or advice?
- *14. Have you ever had venereal disease or stricture?
15. Have you ever been refused admission to any Society in consequence of ill-health or otherwise?
16. Do you know of any reason, as regards your own or your wife's state of health, why you should not become a member of this Society?
17. Are you aware that if at any time hereafter it should be proved that the answers above given are not correct, you will expose yourself to the liability of being expelled from this Society?

MEDICAL CERTIFICATE.

I HEREBY certify that I have carefully examined _____ I am of opinion that he is in good health, that he is about _____ years of age, and that he is a fit and proper person to become a member of this Society.

P.S.—The above statement is to be brought filled up by the candidate, and witnessed by the Secretary.

* NOTE.—In forms prepared for the admission of female candidates, omit question No. 14, and substitute, "Have you ever suffered from any disease of the womb?"

[Appendix to Mr. E. J. Rubie's Evidence.]

The following are the tables under which the Australasian Holy Catholic Guild was established in 1845:—

SICKNESS FUND.—No. 1.

A weekly allowance of 5s. constitutes one share, and members may take one, one and a-half, two, two and a-half, three, three and a-half, or four shares. The full allowance is paid for twenty-six weeks of sickness; three-fourths of that sum for other twenty-six weeks; and one-half of the first rate during the remainder of a continued period of sickness up to the age of sixty-five years, when all contributions cease and the superannuation commences.

CONTRIBUTIONS FOR ONE SHARE.

Age.	Single Payments.	Annual Payments.	First Month.	Other Months.	Age.	Single Payments.	Annual Payments.	First Month.	Other Months.
	£ s. d.	s. d.	s. d.	s. d.		£ s. d.	s. d.	s. d.	s. d.
30	6 7 9	7 10½	1 0	0 7½	41	7 9 8	11 1	1 0	0 11
31	6 9 5	8 1	0 9	0 8	42	7 11 10	11 6	1 3	0 11
32	6 11 2	8 4	1 0	0 8	43	7 13 11	11 11	1 4½	0 11½
33	6 13 0	8 6½	0 9	0 8½	44	7 15 10	12 5	1 5	1 0
34	6 14 11	8 10	1 0½	0 8½	45	7 17 7	12 10½	1 5	1 0½
35	6 16 11	9 1	0 10	0 9	46	7 19 2	13 4½	1 5½	1 1
36	6 18 10	9 4½	1 1½	0 9	47	8 0 4	13 11	1 6½	1 1½
37	7 0 11	9 8	0 11½	0 9½	48	8 1 1	14 5½	1 7½	1 2
38	7 2 11	9 11½	1 3	0 9½	49	8 1 3	15 0	1 8½	1 2½
39	7 5 2	10 4	1 2	0 10	50	8 10 0	15 6½	1 4	1 3½
40	7 7 5	10 8½	1 1	0 10½					

NOTE.—Every subscriber to this fund must take at least one share in the Superannuation Fund and one share in the Mortuary Fund.

SUPERANNUATION FUND.—No. 2.

An annuity of £2 10s., payable quarterly, whether in sickness or in health, commencing at the age of sixty-five and terminating with life, constitutes one share; and members may take from one to eight shares, or more with the consent of the Council.

CONTRIBUTIONS FOR ONE SHARE.

Contributions cease at 65.

Age.	Single Payments.	Annual Payments.	First Month.	Other Months.	Age.	Single Payments.	Annual Payments.	First Month.	Other Months.
	£ s. d.	s. d.	s. d.	s. d.		£ s. d.	s. d.	s. d.	s. d.
30	2 8 1	2 11½	0 8	0 2½	41	4 5 7	6 4	0 10	0 6
31	2 10 7	3 2	0 5	0 3	42	4 10 4	6 10	0 10½	0 6½
32	2 13 3	3 4½	0 7½	0 3	43	4 15 5	7 5	1 0	0 7
33	2 16 0	3 7½	0 5	0 3½	44	5 0 10	8 4½	0 8½	0 8
34	2 19 0	3 10½	0 8	0 3½	45	5 6 6	8 8½	0 11	0 8½
35	3 2 2	4 1½	0 5½	0 4	46	5 12 10	9 5½	1 2½	0 9
36	3 5 6	4 5	0 9	0 4	47	5 19 5	10 4½	1 2½	0 10
37	3 9 0	4 9	0 7½	0 4½	48	6 6 6	11 4	1 3	0 11
38	3 12 9	5 1	0 6	0 5	49	6 14 1	12 5½	1 5½	1 0
39	3 16 9	5 5½	0 10½	0 5	50	7 2 1	13 8½	1 4	1 1½
40	4 1 0	5 10½	0 10	0 5½					

NOTE.—The great importance of this fund is that it begins to operate at that period of life when the energies of both body and mind usually begin to decay. The benefit is quite certain, whether the holder is able to work or not, and, taken in conjunction with the Sickness Fund, must render him comparatively independent; for, while the Sickness Fund secures him a comfortable maintenance in sickness up to sixty-five years, this commences then, and secures him a permanent quarterly allowance during life.

MORTUARY

MORTUARY OR LIFE ASSURANCE FUND.—No. 3.

The sum of Five Pounds, payable at death, constitutes one share, and any Member may take from one to four shares, or more with the consent of the Council.

CONTRIBUTIONS FOR ONE SHARE.

Contributions cease at 65.

Age.	Single Payments.	Annual Payments.	First Month.	Other Months.	Age.	Single Payments.	Annual Payments.	First Month.	Other Months.
	£ s. d.	s. d.	s. d.	s. d.		£ s. d.	s. d.	s. d.	s. d.
21	1 10 4	1 9	0 10	0 1	36	1 19 4	2 8	0 10	0 2
22	1 10 10	1 9	0 10	0 1	37	2 0 2	2 9	0 11	0 2
23	1 11 4	1 10	0 11	0 1	38	2 0 10	2 10	1 0	0 2
24	1 11 10	1 10	0 11	0 1	39	2 1 8	2 11	1 1	0 2
25	1 12 4	1 11	1 0	0 1	40	2 2 4	3 1	0 3	0 3
26	1 12 10	1 11	1 0	0 1	41	2 3 2	3 2	0 5	0 3
27	1 13 6	2 0	1 1	0 1	42	2 4 0	3 4	0 7	0 3
28	1 14 0	2 1	0 3	0 2	43	2 4 10	3 5	0 8	0 3
29	1 14 8	2 2	0 4	0 2	44	2 5 8	3 7	0 10	0 3
30	1 15 4	2 3	0 5	0 2	45	2 6 6	3 10	1 1	0 3
31	1 16 0	2 3	0 5	0 2	46	2 7 6	4 0	0 4	0 4
32	1 16 8	2 4	0 6	0 2	47	2 8 4	4 3	0 7	0 4
33	1 17 4	2 5	0 7	0 2	48	2 9 4	4 5	0 9	0 4
34	1 18 0	2 6	0 8	0 2	49	2 10 2	4 8	1 0	0 4
35	1 18 8	2 7	0 9	0 2	50	2 11 2	5 0	1 4	0 4

Note.—This Fund not only secures the advantages provided by the old Societies, viz., a sum of money payable at death, by way of funeral money, but it goes further, by permitting the Member to choose the amount he wishes to secure for those he may leave dependent behind him: for instance, a person in the twenty-first year of his age can secure twenty pounds at death, by paying the trifling sum of fourpence per month; thus uniting all the advantages of a Friendly Society with those of a Life Assurance scheme on a limited scale.

N.B.—The cost of doctor, medicine, salaries, and other incidental expenses were levied *pro rata* in addition to the above.

[Appendix to Evidence of Mr. E. Lewis Scott.]

AVERAGES, compiled in the Office of the Registrar of Friendly Societies, from Returns of registered Friendly Societies for the Year 1880.

Name of Society.	No. of Lodges registered.	No. which furnished Returns for 1880.	Percentage of Total Income spent in Management Expense.		No. of days sick per Member.	Deaths per cent. of Members, including Members' Wives.	Amount of Sick Pay per Member.	Amount of Funeral Donation per Member.	Amount of Medical Benefit per Member.	Total Expenditure per Member.
			A	B						
						£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Independent Order of Oddfellows, Manchester Unity	101	78*	21.23	6.14	1.55	0 17 6 $\frac{1}{2}$	0 6 7 $\frac{1}{2}$	1 4 9 $\frac{1}{2}$	3 9 2 $\frac{1}{2}$	
Grand United Order of Oddfellows	81	62	28.80	4.10	0.84	0 13 5	0 2 4 $\frac{1}{2}$	0 17 0	2 10 3	
United Ancient Order of Druids	30	14	30.54	4.94	1.47	0 13 1	0 2 4 $\frac{1}{2}$	0 16 0 $\frac{1}{2}$	2 7 11 $\frac{1}{2}$	
Order of Royal Foresters	21	18	18.55	7.00	1.97	0 18 0 $\frac{1}{2}$	0 4 3 $\frac{1}{2}$	1 4 0	2 18 9 $\frac{1}{2}$	
Independent Order of Royal Foresters	1	1	13.25	2.33	2.08	0 7 3 $\frac{1}{2}$	0 10 2 $\frac{1}{2}$	1 10 9 $\frac{1}{2}$	2 18 9 $\frac{1}{2}$	
Ancient Order of Foresters	29	18	26.29	5.79	1.74	0 19 2 $\frac{1}{2}$	0 4 6	0 19 3 $\frac{1}{2}$	3 3 4 $\frac{1}{2}$	
Protestant Alliance Friendly Society of Australasia	34	31	25.22	3.81	1.35	0 10 4	0 7 0	1 4 2	2 15 2 $\frac{1}{2}$	
Australasian Holy Catholic Guild	18	8	19.42	5.17	1.51	0 15 4 $\frac{1}{2}$	0 9 2	0 19 3	2 17 2 $\frac{1}{2}$	
Loyal Orange Benefit Society	4	3	29.94	4.77	2.68	0 14 2 $\frac{1}{2}$	0 8 0 $\frac{1}{2}$	0 5 9	2 0 9 $\frac{1}{2}$	
Hibernian Australasian Catholic Benefit Society	11	8	27.48	6.19	2.50	1 0 0 $\frac{1}{2}$	0 7 11 $\frac{1}{2}$	1 1 7 $\frac{1}{2}$	3 9 9 $\frac{1}{2}$	
Sons of Temperance	87	9	20.44	1.50	1.06	0 16 10 $\frac{1}{2}$	0 3 8	0 17 8 $\frac{1}{2}$	2 15 11 $\frac{1}{2}$	
Miscellaneous Societies	59	12	19.01	5.42	2.43	0 14 10 $\frac{1}{2}$	0 8 0 $\frac{1}{2}$	0 14 7	2 6 7 $\frac{1}{2}$	

Notes.—Several Societies, notably the Independent Order of Oddfellows of New South Wales, the Daughters of Temperance, and Rechabites do not appear in this statement, having sent in no returns for 1880.

* Many of these had not been registered a year, and therefore were not required to make returns.

A. This includes District Levies and Distress Gifts, which are not shown as otherwise expended than for management.

B. The number of members calculated does not include those in arrears.

C. This is a combination of medicine and medical attendance.

RETURN showing the Ages at which Persons are admitted, the Payments they contribute to the Sick and Funeral Funds, and the Benefits promised from those Funds by the principal Friendly Societies in the Colony of New South Wales.

Name of Friendly Society	Ages at which Members are admitted.	Payments.							Benefits.									
		Entrance fees of—			Subscriptions of				Sick Pay.				Amount payable upon Death—					
		Members to Sick and Funeral Funds.	Member's first Wife to Funeral Fund.	Member's second Wife to Funeral Fund.	Member to Sick and Funeral Funds.	Member's first Wife to Funeral Fund.	Member's second Wife to Funeral Fund.	Widow of Member to Funeral Fund.	Member entitled to after membership of—	Rate per Week during—				After membership of—	Of Member.	Of Member's first Wife.	Of Member's second Wife.	Widow of Member
			per quarter.	per quarter.	per quarter.	months.	s. d.	s. d.	s. d.	s. d.	months.	£ s.	£ s.	£ s.	£ s.	£ s.		
Ancient Order of Foresters	18 to 39	5s. to 170s.	1s.	1s.	1s. per week	Nil	b	...	...	20 0	10 6	...	6 0	12	20 0	15 0	a	10 0
Ancient Order of Druids	17 to 49	7s. to 80s.	a	a	1s. per week	h	h	...	12	21 0	15 0	...	5 0	52 weeks	25 0	15 0	7 10	7 0
Australian Holy Catholic Guild (a ¹)	18 to 40	2s. 6d. to 210s.	a	a	a	h	a	...	...	21 0	21 0	10 0	5 0	...	20 0	15 0	...	...
A. Society of Carpenters and Joiners	23 to 45	7s. to 35s.	a	a	1s. per week and 3d. per quarter.	Nil	Nil	Nil	...	12 0	h	h	6 0	...	12 0	12 0	a	a
Australian Mutual Benefit Society	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Australian Union Benefit Society (a ²)	19 to 35	20s. to 40s.	a	a	3s. per month	Nil	Nil	Nil	24	21 0	per week	...	...	7 10 to	3 15 to	...	...	...
German Benefit Society	18 to 45	10s. to 70s.	10s.	a	1s. per week	Nil	Nil	Nil	12	21 0	per week	...	...	20 0	a	a	a	a
Grand United Order of Free Gardeners	...	...	a	a	1s. per week	Nil	Nil	Nil	6	20 0	per week	...	...	30 0	20 0	...	...	...
Hobart Mutual Benefit Society	18 to 40	6s. to 15s.	a	a	1s. per week	Nil	Nil	Nil	...	a guinea per week	...	...	...	24	10 0	a	a	a
Herald Office Benefit Society	...	...	a	a	3s. per week	Nil	Nil	Nil	...	25s. to 15s. per week	...	...	...	12	15 0	10 0	...	...
Hibernian Australian Catholic Society	18 to 40	15s. to 90s.	a	a	1s. per week	Nil	1s. 6d.	Nil	6	20 0	...	...	...	12	20 0	10 0	a	a
Progressive Society of Carpenters and Joiners	18 to 40	3s. to 6s.	a	a	4d. per week	Nil	Nil	Nil	12	10 0	per week	...	...	12	6 0	3 0	a	a
Protestant Mutual Benefit Society	16 to 45	5s. to 50s.	1s.	1s.	1s. per week	Nil	Nil	Nil	...	20 0	14 0	a	12 0	...	84	25 0	one-half	a
Scandinavian Society	...	...	a	a	1s. per week	Nil	Nil	Nil	...	a guinea per week during sickness	...	...	...	150	80 0	...	...	...
St. Peter's Burial Society (a)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Sons of Perseverance Society (d) (f)	18 to 40	21s. to 84s.	a	a	1s. per week	14d.	Nil	Nil	...	...	...	...	...	...	10 0	15 0	15 0	a
St. Francis' Brothers of Temperance	18 to 45	a	a	a	1s. per week	Nil	Nil	Nil	...	...	10 0 per week	...	...	...	20 0	10 0	...	...
St. Francis' Sisters of Temperance	18 to 45	2s. 6d. to 20s.	a	a	7d. per week	Nil	Nil	Nil	...	...	10s. per week	...	...	...	10 0	...	...	...
Sydney Marine Benefit Society	18 to 40	10s. to 30s.	a	a	1s. per week	Nil	Nil	Nil	...	21 0	10 6	...	...	12	20 0	10 0	10 0	a
Shipwrights' Provident Union of Port Jackson	a	21s.	a	a	2s. per month	Nil	Nil	Nil	3	20 0	a	a	a	3	16 0	a	a	a
United Plasterers' Society	...	2s. 6d.	a	a	6d. per week	Nil	Nil	Nil	...	15 0	7 6	a	a	12	7 10	a	a	a
United Labourers' Benefit Society	a	2s. 6d.	1s.	10s.	3d. per week	1s.	10s.	Nil	...	...	...	...	...	7 years	15 0	...	...	a
Wesleyan or Protestant Union Benefit Society	18 to 40	20s. to 40s.	a	a	3s. 6d. per month	Nil	Nil	Nil	12	20 0	10 0	a	a	1 to 10 years	20 0	10 0	...	a
Grand United Order of Oddfellows	17 to 40	8s. to 105s.	h	a	1s. per week	a	a	a	...	20 0	15 0	...	5 0	10 to 15 "	25 0	12 6	...	...
Independent Order of Oddfellows	22 to 45	15s. to 100s.	h	h	1s. 3d. per week	a	a	a	6	20 0	12 6	...	5 0	15 to 20 "	30 0	15 0	...	10 0
Independent Order of Rechabites (f)	16 to 45	h	h	h	1s. 8d. per week	h	h	h	...	20 0	10 0	...	5 0	...	35 0	17 10	...	a
Manchester Unity	17 to 37	5s. to 80s.	...	...	1s. 3d. per week	h	h	h	...	20 0	14 0	...	7 0	...	20 0	15 0	15 0	a
Protestant Alliance	17 to 40	10s. to 88s.	2s. to 7s. 6d.	...	1s. per week	Nil	Nil	Nil	...	21 0	15 0	5 0	...	5 years	25 0	15 0	...	a
Order of Royal Foresters	18 to 40	15s. to 120s.	h	h	1s. per week	Nil	...	...	...	21 0	15 0	...	7 0	...	20 0	10 0	...	a
Sons of Temperance	14 to 45	5. to 67s. 6d.	h	h	1s. per week	...	...	...	...	20 0	15 0	...	...	...	25 0	15 0	...	a

a¹ Also Widows and Orphans donation from £10 to £20, according to length of membership. a² Sick pay according to capital of Society. a No provision. b With £1 each additional year until it reaches £10.
c Burial Society only, no sick pay given. d Child or children, if registered on funeral books, £1 10s. each. e If not cured at end of a year, 6s. as long as illness lasts. e¹ Higher contributions if of five years' membership and over.
f Members may enter for full or half benefits. g And 2s. 6d. funeral levies according to term of membership. h According to age.

[Appendix to Mr. Langley's Evidence.]

SPECIAL Report of Committee of the Sovereign Grand Lodge of the I.O.O.F., to whom was referred in 1881 the actuarial position of the Order in America.

Sick Benefits.

The payment of weekly sick benefits is a fundamental principle of the Order. It was founded for that purpose originally; and while it has added to its operations many other forms of pecuniary, social, and moral benefits, the sick benefit retains its leading place as one which can, under no circumstances, be omitted. The chief liabilities of a Lodge are for sick benefits; the chief expenditure of the Order is for this purpose. Out of a total relief expenditure for 1881 of \$1,831,171, no less than \$1,264,784 has gone for the relief of distressed brothers, and the greater proportion of this in the shape of sick benefits.

The liabilities incurred on account of sick benefits are by no means uncertain. Previous reports of Special Committees on this subject have provided the Sovereign Grand Lodge with statistics which we have every reason to believe reliable, and with estimates which appear to us in the main correct. As the average rate of mortality can always be estimated, so can the rate of sickness. As a further contribution, however, to the statistics already collected, your Committee submit a few tables giving the experience of some of our jurisdictions. Pennsylvania, with its large membership of nearly 80,000, affords a broad field for statistical inquiry, and the reports of its Grand Secretary always supply valuable information. The following table shows that the older Lodges have greater liabilities for sickness than the younger:—

TABLE A.
SHOWING experience of Pennsylvania Lodges in 1881, numbered by hundreds.

Lodges numbering from.	Weeks' Sickness.	Number of Members.	Weeks per Member.
No. 1 to No. 100	20,934	15,575	1.352
" 101 " 200	13,057	11,031	1.183
" 201 " 300	10,465	9,757	1.072
" 301 " 400	7,929	8,743	.906
" 401 " 500	6,614	7,155	.924
" 501 " 600	5,856	6,706	.860
" 601 " 700	3,316	5,660	.585
" 701 " 800	2,524	5,544	.555
" 801 " 900	2,192	4,832	.453
" 901 " 978	1,173	3,831	.306

The two following tables show the increase in the average of sickness with the growth of the Order; the first being the average of Pennsylvania for the last nine years; the second the average of the entire Order for the same time:—

TABLE B.
SHOWING average of Sickness in Pennsylvania for nine years.

In 1873	the general average of sickness in weeks for every 100 members was	62.25.
In 1874	"	62.91.
In 1875	"	67.22.
In 1876	"	64.47.
In 1877	"	77.39.
In 1878	"	80.90.
In 1879	"	89.78.
In 1880	"	90.78.
In 1881	"	95.16.

TABLE C.
SHOWING rate per Member in decimals of Deaths, of weeks' Benefits paid, and of widowed Families relieved, from 1873 to 1881.

Year.	Members.	Weeks' Benefits paid.	Average.	Brothers buried.	Average.	Widowed Families relieved.	Average.
1873	414,815	115,289	.2779	4,013	.0096	5,551	.0134
1874	438,701	179,479	.4091	3,889	.0098	5,977	.0136
1875	454,689	211,148	.4667	4,543	.0099	5,931	.0130
1876	456,125	230,398	.5160	4,317	.0094	5,558	.0121
1877	448,019	221,319	.4939	4,284	.0095	5,991	.0133
1878	442,291	297,709	.5368	4,381	.0099	6,162	.0139
1879	440,783	246,768	.5959	4,530	.0102	5,330	.0120
1880	456,942	251,448	.5502	4,504	.0098	5,601	.0100
1881	475,948	285,081	.5989	5,055	.0106	6,287	.0132

It is sometimes assumed that the increased amount of sickness in older Lodges is due chiefly to the fact that such Lodges have a greater variety of members, owing to the length of time they have been in existence, and that the more unhealthy members have retained their connections, while the healthier have been dropped; and that it is not because the average of sickness increases with the age of the individual members. It is of no practical consequence what the cause of the increased liability may be, so long as it exists; but statistics give clear testimony on this point. Take for illustration the experience of Maine for 1881, and of Ontario for six months of that year. The number of lives tabulated is not large, but large enough to illustrate the general law that older men are liable to more sickness in any given year than younger men.

TABLE D.
AVERAGE length of Sickness of Members receiving benefits in Maine in 1881.

Ages of Members receiving Benefits.	Number receiving Benefits.	Weeks' Sickness.	Average per Member.
From 21 to 30 years	178	1,143	6.21
" 31 " 40 "	272	2,178	8.
" 41 " 50 "	209	1,947	9.31
" 51 " 60 "	131	1,345	10.26
" 61 " 70 "	57	821	14.57
" 71 " 80 "	30	715	23.83
" 81 " 85 "	8	309	38.62
	885	8,458	9.55

TABLE E.

AVERAGE length of Sickness of Members receiving Benefits in Ontario, for six months of 1881.

Ages of Members receiving Benefits	Number receiving Benefits.	Weeks' Sickness.	Average per Member.
From 21 to 30 years	156	653	4.18
" 31 " 40 "	185	865	4.67
" 41 " 50 "	108	646	5.98
" 51 " 60 "	34	230	6.76
" 61 " 70 "	10	77	7.70
" 71 " 82 "	3	41	13.66
	496	2,512	5.06

After further investigation, and with the advantages of increased experience and more voluminous statistics, your Committee can find no reason for differing from the opinions and estimates of previous Committees on this subject. The following conclusions appear to us self-evident, viz.:—That sickness increases with age; that taking the average, the older the individual the greater his term of sickness each year, and the older the Lodge the greater its liability for sick benefits; that the only safety for a Lodge is in estimating the average expectation of sickness and mortality when fixing its scale of dues and benefits; that the only fair and equitable system is one which recognizes the comparative liability incurred by a Lodge on account of the different ages of its initiates, and which charges each member dues according to his age when admitted. The arguments bearing on this subject are fully detailed in the report of your Special Committee in 1880 (*Journal*, p. 8442), and need not be repeated here. We agree with the opinions therein expressed, that a graded system of dues is the best; but that when a Lodge prefers a uniform system of dues, it must estimate its liabilities by basing its calculations on the average membership of a Lodge of mature years, and not on that of a young Lodge.

With a view of gaining, if possible, the experience of older Lodges, your Committee have endeavoured to gather from the several jurisdictions the statistics of all Lodges not less than thirty-five years old. The returns are only partial, but are given here so far as received. The sickness reported is below the actual experience of individuals, owing to the fact that only the number of weeks for which benefits have been paid are given; which therefore excludes the sickness of all brothers under any form of disability, and in some jurisdictions the first week of every brother's sickness; while from some localities the returns are otherwise incomplete. Pennsylvania, the largest jurisdiction, gives the most complete returns in regard to sickness.

TABLE F.

STATISTICS for 1881 of Lodges organized prior to January, 1847.

[Jurisdiction,	Lodges.	Members.	Members Sick.	Weeks' Sickness.	Died.	Widowed Families relieved.	Relief of Brothers.	Burying the Dead.	Relief of Widows.	Special Relief.	Education.	Working Expenses.	Total Expenses.	Receipts from Dues and Fees.	Total Receipts.
							\$	\$	\$	\$	\$	\$	\$	\$	\$
Alabama	8	254	32	77	5	17	848 36	169 25	137 35	167 70	....	1,820 50	2,049 16	2,221 72	2,541 57
Arkansas	2	114	12	36	3	1	175 00	135 00	15 00	.....	.....	532 17	907 17	.....	860 35
Delaware	10	861	60	399	7	4	1,755 77	820 00	88 55	53 07	.....	2,576 06	5,293 44	.....	6,941 16
Dist. of Columbia	15	1,854	312	1,498	32	70	5,752 00	1,271 80	3,331 04	.....	352 82	.....	.....	.....	20,691 11
Georgia	9	688	80	302	18	14	1,112 50	305 00	608 00	452 70	252 00	2,200 09	5,099 20	3,882 67	3,882 27
Illinois	17	1,655	246	1,191	24	56	4,806 00	1,431 25	649 00	650 75	79 60	.....	.....	11,074 83	12,405 86
Indiana	48	3,323	430	2,416	38	100	10,203 75	2,309 00	2,396 37	588 46	94 42	15,401 69	31,535 84	23,808 08	42,268 54
Kentucky	23	1,334	278	1,702	27	141	7,106 75	2,037 51	199 20	1,256 50	590 09	.....	11,100 05	.....	11,796 50
Louisiana	7	329	54	231	18	82	1,247 00	.....	737 00	.....	7 50	.....	4,236 25	.....	5,790 67
Maine	12	3,507	335	4,296	44	12	10,809 80	1,545 00	352 00	.....	.....	6,124 01	24,380 81	27,704 18	33,704 68
Massachusetts	85	17,110	1,750	10,936	175	413	40,046 55	7,742 07	4,008 57	5,043 72	298 00	.....	57,138 91	120,117 39	149,120 77
Michigan	16	1,025	51	185	11	14	.....	409 00	219 89	116 67	.....	2,563 50	4,766 45	4,592 14	7,284 58
New Jersey	49	5,124	650	5,804	69	40	22,294 04	5,652 59	657 12	988 12	.....	.....	29,891 88	.....	58,116 94
Ohio	75	8,234	985	7,222	125	140	29,759 89	4,342 97	2,781 65	1,232 79	180 18	34,604 73	78,451 71	.....	76,409 85
Ontario	2	376	43	220	3	11	648 00	90 00	659 75	16 00	.....	946 46	1,056 33	2,323 55	3,770 84
Pennsylvania	236	31,069	.....	39,424	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rhode Island	10	1,949	167	2,068	20	22	3,842 50	992 40	84 76	730 59	146 59	3,669 32	20,201 01	16,028 27	25,979 61
South Carolina	6	178	18	180	10	6	404 00	300 00	250 00	80 00	.....	600 00	1,634 00	.....	2,059 82
Tennessee	13	694	64	478	9	69	2,469 50	440 00	3,748 85	210 00	517 05	4,075 12	11,400 52	4,532 75	10,136 65
Vermont	4	573	28	368	6	.....	1,205 00	165 00	.....	.....	.....	.....	.....	.....	3,167 12
West Virginia	11	793	159	680	16	6	2,342 36	1,983 50	55 00	52 75	9 25	.....	.....	583 00	12,190 19
Wisconsin	8	962	79	269	5	11	625 00	235 00	158 30	48 00	24 00	3,280 96	4,397 46	5,179 20	5,179 20
	656	83,121	5,849	79,002	655	1,191	158,468 71	33,056 34	22,127 10	12,036 88	2,461 50	33,775 60	239,621 22	221,613 33	501,104 98

Table F utters a warning to some jurisdictions, for in no less than four the expenditures exceed the receipts, while in others the balance in favour of the Lodges is very small.

The following averages of the statistics in table are not, of course, calculated for the entire 83,000 members, but only for the number of members in the Lodges reporting each particular item.

TABLE G

TABLE G.

AVERAGE per member in Lodges over thirty-five years old.

Week's sickness for member	361
Week's sickness of sick members	6920
Deaths for 100 members	1273
Widow families relieved per 100 members	2314
Relief of brothers per member	\$3 14
Burying dead	64
Relief of widows	43
Special relief	23
Education	04 4-5
Relief for members	4 48 4-5
Working expenses	3 77
Receipts per dues and fees	6 85
Total receipts	\$9 73

The ratio of Dues and Benefits.

From the data already supplied there need be no difficulty in estimating the probable liabilities of a Lodge, and thus fixing a just rate of dues and benefits. The estimates submitted by your Committee in 1880 appear to be correct, except in the matter of widows' annuities and working expenses, which are placed too low. Careful consideration convinces us that the widows' annuity and the benefits paid on the death of a brother's wife are unwise expenditures when they take the form of a fixed benefit. We exclude them, therefore, from our estimate, and place the benefits at the average maximum paid in the majority of jurisdictions, viz., \$4 weekly benefit; \$40 funeral benefit. Assuming that the Lodge is composed of members at the age of twenty-one, the liabilities will be as follows:—

Half-a-week's sick benefit	\$2 00
Funeral benefit	50
Special relief	35
Maintenance and reserve	3 15
	<hr/>
	\$6 00

This is the smallest sum that should be paid by a member at the age of twenty-one to secure a weekly benefit of \$4, a funeral benefit of \$40, and his share of special relief; as well as to provide his quota towards working expenses, maintenance, and that reserve or surplus which a Lodge should always seek to accumulate. But it would be altogether too small a sum for those of advanced years. For a Lodge that desires to charge its members dues in proportion to the liability incurred on account of each individual, it will be necessary to adopt the system of dues graded according to age at admission, and for that purpose, the table of dues recommended by your Committee in 1880, and appended to this report (Table H) is again recommended as approximately just and safe, as stated in the report, page 8450. "This table is calculated on the simple basis of equality of payments during the expected term of life, and is arranged so as to allow quarterly payments without fractions. Of course this does not fully equalize the brothers, because the amount of sick benefits received increase with age; and therefore the younger still pays more in proportion to what he receives back than the older. It is, however, not unfair for the pecuniary burden to be somewhat heavier on the younger, because he will be a member of the Society for a longer period, and will receive for a greater length of time the moral, social, fraternal, and charitable advantages pertaining to it."

When the Lodge, however, prefers charging a uniform rate for all ages, it would be manifestly unsafe to take the estimate based on a membership at the age of twenty-one years, or even at the average age of membership of a young Lodge. It will be necessary to look far enough into the future, and estimate the liabilities of a Lodge of mature age—say thirty-five years. The statistics in Table F will be serviceable here, taken in connection with the expectation of sickness and death of the average of members of old Lodges.

One week's benefits (an under-estimate)	\$4 00
Funeral benefit	1 00
Special relief	50
Working expenses and maintenance	2 50
	<hr/>
	\$8 00

This is the most liberal allowance of benefits possible, viz., at the rate of \$4 weekly benefit, and \$40 funeral benefit for \$8 yearly dues. If the Lodge proposes paying widows annuities in addition, it may safely calculate that it will need just about as much to meet that one liability alone as for sick benefits, and should make a proportionate increase in dues.

TABLE H.

SHOWING Expectation of Life and Sickness, with Dues graded according to age at admission.

Age.	Expectation of Life—Years and decimals.	Expectation of Sickness for that year—Weeks and decimals.	Yearly Rate.	Quarter's Dues.	Age.	Expectation of Life—Years and decimals.	Expectation of Sickness for that year—Weeks and decimals.	Yearly Rate.	Quarter's Dues.
21	41·5	·450	\$6 00	\$1 50	41	27·4	·763	9 12	2 28
22	40·8	·455	6 12	1 53	42	26·7	·803	9 36	2 34
23	40·2	·460	6 24	1 56	43	26·	·843	9 60	2 40
24	39·5	·465	6 36	1 59	44	25·3	·885	9 92	2 48
25	38·8	·470	6 44	1 61	45	24·5	·930	10 24	2 56
26	38·2	·476	6 56	1 64	46	23·8	·980	10 52	2 68
27	37·4	·483	6 68	1 67	47	23·1	1·035	10 84	2 71
28	36·7	·491	6 80	1 70	48	22·4	1·095	11 20	2 80
29	36·	·499	6 96	1 74	49	21·6	1·166	11 56	2 89
30	35·3	·509	7 08	1 77	50	20·9	1·230	11 96	2 99
31	34·6	·520	7 24	1 81	51	20·2	1·308	12 36	3 09
32	33·9	·532	7 40	1 85	52	19·5	1·396	12 84	3 21
33	33·2	·545	7 56	1 89	53	18·8	1·494	13 28	3 32
34	32·5	·560	7 72	1 93	54	18·1	1·604	13 80	3 45
35	31·8	·578	7 88	1 97	55	17·4	1·730	14 36	3 59
36	31·1	·599	8 04	2 01	56	16·7	1·875	14 96	3 74
37	30·3	·624	8 24	2 06	57	16·	2·040	15 60	3 90
38	29·6	·653	8 44	2 11	58	15·4	2·230	16 20	4 05
39	28·9	·686	8 64	2 16	59	14·7	2·450	17 00	4 25
40	28·2	·723	8 88	2 22	60	14·1	2·700	17 80	4 45

Special

Special Funds.

While the estimates previously given are calculated, as they must be, for the average membership, it will sometimes happen that they will be inadequate to meet the liabilities of individual Lodges. From extravagance in the management of a Lodge, or on account of extraordinary demands upon it owing to sickness or distress among its members above the average, the treasury of the Lodge may be exhausted, even though the dues and benefits are within the limits recommended. Probably the best remedy for this condition of affairs is in the Lodge keeping its funds for special purposes separate from each other. There should be at least three distinct funds, viz., a Benefit Fund, from which should be paid sick and funeral benefits; a Relief or Charity Fund, from which should be paid everything for special relief, aid to widows and orphans, &c.; and a Management Fund, from which should be paid the expenses connected with the maintenance of the Lodge. These funds should be kept distinct from each other, and if one of them becomes exhausted from any cause, instead of drawing on the other funds, assessments should be made on the members.

A little consideration will show the advantage of this course, when there is plenty of money in the treasury and few claims for benefits. There is a temptation to extravagant expenditure for costly regalia, furnishings, &c., and the Lodge thus applies for working expenses more than it should, to the disadvantage of its benefit operations in the future. But if the funds were kept separate, the members would be able to realize the fact that even if there was little going out for benefits, there could be no more left for expenses. The Benefit Fund would be growing against the day of need; the Management Fund would not be any larger; and the same result would follow in regard to special relief or charity. The Lodge should never allow its generosity to give away the money which has been paid into its treasury for benefits; and there is that danger sometimes when the treasury is full. If the Lodge funds are kept distinct, there will be no more spent for management or for charity than the funds for these purposes will allow; and if, from special circumstances, there are extraordinary claims for benefits, the Lodge, instead of taking the money which it will need for its expenses and its charity, will have to reduce its benefits or replenish its Benefit Fund by assessments or otherwise.

In fixing the proportion of receipts to be applied to the different funds, the simpler the operation can be made the better. Assuming that a Lodge charges dues and pays benefits according to the rates recommended, \$2 from the dues should go to the Management Fund, three-fourths of the remainder to the Benefit Fund, and one-fourth to the Relief Fund; admission and degree fees to the Management Fund.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

ALBURY GAS COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
6 *March*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES No. 24. WEDNESDAY, 28 FEBRUARY, 1883.

- 6. ALBURY GAS COMPANY'S BILL (Formal Motion) :—Mr. Cameron, for Mr. Day, moved, pursuant to Notice,— (1.) That the Albury Gas Company's Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers. (2.) That such Committee consist of Mr. Poole, Mr. Cass, Mr. Levin, Mr. Lyne, Dr. Ross, Mr. Barbour, Mr. Moses, Mr. Burns, Mr. Coonan, and the Mover. Question put and passed.

VOTES No. 25. THURSDAY, 1 MARCH, 1883.

- 9. ALBURY GAS COMPANY'S BILL :—Mr. Day (by consent) moved, without Notice, That the Report from the Select Committee of Session 1882 on "Albury Gas Company's Bill," together with the Minutes of Proceedings and Evidence, be referred to the Select Committee now sitting on the Bill. Question put and passed.

VOTES No. 27. TUESDAY, 6 MARCH, 1883.

- 2. ALBURY GAS COMPANY'S BILL :—Mr. Day, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 28th February, 1883; together with a copy of the Bill as agreed to by the Committee. Ordered to be printed.

* * * * *

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Table with 2 columns: Item description and PAGE. Items include: Extracts from Votes and Proceedings (2), Report (3), Proceedings of the Committee (4), Minutes of Evidence (5).

1883.

ALBURY GAS COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose inquiry and report was referred, on the 28th February, 1883,—“*the Albury Gas Company's Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses and the Schedule of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

GEORGE DAY,
Chairman.

No. 3 Committee Room,
Sydney, 6th March, 1883.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 6 MARCH, 1883.

MEMBERS PRESENT:—

Mr. Day,	|	Mr. Burns,
Mr. Moses,	|	Dr. Ross.

Mr. Day called to the Chair.

Entries from Votes and Proceedings, appointing the Committee, and referring Report from Select Committee of Session 1882, read by the Clerk.

Printed copies of the Bill referred, and of the Report from the Select Committee of Session 1882, together with the original Petition to introduce the Bill, before the Committee.

George Day, Esq., a Member of the Committee, sworn and examined in his place.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 to 24 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill to the House.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

ALBURY GAS COMPANY'S BILL.

TUESDAY, 6 MARCH, 1883.

Present:—

MR. BURNS,
MR. DAY,

MR. MOSES,
DR. ROSS.

GEORGE DAY, Esq., IN THE CHAIR.

George Day, Esq., Chairman of the Committee, examined in his place:—

1. *Mr. Burns.*] You were Chairman of the Committee on a Bill similar to this last Session? Yes.
2. Is the Bill before this Committee substantially the same Bill as the Bill which was considered and amended by that Committee, and reported to the House? Yes, I believe it is substantially the same Bill as the Bill of last Session.
3. When that Bill was reported to the House you gave notice of your intention to move the second reading on a future day? Yes.
4. But the House was dissolved before that stage was reached? Yes; it was down for second reading on the day the Government sustained the defeat which led to the dissolution.
5. The Municipality of Albury have given their consent to this Bill? Yes, as shown by a document attached to the petition asking for leave to introduce the Bill, and bearing the signature of the Mayor, Mr. George Thorold, and the seal of the Council. I also produce, as an exhibit, a certificate signed by the Registrar-General to the effect that the Albury Gas Company (Limited) is incorporated and is a limited Company. (*Produced.*)

G. Day, Esq.,
M.P.
6 Mar., 1883.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

AUSTRALIAN GASLIGHT COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
1 *March*, 1883.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 10. WEDNESDAY, 31 JANUARY, 1883.

7. AUSTRALIAN GASLIGHT COMPANY'S BILL (*Formal Motion*):—Mr. Burns moved, pursuant to Notice,—
- (1.) That the Australian Gaslight Company's Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Poole, Dr. Ross, Mr. Griffiths, Mr. Harris, Mr. Tighe, Mr. Fremlin, Mr. Tooth, Mr. Humphery, Mr. Day, and the Mover.
- Question put and passed.
14. AUSTRALIAN GASLIGHT COMPANY'S BILL:—Mr. Burns (*by consent*) moved, without Notice, That the Report from the Select Committee of Session 1881, on "Australian Gaslight Company's Bill," together with the Minutes of Proceedings and Evidence, be referred to the Select Committee now sitting on the Bill.
- Question put and passed.

VOTES NO. 25. THURSDAY, 1 MARCH, 1883.

6. AUSTRALIAN GASLIGHT COMPANY'S BILL:—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 31st January, 1883; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883.

 AUSTRALIAN GASLIGHT COMPANY'S BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose inquiry and report was referred, on the 31st January, 1883,—“*the Australian Gaslight Company's Bill,*” and to whom was referred, on the same date, “*the Report from the Select Committee of Session 1881,*”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

J. F. BURNS,
Chairman.

No. 3 Committee Room,
Sydney, 28th February, 1883.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 7 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Burns,	|	Mr. Poole,
Mr. Tighe,	|	Dr. Ross,
Mr. Griffiths,	|	Mr. Tooth,
	Mr. Day.	

Mr. Burns called to the Chair.

Entries from Votes and Proceedings, appointing the Committee, and referring Report from Select Committee of Session 1881, read by the Clerk.

Printed copies of the Bill referred, and of the Report from the Select Committee of 1881, together with original Petition to introduce the Bill, before the Committee.

Present :—Arthur M. Allen, Esq. (*Solicitor for the Bill*).William Johnston, Esq. (*Secretary to the Australian Gaslight Company*), called in, sworn, and examined.

Witness produced Minute Book of the Company.

Room cleared.

Committee deliberated.

[Adjourned to Wednesday next, at *Three o'clock*.]

WEDNESDAY, 14 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Griffiths,	|	Mr. Day,
Mr. Fremlin,	|	Mr. Tooth,
Mr. Poole,	|	Dr. Ross,
	Mr. Tighe.	

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Committee deliberated.

[Adjourned to Wednesday next, at *Three o'clock*.]

WEDNESDAY, 21 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Poole,	|	Mr. Tooth,
Dr. Ross,	|	Mr. Humphery,
	Mr. Day.	

Clause 1 read, amended*, and agreed to.

Clauses 2 to 5 read and agreed to.

Committee deliberated.

[Adjourned to Wednesday next, at *Three o'clock*.]

WEDNESDAY, 28 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Poole,	|	Mr. Day,
Mr. Griffiths,	|	Dr. Ross.

New* clause, to stand as clause 5, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

SCHEDULE OF AMENDMENTS.

Page 1, clause 1, line 11. *Omit* “(in addition to the sum or sums which they are now authorized to raise) such further sum or sums by way of capital or joint stock as the said Company may think requisite”; *insert* “a further sum or sums increasing the capital (including that which the Company are now authorized to raise) to a sum not exceeding in the whole the sum of eight hundred and fifty thousand pounds.”

Page 2. *Insert* the following new clause to stand clause 5 :—

“5. Nothing contained in this Act or in any of the said Company’s Private Acts heretofore passed by the Legislature shall prevent the said Company being brought under the provisions of any general Act which may be passed by the Parliament of New South Wales applying equally to Companies engaged in the manufacture of Gas in the said Colony with reference to the manufacture and sale of Gas nor entitle the said Company to compensation from the public revenue by reason of the provisions of such general Act for the purpose aforesaid being made applicable to and binding upon the said Company.”

* See Schedule of Amendments.

* See Schedule of Amendments.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

AUSTRALIAN GASLIGHT COMPANY'S BILL.

WEDNESDAY, 7 FEBRUARY, 1883.

Present:—

MR. BURNS,	MR. POOLE,
MR. DAY,	DR. ROSS,
MR. GRIFFITHS,	MR. TIGHE,
MR. TOOTH.	

J. F. BURNS, ESQ., IN THE CHAIR.

Arthur M. Allen, Esq., appeared as Solicitor for the Bill.

William Johnston, Esq., called in and examined:—

1. *Mr. Allen.*] You are Secretary of the Australian Gaslight Company? Yes.
2. You have read the Bill before the Committee? Yes.
3. And are acquainted with its provisions? Yes.
4. Have they been approved by the Company at a general meeting? Yes.
5. Will you read the resolution? The Bill was approved by a general meeting of proprietors, held on Monday, 27th November, 1882. At that meeting the Secretary read the new Bill, whereupon the following resolution was passed:—"Moved by the Chairman, seconded by Mr. Poolman, That this meeting approves of the action taken by the Directors in making application to Parliament for an Act granting the powers expressed in the Bill now read, viz., to increase the capital of the Company, to limit the liability of the shareholders, to raise money by debentures or otherwise, and to extend the powers of the Company to purchase and hold real property."
6. The Company are desirous that this Bill should pass? Yes.
7. What is the present capital of the Company? £300,000.
8. Is it all expended? All expended.
9. Will it be necessary very shortly to erect new works in order to meet the present demand for gas and the demand that is increasing now? Yes, within the next three years we shall have to expend between fifty and sixty thousand pounds.
10. Is the demand for gas increasing very much? Very much.
11. Do new districts apply for it? Both new and old districts in Sydney and the different suburbs.
12. Is the demand increasing along the present lines of main? Yes.
13. Have you had to refuse to supply any place lately? We have not refused to do it, but the supply has to remain in abeyance until we can get this Bill passed.
14. You cannot supply the gas because you are not able to put down the mains? Just so.
15. What district was that? Leichhardt.
16. Then you say more capital is absolutely necessary to carry on the business of the Company? Yes.
17. And one of the objects of the Bill is to increase the capital? Yes.
18. Does the Company desire to limit its liability? Yes.
19. To what extent? To as much again as the paid-up capital.

W. Johnston,
Esq.

7 Feb., 1883.

- W. Johnston, Esq.
7 Feb., 1883.
20. That is the same as in Banks and other Companies? Yes.
 21. But this limitation will not in any way affect existing liabilities? No, not in any way.
 22. The Company also desires to obtain power to borrow money? Yes.
 23. What is the reason of that? The Directors wish to give the creditors of the Company proper security in the shape of mortgage debentures.
 24. They have already borrowed a large sum? Yes.
 25. And will be putting their creditors in a better position by giving them debentures? Yes.
 26. It is cheaper, I believe, to work on some borrowed capital? Yes; had it not been for borrowed capital we should not have been able to meet the requirements of the public.
 27. You would not have been able to carry out all the works and supply all the demand unless you had borrowed money? No, we should not have had sufficient capital.
 28. The borrowing power given by this Bill is limited to one-half the paid-up capital of the Company? Yes.
 29. The money cannot be borrowed without the consent of the shareholders? No.
 30. With reference to the power to hold land: under your present Act you are only entitled to hold 10 acres? Yes.
 31. And that is not sufficient for your present works, and you must have more land if you are to go on supplying the demand for gas? Yes.
 32. *Mr. Tighe.*] Supposing this Bill is passed, would there be any objection to add the word "limited" to the name of the Company, so that all the world might know the class of security offered them? Certainly not. There could be no objection to put in the word "limited," if it was a limited Company.
 33. If this Bill passes, the Company will still be responsible to the full extent of the means of its shareholders for any debts incurred prior to its passing, but immediately it has passed its liability will be limited with regard to new debt; now, would it not be unfair to people in England who may be supplying the Company with goods, to bring them immediately under the operation of the new Act as to limited liability, when they would have no opportunity of knowing that such a change had been made? That could be provided for.
 34. *Chairman.*] Would there be any objection to postpone the operation of the clause limiting the shareholders' liability until every one could have notice of it? There would be no objection to that.
 35. *Dr. Ross.*] Could you inform the Committee how much more money it would take to extend the supply of gas to the outside districts, which you say require it, but cannot be supplied at present. For instance, you spoke of Leichhardt—how much would it require to extend the supply to Leichhardt? About three or four hundred pounds.
 36. How much would it take to purchase the land you require? That depends upon where we have to buy it. If we have to buy land at Darling Harbour it will cost a good deal, but in the suburbs it will cost less. But we have estimated that the necessary additions to our plant during the next three years, commencing the work immediately, will cost between £50,000 and £60,000, to meet present and future demands for gas in the city and suburbs.
 37. *Mr. Poole.*] If I understand you rightly, that will be required principally for the suburbs? To meet the general increase in the demand for gas both in the city and suburbs.
 38. I do not see any clause here limiting the amount of capital: you ask that the limitation in your present Act should be swept away with respect to capital and land, and that no limit should be placed upon your operations for the future,—is not that substantially the case? Yes, there is no limit imposed in this Bill.
 39. I do not see any clause either in your present Act or in this Bill binding you to supply gas to any one, even when the capital is increased? No, I do not think we are bound to supply it—not on demand; we are not bound to supply it.
 40. Neither are you bound to supply gas of any particular quality? No; only that it must be better than the light supplied by an oil-lamp.
 41. Could you define, for the information of the Committee, what kind of light you would get from an oil lamp? It all depends upon the kind of oil and the kind of lamp I presume.
 42. Therefore this clause in the old Act amounts to nothing, because there is no definition of the strength of the light to be given from this oil-lamp? There is no definition.
 43. It might be an oil-lamp of the strength of an Argand burner at one of our light-houses, or it might be an oil-lamp with a single strand of worsted or cotton? Yes.
 44. My object is to ask you if you consider you are bound to give a light of any particular degree of illuminating power in accordance with your Act? No; but I think what was meant was an ordinary domestic oil-lamp giving three or four candle power, and very poor gas would give considerably more than that.
 45. There is nothing in this Bill to bind you to supply gas of any better quality than under the old Act? No.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

COHEN'S ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
4 April, 1883.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 40. FRIDAY, 30 MARCH, 1883.

3. COHEN'S ESTATE BILL (*Formal Motion*):—Mr. Burns moved, pursuant to Notice,—
- (1.) That Cohen's Estate Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Sir Wigram Allen, Mr. Griffiths, Mr. Poole, Mr. Tighe, Mr. Moses, Mr. George Campbell, Dr. Ross, Mr. Bruncker, and the Mover.
- Question put and passed.
-

VOTES No. 42. WEDNESDAY, 4 APRIL, 1883.

2. COHEN'S ESTATE BILL:—Mr. Burns, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 30th March, 1883; together with a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1883.

COHEN'S ESTATE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose inquiry and report was referred, on the 30th March, 1883,—“ *Cohen's Estate Bill*,”—beg to report to your Honorable House :—

That they have examined the witnesses named in the List* (whose * See List, page 4. evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses and the Schedule of the Bill, in which it was not deemed necessary to make any amendment.

The Committee now beg to lay before your Honorable House the Bill without amendment.

J. F. BURNS,
Chairman.

*No. 3 Committee Room,
Sydney, 4th April, 1883.*

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 4 APRIL, 1883.

MEMBERS PRESENT:—

Mr. Burns,	Mr. Tighe,
Mr. Moses,	Mr. Griffiths.

Mr. Burns called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—L. Russell Jones, Esq. (*Solicitor for the Bill*).

L. Russell Jones, Esq., sworn and examined.

Witness produced the Will of Michael Cohen, and the Deeds referred to in the Preamble, and supplied copy of the said Will.

Mrs. Priscilla Cohen called in, sworn, and examined.

Witness withdrew.

George Pile, Esq. (*Auctioneer and Land Valuator*) called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 4 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

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1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

COHEN'S ESTATE BILL.

WEDNESDAY, 4 APRIL, 1883.

Present:—

MR. BURNS,	|	MR. MOSES,
MR. GRIFFITHS,	|	MR. TIGHE.
J. F. BURNS, ESQ., IN THE CHAIR.		

Llewellyn Charles Russell Jones, Esq., called in and examined:—

1. *Chairman.*] You are a member of the firm of Daintrey & Jones, who are Solicitors for the trustees of L. C. R. Jones, the estate of the late Michael Cohen? Yes.
2. Will you explain what is the object of the trustees in applying to Parliament for this Bill? The object is to enable the trustees to sell certain land in Park and Castlereagh Streets, Sydney, described in the Schedule to the Bill, and to make provision for the investment of the proceeds, no power of sale having been given in the will. Esq.
4 April, 1883.
3. Will you state in what way this power of sale will be beneficial to the estate? It is a valuable corner, and it is now let at a comparatively nominal rent. The place is in very bad repair—in fact it is a mere shell. If the property is sold now it will bring a large price, and the money invested in the manner proposed by the Bill will be much more beneficial both for Mrs. Cohen and her children who are interested in the will.
4. Have the trustees any funds at their disposal to enable them to put up proper buildings on the land, or to keep the existing buildings in repair? No funds whatever.
5. Of what does the estate consist? The first portion of the estate was sold under an Act passed in 1873, the provisions of which were similar to those in this Bill. The rents of the property referred to in the present Bill only amount to £5 a week.
6. How many children are there in the family? Eight.
7. Is it the opinion of the trustees that if they had power to sell this property and invest the proceeds as proposed in the Bill it would be better for the estate generally than to retain the property and take the present rents? Yes, they believe it will double the present income. The building at present on the land is likely to be condemned shortly; it is a perfect shell, and cracked everywhere.
8. Have the trustees considered whether it is advisable to let the property on a long lease? Yes, they have considered that, and they do not think the return would be sufficient.
9. In their opinion it would be much better to sell the property and invest the proceeds? Yes.
10. Are the parties interested in the property all agreeable? Yes.
11. Have you heard of any opposition to the Bill? None whatever.
12. *Mr. Tighe.*] Are the children all grown up? Yes, all of age.
13. And they all know of this and are satisfied? Yes.
14. *Mr. Moses.*] How is the property left under the will? A certain portion of the income is to be allowed to the widow, and the balance to be invested for the children's benefit. The widow is never to have less than £4 a week, and the property is only let for £5 a week.
15. *Chairman.*] Do you produce the papers in the case? I produce the will, the title-deeds, and the appointment of new trustees (*produced*). I may mention that the preamble is similar to the preamble of Cohen's Estate Act of 1873, and all the deeds were produced then.

Mrs. Priscilla Cohen examined:—

- Mrs. Priscilla Cohen.
4 April, 1883.
16. *Chairman.*] You are the widow of the late Michael Cohen, of Park and Castlereagh Streets? Yes.
 17. You have heard the evidence given by Mr. Jones with respect to this Bill? Yes.
 18. Do you concur in that evidence? Yes.
 19. Is it your desire and the desire of your family that the property referred to should be sold and the proceeds invested for the benefit of yourself and family? Yes.
 20. Do you think it better for all interested in the estate that this course should be taken? I think so.
 21. You will get a better return by the sale and investment than you do at present? Very much better.
 22. Have you considered whether it might not be better to lease the property for a long period? I do not think it would.
 23. It seems to you that the best course is to sell as proposed in this Bill and invest the proceeds? Yes.
 24. Are your family all quite agreed as to the propriety of applying for this Bill? Yes.
 25. There is no dissension among them about it, of any kind? No.
 26. Most of your family are grown up? Yes, they are all of age; the youngest was 22 last month.

George Pile, Esq., called in and examined:—

- G. Pile, Esq.
4 April, 1883.
27. *Chairman.*] You are an auctioneer and valuator of property in this city? Yes.
 28. Of the firm of Mills & Pile? Yes.
 29. Do you know the property referred to in this Bill, belonging to the estate of the late Michael Cohen? I do.
 30. Do you know the amount of rent received from the property at the present time? £5 a week, I believe.
 31. Do you think the locality is of such a character that a better class of building should be erected there? Certainly. I do not think such buildings as those now upon it should be allowed in such a position.
 32. Is it your opinion that if the property were brought into the market at the present time it would sell advantageously? It is.
 33. How much, in your opinion, would the property realize? I should think it would bring £150 a foot at least, selling by the Castlereagh-street frontage. I believe it would bring £12,000.
 34. Do you think it better for the estate that the property should be sold and the proceeds invested, than to make any attempt to induce others to take the land on a long lease and build? I should sell, if it were mine.
 35. *Mr. Jones.*] From a calculation you have made, you believe the income would be doubled if the land were sold? Yes. I think the expense of keeping such a place in repair would absorb an enormous proportion of the rents. One of the buildings, if a south-east gale came on, would very likely be condemned immediately.
 36. It is in a very bad state of repair? Yes.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

EARNSHAW'S ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
16 *March*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 30. FRIDAY, 9 MARCH, 1883.

7. EARNSHAW'S ESTATE BILL (*Formal Motion*) :—Sir Wigram Allen moved, pursuant to Notice,—
- (1.) That Earnshaw's Estate Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Burns, Mr. George Campbell, Mr. Fletcher, Mr. Garrard, Mr. Gibbes, Mr. Humphery, Mr. Hutchison, Mr. Moses, Mr. Wilson, and the Mover.
- Question put and passed.
-

VOTES NO. 34. FRIDAY, 16 MARCH, 1883.

2. EARNSHAW'S ESTATE BILL :—Sir Wigram Allen, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration this Bill was referred on 9th March, 1883; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

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1883.

EARNSHAW'S ESTATE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 9th March, 1883,—“*Earnshaw's Estate Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

G. WIGRAM ALLEN,
Chairman.

No. 3 Committee Room,
Sydney, 15th March, 1883.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 15 MARCH, 1883.

MEMBERS PRESENT :—

Sir Wigram Allen,	Mr. Humphery,
Mr. George Campbell,	Mr. Burns,
Mr. Wilson,	Mr. Garrard,
Mr. Gibbes.	

Sir Wigram Allen called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—Arthur M. Allen, Esq. (*Solicitor for the Bill*).

Mr. Ambrose Thornley called in, sworn, and examined.

Witness *produced* Probate of the Will of the late Ono Earnshaw, and supplied a copy of the same.

Witness also *produced* certificates of the deaths of Ono Earnshaw, Mary Poyntz, Martha Earnshaw, and Ai Earnshaw, also the certificate of marriage of Ai Earnshaw with Martha Earnshaw.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clause 1 read, amended,* and agreed to.

Clauses 2 to 8 read and agreed to.

Schedule read, amended,* and agreed to.

Title read, amended,* and agreed to.

Chairman to report the Bill, with amendments, to the House.

* See Schedule
of Amendments

SCHEDULE OF AMENDMENTS.

Page 1, Title, line 4. *Omit* “land at Melham at Huddersfield in the county of York in England also”

Page 3, Clause 1, line 30. *Insert* “or any part or parts thereof” after “hereto”

Page 9, Schedule, line 27. *Omit* “And also all the land and hereditaments situated at Melham near Huddersfield in the county of York in that part of the United Kingdom called England comprised in and released by a certain indenture of release recited in the hereinbefore recited codicil to the Will of the said Ono Earnshaw which release bears date the fourteenth day of July one thousand eight hundred and sixty-four and is made between the said Ai Earnshaw of the one part and the said Ono Earnshaw of the other part”

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

EARNSHAW'S ESTATE BILL.

THURSDAY, 15 MARCH, 1883.

Present:—

SIR WIGRAM ALLEN,
MR. BURNS,
MR. GARRARD,

MR. HUMPHERY,
MR. GEORGE CAMPBELL,
MR. GIBBES,

MR. WILSON.

SIR WIGRAM ALLEN IN THE CHAIR.

Arthur M. Allen, Esq., appeared as Solicitor for the Bill.

Mr. Ambrose Thornley sworn and examined:—

1. *Mr. Allen.*] You are executor of the will of the late Mr. Ono Earnshaw, Mr. Thornley? I am.
2. Do you produce the probate of the will and codicil of the late Mr. Ono Earnshaw? I do. (*Produces probate.*)
3. Do you supply an attested copy of the same? I do. (*Produces attested copy.*)
4. Do you know the date of Mr. Ono Earnshaw's death? October 4, 1865.
5. What is the date of the probate? November 17, 1879.
6. Probate was granted to you? It was.
7. Do you know the date of Mary Earnshaw's death? July 22, 1879.
8. Do you hand in a certificate of Ono Earnshaw's death? I do. (*Produces certificate.*)
9. Mary Earnshaw was afterwards married to a man named David Poyntz? Yes.
10. Do you hand in a certificate of the death of Mary Poyntz, who is the same person as the Mary Earnshaw named in the will? I do. (*Produces certificate.*) She was my sister.
11. Martha Earnshaw, named in the will, became afterwards the wife of Ai Earnshaw? Yes.
12. Is that the certificate of the marriage? Yes. (*Produces certificate.*)
13. Do you know the names of the children of the marriage of Ai and Martha Earnshaw? Yes. The first was Ono Earnshaw; the next was George Wellington Earnshaw; the next was Robert Thornley Earnshaw; the next was Mary Thornley Earnshaw; and the next was Martha Earnshaw.
14. Do you know the date of the death of Ono Earnshaw, junior? October 20, 1882.
15. Did he leave any children? Two; Arthur Earnshaw, and Louise Earnshaw.
16. When did Ai Earnshaw die? November 1, 1876.
17. Do you hand in the certificate of his death? I do. (*Produces certificate.*)
18. What are your reasons for wishing to get power to sell this land? In the first place, it is a long way from Sydney, and waste land, and there is expense attached to it which robs the other portion of the estate that we have at the Glebe. We have to pay rates, and for dividing fences, and anything that may occur

Mr. Ambrose
Thornley.
15 Mar., 1883.

Mr. Ambrose
Thornley.
15 Mar., 1883.

occur in that way, and this is taken from the other portion of the estate. I wish to sell that property and fill up the vacant land at the Glebe, so as to get a better dividend for the children.

19. At the present time this land produces nothing at all? Except a very small portion, on which there is a little house. But on one occasion one man went away owing two years' rent. We are at the expense of sending a collector, and very often we cannot get it.

20. There is no power in the will by which you can sell? No.

21. The land is tied up? Yes, to the third generation.

22. You cannot even grant a long lease? No.

23. Nor make it productive? No.

24. And it is only an expense to the rest of the estate? It is.

25. *Chairman.*] Is that property in such a position that you think you can sell it at a fair price? I think so. There are 12 acres adjoining the paddock which I think will fetch a very fair price, and the other, I think, will fetch from £100 to £120 per acre.

26. And the proceeds will enable you to build upon the other property in the same estate, so as to produce a larger income to the children? That is what I want.

27. You are a resident of the Glebe? Yes.

28. What is your business? I have been a builder.

29. So that the Committee may consider your opinion of the value of the land and the investment of the money of some importance? It is of some importance. It would materially assist the children to live. There is not sufficient coming from that property to keep them. I have put two or three of them to different trades, but there is not sufficient to keep them as respectably as I would wish. One of the girls lives with myself, and she is more expensive than the money coming in.

30. *Mr. Wilson.*] Can you tell us whether the estate of Ono Earnshaw, junior, was administered to? I do not know. I know that I give, according to the will, a dividend to the wife for the two children that he had; I have done so ever since his death.

31. *Chairman.*] Is the recital in the Bill a correct recital of the will? It is, so far as I have read it. I have read it through several times.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

HELEY'S ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
16 *March*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 28. WEDNESDAY, 7 MARCH, 1883.

4. HELEY'S ESTATE BILL (*Formal Motion*):—*Mr. Cameron*, for *Mr. Purves*, moved, pursuant to Notice,—
- (1.) That Heley's Estate Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of *Mr. Barbour*, *Mr. Day*, *Mr. Fremlin*, *Mr. Gibbes*, *Mr. Gray*, *Mr. Machattie*, *Mr. O'Connor*, *Mr. Spring*, and the Mover.
- Question put and passed.
-

VOTES No. 34. FRIDAY, 16 MARCH, 1883.

7. HELEY'S ESTATE BILL:—*Mr. Purves*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration this Bill was referred on 7th March, 1883; together with Appendix, and a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.

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1883.

HELEY'S ESTATE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose inquiry and report was referred, on 7th March, 1883,—“*Heley's Estate Bill*,”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedules of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

JNO. M. PURVES,
Chairman.

*No. 3 Committee Room,
Sydney, 16th March, 1883.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 13 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Purves,	|	Mr. Day,
Mr. Spring,	|	Mr. Abigail,
	Mr. Gibbes.	

Mr. Purves called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present :—F. H. King, Esq. (*Solicitor for the Bill*).

F. H. King, Esq., sworn, and examined.

Witness *produced* the Deeds referred to in the Preamble of the Bill, and *handed in* a copy of the Will of the late Michael Heley.

Mrs. Mary Heley called in, sworn, and examined.

Witness withdrew.

Edward Joseph Rubie, Esq., called in, sworn, and examined.

Room cleared.

Committee deliberated.

Ordered,—That Mr. Thomas O'Connor be summoned to give evidence next meeting.

[Adjourned to Friday next, at *Eleven* o'clock.]

FRIDAY, 16 MARCH, 1883.

MEMBERS PRESENT :—

	Mr. Purves in the Chair.	
Mr. Gibbes,	|	Mr. Spring,
	Mr. Fremlin.	

Present :—F. H. King, Esq. (*Solicitor for the Bill*).

F. H. King, Esq., called in, sworn, and further examined.

Witness *handed in* an affidavit from Mary Heley, the widow of Thomas Heley, which was ordered to be appended. (*See Appendix*.)

Mr. Thomas O'Connor called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 5 read and agreed to.

Schedules read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

LIST OF WITNESSES.

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1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

HELEY'S ESTATE BILL.

TUESDAY, 13 MARCH, 1883.

Present:—

MR. FREMLIN,
MR. GIBBES,

MR. PURVES,
MR. SPRING.

J. M. PURVES, Esq., IN THE CHAIR.

F. H. King, Esq., appeared as Solicitor for the Bill.

Frederick Hart King, Esq., examined:—

1. *Chairman.*] You are of the firm of Cope and King, and Solicitor for this Bill? Yes.
2. Do you produce certain deeds to prove the allegations in the preamble of the Bill? Yes; the first is that Thomas Heley was at the time of his death seised in fee simple of the lands set forth in Schedule A of the Bill. I prove that by the production of a conveyance from Thomas Sulway to Thomas Heley, dated 29th April, 1863. (*Deed produced.*) It is a registered deed.
3. Is the land mentioned in the deed correctly described in Schedule A? Yes, I have examined it myself.
4. The next recital is that Thomas Heley died intestate, on or about the 29th November, 1867. How do you prove that? I produce letters of administration of his estate granted to Michael Heley, on the 5th February, 1868. (*Produced.*) I can get Mrs. Heley to prove that he left the children named in that recital. As to the conveyances spoken of in the next recital, I produce, first, a conveyance dated 8th July, 1868, from Michael Heley to Ellen Heley, of Michael Heley's one-fifth share, and also Ellen Heley's one-fifth share, in all the piece of land described in Schedule A. He conveys his own share and her share, to which she is entitled as one of the next of kin. (*Deed produced.*) The next is a conveyance, of the 4th of April, 1872, from Eliza Heley to Michael Heley, of her one-fifth share in the land described in Schedule A. (*Produced.*) The next conveyance is one of the 6th November, 1877, from Mary Ann Heley and Ellen Heley to Michael Heley of their respective shares in the said land, and also the one-fifth share of Michael Heley. (*Produced.*) In virtue of these conveyances Michael Heley became possessed and at the time of his death was still entitled to four-fifths of the fee simple of the said land, subject only to a claim for dower by Mary Heley, the widow of Thomas Heley, who died intestate. I may say there are two persons of the name of Mary Heley referred to in the Bill; one is the widow of Thomas Heley and the other the widow of Michael Heley.
5. How do you prove that Mary Heley, the widow of Thomas Heley, was entitled to dower? Her husband having died intestate, and the conveyance not being in the regular form with the interposition of a trustee to uses to bar dower, Michael Heley made a will on the 3rd May, 1879, whereby he bequeathed all his property to his children in equal shares, and appointed John Wagner and Thomas O'Connor trustees and executors. I produce probate of that will, dated 30th June, 1879. (*Produced.*) The probate is also evidence of his death, which took place on the 4th May, 1879.

F. H. King,
Esq.
13 Mar., 1883.

- F. H. King,
Esq.
13 Mar., 1883.
6. Have you a copy of that will? I have an attested copy. (*Handed in.*) Albina Heley, one of the children of Thomas Heley, who is entitled to one-fifth share of the land referred to, has been for some years, and now is, an inmate of the Hospital for the Insane at Gladesville. I prove that by the production of a declaration and order in Lunacy, made by His Honor Sir William Manning, on the 20th February last. (*Produced.*) This document declares Albina Heley to be a lunatic, appoints Edward Joseph Rubie and Thomas O'Connor committee of her estate, and gives them leave to apply to Parliament for an Act to enable them to sell the land described in Schedule A.
7. How do you propose to prove that Mary Heley, the widow of Thomas Heley, is desirous that this land should be sold, and her right to dower satisfied, as proposed in the Bill? I will get her to come here if I can, but she is a very old woman and has not been out of her house for a very long time. Probably I shall be obliged to prove her consent by affidavit in the usual way. Of course it stands to reason that she would desire the sale, because at present she is getting no income from the land.
8. Have you the indenture of settlement referred to in the next recital? Yes. But first, to prove the title of Thomas Heley to the land referred to in Schedule B, I produce a conveyance from Mrs. Mary Hassall, and another to Michael Heley, dated 11th December, 1872, of the lands described in Schedule B. (*Produced.*)
9. What is the date of the marriage settlement referred to? 26th April, 1875. I produce the indenture of settlement. (*Produced.*)
10. Is the recital in the preamble of the Bill a correct recital of the provisions of that deed of settlement? Yes.
11. Are the persons here named the trustees of the settlement—William Ahern and James Sheridan? They were the persons first appointed, but, as stated in the preamble, Edward Joseph Rubie and Thomas O'Connor are now the duly appointed trustees of both the will and settlement. They were appointed trustees of the settlement by a deed dated 7th November, 1882, made between Mary Heley, widow of Michael Heley, of the first part; James Sheridan, of the second part; and Edward Joseph Rubie and Thomas O'Connor, of the third part. (*Deed produced.*)
12. What became of William Ahern? William Ahern died, I am told. The reason of the power of appointment contained in the deed being exercised was the death of Mr. Ahern and Mr. Sheridan's desire of retiring from the trust.
13. Have Edward Joseph Rubie and Thomas O'Connor accepted the trusteeship? Yes.
14. They are the parties actually applying for this Bill? Yes.
15. Have the buildings erected upon these parcels of land been duly condemned under the provisions of the City Improvement Act? Yes; I have seen the notices, but I have not got them with the papers. As a matter of fact they have been condemned.
16. *Mr. Fremlin.*] Do you know when they were condemned? Within the last twelve months.
17. *Chairman.*] Is there no power of sale in the will or settlement? No.
18. Are the lands now wholly unproductive? Yes, since the buildings were condemned.
19. What was the income of the property before they were condemned? From the land included in Schedule A about £150 a year.
20. And from Schedule B? That is the land that was settled on Mrs. Heley, and she was in occupation of it until the house was condemned.
21. Is she not now? No, no one has been in occupation since then.

Mrs. Mary Heley called in and examined:—

- Mrs. Mary Heley.
13 Mar., 1883.
22. *Chairman.*] Are you the widow of Michael Heley referred to in this Bill? Yes.
23. When did he die? On the 4th May, 1879.
24. When did he make his will? I could not say exactly the date.
25. How many children did he leave? Two.
26. What were their names? Ellen Clotilda and Mary Teresa.
27. You are the Mary Heley mentioned in the marriage settlement referred to in the Bill? Yes.
28. Are you desirous of having the land mentioned in Schedules to the Bill sold by the trustees, Messrs. Rubie and O'Connor? Yes.
29. You do wish the property to be sold? Yes, I think it is the best thing to be done.
30. *Mr. Fremlin.*] You know the two trustees have applied to Parliament for an Act to enable them to sell it? Yes.
31. And you gave your consent that the land should be sold? Yes, it is no use to have it lie idle.
32. Is it bringing in any rent at the present time? I do not think so.
33. Did you appoint Mr. Edward Joseph Rubie and Mr. Thomas O'Connor as your trustees? Yes.
34. Is that your mark to the deed produced? Yes. At the time that was made I had not been well.
35. You made your mark to that deed appointing Messrs. Rubie and O'Connor your trustees? Yes.
36. Can you tell me of your own knowledge how many children Thomas Heley left? Five; Mary Ann, Ellen, Eliza, Albina, and my husband Michael.
37. Any others? I have heard that there was a Jeremiah, but I never saw him.
38. Is there any one who knows anything about Jeremiah—do you know when he was last heard of? I never heard of him since I was married—never since I left home.
39. Have you heard of his death? No.
40. *Mr. Spring.*] Was Jeremiah born in the Colony? No, he was never out here.
41. *Mr. Gibbes.*] Have you any idea whether Jeremiah was the eldest of the family? I could not say, but I think he was.
42. *Mr. Spring.*] From whom did you hear about him? From their mother and from my sister at home before ever I came out here at all.
43. *Chairman.*] How many years is it since you heard of him? Not for a very long time; I have never heard of him since I was married.
44. How many years is that? I could not tell you the year.
45. How old is your eldest child? She was born on the 11th December, twelve years ago.
46. Mary Teresa is the eldest? Yes.

Edward

ON HELEY'S ESTATE BILL.

Edward Joseph Rubie, Esq., called in and examined:—

E. J. Rubie,
Esq.
13 Mar., 1883.

47. *Chairman.*] You are one of the trustees of the will of Michael Heley, and also of the marriage settlement of Mary Heley? Yes.
48. You are one of the parties applying for this Bill? Yes.
49. Do you know the properties described in Schedules A and B? Yes.
50. Have you received notice about them from the Corporation? Yes.
51. What is the effect of the notice? That they are condemned and must be pulled down.
52. Have they been pulled down? No, but they are untenanted.
53. What was the rent of the property in Schedule A before the buildings were condemned? £3 a week.
54. And in Schedule B? It was tenanted by Mrs. Heley since I have been trustee; previous to that it was let at about £2 5s. a week.
55. Have you the notices of condemnation by the Council? No.
56. *Mr. Spring.*] I suppose it is absolutely necessary to sell this property to make it productive? Yes.
57. The estate has no resources to spend upon it? No; there is another house yielding 27s. 6d. a week.
58. *Mr. Fremlin.*] Is your co-trustee, Mr. Thomas O'Connor, perfectly in accord with you as to this sale? Yes.
59. *Chairman.*] Has Mrs. Mary Heley, the widow of Thomas Heley, asked you to apply for this Bill? No, I have never seen her about it, but her daughter and son-in-law have done so. She is a very aged woman.
60. Has Mrs. Mary Heley, the widow of Michael Heley, asked you to do so? She has left the whole matter in our hands. We are acting for her and the others to the best advantage.
61. Do you know what is the value of this property? I could not say.
62. What is the frontage? I think about 36 feet. I fancy it will be worth about £250 a foot.
63. *Mr. Gibbes.*] You think it will be worth something like £9,000? Yes.
64. What other interests are there besides those of Albina Heley and Michael Heley's widow and children? Old Mrs. Heley is entitled to dower; in fact we have been paying old Mrs. Heley £1 a week out of the rents.
65. If you do not sell the property old Mrs. Heley will get no dower? No, there are no funds to pay it.
66. *Mr. Fremlin.*] Have you known this family long? I knew Michael Heley for several years; I did not know his father.
67. Did you ever hear any of them speak of a Jeremiah Heley? No, I did not.
68. Do you know any person who was intimate with this family, and likely to have heard of Jeremiah Heley? The only person would be Mr. O'Connor, my co-trustee.
69. *Chairman.*] Mr. O'Connor knows the Bill is being applied for? Yes.

FRIDAY, 16 MARCH, 1883.

Present:—

MR. FREMLIN,

MR. SPRING.

MR. GIBBES,

J. M. PURVES, Esq., IN THE CHAIR.

Frederick Hart, King, Esq., Solicitor for the Bill, further examined:—

70. *Chairman.*] Have you seen Mary Heley, the widow of Thomas Heley, since the last meeting? I have. F. H. King,
Esq.
16 Mar., 1883.
71. She is not able to be present in person? No.
72. Why? She is very old and infirm.
73. Have you an affidavit from her? Yes. (*Handed in and read. See Appendix*) With reference to what has been said about Jeremiah Heley, I may say that it is not material, as the Bill merely gives power to the trustees to sell the land, which is now unproductive, but Jeremiah Heley's interest (if any) in the proceeds will remain unaffected.

Mr. Thomas O'Connor called in and examined:—

74. *Chairman.*] You are the person mentioned in this Bill as a trustee of the will of Michael Heley? Yes. Mr.
T. O'Connor.
16 Mar., 1883.
75. You are aware that a petition has been presented to Parliament asking Parliament to pass a Bill to enable you and your co-trustee to sell certain properties mentioned in Schedule A of this Bill? Yes.
76. You are in favour of the prayer of that petition being granted? Yes, to enable us to sell the property for the good of the children.

APPENDIX.

[To Evidence of *F. H. King, Esq.*, 16 March, 1883.]

In the matter of the application of Edward Joseph Rubie and Thomas O'Connor for an Act of Parliament to enable them as the trustees of the will of the late Michael Heley, the committee of the estate of Albina Heley, and the trustees of a settlement dated 26 April, 1875, to sell certain lands in the Schedules A and B thereto described, and to provide for the application of the proceeds and for other purposes therein mentioned.

On this fifteenth day of March, in the year one thousand eight hundred and eighty-three, Mary Heley, of Cook-street, Sydney, in the Colony of New South Wales, widow, being duly sworn, maketh oath and saith as follows:—

1. I am the widow of Thomas Heley, late of Sydney, in the Colony aforesaid, boot and shoe maker, deceased.
2. The only children whom the said Thomas Heley left surviving him were Mary Ann, Ellen, Eliza, Albina, and Michael.
3. I am desirous that the land in George-street which formerly belonged to the said Thomas Heley, and out of which I am entitled to dower, may be sold, and I am desirous that this Act may be passed.
4. The said Thomas Heley had another son by me, called "Jeremiah," while I was on my way to this Colony with my said husband twenty-nine years ago; the said Jeremiah left us, and I have never seen him or heard from him since. Thirteen years ago I heard he was dead, and I firmly believe he is dead.
5. The said Thomas Heley had no other children than those I have mentioned.

Sworn by the deponent on the day first above mentioned, at Sydney, before me (the contents } her
hereof having been first read over and explained to her, and she appearing to me fully to } MARY × HELEY.
understand the same). mark.

HENRY E. MAXTED,
A Commissioner for Affidavits.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

MORT'S BAY IMPROVEMENT BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
6 *March*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 29. THURSDAY, 8 MARCH, 1883.

14. **MORT'S BAY IMPROVEMENT BILL**.—Mr. Cameron moved, pursuant to Notice,—
- (1.) That Mort's Bay Improvement Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Copeland, Mr. Burns, Mr. Fletcher, Mr. Roberts, Mr. Gattard, Mr. Hutchinson, Mr. Teece, Mr. Young, and the Mover.
- Question put and passed.
-

VOTES No. 32. WEDNESDAY, 14 MARCH, 1883.

6. **MORT'S BAY IMPROVEMENT BILL**.—Mr. Gattard presented a Petition from Edward Harman Buchanan, of Balmain, Architect, in opposition to this Bill; and praying that he may be represented by Counsel or Solicitor before the Select Committee appointed to report upon the said Bill, and that he may give evidence in reference to the premises aforesaid.
- Petition received, and referred to the Committee on the Bill.
-

VOTES No. 44. FRIDAY, 6 APRIL, 1883.

2. **MORT'S BAY IMPROVEMENT BILL**.—Mr. Cameron, as Chairman, brought up the Report from, and laid upon the Table the Minutes of the Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 8th March, 1883; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
- * * * * *
-

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1883.

MORT'S BAY IMPROVEMENT BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on the 8th March, 1883,—“ *Mort's Bay Improvement Bill*”; and to whom was also referred, on the 14th March, 1883, “ *A Petition from Edward Harman Buchanan, in opposition to the Bill, and praying to be heard by Counsel or Solicitor,*”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose *See List, page 7. evidence will be found appended hereto); and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and Schedules to the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them, with an amended Preamble.

ANGUS CAMERON,
Chairman.

*No. 3 Committee Room,
Sydney, 5th April, 1883.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 13 MARCH, 1883.

MEMBERS PRESENT:—

Mr. Cameron,		Mr. Burns,
Mr. Fletcher,		Mr. Roberts,
Mr. Young,		Mr. Garrard,
	Mr. Hutchinson.	

Mr. Cameron called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—Charles J. Manning, Esq. (*Counsel for the Bill*);P. W. Creagh, Esq. (*Solicitor for the Bill*).

P. W. Creagh, Esq., sworn and examined.

Witness produced the Title-deeds of the Dock Company's land at Mort's Bay.

James Macdonald, Esq. (*Licensed Surveyor*), called in, sworn, and examined.

Witness withdrew.

Quarton Levitte Deloitte, Esq., called in, sworn, and examined.

Witness withdrew.

Robert Frederick Phelps, Esq., called in, sworn, and examined.

Witness withdrew.

William Broomfield, Esq., called in, sworn, and examined.

Witness withdrew.

James Peter Franki, Esq., (*Manager, Mort's Dock Company*) called in, sworn, and examined.

Witness withdrew.

Mr. Samuel Briggs (*Manager, Balmain Steam Ferry*), called in, sworn, and examined.

Witness withdrew.

Mr. William Woodman (*Master, Balmain ferry-boat*), called in, sworn, and examined.

Witness withdrew.

Mr. Henry Aitken (*Master, Balmain ferry-boat*), called in, sworn, and examined.

Room cleared.

Committee deliberated.

[Adjourned to To-morrow, at *Eleven o'clock*.]

WEDNESDAY, 14 MARCH, 1883.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Garrard,		Mr. Roberts,
Mr. Fletcher,		Mr. Burns,
	Mr. Hutchinson.	

Present:—C. J. Manning, Esq. (*Counsel for the Bill*).P. W. Creagh, Esq. (*Solicitor for the Bill*).

Albert Elkington, Esq., called in, sworn, and examined.

Room cleared.

Committee deliberated.

Re-assembling of the Committee to be arranged by the Chairman.

[Adjourned.]

FRIDAY, 16 MARCH, 1883.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Fletcher,		Mr. Garrard,
Mr. Roberts,		Mr. Burns,
Mr. Hutchinson,		Mr. Tecce.

Entry from Votes and Proceedings, referring Petition from Edward Harman Buchanan, praying to be heard by Counsel against the Bill, read by the Clerk.

Petition before the Committee.

Present:—C. J. Manning, Esq. (*Counsel for the Bill*).P. W. Creagh, Esq. (*Solicitor for the Bill*).George B. Simpson, Esq. (*Counsel for Petitioner*).Frederick Curtiss, Esq. (*Solicitor for Petitioner*).

Albert Elkington, Esq., called in, further examined, and cross-examined.

Witness withdrew.

Edward Harman Buchanan, Esq. (*the Petitioner against the Bill*), called in, sworn, examined, and cross-examined.

James Macdonald, Esq., called in and further examined.

Room cleared.

Committee deliberated.

[Adjourned to Tuesday next, at *Eleven o'clock*.]

TUESDAY,

TUESDAY, 20 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Cameron in the Chair.

Mr. Roberts,	|	Mr. Garrard,
Mr. Hutchinson,	|	Mr. Fletcher.

Present :—C. J. Manning, Esq. (*Counsel for the Bill*).
 P. W. Creagh, Esq. (*Solicitor for the Bill*).
 George B. Simpson, Esq. (*Counsel for the Petitioner*).
 Frederick Curtiss, Esq. (*Solicitor for the Petitioner*).

Committee deliberated.

[Adjourned to Thursday next, at *Eleven* o'clock.]

THURSDAY, 22 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Cameron,		Mr. Garrard.
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In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 29 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Cameron in the Chair.

Mr. Teece,	|	Mr. Hutchinson,
	|	Mr. Garrard.

Present :—C. J. Manning, Esq. (*Counsel for the Bill*).
 P. W. Creagh, Esq. (*Solicitor for the Bill*).
 George B. Simpson, Esq. (*Counsel for the Petitioner*).
 Frederick Curtiss, Esq. (*Solicitor for the Petitioner*).

Edward H. Buchanan, Esq., called in, further examined, and cross-examined.
 Witness withdrew.

Mr. William Schultz called in, sworn, examined, and cross-examined.
 Witness withdrew.

Mr. Charles Vanderberg called in, sworn, examined, and cross-examined.
 Witness withdrew.

Mr. Thomas Batement called in, sworn, and examined.

Room cleared.

Committee deliberated.

[Adjourned to To-morrow, at *Ten* o'clock.]

FRIDAY, 30 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Cameron in the Chair.

Mr. Teece,	|	Mr. Hutchinson,
	|	Mr. Garrard.

Present :—Mr. J. Manning, Esq. (*Counsel for the Bill*).
 P. W. Creagh, Esq. (*Solicitor for the Bill*).
 George B. Simpson, Esq. (*Counsel for the Petitioner*).
 Frederick Curtiss, Esq. (*Solicitor for the Petitioner*).

Mr. Manning *produced* a Plan, showing the improvements to Mort's Bay as described in the proposed new Schedules to the Bill, and supplied copies of the same.

Mr. F. Lemm called in, sworn, and examined.

Witness withdrew.

T. R. Allt, Esq., called in, sworn, examined, and cross-examined.

Witness withdrew.

Mr. Charles Read called in, sworn, examined, and cross-examined.

Witness withdrew.

Mr. Henry Walter Callan called in, sworn, examined, and cross-examined.

Witness withdrew.

Mr. William John Weets called in, sworn, and examined.

Witness withdrew.

James Macdonald, Esq., called in, further examined, and cross-examined.

Witness *produced* amended Schedules to be substituted for the Schedules of the Bill.

Room cleared.

Committee deliberated.

[Adjourned to Tuesday next, at *Eleven* o'clock.]

TUESDAY,

TUESDAY, 3 APRIL, 1883,

MEMBERS PRESENT :—

Mr. Cameron in the Chair.

Mr. Garrard, | Mr. Teece.

Present:—C. J. Manning, Esq. (*Counsel for the Bill*).
P. W. Creagh, Esq. (*Solicitor for the Bill*).
George B. Simpson, Esq. (*Counsel for the Petitioner*).
Frederick Curtiss, Esq. (*Solicitor for the Petitioner*).

Committee deliberated.

[Adjourned to Thursday next, at *Eleven* o'clock.]

THURSDAY, 5 APRIL, 1883.

MEMBERS PRESENT :—

Mr. Cameron, in the Chair.

Mr. Garrard, | Mr. Hutchinson.

Preamble considered and amended.

Question—"That this Preamble, as amended, stand part of the Bill,"—put and passed.

Parties called in and informed.

Clause 1 read, amended,* and agreed to.

Clauses 2 and 3 read and agreed to.

Clause 4 read, amended,* and agreed to.

Clauses 5 and 6 read and agreed to.

Schedules read and omitted.

New Schedules* to stand Schedules A-B, C, D, and E, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House, together with an amended Preamble.

SCHEDULE OF AMENDMENTS.

Page 2, Preamble, line 13. *Omit* "and"

Page 2, Preamble, line 21. *Omit* "and also to form and make a certain road or street called Ronald-street from the intersection of Ballast Point Road to the waters of the said Bay"

Page 2, Preamble, line 23. *Omit* "there."

Page 2, Preamble, line 32. *Omit* "and also to form and continue Ronald-street to the waters of the said Bay"

Page 2, clause 1, line 50. *Omit* "pieces or parcels" *insert* "piece or parcel"; also, *omit* "severally"; also, *omit* "Schedules," *insert* "Schedule."

Page 2, clause 1, line 51. *Omit* "A and B," *insert* "A-B."

Page 3, clause 4, line 22. *Omit* "and shall also form and make as a road or street Ronald-street from its intersection with Ballast Point Road to the waters of Mort's Bay"

Page 3, clause 4, line 28. *Insert* "and to the satisfaction" after "direction."

Page 4, Schedules. *Omit* "Schedules A, B, C, D, E," *insert* the following new Schedules to stand A-B, C, D, and E.

SCHEDULE A-B.

All that parcel of land situate in the Borough of Balmain parish of Petersham county of Cumberland and Colony of New South Wales being portion of the five hundred and fifty acres granted to William Balmain containing by admeasurement one rood and twenty-eight perches Commencing at the junction of the north-eastern side of New John-street with the south-eastern side of Mort-street and bounded on the southern side by a line bearing east thirteen degrees fifty-five minutes north three hundred and ten feet to the waters of Mort Bay thence by the waters of that bay bearing northerly about fifty-one feet thence by a line bearing west thirteen degrees fifty-five minutes south two hundred and one feet thence by a line bearing south forty-seven degrees thirty-three minutes west one hundred and five feet to the point of commencement Be the above-mentioned several dimensions a little more or less.

SCHEDULE C.

All that parcel of land situate in the Borough of Balmain parish of Petersham county of Cumberland and Colony of New South Wales being portion of the five hundred and fifty acres granted to William Balmain containing by admeasurement twenty-nine perches Commencing at the junction of the western side of Ronald-street with the northern side of Mort Bay (formerly known as Waterview Bay) and bounded on the east by a portion of the said side of Ronald-street bearing northerly twenty-eight feet six inches thence by a line bearing westerly two hundred and fifty-six feet to Yeend-street thence by a portion of the eastern side of that street being curved line bearing southerly thirty-nine feet to a point distant sixty-five feet from Mort Bay high-water-mark thence by a line bearing easterly one hundred and eighty-seven feet thence by a line bearing southerly thirteen feet to high-water-mark and from thence by high-water-mark being a line bearing easterly fifty feet to the point of commencement.

SCHEDULE D.

SCHEDULE D.

All that portion of land situate in the Borough of Balmain parish of Petersham county of Cumberland and Colony of New South Wales being portion of the five hundred and fifty acres granted to William Balmain and which now forms the lower end of Mort-street containing by admeasurement twenty-six perches and three-quarters of a perch Commencing on the southern side of Mort Bay (formerly called Waterview Bay) and bounded on the northern side by the waters of the said bay bearing westerly fifty-five feet thence by a line bearing south forty-seven degrees thirty-two minutes west one hundred and seventy-one feet to the proposed new street thence by a portion of that street being a line bearing east thirteen degrees fifty-five minutes north one hundred and three feet thence by a line bearing north forty-seven degrees thirty-two minutes east one hundred and twenty-two feet to the point of commencement.

SCHEDULE E.

All that parcel of land situate in the Borough of Balmain parish of Petersham county of Cumberland and Colony of New South Wales being portion of Yeend-street containing by admeasurement fourteen perches and one-half of a perch Commencing at the junction of the eastern side of said street with the waters of Mort Bay (formerly known as Waterview Bay) and bounded on the eastern side by land belonging to Mort's Dock and Engineering Company being a curved line bearing north and westerly sixty-five feet thence by a line bearing westerly one hundred and five feet dividing it from the other portion of Yeend-street on the west by land belonging to said Dock and Engineering Company being a curved line bearing easterly and southerly one hundred and twenty feet to the waters of said Bay and from thence by the waters of that Bay being a line bearing easterly fifty feet to the point of commencement Be the said several dimensions a little more or less.

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1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

MORT'S BAY IMPROVEMENT BILL.

TUESDAY, 13 MARCH, 1883.

Present:—

MR. BURNS,
MR. CAMERON,
MR. FLETCHER,

MR. YOUNG.

MR. GARRARD,
MR. HUTCHINSON,
MR. ROBERTS,

ANGUS CAMERON, Esq., IN THE CHAIR.

C. J. Manning, Esq., appeared as Counsel, and P. W. Creagh, Esq., as Solicitor, for the Bill.

Patrick William Creagh, Esq., examined:—

1. *Mr. Manning.*] You are a member of the firm of Creagh & Williams, Solicitors? Yes.
2. And you are Solicitor for Mort's Bay Improvement Bill? Yes.
3. You know the portions of land which Mort's Dock and Engineering Company propose to dedicate to the public in connection with this Bill, on the north side and the south side of the dock? Yes.
4. Do you produce the title-deeds of the Dock Company to these portions of land? I do. (*Deeds produced.*) I produce deeds showing that the piece of land on the south side described in Schedules A and B, and the piece on the north side, Schedule C, are vested in Mort's Dock and Engineering Company (Limited), having been conveyed to them by Mr. Thos. S. Mort, who held the land for many years. I have gone through the title-deeds, and the abstract shows that the title is the Balmain title registered in the Lands Titles Office, and the title from that is complete, the property having been conveyed to Mr. Mort in 1854, and by him to the Company in 1875, since which time it has been in their possession.
5. In whom is Yeend-street vested? Yeend-street was dedicated, or at least thrown open, to the public by a private Act of 31st Victoria, obtained by Mr. Mort; it was then his property. The Act is known as the Waterview Patent Slip Act, passed in 1867. I also produce a printed copy of the Memorandum of Association of Mort's Dock and Engineering Company (Limited), showing that the Company is duly registered, with power to acquire and hold land.

P. W.
Creagh, Esq.
13 Mar., 1883.

James Macdonald, Esq., called in and examined:—

6. *Mr. Manning.*] You are a surveyor? Yes, and architect.
7. You know the portions of land which by this Bill the Mort's Dock Company propose to dedicate to the public? I do.
8. Do the Schedules to the Bill now before the Committee correctly describe the land referred to therein? Yes.
9. The Dock Company propose to widen John-street 20 feet? Yes.
10. *Chairman.*] At the present time John-street is 30 feet wide, and it is proposed to make it 50 feet wide? Yes.

J. Macdonald,
Esq.
13 Mar., 1883.

- J. Macdonald, Esq.
13 Mar., 1882.
11. *Mr. Manning.*] From Mort-street to a new street set out in Schedule B? Yes.
 12. That connects John-street with a proposed new street described in Schedule B, which is a continuation of Clayton-street, thus making a new street to the waters of Waterview Bay 50 feet wide? Yes.
 13. Being the same width as Mort-street now in use? Yes.
 14. The proposed new street described in Schedule B is 146 feet from Mort-street? Yes.
 15. *Mr. Burns.*] Have you heard of any opposition, on the part of the local inhabitants, to the closing of the old street and the opening of the new one? There is some opposition by a few.
 16. Is any opposition threatened before Parliament? Yes; I heard there was a meeting last night, at which some resolutions were passed to oppose it.
 17. On what grounds? I could not rightly understand on what grounds, except the general objection they have to the closing of the street.
 18. *Chairman.*] You are a resident of Balmain? Yes.
 19. And have been for a number of years? Yes.
 20. I suppose you are pretty well aware of the general feeling of the inhabitants in reference to this matter? Yes.
 21. Will you kindly tell the Committee whether, so far as you are aware, the majority are in favour of the alterations proposed in this Bill? I think I may say that those who make use of that ferry are almost altogether in favour of this alteration. At present the steamers and vessels going into and out of the dock, and having lines run out to the buoys, are a great hindrance to the passenger traffic. At times the steamers are unable to call at the Snail's Bay and Mort-street jetties because of the obstruction offered in this way.
 22. Is it a fact that the Municipal Council of the Borough of Balmain have passed a resolution in favour of this Bill? Yes.
 23. *Mr. Burns.*] How long ago? Some time during last year.
 24. *Mr. Fletcher.*] Does any portion of Mort-street proposed to be closed run through private property? No, the property on both sides belongs to the Company.
 25. In the event of the new road being opened to the proposed new jetty, is it a fact that the public will only be required to walk 140 feet further than they now do? Yes, that is all.
 26. At present how wide is John-street? Thirty feet.
 27. Do the Promoters of this Bill propose to widen that street to make it uniform with Mort-street? Yes.
 28. In your opinion, if these new jetties be erected, will they be really a convenience to the public travelling by the steamers? Yes, a great convenience.
 29. *Mr. Young.*] Will the proposed alterations, in your opinion, depreciate the value of property in Mort-street? I cannot see how it can do so.
 30. Would the gradient by this new street be as good as by the one at present in use? It would be nearly as good; if it is not so now it could be made so.
 31. The gradient can be made as easy by Clayton-street as by Mort-street? Yes.
 32. Do the same remarks apply to the alteration on the other side? It is proposed to have steps there, but the gradient could be eased by a little alteration. The argument as to the convenience to the public applies to this as well as to the other side.
 33. Will any property be depreciated in value by the change to Yeend-street? No; all the property on both sides belongs to the Dock Company.
 34. No private interests are affected? No.
 35. You stated that you knew that some persons are antagonistic to this Bill: do you know of your own knowledge what steps are to be taken by them? Some parties who held a meeting last night passed a resolution that the local Members be requested to oppose the passing of the Bill.
 36. *Chairman.*] Do you know of your own knowledge how the local Members intend to act in reference to this matter? I do not; but they are both members of the Borough Council, and voted in favour of this Bill when it was before that body.
 37. *Mr. Manning.*] Are you a member of the Borough Council? Yes.
 38. And you voted in favour of the Bill being passed? Yes.

Quarton Levitt Deloitte, Esq., called in and examined:—

- Q. L. Deloitte, Esq.
13 Mar., 1882.
39. *Mr. Manning.*] You are a resident of Balmain, and have been so for many years? Yes.
 40. On which side of Balmain do you reside? Snail's Bay.
 41. Do you know the alterations proposed by this Bill? I do.
 42. In your opinion, would they be an advantage to the residents on that side of Balmain? Yes.
 43. At present we understand considerable inconvenience arises from the position of the wharf at Yeend-street? Yes.
 44. Not only to the residents of Snail's Bay, but also to the residents of the other side; it would be a considerable convenience if these wharves could be altered as proposed? Yes, to the other side of the sheer-legs, as proposed by the Bill.
 45. The existence of the dock and engineering works is of very great advantage to the district of Balmain? Yes, no doubt of that.
 46. And of course as their works extend more ships are brought to them, and it is those ships being brought there that has caused the inconvenience? Yes, at present it is so.
 47. With regard to the traffic, would it be a convenience to the people that the road should be altered instead of going by Yeend-street? Yes, with a good approach. A promise has been made that the residents should not suffer. There may be a difficulty about the steps, but that can be easily overcome.
 48. Now about the south side, can you speak of that side? The Company have property on that side, and if they make use of it the wharf must be moved, or the passenger steamers cannot get in and out.
 49. If the Dock Company utilize their land to the east of Mort-street, that would block the traffic even more than at present? Yes.
 50. Are the people of Balmain generally in favour of the proposed alterations? Those who have the interest of the place at heart cannot have very much objection. The inconvenience at present is very great; often when the steamers are expected to call at the wharves they do not call at all, because they cannot get in, and sometimes when we have to catch a train we miss it on that account.

51. This alteration would amend that state of things? Yes, in a great measure.
52. *Mr. Fletcher.*] Do I understand you to say you travel frequently by these ferry-boats? Every day.
53. I think you say there are times when the ferry-boats cannot get in to the wharves as at present arranged? Yes.
54. Under such circumstances are passengers compelled to wait? Yes. The ferry-boats cannot get to the Yeend-street jetty, because of ropes attached to the buoys when vessels are being taken in and out of the dock.
55. If the wharves are altered as proposed by this Bill, and the sheer-legs shifted, that inconvenience would be obviated? Yes, because the buoys would be inside the track of the steamers, and the ropes would not prevent them going in.
56. Would the steamers then be able to call there on all their trips? Yes.
57. *Mr. Young.*] Is it your opinion that property-holders in Mort-street would have any cause to complain that their property will be depreciated? I do not see it.
58. If Clayton-street be continued, would not the traffic be diverted from Mort-street along Clayton-street? It might, but it would make little difference.
59. Then, in your opinion, the alteration will not deteriorate property in Mort-street? No.
60. *Mr. Manning.*] Which would be the principal thoroughfare? Mort-street, up to corner of Mort and New John-street. People would have to go 146 feet further, but through a better street.

Q. L.
Deloitte,
Esq.
13 Mar., 1883.

Mr. Robert Frederick Phelps called in and examined:—

61. *Mr. Manning.*] You are a resident at Balmain, on the south side of Waterview Bay? Yes.
62. Do you travel by that ferry? Yes, daily.
63. Do you know the alterations proposed by this Bill? Yes.
64. Are you a property-holder there? Yes.
65. In your opinion, would the proposed alterations be for the general advantage to the public in that neighbourhood? Yes, I consider they would be a great advantage to people travelling and to property-holders and the inhabitants of Balmain generally.
66. The main traffic would still come round by Mort-street? Yes, I think it would.
67. So that property in Mort-street would not be affected in any way? No.
68. With regard to the alteration on the north side, do you think that will be an advantage? It would be a great advantage to the people, because they would be able to depend upon the steamer calling in in a proper way; at present they cannot do so.
69. *Mr. Young.*] Are you aware of any feeling against this Bill among the residents? I know there is some opposition on the part of a few persons, but I was not aware there was much until yesterday when I saw a petition being signed against the Bill.
70. You are aware that there are a body of people over there that object to this Bill? I cannot say I would call them a body of people; there is a feeling on the part of a few, I believe, but I cannot say I have met with any one who has any great objection to it.
71. You know a petition has been signed against it? Yes.
72. *Chairman.*] As a matter of fact, does not the opposition principally come from a local publican who thinks his interests will be affected? Yes, so I understand.
73. *Mr. Fletcher.*] During the late general elections, was not this made a question for and against the alterations? I cannot say I remember that such was the case—it might have been so.
74. You say you saw persons signing a petition: did you see them yourself? Yes.
75. Were you asked to sign the petition? No. The petition was in charge of a youth.
76. Did you hear any one asked to sign the petition? I cannot say I heard anybody asked directly during the time I was passing.
77. Did you see anybody sign the petition? Yes, I saw four working-men, and I believe that after they signed it they were sorry they had done so, from what one of them said to me. An expression which fell from one of them as he rushed to sign it was—"It is against the dock; I will sign."
78. You did not hear anything from the youth in charge of the petition as to why they were asking for signatures? No; he was rather a quiet lad.

Mr.
R. F. Phelps,
13 Mar., 1883.

Mr. William Broomfield called in and examined:—

79. *Mr. Manning.*] You are a resident on the north side of Waterview Bay? Yes, at Snail's Bay.
80. Do you know the alterations proposed to be made on both sides? Yes.
81. Would the alterations on your side be an advantage to the people living there? Decidedly an advantage. It is nearly an every-day occurrence that the steamers taking us from Darling-street miss Snail's Bay altogether, on account of the large vessels overlapping the Snail's Bay wharf.
82. With regard to the south side, do you know anything about that? Yes.
83. Would the proposed alteration there be an advantage, in your opinion? A great advantage. From Snail's Bay wharf it would then be a direct line, and the buoys would be all inside, so that the wharfs would not interfere with the jetties.
84. Do you think any person can reasonably object to the alterations? No, I do not see why they should; I do not see how they well can; I believe it is intended to widen John-street.
85. Would not the widening of John-street bring all the traffic up Mort-street and make the property there just as valuable as ever? It would improve the property there.
86. It would improve the property in John-street, and would not injuriously affect the property in Mort-street? No; there are no buildings at all on that portion of Mort-street that they want to shut up; the traffic would only be forced 146 feet further, I believe.
87. The main traffic would still go up Mort-street by John-street? Certainly.
88. *Mr. Burns.*] How long have you been resident at Balmain? Twelve years, I think; I have been at Snail's Bay for three years.
89. Has there been any opposition to this proposal? I believe there has been something of the kind; there was a meeting last night at Balmain, and they are getting up a petition.

Mr. W.
Broomfield.
13 Mar., 1883.

- Mr. W. Broomfield. 90. Do you know who the parties are? No; I know they are getting any one they can to sign the petition. I was looking over it yesterday afternoon, and I saw there were a lot of Vernon boys had signed it.
- 13 Mar., 1883. 91. Do you see any reason for the opposition to the Bill? No, only a spirit of opposition. It cannot affect property there, except as an improvement. I know everybody at Snail's Bay without exception would be in favour of moving the Snail's Bay wharf.
92. *Chairman.*] In favour of the alterations proposed by this Bill? Yes. It happens very frequently that the ferry-boats cannot land their passengers or call for them at Snail's Bay. Only on Friday night I wanted to catch a tram, and the steamer did not stop at Snail's Bay, and we were delayed half an hour.
93. *Mr. Young.*] You said nearly every one at Snail's Bay would be in favour of the proposed alteration—you did not apply that observation to the other side? I do not know so much about that side, but I see no reason why they should object; I do not know so much about the alteration on the other side.
94. You know the proposed new street is called Clayton-street: if Clayton-street were extended up to New John-street and up New John-street to Mort-street, would it divert the traffic from Mort-street and depreciate the value of property in Mort-street? I do not think so; the shops are in Mort-street now; there are only a few private houses in Clayton-street.
95. *Chairman.*] Mr. Young wishes to know whether you think the proposed alteration would depreciate property in Mort-street? No, I do not see why it should.

James Peter Franki, Esq., called in and examined:—

- J. P. Franki, Esq. 96. *Chairman.*] You are Manager of the Mort's Dock and Engineering Company? Yes.
- 13 Mar., 1883. 97. And have been resident at Balmain for a number of years? Yes.
98. *Mr. Manning.*] I believe you have been requested by the Marine Board to try and make some alterations to give greater facilities to the ferry-steamers plying to Waterview Bay? Yes.
99. And it was with a desire to carry out this wish of the Marine Board that you first took up this matter to see what could be done? Yes.
100. By the proposals you make now, the ships brought up to your dock will not interfere with the landing of passengers at Snail's Bay or with the traffic from Snail's Bay? No, not at all.
101. Your large buoys will be inside the line of traffic? Yes.
102. Do you use the land at the east side of Mort-street now? No, we are not using it.
103. If you were to use it, would that necessarily still further interfere with the traffic of the ferry-steamers? Yes, if we did use it, it would still further impede the navigation—the ferry-steamers could not get in and out at all.
104. By the plan you now suggest you would be able to use this land, and the public would be able to land at the jetties at all times without interruption? Yes.
105. In your opinion, will the traffic in any way be diverted from Mort-street by the alterations? No, it cannot be, because we are going to widen John-street to make that a regular parade, and make it almost a level road where it is now a steep incline; we are going to put a wall so as to make it level with that portion of Mort-street, so that carriages can drive round.
106. Mort-street must be the main street all through? Yes. We intend, in fact, to improve the approaches, which will increase the value of property; people will naturally go where there is most room.
107. The traffic not being impeded will also tend to improve the value of property there? Of course.
108. Clayton-street, above John-street, is a narrow street with only a few private houses in it? That is all; there is nothing on one side, and on the other side only a few weatherboard cottages.
109. With regard to the improvements on the north side, apart from all question of the Company, do you think they will be a great improvement to the public? Yes. Last week for three or four hours the ferry-steamers could not call in because the ships were in transit from the wharf to the sheers or into the dock.
110. As a matter of fact, the prosperity of Mort-street and Balmain has been brought about by the dock and the business coming to the dock? Yes.
111. And the more business that comes to the dock, the better for the people in Mort-street? Yes. Some improvement must be made, or business men will not come to that part of Balmain if they cannot get into town readily.
112. *Chairman.*] You are aware that there is a certain amount of opposition to this Bill from some local residents? Yes; I saw a petition being signed indiscriminately by boys and everybody else.
113. Having been long resident in Balmain, you have had frequent opportunities of judging of public feeling there? Yes.
114. Are the people generally in favour of the proposed improvements? Yes, except a few; there are two public-houses there, and a butcher's shop further up; all the business to these public-houses comes from the dock and the ships lying in the dock.
115. It frequently happens that passengers to and from Balmain suffer considerable inconvenience through the ferry-boats not being able to get in at the present time? Yes, which all the directors and masters of the boats can prove. There was a case not long ago where the man in charge of a steamer actually cut a rope because it was in his way.
116. *Mr. Fletcher.*] I think you stated that the alteration as proposed by this Bill will not depreciate property in Mort-street? I am positive about that—it cannot.
117. Is it necessary for the carrying out of the works connected with the dock that you should extend the wharf on the south and north side of the bay, as proposed in this Bill? It is.
118. Can these works on the south side be extended without removing the steamer jetty? No, they cannot; we cannot get the accommodation without interfering with the ferry wharf altogether; we would have to build out on the other side on our land, and that would shut the ferry-boats out altogether; they have only got 50 feet, the width of the street, and if they could come in at all they would have to come end on.
119. Do I understand that that is the whole of the space available for the ferry-boats? Yes; they are encroaching on our land now; they come in sideways, and we could prevent that.
120. If the alterations are made on the north and south sides as proposed, will there be a clear and straight course for the ferry-boats? Yes, perfectly clear.

121. *Mr. Young.*] What is the width of Clayton-street as it is now? 30 feet.
122. And of Mort-street? 50 feet. We propose to make the new street in lieu of Mort-street 50 feet.
123. If Clayton-street were formed and made like Mort-street, would the principal traffic still go up Mort-street? Yes.
124. And property there would be in no way depreciated? No, it would be improved.
125. *Mr. Garrard.*] What is the difference between the level of Mort-street at the junction of John-street and the level of Clayton-street at the junction of John-street? I think not more than 4 or 5 feet when we build it up; we intend to build it up so as to make the gradient easier.
126. Is it a fact that Mort-street is an easier gradient than Clayton-street will be? I do not think so, because it will be made with an inclination down to the same level, down to the wharf; we will build up the wharf to any level the Council require, to give it any inclination they like. There is not more than 4 or 5 feet difference now.
127. There is an increased height there at the junction of Clayton-street and John-street, as compared with Mort-street and John-street—a steeper incline? Not necessarily, because we can raise the wharf up 2 or 3 feet and make the inclination to ease it off.
128. *Chairman.*] It is your intention to construct the wharf so as to do away with that inclination? To construct it to the Council's satisfaction.
129. *Mr. Hutchinson.*] Is it necessary for carrying on the works to take in this small piece of ground—could you not take in land on the north side or in any other direction? No, it would not answer the same purpose.
130. *Mr. Garrard.*] Do you not think the landing of passengers at Clayton-street proposed wharf would be the means of diverting the passenger traffic up that street and ignoring Mort-street between New John-street and Cameron-street? No, I do not think so; people would not go up Cameron-street, which is only a narrow lane, in preference to a good street like Mort-street.
131. Are you aware whether the opponents of this Bill have had the opportunity of putting their views before either the Borough Council or this Committee? Yes; the matter has been before the Borough Council for five or six months.
132. *Mr. Manning.*] The intention to apply for the Bill was advertised during the last Session of Parliament? Yes.
133. And also for the usual time before application was made to the present Parliament? Yes.
134. *Chairman.*] Was not the Bill introduced into the House before the dissolution of the last Parliament? Yes.
135. And has it not been advertised for four consecutive weeks during this Session? Yes.

J. P. Franki,
Esq.
13 Mar., 1883.

Mr. Samuel Briggs called in and examined:—

136. *Chairman.*] You are an engineer? Yes.
137. What position do you occupy at the present time? Manager of the Balmain Steam Ferry.
138. *Mr. Manning.*] You know the alterations proposed in this Bill? Yes.
139. As far as your interest is concerned, do you think you will be benefited by these alterations? Yes, very much. I think the travelling public will save from seven to eight minutes in travelling from the dock to Erskine-street. There is at present a good deal of delay and inconvenience, generally in the morning, which is the most important time to passengers, when they are shifting the position of the mail-boats and other vessels in the neighbourhood of the dock, the buoys from which the lines are run out being between the line of traffic and the wharves.
140. The short extra distance the passengers would have to walk from the proposed new wharf would be no inconvenience, compared to the convenience of access to the wharf that would be afforded by the proposed alteration? None whatever, compared to the time they lose now at Snail's Bay wharf; we have to go out to ascertain point and back to Snail's Bay wharf, which causes a delay of seven or eight minutes.
141. There would be no difficulty in the way of carrying out these plans? No difficulty whatever.
142. Where do you live? Just above the Company's works.
143. Which wharf do you land at? Mort-street wharf.
144. If the Company were to utilize their land to the east of Mort-street, would you be able to use the present wharf; if they were to run out wharves from it, would it not considerably inconvenience you in your use of the ferry wharf? Yes, we could not do it—it would block us out. Now, if they have a collier discharging coal, we cannot put a boat on that side.
145. With the wharf as proposed by the Bill you would have ample room? Yes.
146. Do you think property in Mort-street above John-street would be in any way depreciated by the alteration? In my opinion it would be enhanced in value; a great deal of land now unsold would be taken up and houses built on it. The only difference it would make would be that people would have to walk 140 or 150 feet further in leaving the ferry wharf; I think the new street would be better for the public.
147. *Chairman.*] You have been a resident of Balmain for a good many years? Yes, seventeen years.
148. And you have pretty good opportunity of knowing the public feeling about this matter? Yes.
149. What is your opinion? There are a great number in favour of the alteration.
150. There is some opposition? Yes, a few of those interested round the locality, but not many.
151. *Mr. Hutchinson.*] The wharf to be erected there would have to be at a higher elevation than the old wharf, consequently the gradients would not be greater? Yes.

Mr. S. Briggs.
13 Mar., 1883.

Mr. William Woodman called in and examined:—

152. *Chairman.*] What are you? Master of one of the Balmain ferry-boats plying to Waterview Bay.
153. *Mr. Manning.*] Do you find great inconvenience with the wharves as at present situated there? Yes, between Snail's Bay and what we call Mort's Dock.
154. Have you considerable difficulty in getting into Snail's Bay wharf at times? Yes, great difficulty, and great difficulty in getting into the dock wharf too.

Mr.
W. Woodman.
13 Mar., 1883.
155.

- Mr. W. Woodman. 155. Do your passengers complain about the difficulty—being kept waiting. Very often.
 156. Do you know where it is proposed to put the new wharf? No.
 13 Mar., 1883. 157. If the new wharf were put near to where the sheer-legs are now (*pointing out the spot on the plan*) and the other wharf at Clayton-street, would that give you a clear course across? Yes, if the buoys were taken away.
 158. Would not your course then be outside the buoys? No; one buoy, the P. and O. buoy, would be outside. If the two outside buoys were taken up we would have a clear course.
 159. *Chairman.*] You are of opinion that something is required to alter the existing state of affairs? Yes.
 160. So far as you understand the proposed alterations, in your opinion they will be decided improvements? Yes. It is a great detriment not only to us but to the public as it is now.
 161. *Mr. Garrard.*] If the buoys between the present Snail's Bay wharf and Mort-street were taken away the difficulty would be removed? Yes.
 162. *Mr. Fletcher.*] Even supposing there were no buoys in your course to the present wharves, when a large vessel is lying at the sheer-legs you could not go straight in? No.
 163. If the sheer-legs were shifted further in towards the dock, and the wharf, as proposed by this Bill, put outside the sheer-legs, that would enable you to run straight in? Yes, provided they had no buoys in the road.

Mr. Henry Aitken called in and examined:—

- Mr. H. Aitken. 164. *Chairman.*] You are master of a ferry-boat running between Sydney and Balmain? Yes.
 13 Mar., 1883. 165. *Mr. Manning.*] Are you constantly put to inconvenience in using the wharves at Mort-street and Snail's Bay? Yes.
 166. Are there times when you cannot get into Snail's Bay wharf at all? Yes.
 167. Because of vessels passing at the time to and fro from the sheer-legs? Yes, from vessels lying at the sheer-legs and having lines out to the buoys.
 168. And vessels passing by? Not so much that; we can always get on one side or the other of them. It is the lines out to the buoys that are the greatest hindrance.
 169. Do you know Clayton-street? Yes.
 170. Suppose Clayton-street were continued to the water's edge, and made 50 feet wide, and a wharf put there instead of at Mort-street, and another wharf run out outside the sheer-legs, would these two wharves be more convenient to the public than the present ones? Yes, a great deal more.
 171. Would that give you a perfectly clear course across, and enable you to save time and keep time? Yes; if they had a wharf there, of course the buoys they have there now would be shifted for their own purposes.
 172. You would then have a clear course? Yes.
 173. Do you ever now have difficulty in getting to Mort-street wharf when vessels are being shifted? Yes, when they have their lines out to the buoys.
 174. If there is a vessel coaling now on the east side of the jetty you can only use one side of it? We cannot use either side—we can only go to the end when they have a line out to the buoy.
 175. At the new wharf as proposed you would be able to get in anyhow you liked? Yes, clear of everything.
 176. *Chairman.*] You think the proposed alterations would be a decided improvement? Yes.
 177. You have frequent opportunities of hearing the travelling public express their opinions? Yes.
 178. So far as you are able to form an opinion, are they in favour of the alteration? There are a great many in favour of it, but others are against it.
 179. Are the majority in favour of it? Yes.
 180. *Mr. Hutchinson.*] Who are principally against it—are they people living in the neighbourhood? I think some of them are, but many of them complain of the inconvenience of the present arrangements.
 181. Are there any against closing up Mort-street and opening Clayton-street? Yes.
 182. Are they principally persons having property there? Yes, I think so.
 183. Would any inconvenience arise to passengers living a little distance from Mort-street? No, I do not think so; they may have a few feet further to walk, but that does not matter.
 184. How much longer time would it take? About a minute perhaps.
 185. *Mr. Young.*] You say that if the proposed change were made, the Company would change the position of these buoys for their own purposes? Yes, that is what I hear people saying.
 186. Would not buoys be required then for the same purposes as now, to enable vessels to go on the slips—why should they change them? They would have to change them if they shifted the sheer-legs.
 187. Why should they change the position of the buoys because the positions of these wharves are changed? They would have to change the two outer buoys on account of changing the sheer-legs.
 188. These buoys are for use by vessels going on the slips, are they not? Yes, but they would all be shifted if this change is made.

WEDNESDAY, 14 MARCH, 1883.

Present:—

MR. BURNS,		MR. HUTCHINSON,
MR. FLETCHER,		MR. GARRARD,
	MR. ROBERTS.	

ANGUS CAMERON, ESQ., IN THE CHAIR.

Mr. C. J. Manning appeared as Counsel for the Bill.

Albert Elkington, Esq., sworn and examined:—

- A. Elkington, Esq. 189. *Chairman.*] What is your name? Albert Elkington.
 14 Mar., 1883. 190. *Mr. Manning.*] You are a resident of Balmain? Yes.
 191. And have been for a number of years? Yes.
 192. And you know the district and the people very well, and are a constant traveller by the ferries? Yes.

193. Are you aware of the alterations proposed by this Bill? I am.
 194. And you are aware that it is proposed to close that little bit of Mort-street, below John-street, where the ferry lands now? Yes; opposite the "Forth and Clyde Hotel."
 195. It is proposed to widen John-street and level it—make it 50 feet wide, and carry down the street in continuation of Clayton-street, and build a wharf. In your opinion would that be a desirable thing or not? Desirable, generally speaking.

A. Elkington,
Esq.
14 Mar., 1883.

FRIDAY, 16 MARCH, 1883.

Present:—

MR. BURNS,	MR. HUTCHINSON,
MR. FLETCHER,	MR. ROBERTS,
MR. GARRARD,	MR. TEECE.

ANGUS CAMERON, Esq., IN THE CHAIR.

C. J. Manning, Esq., Barrister-at-law, instructed by the Promoters of the Bill, was present; G. B. Simpson, Esq., Barrister-at-law, instructed by Mr. Curtiss, was present in the interests of the Objectors to the Bill.

Albert Elkington, Esq., called in and sworn, and further examined:—

196. *Chairman.*] You know the object for which this Committee has been appointed? Yes.
 197. *Mr. Manning.*] You know the streets which it is proposed to close under the Mort's Bay Improvement Bill? Yes.
 198. Do the general public suffer any inconvenience under the present arrangements of the streets leading to the wharf near Mort's works? Generally speaking there is some inconvenience.
 199. Generally speaking you know the inconvenience attaching to the streets as now laid out? Yes.
 200. In the interests of the public, is it very desirable to make some arrangements to facilitate traffic to and from the public wharf? Most decidedly; that is the great evil now.
 201. If what is proposed by the Bill were carried into effect, do you think it would affect seriously any private interests in Mort-street? It would affect the hotel—with this proviso, that we have in Balmain the Local Option Act in force. They seem to think they would lose their business by the introduction of another public-house in the neighbourhood; but one could not be put there for three years.
 202. The main traffic would go along John-street? Yes.
 203. If, instead of the arrangements proposed by the Bill, a street were made to run diagonally, to continue Mort-street to the proposed wharf, and John-street were made 50 feet wide, do you think then there could be possibly any objection to it. That would be still a greater benefit, and the "Forth and Clyde" public-house would not suffer to the extent of a brass farthing. I suggested that the proposed new street should be made in a diagonal direction.
 204. *Mr. Simpson.*] The street you propose would open into Mort-street only? Yes.
 205. *Mr. Manning.*] If the street were made to take a diagonal direction it would be a greater advantage even than the street proposed by the Bill, and it would not injure anybody? In my opinion no one would suffer.
 206. The only difference would be that people would have to walk 30 feet further, but the incline would be easier? Yes.
 207. Both for passenger traffic and vehicular traffic the road you propose would be better than the present road? Yes; it would not only be an advantage to passenger and goods traffic, but it would also be an advantage to the dock, and to the public generally of Balmain; and I do not see how it could possibly be an injury to any one.
 208. You are aware of the alterations proposed on either side? Yes.
 209. You know how difficult it is now for a steamer to come up to Yeend-street wharf? Yes; I travel that way every morning and evening.
 210. In fact a steamer cannot lie at the wharf without overlapping the Company's property on either side? Yes, the ground on both sides.
 211. At any rate the Company's ground? To some extent; I am told it is the Company's ground.
 212. If the alterations proposed by the Bill were effected, would it be an improvement so far as the general public is concerned? Not with the proposed steps.
 213. You say the present arrangements are a great disadvantage? Yes.
 214. Leaving the steps out of consideration, would the alteration proposed by the Bill be an improvement? It would.
 215. And a still greater improvement if a little more land were given so as to bring Ballast Point Road round to the corner? Yes; there is a very steep quarry, and that must be cut down to an easy gradient; they must not have steps.
 216. Can you see that any person could have any reasonable objection to the proposed alteration of the wharf? No; the alteration of the wharf from where it is now to where it is proposed to place it would be a greater convenience—from the foot of Yeend-street to the continuation of Ronald-street would be a great improvement.
 217. But there would be a still greater improvement if a small quantity of land were given so that Ballast Point Road could be continued towards the wharf? It would be a greater incline.
 218. *Mr. Simpson.*] You spoke of a public-house at the corner of Mort-street? Yes.
 219. Are there houses on both sides of Mort-street? Yes.
 220. How far up do they extend? Right up to Darling-street. There are open spaces; but for two or three hundred yards, I should imagine, it is closely neighboured. Beyond 200 yards up from Darling-street it is built on; it is then mostly vacant ground until you come to the "Warwick Castle Hotel."

A. Elkington,
Esq.
16 Mar., 1883.

- A. Elkington, Esq. 221. What kind of buildings—private residences or shops? There are shops on a small scale.
 222. Mostly shops? I think not; about half and half I should say. There are two public-houses and some shops, and ordinary dwelling-houses.
- 16 Mar., 1883. 223. But more shops than dwelling-houses? I would not like to say; I never counted them.
 224. People having shops would be seriously interfered with by the proposed alterations? They would no doubt have cause for complaint.
 225. Very serious cause for complaint? I do not think so.
 226. The traffic at all events would be diverted from past their shops to other places? No; no one would go up Clayton-street; the inclination would be to go along Mort-street; but times are very bad, and possibly they would make the proposed alterations a score of complaint.
 227. At all events they would have cause of complaint? Yes.
 228. Are you in any way connected with Mort's Dock and Engineering Company? I do not own a single share in the Company, and have nothing to do with them, except perhaps selling them articles in the way of business.
 229. As to the proposed continuation of Clayton-street; is there not a steep ascent there? It is better now than it was.
 230. Is there not a very steep ascent now? Not too much—a cart can go up it.
 231. What would be about the incline? About the same incline as there is in Hunter-street, going from Pitt-street towards Castlereagh-street.
 232. Not more? I think not; that is from New John-street—it is a steep street.
 233. The whole distance is on an incline? No, part of it is level.
 234. How far does the incline extend? I should think about 150 feet.
 235. A cart could go up it, you say? Yes.
 236. With great difficulty? No, easily—more easily than up portions of Darling-street. The general tendency of traffic would be up Mort-street.
 237. For what reason? Chiefly from old associations.
 238. Do you know there has been a very large public meeting at Balmain to protest against the Mort's Bay Improvement Bill? No; I was not there; I read something about it in the *Evening News*.
 239. At all events it has come to your knowledge that a public meeting of the inhabitants of Balmain has been held to protest against the Bill? Yes.
 240. Taking the Bill as it stands, what do you think of it? I have not read it.
 241. But you say the proposed alterations, the continuation of Ronald-street for instance, will be a public convenience provided certain things are done? Yes, it will be a great benefit.
 242. Those things are? The removal of the sheer-legs wharf, and the removal of the public wharf to the eastern side of Ronald-street.
 243. That land is to be given up by the Dock Company and formed into a street? Yes, formed and made on a gentle incline.
 244. And in addition you think there should not be any steps at the foot of Ronald-street? No.
 245. Although you have not read the Bill, you see by the plan on the table what the proposed alterations are? Yes.
 246. And in your opinion the proposed alterations are not advisable? I do not say that; they are advisable even as the Bill stands now.
 247. *Mr. Manning.*] But it would be a still greater improvement if what you suggest were carried out? Yes.
 248. *Mr. Simpson.*] In your opinion there ought not to be any steps at the foot of Ronald-street? No.

Mr. Edward Harmon Buchanan called in, sworn, and examined:—

- Mr. E. H. Buchanan. 249. *Chairman.*] You are, I believe, one of the Aldermen for the Borough of Balmain? Yes.
 250. How long have you held that position? I was elected in February.
 251. You are one of the persons who attended the public meeting held at Balmain in opposition to the Bill now before Parliament, which Bill proposes to close certain streets near Mort's dock? Yes.
 252. And you addressed the meeting and seconded one of the resolutions? Yes.
 253. Have you seen a report of your speech published in any of the daily papers? I saw a report in the *Evening News*, and a short report in the *Herald*.
 254. You are reported to have said—"Mr. Cameron, the Chairman of Committees, had charge of the Bill, and was to pilot it through. He was connected with the iron trades, and it was impossible for him to deal impartially in the matter. He (Mr. Cameron) had been solicited by the Dock Company to take charge of the Bill. They had Mr. Young present, who had come to hear the voice of the people on the matter, and he hoped he would deal with the matter on its merits. There was more in these matters than appeared on the surface. The gentleman who was piloting the Bill through had said he would take good care the gentlemen selected for the Committee were on it." Did you make that statement? If you will allow me I will—
 255. I would like you to answer my question direct? I did not. My statements are reported in such a way as to be liable to mislead. If you will allow me I can easily explain. I said that Mr. Cameron had charge of the Bill, and I was led to believe you had charge of the Bill in preference to one of the Members representing Balmain—Mr. Garrard or Mr. Hutchinson. As to the remark about the iron trades: there were a great many dock people at the meeting, and I said that Mr. Cameron had received during his parliamentary career, great support from the iron trades, and having received such support you would naturally be on their side—that is, the side of those who had supported you in your elections.
 256. To come to the sentence in your reported speech—"The gentleman who was piloting the Bill through had said he would take damned good care the gentlemen selected for the Committee were on it"? I did not say "damned"; I said "d."
 257. With a dash? Yes.
 258. And you intended to convey the impression that I had used such an expression? I had it—
 259. But your intention was to convey the impression that I had used the expression I have named? Yes.
 260. Who was your authority for it? Am I forced to give up my authority?—I had authority for saying it, but I should not like to give up the gentleman's name without his permission.

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261. As a matter of fact had you not some conversation on this matter with Mr. Pigott, one of the Members for Canterbury? Yes.
262. And you are perfectly prepared to say that this statement made by you, by which you sought to convey the impression that I had used the word "damned," is true? I did not say "damned."
263. Well "d"—you say you used that with the intention of showing that I used the word? Yes.
264. You had that from Mr. Pigott? I cannot say that. I think I might be allowed to explain. When I was addressing the meeting I called attention to the fact that the public voice had not been obtained in regard to the proposed alterations of streets, and showed there was an amount of activity on the other side to rush the thing through—that the Chairman of Committees had shown a spirit of antagonism against any voice of the people being obtained, by opposing the selection of a Committee by ballot. We wanted the Committee to be appointed by ballot.
265. You wished the Committee to whom this Bill was to be referred to be selected by ballot? Yes.
266. To whom did you convey such wish—did you at any time signify to me, as the Member in charge of the Bill, any wish to have the Committee selected by ballot? I had no idea the Committee was to be appointed.
267. Are you not aware that all private Bills brought before Parliament are sent to a Select Committee? Yes.
268. Did you, or did any other of the gentlemen who are objecting to the Bill, convey to me a wish that the Committee should be balloted for? No, I never did.
269. *Mr. Simpson.*] Where do you live? In Ballast Point Road, Balmain.
270. You heard the Chairman just now inform the Committee that your evidence could not be depended upon because of certain charges made against him? Yes.
271. Rightly or wrongly you made statements at the meeting, the truth of which you believed in at the time you made them? Yes.
272. From information you had received, which you looked upon as reliable? Yes.
273. You did not mean to say the statements were true? As I said before, I simply told the meeting I considered we had not had a fair show—the public voice had not been heard on the question.
274. You did not wish to convey an imputation against Mr. Cameron as Chairman of the Committee, or suggest that he was acting unfairly or likely to act unfairly? I simply said that, in his parliamentary career, he had received great support from the iron trades, and that he would naturally lean towards them; but as a Member of Parliament I believe he will deal with the matter on its merits.
275. *Mr. Burns.*] In what way had the public voice not been consulted by the Bill? As late as August of last year, when the question was mooted in Balmain, persons pecuniarily interested in the streets it is proposed to close waited upon the Mayor of the borough, and asked him to call a public meeting. A meeting was not called, and no explanation as to why it was not called was ever given.
276. Did you not observe that it was the intention to introduce this Bill last Session? I noticed it in common with others. But Parliament was dissolved, and we waited until the re-assembling of another, and until notice of the introduction of the Bill appeared on the Paper.
277. Were you not aware that it was quite competent for you, or any other objector to the Bill, to approach the Assembly by petition against the Bill? Yes; but we got up a petition to the Mayor to convene a public meeting. It was ten days, however, before a meeting was called.
278. But were you prevented from giving expression to your opinion on the matter? No; only there was a little delay over it.
279. Whose fault was that? I cannot say.
280. The fault of any delay in taking action against the Bill must lie with the objectors? I and several others thought the first step to take was to call a public meeting to obtain the voice of the public. I did not wish to rush in if I was the only opponent of the Bill. As soon as we had an opportunity we called a public meeting.
281. You have no case against the petitioners for the Bill because of the delay in calling a public meeting against the Bill? No.
282. It was not for those in favour of the Bill to call a public meeting against it? No.
283. Whose fault was it that action was not taken sooner to obtain the public voice on the Bill? I cannot say.
284. *Chairman.*] Have you any idea how long it is since notice of application was advertised in the *Government Gazette* and in the Sydney newspapers, during the present Session of Parliament? I am not in the habit of getting the *Government Gazette*, but I saw a notice of application in the *Herald*. From my recollection I think it is about a month ago.
285. Are you sure it is not six weeks ago? It may be; I cannot say from memory. But we took action immediately after the notice was published.
286. Notice was advertised in the *Government Gazette* and the *Sydney Morning Herald* on the 2nd of February—when did you hold your meeting? It was held last Monday night.
287. What was the day of the month? The 12th March. But we had requested the Mayor to call a meeting about ten days before it was held.
288. You said something about not having received fair play in reference to this Bill, through my having connection with and receiving support from the iron trades? No, I said—
289. Did I not understand you to say that, when you explained the sentence in your speech at the meeting, as reported in the Press, you are reported to have said that I was connected with the iron trades? That is a mistake.
290. You went on to say that in times gone by I had received a certain amount of support from the iron trades? Yes.
291. Do you wish to say that the iron trades generally are in favour of the Bill? No; but I thought the Dock Company had gone to you, knowing that you had received support at your elections from the iron trades, and would be likely to help them in every way you could; and the voice of the public not having been obtained, I was afraid the thing would be put through.
292. What I wish you to explain is, what connection there is between my receiving the support from the iron trades, which you say I received, and this Bill which provides for the closing of certain streets in Balmain? I cannot explain; but I cannot understand why one of the Parliamentary representatives of Balmain was not entrusted with the charge of this Bill.

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293. Is it not a fact that both the Members for Balmain, Mr. Hutchinson and Mr. Garrard, have declared in favour of the alterations of the streets as proposed by this Bill? I believe they have.
294. *Mr. Hutchinson.*] You say that a deputation waited upon the Mayor of Balmain, to request him to convene a public meeting, and that he refused to do so? I did not say he refused to call a meeting; but the meeting was never called. I know from one of the present Aldermen that several of them waited upon you in reference to the meeting.
295. Are you aware of the reply given to that deputation? I am aware that you said you would call a meeting in a fortnight.
296. Are you aware that a meeting was held in August last year, at Balmain, in reference to the subject? Not a meeting convened by the Mayor.
297. A meeting convened by any other person—are you aware that one was held? Yes.
298. You are aware that towards the end of last year a public meeting, convened by advertisement, was held at Balmain to protest against this Bill? Yes, that was prior to the deputation waiting upon you. The outcome of that meeting was that a deputation waited upon you.
299. Is it not incorrect for you to say that no meeting was held until this last meeting was called? A meeting was held, the outcome of which was that a deputation waited upon you to ask you to convene a meeting.
300. Still a public meeting was held in August last year? Yes.
301. *Mr. Garrard.*] What do you understand by a public meeting? I do not consider the meeting which Mr. Hutchinson referred to a public meeting. I think a public meeting should have been convened by the Mayor.
302. As a matter of fact, the meeting that was held in August was called by persons interested personally in the matter, and was called to see what steps could be taken to oppose the Bill? Yes.
303. And the outcome of that meeting was that a deputation waited upon the Mayor to ask him to call a public meeting of the citizens of Balmain? Yes.
304. *Mr. Fletcher.*] At the public meeting held a few days ago, is it not a fact that you endeavoured to convey an impression that Mr. Cameron's connection with the iron trades made it impossible for him to deal impartially with this Bill? I do not say it is impossible for him to deal impartially with the Bill, but that he would, independently of his being a public man, be likely to be in favour of closing these streets.
305. Then you mean to convey this impression,—that he undertook charge of this Bill from a foregone conclusion? No.
306. You say that, apart altogether from his being a Member of Parliament, or from his connection with the iron trades, he would be in favour of closing these streets? I said that I believed that as a public man he would be in favour of closing the streets—he would be favourably inclined towards the Dock Company.
307. You say you believe the Chairman of Committees would be in favour of the proposed closing of streets, in the interests of Mort's Dock Company? Yes.
308. And in consequence of that sympathy you think he was selected to take charge of the Bill? No, I said I could not understand why he had been selected to take charge of the Bill, but I did not say he had been selected simply because he had been supported by the iron trades.
309. But by inference you wanted the meeting to understand that the reason one of the two Members for Balmain had not been selected to take charge of the Bill was, that Mr. Cameron would be more likely to deal partially with the matter? No.
310. *Mr. Simpson.*] Where do you live? In Ballast Point Road.
311. You know Balmain very well? Yes.
312. How long have you lived there? About seven or eight years.
313. Have you any property on Ballast Point Road? I have.
314. And you are in the habit of daily frequenting that road? Yes.
315. You are aware of the suggested deviations proposed by the Bill? Yes; I have a copy of the Bill.
316. And you have read the preamble? Yes.
317. You know the wharfs referred to in the preamble, the wharfs at the bottom of Mort and Yeend Streets? Yes.
318. Is it a fact, as is alleged in the preamble of the Bill, that those wharfs are not conveniently situated for the use of passengers by steamers? I think not.
319. Is it a fact that those wharfs are not conveniently situated for the use of the steamers and passengers, and other boats? The wharfs are situated conveniently enough for passengers by the steamers.
320. They are? Very conveniently.
321. Is the passage of the said steamers and boats often impeded by the large and constantly increasing number of steamers and other vessels resorting to the premises of the Company? The impediments are not caused by the constant large and increasing number of steamers and other vessels, but by the warps that are thrown out to the vessels.
322. It would be better if you were to answer my question; you can explain afterwards? No, they are not impeded.
323. Now go on with your explanation? There are some impediments which are caused by warps thrown out to vessels, and from the sheer-legs out to buoys in the centre of the bay.
324. Could they not be removed? I believe the buoys could be shifted and the impediments done away with to a great extent.
325. Whose buoys are they? I cannot say; I do not know whether they belong to Mort's Dock Company or are under the charge of the Marine Board.
326. Are they used by Mort's Dock Company? Yes.
327. In your opinion, there is no necessity whatever for the introduction of this Bill in order to remove any impediments which may exist to the convenience of passengers by the steamers? No, there is not.
328. You know the roads and streets which it is proposed by this Bill to close? Yes.
329. And you know the streets and roads which the Bill proposes to substitute? I am not quite clear as regards Mort's Dock Company's—
330. Is it a fact that the closing of the roads and streets proposed by this Bill would not occasion any public loss or inconvenience, if other roads and streets leading to the shores of the bay, in the immediate neighbourhood of the said existing streets or roads were substituted? It would be both an inconvenience and a loss.

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331. The closing of the roads and streets as proposed by the Bill would be both a public inconvenience and a loss, even though the streets which the Bill proposes to substitute were so substituted? Yes.
332. Will you please explain to the Committee what you mean by that? As regards Mort-street, there we have a good wide street, of an easy gradient—the only straight street leading to the waters of the bay on the northern side of Darling Road, which is the main thoroughfare in Balmain leading to and from the other suburbs. It is the only easy gradient we have for taking traffic from the water's edge. There would be an inconvenience in making a blind street of that, and the traffic having to come up John-street, which has a steep rise from Mort-street to Clayton-street. Clayton-street is a narrow street of 33 feet width. I believe it is proposed to widen it by 50 feet to the water. That is as much as I know of the inconvenience of the proposed arrangement. It will put the traffic into a right-angled street, which will have a rise of about 10 feet, and will be much narrower than the present Mort-street. The incline will be much greater and the distance will be increased. I believe it will be a great public loss to the whole of the people of Balmain if the only wide street we have on that side of the bay is taken away.
333. Now with regard to the owners of property abutting on Mort-street, the private interests, how will this Bill affect them? Well, the blocking of Mort-street, in my opinion, would mean throwing away the greater portion of those businesses. People built the places and established businesses there knowing that that was the only outlet to and from the water, and in the belief that it would always be retained as a main street.
334. Then you believe that the closing of Mort-street, as proposed, will not only be a loss to the owners of property in that street, but a very great injustice? Yes.
335. That it would seriously interfere with the vested rights and interests in those streets? Yes.
336. Will you describe to the Committee the nature of the buildings in Mort-street—does the majority consist of shops or private houses? I think they are pretty evenly balanced. There are two or three large hotels; and there is one of the largest butchering establishments in Balmain situated in Mort-street. There are two butchers' establishments in the street?
337. Any other businesses? There is a grocery establishment, a groengrocery, and a plumber's shop. Then at the end of Mort-street there is another hotel—the "Warwick Castle"—that is at the intersection of Mort-street with Darling-street.
338. You do not profess to have mentioned all the shops and business premises there? I am not particularly well acquainted with the exact number of shops.
339. Are there not several small shops? Yes, there are several small shops—ginger-beer and lolly-shops.
340. And you believe that all the shops you have mentioned might just as well close altogether if the street is closed? Not all of them. I have mentioned the "Warwick Castle Hotel," for instance.
341. But down near the water? As far as Cameron-street—up to that street I believe that nine-tenths of the business places would simply be business places in name if Mort-street is closed.
342. Their businesses would be ruined? Yes.
343. Do you believe the value of property, apart from the injury to business people, would be materially depreciated if the proposed alterations are carried out? Greatly.
344. I suppose there are owners of property in Mort-street living elsewhere—would their interests be interfered with? Greatly.
345. There is an allegation towards the end of the preamble to the Bill which reads: "And whereas it is greatly for the benefit of the public and especially of those owning land in the neighbourhood of the said existing streets or roads that every facility should be given for the extension of the works of the said Company"—Can you say whether it would be for the benefit of the public to carry out the proposed alterations? No, it would not.
346. Would it not in any way be for the benefit of the public, especially of those owning land in the neighbourhood of the said existing streets or roads, that every facility should be given for the extension of the works of the said Company? No, it would be detrimental to them.
347. So far from its being any benefit to them it would damage them? Yes.
348. *Mr. Fletcher.*] That is, the extension of the Company's works would damage them? Giving them every facility to extend them would.
349. *Mr. Simpson.*] Giving the Company every facility for extending their works would not only not be a benefit to the public, but would damage them? Yes.
350. There are Schedules to the Bill, marked A, B, and C, and so on. Looking at the parcels of land described in Schedules A, B, and C—if those parcels of land were turned into streets or roads, would those streets or roads, in your opinion, prove more convenient than the existing roads and streets? No.
351. Have you any hesitation in saying "no" to that question? Not the slightest.
352. Can you say whether the passing of this Bill would be of any inconvenience to any one except the proprietors and those interested in Mort's Dock and Engineering Company? It would only be an inconvenience to everybody else.
353. Nor would the passing of this Bill be of any convenience or advantage to any of the residents of Balmain, or to any one except the proprietors or other persons interested in Mort's Dock and Engineering Company? Only to those interested in that Company.
354. That is your opinion? That is my opinion.
355. Would the passing of this Bill increase the value of the Company's property? To a great extent.
356. And that would be done at the expense of the public convenience? Yes.
357. With regard to the public meeting that has been referred to, when was it held? Last Monday evening.
358. Where was it held? At the Council Chambers, Balmain.
359. That was a public meeting held for the purpose of protesting against the passing of this Bill? Yes.
360. How many persons were there? A couple of hundred at least.
361. At that meeting was there any strong manifestation of public feeling in opposition to this Bill? There was; the meeting was almost unanimous in condemnation of the Bill.
362. Was it not suggested at the meeting, by one of the Members for Balmain, that the services of some lawyers should be enlisted, in order that the wishes of those persons opposed to the Bill might be brought before this Committee? Yes.

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363. So great was the feeling manifested against the Bill? Yes.
364. Please refer to the Schedule describing the land near Ronald-street—would the suggested alterations be of any advantage so far as that particular part of Balmain is concerned? It would not be of any advantage.
365. How would the general convenience of the public in that portion of Balmain be affected by the suggested alterations? It would be affected in this way—the distance is longer and the gradients much steeper. We have easier access to the water at the present time. The present road was given to the public some ten years ago in lieu of Union-street, which was then closed up. The new road, instead of being level, has a fall of about 60 feet in about 4 chains.
366. *Mr. Garrard.*] I understand you to say there is 60 feet difference in the level between Ballast Point Road and the Sheer-legs Wharf? I believe there is.
367. *Mr. Simpson.*] Do you happen to know whether Mort's Dock Company have closed more than one street in that neighbourhood? They closed Union-street.
368. When was that? Some ten or twelve years ago.
369. Did they not, in satisfaction of the street they then closed, form this particular street which they now propose to close? They gave the street, but I do not know whether they formed it.
370. *Mr. Manning.*] One question about the meeting. You say about two hundred people were present: is it true that when resolutions were submitted amendments were not allowed to be moved? There was no amendment allowed.
371. Is it not a fact that the Borough Council of Balmain has approved of the alterations proposed by this Bill? The present Borough Council or the last?
372. The present Council was only elected in February—Do not fence the question like that? The question has never been brought before the present Council.
373. Were the proposed alterations approved of by the late Council? The late Council approved of them.
374. How many members of the present Council were members of the late Council? Three.
375. Out of how many? The Council consists of twelve members.
376. You are one of the three new members? Yes.
377. Do you mean to assert that the works of the Dock Company are not an advantage to Balmain? I do not say they are not an advantage.
378. Are they or are they not an advantage? Yes, they are an advantage to certain people.
379. Have the works not created business there? To some extent.
380. Not to a great extent? I deny they have been the backbone of Balmain.
381. Was not the establishment of the Patent Slip an advantage to Balmain? To Mort's Dock Company.
382. Is it not a part of the engineering works? It is a part of them.
383. And is it not an advantage to the place? Not to those who have property around it.
384. The slip being there has not increased the value of property at all? No.
385. Union-street was closed to enable the Company to construct the Patent Slip? I do not know.
386. Do you know where Union-street was? Yes.
387. Could the Patent Slip have been put where it is if Union-street had not been closed? It could have been put elsewhere; perhaps it is in the best position for Mort's Dock.
388. Will you tell us as a matter of fact whether there is not great inconvenience caused to the travelling public in getting into and out of Yeend-street wharf? By what?
389. In getting into and out of Yeend-street wharf? Inconvenience is sometimes caused by the warps.
390. You say that inconvenience is occasioned by the warps? Yes, and also by the sheer-legs on the wharf, and by having boilers taken out of vessels and placed on punts which are towed by manual labour to the boiler shops.
391. Suppose a ship is lying at the sheer-legs and another at the wharf, is there any inconvenience in getting into Yeend-street wharf? No difficulty whatever.
392. In moving ships about, taking them to the sheer-legs, is it necessary to use warps for such a purpose? It is necessary to use some fastening.
393. If you did not use warps you would have to use drop anchors? I am not prepared to say what would have to be done.
394. They would have to use warps of some kind? Fastenings of some kind.
395. The larger the number of ships coming there, the larger is the number of warps used? Yes, they are more frequently used. They cannot at present bring more than one ship to the wharf.
396. When there is a larger trade there are more ships? Of course.
397. Then the passage is blocked more frequently than when fewer ships are there? Yes.
398. Then when you say that it is not often that inconvenience is caused by the passage of ships, you do not mean to say inconvenience is not often caused, but that it is caused simply by the use of the warps? It is caused by the use of the warps?—I have not been inconvenienced once this last three months.
399. Do you mean to say that the steamer has been able to get in and out during the past three months without any difficulty? Yes; I have travelled that way every day.
400. *Chairman.*] Do you swear that? Yes.
401. Do you remember the "Ocean" lying there? Yes.
402. Was there any inconvenience then? During certain portions of the day there was.
403. But not when you passed? No.
404. Whereabouts in Ballast Point Road do you live? I face Ballast Point Road, about a stone's throw from its intersection with Yeend-street.
405. If the proposed wharf were constructed you would not be interfered with in any way? I cannot say—I doubt it.
406. If, instead of the street proposed in the Schedule, a street was made in a diagonal direction across the dock property, would that destroy trade in the way you have mentioned? It stands to reason it would not; the street is not a blind street, and the interests of business people would not be deteriorated so much.
407. Would their businesses be deteriorated at all? No.

408. Now as a matter of fact, Clayton-street being left in its present state, and John-street being widened 50 feet, would not the traffic go that way? No.
409. People would walk to Clayton-street? Yes.
410. And would come into Mort-street further up? Yes.
411. Therefore Clayton-street would benefit at the expense of Mort-street? Yes.
412. *Mr. Hutchinson.*] You have referred to the buoys and the obstruction caused to passenger steamers by the warps: could Mort's Dock Company carry on business without those buoys? I have very good reason to believe they could.
413. *Chairman.*] You have not had any dispute with the Company? I am friendly with the Manager and I believe with every one else connected with the works.
414. If you are reported to have said it would have been a better day for Balmain if the dock had never been there, you were not correctly reported? I put it in this way—
415. The report is not correct? It is not correct.
416. *Mr. Fletcher.*] Have you any idea of the amount of wages paid by Mort's Dock and Engineering Company weekly? It varies: sometimes they are slack, sometimes they are full.
417. Taking the average, about how much do you think is paid there weekly? On the average I should say about £1,500 a week.
418. Could you tell the Committee whether a great portion of the men working at Mort's Dock and Engineering Company's works reside at Balmain—do you think many of the workmen reside there? I think when the dock is full, that is when they consider themselves in full employ, about one-third of the men live at Balmain.
419. Not more than one-third? I cannot swear it; that is my opinion.
420. *Mr. Hutchinson.*] In reference to Mort-street, you have mentioned that there are two or three public-houses, two or three shops, and some small shops and cottages—will those small cottages realize more than 10s. per week rent? I know five or six houses, not small cottages, bringing over £1 per week.
421. *Mr. Fletcher.*] If any one were to say that fully two-thirds of the men employed at Mort's Dock Company's Works reside at Balmain, would they be telling the truth? I am not prepared to say how many live at Balmain. I reckon at the very most there are about 250 men employed at the dock actually living in Balmain.
422. And if any one were to say that fully two-thirds of the men live at Balmain they would not be telling the truth? I cannot say.
423. *Mr. Simpson.*] You have been asked by the Chairman whether you did not say at the meeting that it would have been better if the dock had never been at Balmain? Yes.
424. Did you say that? I said it had been asserted that the Dock Works were the backbone of Balmain, and that without them the place would starve; and I could not see why such an argument could be used; because, so far as my property and other property is concerned, it would be better if the works were not there.
425. Did you not say it would have been a better day for Balmain if the dock had never been there? No.
426. When you told the Chairman that the report of your speech was untrue, it was that part of the report which I have just referred to? Yes; it was that part of the report which attributes to me the statement that it would have been a better day for Balmain if the dock had never been there.
427. *Mr. Garrard.*] You say that the proposed diagonal road would be less objectionable than the road proposed by the Bill: suppose Ballast-street were taken westerly of what is proposed by the Bill, and the gradient made easy to the wharf, would there be any objection to that? The inconvenience would be lessened.
428. Is it not a fact, from your knowledge as a resident of Ballast Point Road, and a traveller by the Snail's Bay Ferry, that frequent interruptions to traffic occur, so that steamers often have to pass by altogether from Mort-street to Darling-street? Very frequently?
429. Very frequently? No.
430. When a vessel is lying at the sheer-legs wharf and another at the coal wharf, is it not almost impossible for a ferry-steamer to get up to Yeend-street? Not when a ship is lying at the wharf.
431. You think if the wharf were removed from near the sheer-legs to the foot of Ronald-street it would be a benefit? I believe that would be a benefit.
432. You are of opinion that if Ballast Point Road were tapped more to the westward it would be better than the plan proposed by the Bill? Yes.

Mr. E. H.
Buchanan.
16 Mar., 1883.

James Macdonald, Esq., called in, sworn, and further examined:—

433. *Mr. Manning.*] You have prepared a plan for continuing Mort-street in a diagonal direction across the Company's land instead of the way proposed by the Bill? Yes.
434. Does the description marked Schedule A-B describe the portion of land which, in accordance with your plan, would be given by Mort's Dock and Engineering Company? Yes.
435. The description D properly describes Mort-street if it were closed? Yes.
436. In fact it would be considerably less than Schedule D in the Bill? Yes.
437. Would the gradient of the diagonal road you propose be easier than that of the street proposed by the Bill? Very much easier. The street proposed by the Bill would have nearly a hundred feet rise. The diagonal street would be a far better street, because a portion of Mort-street is level.
438. It would be a much easier gradient? Much easier.

J.
Macdonald,
Esq.
16 Mar., 1883.

THURSDAY,

THURSDAY, 29 MARCH, 1883.

Present:—

MR. GARRARD,

MR. TEECE.

MR. HUTCHINSON,

ANGUS CAMERON, Esq., IN THE CHAIR.

F. W. Creagh, Esq., appeared as Solicitor, and C. J. Manning, Esq., as Counsel, for the Promoters of the Bill.

F. Curtiss, Esq., appeared as Solicitor, and G. B. Simpson, Esq., as Counsel, for the Petitioners against the Bill.

Edward H. Buchanan, Esq., called in and further examined:—

E. H.
Buchanan,
Esq.
29 Mar., 1883.

439. *Mr. Simpson.*] If it has been stated in evidence before this Committee that the feeling of opposition to this Bill is confined to a few, is that statement correct—or is the feeling of opposition general amongst the inhabitants of Balmain? I believe there is a very general feeling amongst the inhabitants of Balmain against the Bill; it is certainly not confined to a few.

440. If it has also been stated by one gentleman before the Committee that he understands the opposition principally comes from a local publican or two, is that a fact? I should say most decidedly no.

441. If it has been stated by Mr. Broomfield in evidence before this Committee that a lot of Vernon boys had signed the petition in opposition to the Bill, can you say whether that is correct or not? No, it is not a fact.

442. If it has been stated by the same gentleman before the Committee that he knows everybody at Snail's Bay, without exception, would he in favour of moving the Snail's Bay wharf as proposed, would you say that was correct? It is not so.

443. Can you positively say that statement is incorrect? I can.

444. If it has been stated before the Committee that the people in Balmain generally are in favour of the proposed changes, except a few, would that statement be correct? It is not so.

445. If this statement has been made before the Committee by a witness—"a few of those interested round the locality are in opposition to the Bill, but not many"—is that statement correct? It is not correct.

446. What do you say is the fact? That a great many are opposed to the change, not only immediately round the locality, but within a very wide margin away from the locality.

447. *Chairman.*] With reference to your answers to Mr. Simpson, referring to the nature of the signatures to the petition, in how many places was this petition placed for signature? I had one myself.

448. Where? Carrying it with me, obtaining signatures as I could; and there were three others—one at Mort-street wharf and two at Erskine-street wharf. One of the committee appointed at a public meeting undertook to have a table and a petition for signature at Darling-street wharf, but from some cause or other he omitted to do so.

449. You have told the Committee that if it has been stated that the petition against the Bill was signed by Vernon boys, that statement is not true? As far as my knowledge goes it is not true.

450. Is it true that one of these petitions was left in charge of a boy? The three of them were in charge of boys.

451. Is it true that these boys ran about soliciting people, all comers, whether from Sydney or elsewhere, to sign this petition, without knowing whether they were Balmain residents or not? It is not true.

452. If a Member of this Committee has stated that he was solicited to sign the petition, he not being a Balmain resident, would that statement be false? I cannot say whether he was solicited or not. All I ever heard the boys say was—"Please sign the petition against closing the streets," and there was a placard in very large letters on each table asking Balmain residents to sign petitions against closing their streets.

453. If these Vernon boys signed the petition, it would be at Mort-street, would it not? No, they use Snail's Bay wharf as a rule; they come to Snail's Bay, and then to Erskine-street.

454. As a matter of fact, you did not see who signed the Mort-street petition yourself? I saw some persons sign it.

455. I thought you were in charge of the one at Erskine-street? I was not in charge of any of them, except the one I carried with me.

456. You have stated that the feeling of the people at Balmain is pretty general against this Bill? I think it is.

457. As a matter of fact, was not this question mooted in the Municipal Council last year? It was.

458. Is it not true that the Aldermen, by a majority of three to one, voted in favour of the propositions contained in the Bill at that time? Yes.

459. A general election took place some time after? Yes.

460. The question was alluded to then, was it not? Yes.

461. In fact it was made a sort of test question? Never, so far as I know or heard of; I heard the question mentioned in a sort of off-hand manner once or twice, but it was never brought forward for discussion during the parliamentary elections.

462. As a matter of fact, did not the two gentlemen who were returned, Messrs. Hutchinson and Garrard, declare themselves in favour of the proposal? Yes, I believe they did.

463. Has the subject been brought before the Borough Council since? No.

464. Not in any shape? No.

465. Has the Council, so far as you are aware, received any petitions in reference to this matter? Not the present Council.

466. The present Council has come into existence since this Bill was laid before Parliament? Yes, since February, I believe.

467. Since that time the civic representatives have received no petition one way or the other? No.

468. *Mr. Simpson.*] It has been stated here that the Municipal Council of Balmain is in favour of this Bill? The last Council was.

E. H.
Buchanan,
Esq.
29 Mar., 1883.

469. Do you know how many members that Council was composed of? Twelve.
470. Do you know whether the Council was unanimously in favour of the Bill? It was not.
471. *Chairman.*] Can you tell the Committee what was the majority in favour of it? The votes were nine for and three against the Bill.
472. *Mr. Simpson.*] Can you tell the names of the nine gentlemen who voted in favour of the Bill? Mr. Hutchinson, Mr. Garrard, Captain Punch, Mr. Franki, Mr. Looke, Mr. Macdonald, Mr. Cameron, Mr. Smith, and Mr. Elkington.
473. The Mr. Cameron you refer to was not the Chairman of this Committee? No.
474. Mr. Franki is Manager of Mort's Dock Company? Yes.
475. Mr. Elkington is a gentleman who gave evidence here in support of the Bill? Yes.
476. Do you know whether any others of the Aldermen in favour of this Bill are interested in Mort's Dock Company? I believe, though I cannot positively swear, that Mr. Elkington has or had at that time some interest in it; whether he is connected with the dock now or not I do not know, but he had been connected with it. Mr. Macdonald has been connected with Mr. Mort's estate as surveyor.
477. Is he the same gentleman who gave evidence before this Committee in support of the Bill? Yes.
478. *Chairman.*] Has Mr. F. R. Robinson got any property adjoining Mort's Dock estate? I believe not.
479. Has Mr. Lenn? He has.
480. Has Mr. Angus Mackay any? No.
481. Mr. Schultz? Mr. Schultz has some in Mort-street, near to Curtis Road.
482. Very high up? Yes, not adjoining the dock.
483. Mr. Read and Mr. Vandenberg? Mr. Read has none, but Mr. Vandenberg has.
484. And you have? I have some at Ballast Point Road.
485. *Mr. Simpson.*] Did you ever hear of any petition being presented to Parliament in favour of this Bill? Never.
486. *Chairman.*] You are not aware that the Bill was introduced on a petition in favour of it? No.
487. *Mr. Manning.*] Do you know whether the whole plan of what was intended to be done was explained to people when they were asked to sign the petition against the Bill? As far as we could possibly do it it was, by placing a large placard in very large lettering asking residents of Balmain to sign the petition against closing up their streets.
488. *Chairman.*] They were asked to roll up and defend their rights? Yes, something of that kind.
489. *Mr. Manning.*] You did not tell them what was proposed to be done? We had no time nor money either.
490. *Mr. Simpson.*] Within the last fortnight how many public meetings have been held with the object of protesting against this Bill? Two.
491. *Mr. Manning.*] One being connected with the other? No.
492. *Mr. Garrard.*] Is it not a fact that only one public meeting was held to protest, and that the other meetings were committee meetings? No, they were not committee meetings—they were open to any one. The Mayor convened the first meeting, and the next meeting was a public meeting, inasmuch as anybody could come to it and do what they pleased. Mr. F. R. Robinson was deputed to lay before us a plan showing some modification, but the modification was not agreed to; in fact Captain Broomfield said the next morning that the modified plan was impracticable and too expensive. Another meeting was held last Thursday, to take into consideration another plan which Captain Broomfield promised to supply but did not.
493. *Mr. Manning.*] At these meetings no amendments were permitted? That was the ruling of the Chairman.
494. *Mr. Simpson.*] At the first meeting, when the public protested against this Bill, was the proposal of Mort's Dock Company clearly pointed out? No proposal was before us then; we simply took their Bill for it.
495. At that first public meeting, when the opposition was unanimous, was it explained what the proposition in the Bill was? Yes.
496. Was it explained what the proposal of Mort's Dock Company was? Yes, certainly.
497. Did you ever hear of any public meeting being held at Balmain in favour of this Bill? Never.
498. Are you aware that a certain portion of the public Press, in their articles, condemn this Bill? I am.
499. In the interest of the public? Yes.
500. Are you aware also that several letters have appeared in the public papers in opposition to this Bill? Yes.
501. *Mr. Manning.*] Did you write any of these yourself? I wrote one in answer to a letter written by Mr. Franki.
502. The *Evening News* had some articles on the subject—do you know who wrote those articles? I do not.
503. Did you supply the information? No; I was quite surprised to see the articles.
504. Did you supply information at any time to the *Evening News*? No.
505. *Chairman.*] You know Mr. Angus Mackay? I know him when I see him.
506. Are you aware that he is connected with the newspaper in question as a writer? I have found it out since the meeting.
507. *Mr. Garrard.*] Do you think the majority of the persons who signed the petition at the various waiting rooms or wharfs, understood what the Dock Company proposed to do—did they understand what it was proposed to give in exchange for the streets sought to be closed? I believe the majority did.
508. *Mr. Manning.*] Do you think the boys who had charge of the petitions, collecting names, knew? I think they did.
509. *Mr. Simpson.*] Do you know that the persons interested in Mort's Dock Company had people down at the wharves where the petitions were, endeavouring to dissuade people from signing them? I do not know what happened at Mort-street; I know there were men at Erskine-street trying to dissuade people from signing.
510. Do you know whether they were connected with the Dock Company? I am not sure that they were, but I think so.
511. *Mr. Teace.*] Since this Bill was introduced, have not Mort's Dock Company offered to make alterations and modify the original plans? Yes.
512. *Mr. Simpson.*] Have you not, on behalf of some of the persons opposing the Bill, proposed certain modifications in this Bill which the Dock Company have not agreed to—have you made certain proposals with a view to settling the whole matter? Yes.

- E. H. Buchanan, Esq.
29 Mar., 1883.
513. *Mr. Manning.*] At the last meeting that was held was there not a suggestion by some persons that some compromise in the matter should be made, and others would not listen to any compromise—is not that so? It is not.
514. You say you proposed a compromise: as a matter of fact, did you ever do so? Yes; I proposed to take the street from the last lantern round to the present sheer-legs wharf, and to give us the sheer-legs wharf and keep Ronald-street intact, so that we might have 100 feet of water frontage.
515. Did you ever propose that? I proposed it to Captain Broomfield, and he said he would lay it before the Board.
516. You did not propose it at the meeting? No; if that had been before the meeting I dare say the meeting would have acted on it.
517. *Mr. Simpson.*] If these proposals are carried out, are you aware how many square feet of public land Mort's Dock Company will get, over what they propose to give? Over 24,000 square feet.
518. *Mr. Garrard.*] According to the original proposal? Yes.

Mr. William Schultz called in and examined:—

- Mr. W. Schultz.
29 Mar., 1883.
519. *Mr. Simpson.*] What are you? A builder.
520. Where do you live? In Darling-street West, Balmain.
521. Have you any property in Mort-street? I have.
522. Whereabouts? Between Curtis Road and Cameron-street.
523. Are you aware of the proposal of Mort's Dock Company, as expressed in the Bill before Parliament, to close a portion of Mort-street? I am.
524. What is your opinion in reference to that proposal—would it be for the public convenience or public interest? It is not for the public interest that it should be closed; it would cause great inconvenience to the public, not only to those who have property there, but for the whole community. It would cause great inconvenience to the whole public who make use of that portion of the wharf, not only for steamers but for small boats and so on.
525. How would it affect the property-holders in Mort-street? It would decrease the value of their property.
526. Do you say the value of property would be very much decreased? That depends upon what kind of business a person carries on there; I consider that in some places it would be depreciated 25 per cent., and in other places even more.
527. In Mort-street? Yes, if this proposal were carried out.
528. What is the general opinion of the inhabitants of Balmain as to this proposal? I believe that if the Borough were canvassed, there would be 5,000 signatures against it, for 100 in favour of it. The Dock Company have tried to get signatures in favour of it, but they could not get them. Petitions were sent round, but they have never shown them to anybody because they could not get signatures.
529. As a matter of fact, can you say positively what the feeling of the inhabitants of Balmain generally is on this subject? I have not come across half-a-dozen, except those directly interested in the Dock Company, who have been in favour of it.
530. How long have you lived at Balmain? Twenty-eight years.
531. Are you acquainted with the general feeling of the people there in this matter? Yes. The public meeting was pretty unanimous; the foreman of the Dock was the only dissentient in the room.
532. *Chairman.*] What is his name? I believe his name is Martin.
533. *Mr. Simpson.*] Amongst what class of people does there exist this general opposition to the Bill of which you speak? All classes, from the richest to the poorest—just as many from one class as the other.
534. Are you aware of the modification proposed by Mort's Dock Company in reference to Mort-street? Yes, I saw it this morning.
535. What is your opinion in reference to that proposed modification? It would not be such a great convenience to the public as it is now.
536. If the modification were carried out, the public convenience would not be considered so much as if Mort-street were allowed to remain as it is? Just so.
537. You know the proposed alteration at Yeend-street? Yes.
538. What is your opinion, as far as the public convenience is concerned, of that proposed alteration? I think the public would not be more inconvenienced by the alteration than they are at present; it would be about equal as far as that is concerned, provided the Company gives the same amount of water frontage as they are going to take away.
539. How much do they propose to take away? 50 feet.
540. But what do you say of the proposal of the Company as shown by the Bill? That would never do—it would be a great inconvenience for the public.
541. What is the general feeling in Balmain in reference to the proposed alteration, as far as Yeend-street is concerned? The public hardly know anything about it.
542. *Mr. Garrard.*] You mean about the modified alteration? Yes.
543. *Mr. Simpson.*] I am referring to the proposal in the Bill? The public are thoroughly against it—they condemn it.
544. The proposal as shown by the Bill, in regard to Yeend-street, is condemned by the public? Yes.
545. *Mr. Manning.*] You say nothing is known to the public of the modified proposal? There has been no time to call a public meeting on that subject.
546. Do the dissatisfied public know anything about the proposed modification of Mort-street? How could they know it?
547. Do you believe the public know anything of the modified proposal for Mort-street? Yes, to the number of about thirty, and they are thoroughly against it.
548. You know thirty men who are against the modified proposal? Yes.
549. Do you know that others think it will not affect the value of property at all? My opinion —
550. I do not want your opinion, but other people's opinion? I do not know other people's opinion.
551. *Mr. Simpson.*] Have you ever heard any expression of public feeling in favour of the Bill, even with the proposed modification? No, except with regard to Yeend-street. I moved an amendment which would grant the Company a concession at Yeend-street, but I was roared at, and had to withdraw it.

Every

Every one in the room would not listen to it. But I really believe that people that make use of the ferry would not be inconvenienced by it to any extent.

552. Provided the Company gave the same quantity of water frontage as they took away? Yes.

553. Do you know the Company have refused that concession? Yes, I believe so; according to their sketch they have refused to give 50 feet.

554. Do you happen to know how many feet of public land the Company by their Bill propose to appropriate to themselves? No, I could not mention the number of feet, but I know they propose to take more away than they intend to give.

555. *Mr. Garrard.*] That is under the original proposal? It may be so under the modified one too; I would not be certain; I know it was so under the original proposal to a great extent.

556. *Mr. Simpson.*] You know that under the original proposition they seek to appropriate more land than they intend to give? Yes, some thousands of feet.

557. Do you know what the value of these thousands of feet would be? I should think £20 a foot.

558. *Mr. Manning.*] Do you mean to say they are going to take thousands of feet of water frontage? No, not the water frontage.

559. *Mr. Hutchinson.*] Superficial feet? Yes. I mean £20 a foot for the water frontage.

560. *Mr. Manning.*] On the Mort-street side were they not giving the exact amount they were taking? Yes.

561. In the original form of the proposal they are giving just as much as they are taking? Yes.

562. And in the modified form they are giving considerably more than they are taking (*Plan shown to witness*)? I do not see it.

563. *Chairman.*] You are pretty well aware that, so far back as August last year, the Municipal Council of Balmain had this matter under their consideration? Yes.

564. Are you aware that the Council then decided by a majority of nine to three in favour of the proposal before the Committee? Yes.

565. And I suppose the Aldermen are representatives of public opinion? Some of them represent their own pockets.

566. Since then there has been a parliamentary general election? Yes.

567. And the two gentlemen returned for Balmain are in favour of the proposition contained in this Bill? I do not know whether they are in favour of it.

568. Did you attend the meeting on the 12th March in opposition to the Bill? Yes.

569. You saw the two representatives of Balmain there? Yes.

570. Did they not give the meeting to understand that they were in favour of the Bill? One did, not the other.

571. *Mr. Hutchinson* did? Yes.

572. Did not *Mr. Garrard* make it known that he thought the meeting were dealing unfairly with the promoters of the Bill? I did not hear him say so.

573. What did you hear him say? I do not remember.

574. As a matter of fact, were not persons prevented from proposing amendments at the meeting? I am not aware of it.

575. If the statement has been made before this Committee that persons wishing to propose amendments were prevented doing so, is it true? Yes; one person asked to be permitted to move an amendment, and the Chairman ruled that the meeting was not called for that purpose.

576. As a matter of fact, the two Members for Balmain did not give the meeting any countenance or support? No.

577. The Chairman of the Opposition Committee is *Mr. Buchanan*? Yes.

578. An Alderman for Balmain? Yes.

579. He has been an Alderman for five or six weeks? Yes.

580. He is not, in his aldermanic capacity, so thoroughly representative of the public opinion of Balmain as *Mr. Garrard* and *Mr. Hutchinson* are in their capacity as Parliamentary representatives? I believe that in this matter he represents the public feeling of Balmain more than the representatives do.

581. You are one of the persons who have been engaged in getting up petitions against this Bill? I was not.

582. Are you not one of the Committee? Yes.

583. And that Committee got up petitions against this Bill? I was never appointed to the Committee—not until after the public meeting.

584. You are one of the Committee appointed by the public meeting against this Bill? I never was appointed—I went of my own freewill.

585. You are not one of the Committee then? I have joined it since the public meeting.

586. As a matter of fact, was not a resolution carried at the meeting naming you as one of the Committee? No.

587. But you are a member of it now? Yes.

588. And as such you are aware of petitions being got up against the Bill? Yes, and I have signed it too.

589. As a matter of fact, have not a large number of signatures to these petitions been those of boys from the "Vernon," and people who had nothing to do with Balmain? No.

590. Have you heard of boys having these petitions in charge? Yes, I saw them on the wharf; I did not know whose boys they were.

591. As a matter of fact, these petitions were entrusted to boys? Yes.

592. And these boys solicited passers-by to sign them, whether they lived in Balmain or not? Not that I am aware.

593. Did you see anybody sign the petitions? Yes, a good many, but I never saw anybody sign but citizens of Balmain—no "Vernon" boys or street boys of Sydney.

594. *Mr. Hutchinson.*] You have been for some time an Alderman of Balmain? Yes.

595. And you have always taken great interest in movements for the improvement of the Borough? Yes.

596. When the matter of this Bill was before the Borough Council, near the close of last year, you took a deep interest in the discussion going on? I did not, except speaking in private to some of the gentlemen.

597. You know the names of the gentlemen who voted in the Borough Council in favour of this Bill? Yes.

Mr.
W. Schultz.
29 Mar., 1883.

- Mr. W. Schultz.
29 Mar., 1883.
598. How many were there of them? Nine, and some of them voted for it very reluctantly: one gentleman was very anxious it should not come to a vote.
599. Can you, of your own knowledge, say that any of these Aldermen were interested in Mort's Dock Company or in the Steam Ferry Company, except Alderman Franki? Yes, I can; I believe four or five were directly interested either one way or the other.
600. You think other Aldermen were influenced by them? Undoubtedly they were; their vote was given in favour of their friends, and not in favour of the public interest at all. They should have called a public meeting and consulted them.
601. Meetings of the Council are generally reported in the papers? Yes.
602. Was not a report of that meeting given? No; only throwing sand in people's eyes.
603. *Mr. Pecco.*] You are aware that the two Members for Balmain are in favour of the Bill? I could only say one; I know Mr. Hutchinson is.
604. When the public meeting was held, had these modifications been suggested by the Dock Company? No.
605. Can you say it was the influence of public opinion that induced them to make these concessions? At Yeend-street I am willing to give in, but not at Mort-street.
606. *Mr. Hutchinson.*] You have stated that one of the representatives of Balmain very distinctly put it that he was in favour of the Bill: can you say whether that representative is influenced by the public interest, or whether he has any private interest to serve in the matter? I could not answer that question.
607. If that Member disclaims having any interest in the matter except the public interest, would you accept that disclaimer? I would.
608. *Mr. Garrard.*] You have already said that, so far as the amended proposition at Yeend-street is concerned, you have no objection to that? I consider that ought to be granted, if they give as much water frontage as they take away.
609. Then you believe that, if Yeend-street was continued from its present termination to the sheer-legs wharf, with the same amount of water frontage as at present, it would be for the public benefit? It would.
610. Are you not aware that the candidates for parliamentary honors at the last general election were each asked their opinion, in public meetings, as to this dock proposal, and is it not a fact that both of the present Members thought the advantages counterbalanced the disadvantages? I never heard them say so, neither you nor Mr. Hutchinson.
611. At the public meeting you have referred to, did not the representatives of the electorate say they believed the proposal of the Mort's Dock Company to be for the public benefit? I did not hear them.
612. Are you aware that one of the Members—the senior Member—spoke at that meeting; in fact they both spoke at the meeting? Yes, they did.
613. You asserted just now, in answer to a question that four or five members of the Borough Council who voted in favour of the proposition in the Bill were directly interested, and that the others of the nine who voted in the majority were influenced by them? I know that some were influenced.
614. Would you mind giving the Committee the names of the gentlemen that you suppose to have a direct interest in Mort's Dock? Mr. Punch is one—he is a shareholder in the ferry. Mr. Macdonald is the agent for Mr. Mort's estate, getting his bread and butter from it. Mr. Elkington had an interest in the dock; and Mr. Franki is the Manager of the dock.
615. And you think the other five were influenced by friendly or other motives to fall in with the views of those you have named? I say they were influenced to vote for it.
616. Is it not a fact that when the matter was before the Borough Council one of the Aldermen proposed an adjournment of the proceedings to allow people interested to ventilate their opinions? I do not know; I was not present at the meeting.
617. With reference to the boys in charge of the petitions at the various places, do you believe the boys understood the proposition that was being made? I really do not know anything about those matters; I had no hand in them whatever. When I saw that the Mayor had called a public meeting I went as a citizen, and when the Committee was appointed I was invited to attend upon it. I signed the petition that night in the room. That is all I know about it. I have seen many men signing that I knew personally.
618. Do you believe the majority of the persons signing these petitions knew exactly what is proposed to be done? I do know a good many who thoroughly knew what they were doing.
619. Is it not a fact that, owing to the present position of the wharves, communication by steamer is frequently interrupted? Not often.
620. It is occasionally? I have only experienced it once during the last six months.
621. If the wharves could be shifted further out so as to clear the buoys, without disadvantage to the property-owners, would it not be to the interest of the travelling public? No, it would not. I maintain that even as they are now, there is no need to obstruct the high-road to Sydney at all.
622. *Mr. Simpson.*] Who obstructs it now? The Dock Company; they had three barges loaded with coal right in the way this morning.
623. *Mr. Garrard.*] That is an arrangement of the Ferry Company, is it not? I do not know who it is. If the Ferry Company obstruct their own road they have no right to complain. They make as much obstruction as they can for the sake of getting this scheme carried out.
624. Is it not to the interest of the Ferry Company to get as large a traffic as possible between Mort-street and Sydney? Of course it is.
625. And therefore it is to their interest to remove all disabilities? I am not aware whether the coal barges belong to them.
626. *Chairman.*] It is necessary to take coal over there for some purpose? Not in that place.
627. *Mr. Simpson.*] You say that occasionally there have been some delays in the traffic of the steamers between Sydney and Balmain? I have experienced them within the last six months.
628. By whom was that delay caused? By putting a rope across there from a ship to a buoy.
629. By whom—by the Dock Company? Most likely it belonged to their establishment.
630. You say the Dock Company have already taken away four or five streets of Balmain? Yes.
631. Is Mort-street one of the main streets of Balmain? Yes, one of the principal streets.
632. As a matter of fact, is it not the best street? Yes, the best street—the broadest street we have leading to the water.
- 633.

633. The best street, the easiest grade, and the broadest leading to the water? Yes.
 634. Is it looked upon by the inhabitants as the very best street they have? Yes, and always was.
 635. You were asked whether the proposed modification in reference to Yecad-street would be for the public interest? I think it would.
 636. Would it be for the public interest if the concession you say ought to be made was not made? I could not tell you. I have been speaking about this matter to several of the residents, and they say they ought to have 100 feet of water frontage for a ferry wharf.
 637. *Mr. Manning.*] But even 75 feet would be better than two frontages of 50 feet in different places? Certainly it would.

Mr.
W. Schultz.
29 Mar., 1883.

Mr. Charles Vanderberg called in and examined:—

638. *Mr. Simpson.*] Where do you live? Mort-street, Balmain.
 639. What are you? A butcher.
 640. Have you a shop in Mort-street? Yes.
 641. How long have you lived in Balmain? Eleven and a half years.
 642. Always in Mort-street? Yes.
 643. You are aware of the proposal in the Bill before Parliament? Yes.
 644. Are you also aware of the proposed modification in regard to Mort-street? I have heard it spoken of.
 645. You know what it means? Yes.
 646. What is your opinion, as far as the public interest is concerned, in reference to the closing of Mort-street as proposed by the Bill? It would be detrimental to the public interest.
 647. Would it depreciate the value of property in Mort-street? Yes.
 648. To what extent—a small or great extent? A great extent.
 649. Would it, in your opinion, create any public loss, disadvantage, or inconvenience? Yes.
 650. Would there be any corresponding benefit to the public? Not that I can see.
 651. Now there is a proposed modification in respect of Mort-street;—what is your opinion with regard to that? It would be better than the other.
 652. It is an improvement upon the original proposal? Yes; but still it would be a great detriment to the public.
 653. What is the state of public opinion in Balmain in regard to the original proposition and the proposed modification? The public feeling is dead against any alteration of Mort-street at all.
 654. Either as proposed by the Bill or the modified proposal? Yes.
 655. Are you aware of any feeling at all in favour of the Bill, except among the people immediately interested? No.
 656. Have you ever heard any expression of public feeling in favour of the Bill as originally proposed or as proposed to be modified? Yes; I have heard some of the larrikins say, "Give the Dock Company the whole of Balmain, then they will build a new dock and we will get plenty of work."
 657. Have you an hotel at Balmain? Yes.
 658. Where? At the corner of Mort-street and New John-street.
 659. Would that hotel be affected by this proposed alteration? Yes; the lease is nearly out, and the tenant will not renew it until he knows what is going to be done in this matter.
 660. Are you aware of the proposed alteration at Yecad-street? I have heard it spoken of, but I do not know so much about that.
 661. Did you purchase your property in Mort-street upon the faith of the existing state of things being continued? Yes.
 662. Do you believe the value of your property will be very materially depreciated if the Bill passes either in its original or modified form? Yes.
 663. Do you believe that it would be for the general interest of the inhabitants of Balmain that things should be allowed to remain as they are? Yes.
 664. Have you any doubt about it? No.
 665. You believe the public feeling of Balmain is strongly in favour of things being allowed to remain as they are? Yes.
 666. Would the proposed alteration benefit anybody except Mort's Dock Company and those interested? No.
 667. *Mr. Manning.*] How do you think your property would be injured by the modified proposal? It would take the traffic away from it.
 668. How would it take the traffic away from it? People would not come up Mort-street—they would not come round and then back again.
 669. Do you know what the modified proposal is? Yes, to take a street diagonally from the proposed new wharf.
 670. Are you under the impression that Clayton-street would be continued to the proposed new wharf as well as Mort-street? Yes.
 671. That is not so. Under the modified proposal Clayton-street would not be continued to the water—that part of it would be the property of the Company, and persons coming to and from the steamer could not help passing your house in Mort-street? I was not aware of it.

Mr. C.
Vanderberg.
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Mr. Thomas Batement called in and examined:—

672. *Mr. Simpson.*] What are you? An architect and surveyor.
 673. Living where? At Birchgrove Road, Balmain.
 674. How long have you lived there? Nearly three years.
 675. Are you acquainted with the alterations proposed by the Bill before Parliament? Yes, I am fairly acquainted with them.
 676. Are you acquainted with the proposed modification of the Bill? Yes.
 677. In respect to Mort-street and also Yecad-street? Yes.
 678. Will you give the Committee your opinion as to the alterations proposed in Mort-street, both as proposed in the Bill and as modified? Mort-street is the outlet which nature has provided for that portion

Mr.
T. Batement.
29 Mar., 1883.

- Mr. T. Bateman. portion of Balmain by the natural inclination of the road giving facility for vehicles to reach the wharf. It is the best street of Balmain for approaching the water—it commands the business centre of Balmain.
- 29 Mar., 1883. 679. What would be the effect of closing Mort-street, as proposed by the Bill? It would be highly injurious to the traffic, especially vehicular traffic, and also to the passenger traffic which at present comes down Mort-street.
680. As far as the public are concerned, would the proposed closing of Mort-street be advantageous or disadvantageous? Highly disadvantageous.
681. Would the interest of property-holders in Mort-street be injuriously affected? Decidedly so, to a very large extent.
682. Would there be any public convenience at all greater if the street were closed than if allowed to remain as it is? Putting the convenience against the inconvenience, the balance would be largely detrimental.
683. There would be disadvantages and inconveniences without corresponding convenience? Yes; the large majority would be inconvenienced, and the minority possibly not materially affected.
684. Would all the property-holders be injuriously affected? In my opinion, decidedly so.
685. You are aware of the proposed modification in respect to Mort-street? Yes.
686. Supposing that modification of the Bill were adopted, what would then be your opinion, as far as the public interest and the interest of the property-holders are concerned? It removes one or two injurious features. It removes the injurious feature of drainage; it lessens the distance, as compared with the first proposal in the Dock Company's Bill; it would be less detrimental to the vehicular traffic than the original proposal. It would in some degree get over the difficulty of drainage.
687. Supposing the modification to be carried out, how, relatively to the existing state of things, would the public convenience be consulted? It would only be a mischief in a less palpable form.
688. The mischief you have spoken of would exist, but in a less palpable form? Decidedly so.
689. Is it for the public interest and benefit that things should be allowed to remain as they are? Decidedly so, particularly in Mort-street.
690. Have you ever heard any opinion expressed among the inhabitants of Balmain in favour of any change, except the opinion of people connected with Mort's Dock Company? Some are indifferent; I have heard isolated opinions, but general speaking from persons whose interests are in some degree wrapped up with those of the Dock Company; independent opinion has been very much against the Dock Company's Bill.
691. Then it comes to this—you have heard isolated opinions expressed in favour of the proposed alteration, but those isolated opinions have generally been interested opinions? Yes.
692. What is the general feeling amongst the people—is it in favour of any alteration at all, or in favour of things being allowed to remain as they are? In favour of things being allowed to remain as they are.
693. Is that opinion very strong? It was very strongly expressed at the meetings we had; it is generally very strong amongst the people.
694. Are you aware of the proposed alteration at Yeend-street according to the Bill? I am acquainted with its general features—not with the details.
695. Are you aware of the proposed modification? Yes, I am better acquainted with that.
696. What have you to say about that? It would lengthen the distance to the ferry-boat.
697. *Chairman.*] How much? About 300 feet I suppose.
698. *Mr. Simpson.*] If that modification be carried out, would there be any concession granted by the Dock Company? Yes, but it would not be a full equivalent, inasmuch as inconvenience would arise owing to the increased distance.
699. What would be a full equivalent? Yeend-street is 50 feet wide, and the Dock Company should give 70 feet of water-frontage to increase the width of the wharf.
700. Would there be any steps? Not under the modified plan.
701. Supposing this concession were granted, do you think the modification, as far as Yeend-street is concerned, would be a fairly acceptable one? If Mort's Dock Company would give 70 feet of water frontage, I consider that would be a fair equivalent for them taking the water frontage portion of Yeend-street and its present wharf.
702. Supposing Mort's Dock Company only give 25 feet? The thing is apparent on the surface that 25 feet are not equal to 50 feet; and further, there would be no equivalent for the increased distance.
703. Supposing 25 feet only to be given, what would be the effect upon the interest of the public? It would not be for the interest of the public at all.
704. Would it not be far better to leave things as they are? Yes.
705. *Mr. Garrard.*] In your opinion, the shifting of the Snail's Bay Wharf out to where the sheer-legs wharf is now would not in any way be for the benefit of the public, but rather a disadvantage, owing to the 300 feet of additional distance they would have to walk? Yes.
706. Is it not the fact that at present there are frequent delays to the ferry-boats owing to the inconvenient position of the present ferry wharf between the sheer-legs wharf and the coal wharf? The inconvenience is very slight, inasmuch as the sheer-legs for three months at a time are very often not in use.
707. In your opinion, if the modified proposal at Yeend-street be carried out, Mort's Dock Company ought to give 75 feet of water frontage in lieu of 50 feet? 75 or 70 feet.
708. Do you not think the same amount would be ample compensation, with 50 feet of Ronald-street as well; would not that be ample for the requirements of the ferry? I am in doubt about that, because there is a question as to the right of water frontage where the ferry-boat comes in. The ferry-boats are 125 feet long, and the question arises whether 100 feet of wharf frontage would be sufficient.
709. Then if the ferry-boats were 300 feet long, you would demand from the Dock Company sufficient to make that up? No; but still I think that is a question to be considered, and I should think it is the province of the municipality to step in.

FRIDAY, 30 MARCH, 1883.

Present:—

MR. HUTCHINSON, | MR. GARRARD,
MR. TEECE.

ANGUS CAMERON, Esq., IN THE CHAIR.

Mr. C. J. Manning appeared as Counsel for the Bill.

Mr. G. B. Simpson appeared as Counsel in opposition to the Bill.

Mr. Manning handed in a plan showing the alterations proposed by the Promoters of the Bill.

Mr. Frederick Lemm sworn and examined:—

710. *Mr. Simpson.*] You are a builder, at present residing at Goulburn? I am. Mr. F. Lemm.
711. And you have come down specially to give evidence in opposition to this Bill? I did.
712. You have been down on several occasions? I have been down here a week now, and on several other occasions. 30 Mar., 1883.
713. Are you a property-holder at Balmain? I am.
714. Whereabouts? In Snail's Bay, just at the right of Mort's Dock.
715. Anywhere else? On the east side of Union-street, facing south of Wharf Road.
716. Have you any near Mort-street? Yes, I have, right by the dock, in Church-street; it is about two or three hundred yards from the dock.
717. How long is it since you went to live at Balmain? About twenty-seven years.
718. Have you known Mort-street for many years? It was there when I went there.
719. Have you known it continuously ever since? Yes.
720. It is one of the broadest, if not the broadest street in Balmain? It is a broad street as regards water frontage.
721. You are acquainted with the proposal originally contained in the Bill? I am slightly acquainted with it.
722. Are you also acquainted with the proposed modification as shown in this plan. Yes.
723. So far as the public convenience is concerned, what do you think of that proposal? It is not as good as the present state of things by a long way.
724. In other words, the public convenience would not be benefited by the proposed alteration? It would be injured by it.
725. Would the property in the neighbourhood be depreciated by the alterations proposed, according to the modified plan? Yes.
726. To any great extent? I can hardly say. It must affect property very much indeed by making a crooked street twice the length.
727. Give your reasons? By making the street so much longer, and making it crooked, it would make property less valuable—by making the street longer it would be less convenient.
728. At present Mort-street is a straight street? Yes, it is.
729. What about the gradient of the street? It has a beautiful rise, with easy access to get to and from the water.
730. For those of the public who have to use Mort-street, and want to get up on the high ground, that street is very convenient? Very much so.
731. Have people been accustomed for many years to use that street? As long as I have known Balmain—for twenty-eight years.
732. If this proposed alteration is made, what additional length would people have to travel to get to John-street? I should think 300 yards.
733. Have you made any calculation? I have not measured it, but I know the ground so well. I believe it is more than that.
734. Would you mention any other public inconvenience that would be caused by this alteration? I do not know that I can, except the distance. It is an easy street. There could be no better street than Mort-street as it is at present—it is broad down to the water's edge.
735. Could there be as good a one? No, I do not think there could be in the neighbourhood anywhere.
736. Is there any public desire on the part of the inhabitants to have any alteration in Mort-street? The neighbourhood would be so much injured that their property would be half its value, in my opinion.
737. Is there any public desire on the part of the inhabitants to have any alteration? There is not—they wish to have it in its present state.
738. You know that that is the very strong feeling? It is.
739. Have you ever heard any opinion expressed in favour of any alteration in Mort-street, except from people directly or indirectly interested in Mort's Dock Company? I have not.
740. Were you present at any public meeting held at Balmain in opposition either to the Bill or to any modification of it? I was at two.
741. Were they large meetings? Fair meetings considering; they were not very large nor very small; the opinion of Balmain was well represented at both those meetings.
742. What was the feeling of those meetings with regard to the original proposal, and also the modified proposal? The opinion was unanimously for the present state of the road.
743. Was the first public meeting that was held almost unanimous in condemning any alteration whatever in Mort-street? It was.
744. Is the opposition to any alteration in Mort-street confined to those residing there, or does it pervade all classes in Balmain? All classes; all Balmain would be affected by this alteration.
745. And this feeling is general? It is.
746. Not confined to any particular class? No.
747. Are the small property-holders just as strong in their opposition as the large? Just as strong.
748. With regard to the proposed alterations in Yeend-street, the plan before you shows the modified proposal. What do you think about that—would that alteration be for the general benefit of Balmain? No, it would be a very great injury to the public. 749.

Mr.
F. Lemm.
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749. Have you heard any feeling expressed among the inhabitants of Balmain in favour of the proposed alteration of Yeend-street? There has been none in favour of it; it would be a very great injury. It is about 150 yards longer, and you have to go round about. The present wharf is where it could not be better; the proposed alteration would not be nearly so convenient as the wharf we have at present.
750. If any concession were made to the public, do you think this modified proposal might be accepted? Not that way.
751. Not if any further concessions were made? They might. For myself, I would consider it, if anything reasonable were given for what we were giving up.
752. You would favourably consider it if additional concessions were made? Yes.
753. What additional concessions should be made? Additional water-frontage should be given.
754. According to the modified proposal, at Sheer-legs Wharf it is proposed to give 25 feet of water-frontage; do you consider that reasonable? No, it is unreasonable.
755. If this proposed alteration of Yeend-street is made, how many feet of water frontage should be given by the Mort's Dock Company to the public, in your opinion? They should give at least 75 feet at the Sheer-legs Wharf to be equivalent to the 50 feet they take away from the public.
756. If Mort's Dock Company were to give up 75 feet of water frontage, as far as you are individually concerned do you think that would be accepted? It might.
757. What is the general feeling of Balmain, even if 75 feet were given? The general feeling is that it should remain as it is.
758. Are you aware whether Mort's Dock Company have already taken away several streets from the inhabitants of Balmain? Indeed I do know it.
759. Can you see what interests would be furthered by the proposed alterations except the interests of the Mort's Dock Company? No other interest would be furthered; and in addition to that the public interest would be very much injured.
760. This Committee has heard that the traffic is occasionally interfered with at this portion of Mort's Bay? It is only by the mismanagement of the Dock Company.
761. In what way? They have got buoys all over the water, and the ships lay anyhow, and of course it does impede the traffic at times.
762. These obstructions could be removed by themselves if they thought fit? Yes.
763. Have you seen the petition that has been signed against any alteration of this street? I have not.
764. Would it be greatly for the benefit of the public, and especially the owners of property in the neighbourhood, if every facility were given for the extension of the works of the Company? If the extension were given the public would suffer. The property-owners could not be benefited if existing rights are interfered with.
765. *Mr. Manning.*] Do you know as a matter of fact whether this modified proposal as regards Yeend-street has ever been before the public at all? It has been pointed out, and it was at once looked upon as a thing that should not be entertained. It was laid before the public meeting.
766. Do you really say that? I do; it was by Captain Broomfield, who said what they would do. I pointed it out at the last public meeting.

Mr. T. R. Allt sworn and examined:—

Mr.
T. R. Allt.
30 Mar., 1883.

767. *Mr. Simpson.*] You are a merchant, carrying on business in Sydney and residing in Balmain? Yes.
768. How long have you lived there? About twenty years.
769. Are you a property-holder? Yes.
770. Whereabouts? I have property down by the dock. I have some near the dock, some facing Mort-street, and some in College-street.
771. You have property abutting on Mort-street? Yes.
772. And running on to College-street? Yes, on the west side of Mort-street; and I have property on both sides.
773. Are you aware of the alterations of Mort-street as proposed by the Bill originally before Parliament? Yes; I am not very clear upon the point—I know moderately well.
774. You are aware of the alteration of Mort-street as proposed by the Bill originally before Parliament? Yes.
775. That proposal has been abandoned; they propose still to close Mort-street, but to make a street from there (*showing plan*) until they come to John-street? I understand it.
776. What do you think of that, as far as the public interests and the value of property are concerned? I am sure it will very much depreciate the value of property all about there. It will give Mort's people more room to work, no doubt, but from my experience of where the sheer-legs are even now the public suffer inconvenience by their vessels going over there. If they bring them to the proposed new street they will in time shut it up altogether, and they will drive the public down to Campbell-street. In a few years' time the proposed new street will be practically closed, because the size of the vessels is continually increasing. They are right in the eye of the bay, and it is too narrow; there is not sufficient water, and they will interfere greatly with the public thoroughfare.
777. Your opinion is that this modified proposal would seriously interfere with the value of property in the neighbourhood? I am quite sure of it.
778. Would it be an interference with the public interests and convenience generally? Yes, decidedly so.
779. Would it be for the interest of anybody, except the Company, that any alterations should be made at Mort-street? I am quite sure it would not. No doubt it would benefit the Company.
780. At the sacrifice of the value of property and public convenience to the inhabitants of Balmain generally? Yes.
781. You are acquainted with the general feeling of the people of Balmain on this matter: is the general feeling in favour of the alteration, or in favour of the continuance of the present state of things? They are in favour of the existing state of things, and entirely against any alteration whatever.
782. Have you heard among the people any desire expressed for any alteration? No, I have not, except from those who were interested in Mort's Company. The alteration I feel confident will militate against the

the interests of the public generally, inasmuch as large ships and steam-boats coming over to Mort's Dock for repairs, mooring and unmooring from time to time, will get into the way of the ferry-steamers and other small craft that might want to use the public wharf; and frequently the public will suffer very great inconvenience from the fact of these large steamers mooring and unmooring. I am further convinced that it is only the matter of a few years, and the public, solely from the inconvenience they will have to put up with, will be entirely driven away from the proposed new street.

Mr. T. R. Alt.
30 Mar., 1883.

783. So that, in your opinion, beyond all doubt, not only the present interests of the public, but their future interests, will be conserved by the continuation of the existing state of things? Exactly so.

784. I would direct your attention to the proposed alteration in Yeend-street (*shows the plan*). They propose to give to the public a water frontage of 25 feet, whilst at the same time they take away from the public 50 feet at the present place. What do you think of that proposal—would it be for the general interests and convenience of the public, or would it be any improvement whatever on the existing state of things? I would not like to give an opinion; I do not use that ferry, and having no direct interest about there I have not particularly gone into the matter.

785. The Mort's Dock Company propose to take away 50 feet of water frontage at the present ferry and only to give 25 feet at the proposed ferry: do you think that is a fairly equitable proposal? I do not consider that it is a fairly equitable proposal. The public have had to suffer a lot of inconvenience from the sheer-legs being there. People for Snail's Bay are continually inconvenienced by steamers coming alongside the sheer-legs, and the same difficulty would occur here that I drew attention to on the other side. You cannot moor and unmoor a large steamer in ten minutes—it takes a long time. If the new wharf was as proposed, and the sheer-legs moved, it might be more accessible.

786. These inconveniences at present and the obstructions are caused by the Mort's Dock Company themselves? There is no doubt of it. Their works have increased very much.

787. As a matter of fairness, considering the public interests, are you not of opinion that, if this proposed alteration of Yeend-street is carried out, the Company should give more than 25 feet to the public in compensation for the 50 feet they take away? I think so. If they take 50 feet at one place they ought to give 50 feet at the other.

788. Have you heard any expression of opinion among the inhabitants of Balmain in favour of the alteration of Yeend-street? No.

789. Do you know whether Yeend-street has existed for many years? I cannot tell you.

790. There is a statement in the preamble of the Bill that the closing of the streets or roads would not create any public loss, disadvantage, or inconvenience, if other roads or streets leading to shores of the said bay to the immediate neighbourhood of the said existing streets or roads were substituted for the same, and wharves and proper approaches constructed and made for the landing of passengers. Can you say whether the proposed closing of this street and the substitution of the other street would or would not cause a public inconvenience rather than a convenience? I am of opinion that it would be a public inconvenience.

791. *Mr. Manning.*] As I understand, the proposed new street would not effect any immediate loss, but it is because of what might happen in the future; it could not effect any immediate loss of property? No, I do not think so.*

792. It is only what you fear in the future? Yes, more for the future.†

793. As a matter of fact, the travelling public have to suffer inconvenience in getting to and from these wharves? I do not think so at Mort-street; it is only at Yeend-street.

794. As a matter of fact, although you have got 50 feet of water frontage at Yeend-street, there is only a small jetty running out, and a steamer lying east and west at the end would overlap Mort's property on both sides? Yes.

795. By giving this 25 feet here, where they have another 50 feet, that difficulty could not arise? I think it might. Steamers are more than 75 feet long. I think it would be better if they gave them 125 feet there. The same difficulty would arise with 75 feet as with 50 feet.

796. Suppose Mort's Dock Company utilize the property there, which they propose to make the new street, would not that interfere with the proposed jetty arrangements; suppose they run a wharf out, for instance? It would detract from the present convenience.

797. If a good wharf was run out where proposed, it would be clear on one side of all obstruction of the Company? The owners of the property on the other side might run out a wharf too.

798. What causes this inconvenience to the travelling public is the increase of business to the dock—larger ships being brought there, and in greater numbers? Yes.

799. I suppose you will admit that it is an advantage to the public generally to have the means of docking and repairing large ships in this Colony? No doubt it is good for the port.

800. And one is more or less proud of having an establishment that can do such work here? So long as you do not interfere with the public interests.

801. *Mr. Simpson.*] I suppose an alteration of a street that had existed some fifteen or sixteen years would in itself be an inconvenience? No doubt of it. People buy property with an idea that it will increase in value, and they go to a main street believing that the property in that street must very much increase in value. Mort-street is, without exception, the very best street in Balmain, inasmuch as it is the easiest gradient in Balmain, and it is a direct road. The value of property is much greater in such a street than in one that diverges off.

802. And people purchase property on a main street, or close to a main street, upon the faith of the continuance of the existing state of things? Most decidedly.

803. And any alteration would be prejudicial to the vested interests of a considerable number of people? Certainly.

804. Do you know that quite recently some new shops have been built in Mort-street, within the last twelve months? I know of some within the last two years.

805. *Chairman.*] I suppose you will admit that an establishment like Mort's Dock is a very great benefit to the Colony generally, and to Balmain in particular? It is a benefit to the Colony.

806.

* NOTE (*on revision*):—In this answer I directly refer to Snail's Bay, not Mort-street, where the property would be (with any alteration) most seriously depreciated in value.

† NOTE (*on revision*):—I ought to qualify this reply by stating that, while serious depreciation will immediately arise, in the future property will practically be valueless.

Mr. T. R. Allt. 806. And the people there have the benefit of the trade brought to the locality? I do not think so. I think Mort's works depreciate the value of property very much. There is no suburb where property has so little gone up in value as Balmain during the last twenty years.

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807. And that you attribute to the existence of the dock? I do in a great measure. It is a poor working neighbourhood, where small tenements have gone up.

808. *Mr. Hutchinson.*] In the event of the proposed alterations not being carried out, you are of opinion that the water space is not sufficient for the service? Yes. When they started those works they had no idea that the Colony would grow as it has. They have got the eye of the bay, and there is not sufficient space to carry on their works. If the Colony goes on at the same ratio, in a few years they will take up half the bay.

809. The larger class of vessels now being brought to the dock will ultimately prevent the traffic between these two wharves? It is all tending that way.

810. Would it not be an advantage if the wharves were taken further out, so as to get out of the line of stoppage? No, because you will ultimately have to drive the public right round to Snail's Bay, commencing from the Darling Road, that now use the Mort-street ferry.

811. Then you think the alteration will make a state of things as bad as what exists at present? Worse, in consequence of the increasing trade of the Colony.

812. You know that a very large number of small residences, suitable for the working-classes, have been erected round that district: would it not be a public calamity to Balmain if the Company was driven away altogether? For a short time it might deaden the prices of property, but it would only require a few months to increase the value of all the property in Balmain. The smoke from the works is a great nuisance—you cannot put clothes out to dry there. The more chimneys you erect the more nuisance to the neighbourhood generally.

813. It is said there are about 900 men employed on the works: presuming that the works were extended, and gave employment to 2,000, would it not benefit Balmain for the Dock Company to remain there? I do not think so. These works bring a class of population which does not increase the value of property, and the men are all of a migratory kind; I do not suppose more than one-third of them live in Balmain at the outside.

Mr. Charles Read sworn and examined:—

Mr.
C. Read.
30 Mar., 1883.

814. *Mr. Simpson.*] What is your occupation? I keep a carpet warehouse in George-street.

815. You are aware of the proposed alterations in Mort-street? Yes.

816. Are you a property-holder? Not at present. I have been.

817. For many years? Yes.

818. You live at Balmain? Yes.

819. Are you aware of the modifications of the original proposal as shown by this plan? Yes.

820. The original proposal was to close Mort-street as far as John-street; now the proposal is still to close that part of Mort-street, but to substitute another street to the water: what do you say would be the effect upon the public interest if that is carried out? I should think it would seriously interfere with the general interests of Balmain.

821. If the part of Mort-street which it is proposed to close were closed, it would be a serious injury to the general interests, even if the proposed new street were made? I think so; Mort-street having been made for so many years, and people having bought property in that street on what has been represented to them as an advantage as regards its being a main street, leading direct to the water. It is the only thoroughfare from the water on that side, and it was in use before the dock was made.

822. If Mort-street were closed as proposed, and a new street substituted for it, do you think that property in the neighbourhood would be very much depreciated in value? I do.

823. Without any corresponding benefit to the public? Yes.

824. Did you live long in Balmain? About twenty-three years.

825. Are you aware of the general feeling of the inhabitants of Balmain as to any alteration in Mort-street? I believe they are thoroughly opposed to it.

826. Have you heard any opinion expressed in favour of any alteration in Mort-street? No. I have frequently heard about it, and the desire is to retain it in its present form.

827. Would the proposed alteration be of any advantage to anybody except those connected with the Company? I do not think to any person.

828. Now this proposed alteration to Yeend-street. It is proposed to close the existing wharf, and substitute a new road and wharf for it; can you say that that alteration would be of any public benefit? I am not so conversant with that side of the bay. I could not say that any public convenience would be gained by it.

829. Have you ever heard any expression in favour of it? No, none.

830. *Mr. Manning.*] As a traveller to the other ferry, have you found any inconvenience in getting to the Yeend-street wharf? No, I have never met with any serious inconvenience.

831. *Mr. Simpson.*] And if there are any inconveniences or obstructions which are caused to the public traffic, they have been caused by the Company themselves placing obstructions in the way? Yes, vessels drawn out by lines in a manner which would not be looked upon as good work by any nautical man.

832. *Chairman.*] Are you a nautical man? I have travelled a good deal.

833. *Mr. Manning.*] You think this would give a worse gradient than the other? I think so—I am positively sure of it.

834. *Chairman.*] You told Mr. Simpson that, so far as you were aware, public feeling in Balmain is against the proposal contained in this Bill? I think so.

835. I suppose you are aware that in August last this matter was referred to the Municipal Council? I have only heard of it quite recently.

836. Are you aware that three-fourths of the representatives of the people in that Council decided in favour of this proposal? No, I am not aware of it.

837. That it was carried by a majority of nine to three? I do not know anything of it.

838. *Mr. Garrard.*] Have you given sufficient attention to the gradient? Yes, I have seen it before.

839. As the street is longer, and as it starts from the same point, and both streets come down to the water, must there not of necessity be an easier gradient between the two? I do not think so.

Mr.

ON MORT'S BAY IMPROVEMENT BILL.

Mr. Henry Walter Callan sworn and examined:—

840. *Mr. Simpson.*] What are you? A carver and gilder, carrying on business in Pitt-street. I reside in the Iron Cove Road, Balmain. Mr.
H. W. Callan.
30 Mar., 1883.
841. Have you resided in Balmain for many years? About ten or twelve years, but not always in the same place. I have resided in Mort-street, where I have property.
842. Whereabouts? Within 90 yards of New John-street.
843. How long have you had that property? About eight years.
844. And Mort-street, as it now exists, was in existence when you bought that property? It was.
845. How much property have you there? Two cottages, with frontages of 66 feet to Mort-street, in what I consider the best portion of that street. But if these proposed alterations were made the property would be very much deteriorated in value, and so I consider will all that part of Mort-street, nearly to the top of the street.
846. And to the same extent? The nearer the dock, the greater the deterioration.
847. When you purchased that property you believed that Mort-street would continue as it then existed? I did. I understood that the property, when it was sold by Mr. Mort, was sold at a higher price than any other because this was the highway to Sydney, and one of the broadest streets in the borough, with a wharf at the end of the street.
848. Is there any desire whatever on the part of the inhabitants of Balmain that any alteration should be made in Mort-street? Decidedly not; every one wishes it to remain as it is. I am speaking of people who live there. I know there are one or two other gentlemen who think it might be altered.
849. *Chairman.*] Your present Members are in favour of the alteration? I believe so.
850. *Mr. Simpson.*] Are they holders of property in the neighbourhood? I think not, but I cannot say.
851. Were you present at any public meeting at Balmain in opposition to the alteration of Mort-street? I was.
852. At the last meeting? Yes.
853. Was the feeling there very strong against any alteration of Mort-street, either according to the original or the modified proposal? There was no modified proposal before us.
854. But still the meeting knew of the modified proposal? They had an idea, and they were very much opposed to it.
855. Was it explained to the meeting what the modified proposal was? It was.
856. Was the feeling very strong against that? It was unanimously against it, and very strong.
857. And the feeling of the meeting was strong and unanimous in favour of the existing state of things being kept up? Yes.
858. Are you acquainted with the proposed alteration in the modified form of Yeend-street? Yes.
859. Would that alteration, in your opinion, be for the public benefit? No, it would not.
860. There would not be sufficient frontage there at the shecr-legs wharf? There is a 50-foot road, and that would not be sufficient.
861. *Mr. Garrard.*] And yet 50 feet are sufficient at Yeend-street? It would not be if everybody exercised their rights.
862. *Mr. Simpson.*] If Yeend-street is altered as proposed, how many feet of water frontage at the shecr-legs should the Company give to the public? I should say 75 feet would be necessary.
863. Even if that were done, would it be any advantage over the existing state of things? I do not think so; the public would have further to walk.
864. Have you ever heard any feeling expressed among the inhabitants of Balmain as to any alteration of Yeend-street? Not so far as this goes. The proposal that was to have been made at the meeting would find favour with some people.
865. Has this proposal ever been submitted to any public meeting? No.
866. Are you able to say whether the public feeling would be in favour of this, or of the existing state of things? The existing state of things; but some of the obstacles to a free passage should be removed.
867. By whom are the obstacles caused? By the buoys placed for the benefit of the Mort's Dock people. I know they monopolize the water-way.
868. Can you say whether the feeling would be very strong in favour of the existing state of things? It is.
869. Can you see any additional convenience that would be caused to anybody except to the Mort's Dock people, and those connected with them? I cannot.
870. *Mr. Manning.*] How will the making of this diversion of Mort-street depreciate the value of property in Mort-street? At present it is one of the widest streets in Balmain, going to the water; you can see the water at the end of the street, and it is one free passage for the current of air. If the Dock Company put smoky chimneys there it will very much damage the property.
871. Then the injury would only be done if certain obnoxious things are done by the Company? That is one thing.
872. What else? We shall have to travel further.
873. Will not loading come just as easily up the proposed new street? It might.
874. Would it not be a less gradient than the other? It would be, if anything, slightly less.
875. Therefore it would not affect the carriage of goods? No.
876. And the people landing at that wharf would walk up Mort-street as they do now? They would have further to walk. Putting up a wall there would damage property very considerably; I consider it would deteriorate my property fully one-third. My objection is to the extension of the dock. The property has already suffered from the dock.
877. *Mr. Simpson.*] Something has been said about the two present Members being in favour of some alteration in these streets; you have heard that said? Yes.
878. I suppose it was not made a test question at the last election? I do not think it was.
879. I suppose your Members were elected upon higher and broader grounds? They were. I was on the Committee of one, and I heard nothing about this. Had the election been held at the present time it might have been prominently brought forward.
880. Do you not know that in the smaller matter of the municipal election it was made a test question? It was by some people, but not generally.

- Mr. H. W. Callan.
30 Mar., 1883.
881. *Chairman.*] Do you not recollect in August last this matter being referred to the Municipal Council, who decided in favour by nine to three? Yes.
882. I suppose they pretty well represented public feeling? Not in that matter.
883. As a matter of fact, the Aldermen decided in favour of the Bill? I believe they did.
884. And two gentlemen in favour of it were returned at the last election? Yes.
885. They are both Aldermen as well as Members of Parliament? They are.
886. Have you ever noticed any great inconvenience to the travelling public through not being able to get into Mort-street? Yes.
887. What is that owing to? To the ropes from the vessels out to the buoys.
888. Do you not think that the extension of works like that is a great benefit to the country? It is no benefit to Balmain.
889. Would it be a benefit to Balmain if it were removed altogether? It would.
890. *Mr. Manning.*] It would be desirable even for Balmain that it should still be in the Colony? It would be no benefit to Balmain. Balmain property is lower than any other suburb, and it ought to be higher. The property in Mort-street deteriorated nearly one-half in fourteen years.
891. *Mr. Garrard.*] Is that not caused by the frequent interruptions to traffic? No.
892. Is it not a fact that the three Aldermen representing the ward in which Mort-street is included, were last August all in favour of the proposal? I do not know; I believe so.
893. Your objection is that the Dock Company might erect buildings upon that piece of land which would block out the view of the persons in the upper portion of the street, and give you smoke and so on? Yes.
894. You are aware that the Company own the land on the east side of Mort-street? I am.
895. Is there anything to prevent them doing that now? I do not know.
896. Is it any less likely that they should build obnoxious chimneys there than if they had the block intact? I do not think so, but Mort-street would be closed.
897. You say you are not aware that it was made a test question at the last election: do you not know that every candidate was questioned as to his opinion on this matter? I am not aware.
898. *Mr. Simpson.*] There is no doubt that the interests of the people holding property about Mort-street are more intimately affected than those of people residing at a distance? Very much more so. Many of the electors—and I say half of them—never use Mort-street.
899. *Mr. Garrard.*] Are you aware that one of the Members suggested that a poll of the persons who use this ferry should be taken? I am not.
900. Did you not hear me make that proposal? I heard you speak, but I do not remember all you said. My memory is that you said it would have been better if the Dock Company had done something of the kind.
901. Is it true that the petitioners against this measure have been kept posted up as to the steps taken in this measure by one of the Members? Yes, I believe so.
902. *Mr. Hutchinson.*] Copies of the Bill were forwarded as far back as August last? I am not speaking of my own knowledge; it is what I have heard.
903. *Mr. Simpson.*] If it has been stated that Mort's Dock Company propose to close Mort-street in the interests of the public and not of themselves, what do you say to that? I think the residents of Balmain do not believe in that statement, and they do not desire any alteration.
904. They would sooner that the Company should not look after their interests? They would sooner look after them themselves.
905. Is not this feeling at Balmain against closing these streets getting stronger and stronger every day? It is; it has not been much ventilated until now.

Mr. William John Weets sworn and examined:—

- Mr. W. J. Weets.
30 Mar., 1883.
906. *Mr. Simpson.*] What is your occupation? I am a civil engineer.
907. You do not reside at Balmain? I do.
908. And you have no property there? No.
909. Since when? Six months.
910. In what part? Cove-street, on the Iron Cove side.
911. Are you acquainted with the proposed alteration of Mort-street? I am.
912. Can you say whether in your opinion that would be any public benefit? Certainly not.
913. You believe that that alteration would be in no way for the benefit or interests of the public? Certainly not.
914. On the other hand, what would be the effect? I think it would cause a great depreciation of property, and put the travelling public to great inconvenience.
915. Have you heard any expressions of opinion among the people in favour of the proposal or in opposition? I have heard both sides; I think the majority are against the closing.
916. Have you heard any expression in favour of it except from those interested in it? I have; it was particularly from the workmen at Mort's Dock.
917. *Mr. Garrard.*] The majority of whom reside at Balmain? Yes.
918. *Mr. Simpson.*] You mean the majority of the workmen? Yes.
919. Do you know anything about the proposed alteration of Yeend-street? I have used the one ferry as often as the other.
920. You are acquainted with the modified proposal? I am.*
921. What is your opinion of it, as far as the public interests and convenience are concerned? I think what they give is anything but *quid pro quo*—the difference between what they take and what they give.
922. You do not think they give a fair equivalent of water frontage for what they take away? Certainly not, and as far as the travelling public is concerned they have to go further, and that might often be a great inconvenience.
923. Do you believe that, with reference to both these alterations, that a public loss, disadvantage, and inconvenience would be caused if they are carried out? Most certainly; there would be no corresponding advantage to the public.
- 924.

* NOTE (on revision): I asked—First tell me the width of the proposed continuation of Yeend-street—I presume the same as Yeend-street, 50 feet? *Mr. Garrard*; Yes.

924. Have you mixed much among the people of Balmain? Not until this question arose.
925. Have you conversed with the people of Balmain so as to ascertain their feeling? I have.
926. What is it? It is against the roads or streets being closed.
927. In the original or even the modified form? The feeling is strongly in favour of continuing the existing state of things.
928. Is that feeling growing stronger every day? It is.
929. Amongst all classes? Amongst all classes.
930. Do you know that at the last municipal election this was made a test question? I know that with regard to this ward it was.
931. Who was returned? Mr. Buchanan.
932. And he is strongly opposed to the closing of either of these streets? So far as I know he is.
933. As a matter of fact, has this modified proposal been before the public at all? At the last public meeting. We have had two public meetings.
934. *Chairman.*] When was the last one? Last Wednesday, the 21st.*
935. Do you recollect the terms of the advertisement calling that meeting? No; it was called a public meeting.
936. You consider that the feeling in opposition to these proposals is growing stronger day by day? Certainly.
937. How do you form that opinion? By daily converse with the people. I go backwards and forwards morning and evening.
938. You get off at Snail's Bay? Sometimes one and sometimes the other.
939. Then your opportunities are confined to your trips one way or the other? And my evenings; when I am out I meet people.
940. You have been six months residing at Balmain? Yes.
941. You are aware that this matter has been before the Municipal Council of Balmain, so far back as August last? I have heard so.
942. You have heard that it was accepted by nine to three? I have heard so.
943. And that there is no material alteration in the Council since? I have heard that one or two have been returned who are in favour of our views.
944. *Mr. Garrard.*] Did not one gentleman take the place of another who was also in favour of your views? I believe so.
945. You said that the Company do not propose to give *quid pro quo*—Are you aware what length they propose to cut off, and what they propose to give? Yes.
946. Does that not counterbalance? No, because of the cliff of rocks.
947. The Company propose to give 25 feet: is that sufficient, or would more be required? Certainly, more should be given.
948. How much more? We should have sufficient length to put our boats alongside.
949. Are you aware that there is only 50 feet of frontage at Yeend-street? I am aware.
950. Are you aware whether there is frequent interruption to the traffic, owing to the number of vessels coming up? I only know of one.
951. *Mr. Simpson.*] These interruptions are caused by the Company themselves? Yes, they are.

Mr.
W. J. Weets.
30 Mar., 1883.

Mr. James McDonald recalled and re-examined:—

952. *Mr. Manning.*] You prepared the amended Schedules? Yes.
953. And they are correct? Yes.
954. In the plan of the proposed new street there is one corner not coloured? Yes.
955. That really is included in Schedule A-B? Yes. It is left unmarked, because there is to be a boat-landing-place excavated there, for small boats to get out of the way of the steamers.
956. *Mr. Garrard.*] That only gives 50 feet of water frontage, the same as Mort-street? Yes.
957. *Mr. Manning.*] By giving 25 feet of the sheer-legs wharf you provide nearly 100 feet at the wharf? Yes.
958. *Mr. Simpson.*] Do you propose to erect a wharf at the sheer-legs, giving very nearly 100 feet of frontage? We have given 25 feet at the present wharf, and they propose to erect an inclined landing-place there. That would be over 30 feet of wharfage, and ultimately it would be very nearly 100 feet. At high-water it is 25 feet, but it would be 35 or 40 feet at the extremity of the wharf.
959. Do you propose to convey to the public 35 feet of water frontage at the sheer-legs wharf? I am only stating what it would come to.
960. *Mr. Garrard.*] You propose to make Yeend-street only a 25-feet street? Yes.
961. The Bill provides for the drainage being taken away to the satisfaction of the Borough Council? It does.

Mr.
J. McDonald.
30 Mar., 1883.

* *Revised.* :—I should have said last Wednesday week.

1883.

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LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MORT'S BAY IMPROVEMENT BILL.

(PETITION AGAINST—E. H. BUCHANAN.)

—

Received by the Legislative Assembly, 14 March, 1883.

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of Edward Harman Buchanan, of Balmain, in the Colony of New South Wales, Architect,—

SHOWETH:—

1. That a Private Bill has been brought into Parliament, during the present Session, intituled, "A Bill to enable Mort's Dock and Engineering Company (Limited) to close certain streets through their property at Mort's Bay, and to establish new roads in lieu thereof."

2. That by the said Bill it is proposed to close up certain streets in the said Bill set out and referred to.

3. That your Petitioner, together with others, residents of Balmain aforesaid, consider they will be injured if the said Bill be passed, and desire to be heard in opposition to the said Bill, and to be represented by counsel or solicitor before the Select Committee appointed by your Honorable House.

Your Petitioner therefore humbly prays your Honorable House that your Petitioner may be represented before such Select Committee appointed by your Honorable House to report on the said Bill before the final passing thereof, by counsel or solicitor, and that your Petitioner may give or adduce any evidence as advised in reference to the premises aforesaid.

And your Petitioner, as in duty bound, will ever pray.

EDWARD H. BUCHANAN.

1883.

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LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MORT'S BAY IMPROVEMENT BILL.

(PETITION AGAINST—PROPERTY-HOLDERS AND OTHERS OF BALMAIN.)

Received by the Legislative Assembly, 17 April, 1883.

To the Honorable the Speaker and Members of the Legislative Assembly of New South Wales.

The humble Petition of the undersigned residents, property-holders, and ratepayers of, and property-holders in, the borough of Balmain, in the Colony of New South Wales,—

RESPECTFULLY SHOWETH:—

That your Petitioners are residents, ratepayers, and property-holders in the borough of Balmain.

Your Petitioners have been informed that your Honorable House has been petitioned by Mort's Dock Company (Limited), to pass a Bill enabling them to close portions of two important streets in said borough, with the object of vesting in the said Company the fee simple in all that portion of Mort-street extending from New John-street to the waters of Mort Bay, and the whole of Yeend-street.

Your Petitioners deprecate the precedent that would thereby be established, in giving to a private Company power to over-ride the individual rights of residents and property-owners, and, at the same time closing part of a main street (Mort-street), the natural thoroughfare from Darling-street (the principal street in Balmain) to Mort's Dock Ferry, thereby causing incalculable deterioration in the value of all business houses and price of land in street aforesaid.

Your Petitioners respectfully but most firmly protest against public streets being resumed and sold for the especial benefit of private individuals or Companies, to the detriment of the property-holders, shopkeepers, and ratepayers in the neighbourhood.

Your Petitioners humbly hope that your Honorable House will, in its wisdom, see fit to reject the Bill in question, the passing of which would be so injurious to the interests of your Petitioners.

And your Petitioners respectfully pray that you will be pleased to hear Counsel at the Bar of the House in support of their opposition to the Bill.

And, as in duty bound, your humble Petitioners will ever pray.

[Here follow 680 signatures.]

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

ROTTON'S ESTATE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
21 *February*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 16. WEDNESDAY, 14 FEBRUARY, 1883.

4. ROTTON'S ESTATE BILL (*Formal Motion*):—Mr. Combes moved, pursuant to Notice,—
- (1.) That Rotton's Estate Bill be referred to a Select Committee for inquiry and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Burns, Mr. George Campbell, Mr. William Clarke, Mr. Dalton, Mr. De Salis, Mr. Farnell, Mr. Sydney Smith, Mr. Hellyer, Mr. Targett, and the Mover.
- (3.) That the Report from the Select Committee of Session 1882 on the Bill, together with the Minutes of Proceedings, be referred to the said Committee.
- Question put and passed.
-

VOTES NO. 20. WEDNESDAY, 21 FEBRUARY, 1883.

3. ROTTON'S ESTATE BILL:—Mr. Combes, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before the Select Committee, for whose consideration and report this Bill was referred on 14th February, 1883; together with a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.
- * * * * *
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1883.

 ROTTON'S ESTATE BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose inquiry and report was referred, on 14th February, 1883,—“*Rotton's Estate Bill,*” and to whom was also referred on the same date, “*the Report from the Select Committee of 1882*”;—beg to report to your Honorable House :—

That they have examined the witnesses named in the *List (whose evidence *See List, page 4 will be found appended hereto) and carefully considered the evidence referred to them; and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Clauses and Schedule of the Bill, in which it was not deemed necessary to make any amendment.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

EDWARD COMBES,
Chairman.

*No. 3 Committee Room,
Sydney, 20th February, 1883.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 20 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Burns,	|	Mr. Dalton,
Mr. George Campbell,		Mr. Combes,
Mr. Hellyer.		

Mr. Combes called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, and the Report of the Select Committee of Session 1882, together with original Petition to introduce the Bill, before the Committee.

Present :—Frederick Curtiss, Esq. (*Solicitor for the Bill*).

Frederick Curtiss, Esq., sworn and examined.

William Foxton Hayley, Esq. (*a Trustee of Rotton's Estate*), called in, sworn, and examined.

Witness produced Probate of the Will of the late Henry Rotton, and handed in copy of the same.

Witness also handed in copy of Counsel's opinion *in re* Will of Henry Rotton and Consent of H. M. Keightley (*a Trustee*) to the Bill, which were ordered to be appended. (*See Appendices A and B.*)

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 6 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, without amendment, to the House.

LIST OF WITNESSES.

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1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

ROTTON'S ESTATE BILL.

TUESDAY, 20 FEBRUARY, 1883.

Present:—

MR. BURNS,		MR. COMBES,
MR. GEORGE CAMPBELL,		MR. DALTON,
	MR. HELLYER.	

EDWARD COMBES, Esq., C.M.G., IN THE CHAIR.

Mr. Frederick Curtiss and Mr. J. M. McIntosh appeared as Solicitors on behalf of the Promoters of the Bill.

Mr. Frederick Curtiss, having been sworn, was examined:—

1. *Chairman.*] You are one of the Solicitors to the Promoters of this Bill? Yes.
2. The Bill now before the Committee is the same Bill in every particular as the Bill brought in during the last Session of Parliament? Yes.
3. There has been no amendment whatever? No amendment since it was amended in the last Session of Parliament.
4. And your clients desire to proceed with it in the same manner as when the Bill was before the Select Committee of the last Parliament? They do.
5. *Mr. Burns.*] The Select Committee of the previous Session reported in favour of the Bill? Yes.
6. And it fell through in consequence of the dissolution of Parliament? Yes.
7. And your clients desire to pass it now? Yes, they do.

Mr. F. Curtiss.
20 Feb., 1883.

Mr. William Foxton Hayley sworn and examined:—

8. *Chairman.*] You are one of the executors and trustees under the will of the late Mr. Henry Rotton? Yes.
9. You have seen the Bill that is now before the Committee? Yes.
10. That is the same Bill that you were examined on on the 1st November, 1882? Yes.
11. In the last Parliament? Yes, I believe that was the date.
12. And the executors of the will still wish to have the Bill passed into an Act of Parliament? They do.
13. You desire to hand in some papers in connection with this matter? I do.

Mr.
W. F. Hayley.
20 Feb., 1883.

[Witness handed in attested copy of the probate of the will of the late Henry Rotton; also, copy of the opinion of Mr. Davis, barrister-at-law (*see Appendix A*), re will of the late Mr. Henry Rotton; and memorandum from Mr. H. M. Keightley, consenting to the proceedings now being taken (*See Appendix B*.)]

14. *Mr. Burns.*] Mr. Keightley is resident in the Colony? He is.
15. And he approves of this Bill? Yes.
16. And the paper you hand in is his consent? It is.

ROTTON'S ESTATE BILL.

APPENDIX.

[*To the Evidence of William Foxton Hayley, Esq., 20 February, 1883.*]

A.

OPINION.

Re Will of Henry Rotton, deceased.

THE first question for my opinion is whether any power of sale of the realty of the deceased is given by this will. The will is most inartificially drawn. It is, of course, only in regard to the residuary estate, which with the residuary personalty is to be divided into fourteen shares, that the question to be answered in this case arises. That residuary estate is not in the usual way devised to the trustees to be divided among the intended beneficiaries; but it is simply devised to be divided without specifically naming any devisee. Under the form of words here adopted the devise would, I think, be taken to be direct to the beneficiaries. It is only when we come to the direction to invest that the trustees are named as the persons intended to take the shares of the wife and children for the purposes of distribution. Then the testator seems to contemplate the trustees having vested in them the property for such purpose. Very great difficulty is thus caused, and I cannot find sufficient in this direction to invest the shares to warrant me in coming to the conclusion that the power or rather direction to invest gives a power of sale. In my opinion it does not.

There is a further direction in the will, which in some cases has been held sufficient, to impliedly confer on the executors a power of sale. It is the direction which follows the several directions as to the division and disposition of the several shares, and which is in the following words—"I direct that my executors will first pay all my just and lawful debts (which will be few) and my funeral expenses." This is really a general charge of debts, and, in certain cases, that has been held sufficient to give a power of sale. The use of the words "first pay" is equivalent to saying that the property of the testator is to be taken by those intended to take, subject to there being first taken out of it what may be required to pay debts. In such way it has been held that the property is made subject to the payment of debts, and, as the executors are the persons to pay those debts, they are held to have conferred on them the power of selling, so as to have the money with which to pay the debts. However, in this case, I do not feel at all confident that it would be held by the Court in the case of a purchaser taking the objection that there was no power of sale in this will over the realty, that such was so clearly the case as to force the title on an unwilling purchaser.

Under these circumstances, it appears to me that some steps must be taken by which a power of sale can be given. I do not advise proceedings in Equity either for an administration of the estate and for the opinion of the Court on the construction of the will, or for a partition or sale; the most advisable and least expensive course is to obtain an Act of Parliament. There should be no difficulty in obtaining such an Act under the circumstances of this case, as it is clear that a sale is necessary to carry out effectually the testator's expressed intentions.

In regard to the second question, I am of opinion that each child takes a share, which in the event of his attaining twenty-one, in case of a son, and in the event of marrying under twenty-one, with the consent of her guardian, in the case of a daughter, or, if not married then on her attaining twenty-one, becomes indefeasible; and that on the contingency of a son dying under twenty-one, and of a daughter dying under that age and before any such sanctioned marriage, such share goes over to the surviving children equally. The gift is of a vested interest liable to be divested in the event of the happening of the mentioned contingency.

G. C. DAVIS,
Wentworth Court, 2 December, 1881.

WE have examined the writing contained in this and the preceding half-sheet of paper with the original opinion of which it purports to be a copy, and certify that it is a true copy of the said original opinion.

Bathurst, 2 November, 1882.

GEORGE PINNOCK,
Solicitor, Bathurst.
JOHN F. COLES.

[*To the Evidence of William Foxton Hayley, Esq., 20 February, 1883.*]

B.

The Committee of the Legislative Assembly on "Rotton's Estate Bill."

MORUWA, February, 1883.

I APPROVE of and consider it expedient for the persons beneficially interested under the will of the late Henry Rotton, that the Bill proposed to be enacted in the present Session of the Parliament of New South Wales, intituled "Rotton's Estate Act of 1883," should be passed, and I consent to all the provisions therein contained.

I am, &c.,
H. M. KEIGHTLEY,
Executor and Trustee of the will of the late
Henry Rotton, deceased.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

WOLLONGONG GAS-LIGHT COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
18 *April*, 1883.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 42. WEDNESDAY, 4 APRIL, 1883.

8. WOLLONGONG GAS-LIGHT COMPANY'S BILL (*Formal Motion*):—Mr. Proctor moved, pursuant to Notice,—
- (1.) That the Wollongong Gaslight Company's Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
- (2.) That such Committee consist of Mr. Tarrant, Mr. Poole, Mr. Gray, Mr. Humphery, Mr. Garrard, Dr. Ross, Mr. Teece, Mr. Young, Mr. Hugh Taylor, and the Mover.
- Question put and passed.
-

VOTES No. 50. WEDNESDAY, 18 APRIL, 1883.

4. WOLLONGONG GAS-LIGHT COMPANY'S BILL:—Mr. Proctor, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 4th April, 1883; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
- * * * * *
-

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1883.

WOLLONGONG GAS-LIGHT COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on the 4th April, 1883,—“*the Wollongong Gas-light Company's Bill*,”—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose evidence *See List, page 4 will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

*No. 3 Committee Room,
Sydney, 18th April, 1883.*

W. C. PROCTOR,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 13 APRIL, 1883.

MEMBERS PRESENT:—

Mr. Proctor, | Dr. Ross,
Mr. Tarrant.

Mr. Proctor called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present:—H. R. Way, Esq. (*Solicitor for the Bill*).

John Bigger, Esq. (*Secretary to the Company*), called in, sworn, and examined.

Witness produced the Memorandum of Association, and the Certificate of Registration of the Company, also the Preliminary Agreement made with the Municipal Council of Wollongong.

Witness withdrew.

Frederick A. Franklin, Esq. (*Mayor of Wollongong*), called in, sworn, and examined.

Room cleared.

Committee deliberated.

[Adjourned to Wednesday next, at half-past *Two* o'clock.]

WEDNESDAY, 18 APRIL, 1883.

MEMBERS PRESENT:—

Mr. Proctor in the Chair.
Mr. Garrard, | Mr. Tarrant,
Mr. Teece.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clauses 1 to 4 read and agreed to.

Clause 5 read, amended,* and agreed to.

Clauses 6 to 23 read and agreed to.

Schedules read and agreed to.

New* clauses, to stand clauses 22 and 23, read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with amendments, to the House.

*See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 6, clause 5, line 6. *Omit* “fifteen shillings” *insert* “twelve shillings and sixpence”

Page 10. *Insert* the following new clauses, to stand clauses 22 and 23:—

“22. Nothing contained in this Act shall prevent the said Company being brought under the provisions of any general Act which may be passed by the Parliament of New South Wales applying equally to Companies engaged in the manufacture of gas in the said Colony with reference to the manufacture and sale of gas nor entitle the said Company to compensation from the public revenue by reason of the provisions of such general Act for the purpose aforesaid being made applicable to and binding upon the said Company.”

“23. If it shall be proved to the satisfaction of any two Justices of the Peace in Petty Sessions assembled that the said Company or any of its officers have been guilty of any default under this Act they shall be liable for each and every such default to a penalty not exceeding five pounds to be recovered in a summary way.”

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1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

WOLLONGONG GAS-LIGHT COMPANY'S BILL.

FRIDAY, 13 APRIL, 1883.

Present:—

MR. PROCTOR, | DR. ROSS,
| MR. TARRANT.

W. C. PROCTOR, ESQ., IN THE CHAIR.

H. R. Way, Esq., appeared as Solicitor for the Bill.

John Bigger, Esq., called in and examined:—

1. *Chairman.*] You are Secretary to the Wollongong Gas Company? I am.
2. *Mr. Way.*] Do you produce a copy of the Memorandum of Association and Articles of Association of the Wollongong Gas-light Company (Limited)? I do. (*Produced.*)
3. The originals are in the Registrar-General's Office? Yes.
4. Do you produce a certificate of registration of the Company? Yes. (*Produced.*)
5. Will you look at this document (*produced*) and say what it is? This is an agreement made between the Wollongong Municipal Council and the Company, by which the Company are authorized to open the roads and lay down their gas mains and service pipes to consumers' houses. This agreement was made to facilitate our operations, and to enable us to go on with the work, pending the passing of this Bill; the state of public business in October, when that agreement was made, being such that there was no probability of our getting the Bill through.
6. By whom is that agreement signed? By Mr. Aquila Parsons, who, on the 27th October, was Mayor of the Borough Council, countersigned by Henry Stumbles, Town Clerk of the borough, and sealed with the municipal seal. Then, on behalf of the Gas Company, it is signed by Percy Owen, Chairman; John Bright, George Hewlett, and Archibald Campbell, four of the Directors of the Company, and countersigned by myself as Secretary, the Company's seal being attached. Acting on that agreement, we have laid down 113 chains length of mains through the streets, and the service is laid on to fifty or sixty houses. We have bought an acre and a half of ground, the works are being erected, and we expect to be able to light up in about ten weeks. The site for the gas-holder is excavated, the concrete foundation is put in, and the tank is being built up. The gas-holder itself is 40 feet in diameter. The framework of the retort house is also going up, and what is known as the scrubber, 20 feet high, is erected. The house for the Manager to live in is in course of construction, and the works generally are being pushed forward as quickly as possible. As soon as the works are completed we will be ready to light up.
7. On the strength of that agreement you were able to float the Company? No, the Company was floated before we got that agreement. We got that agreement simply to allow the Company to go on and erect their works, on account of the difficulty of getting a Bill through Parliament. Being all ready to go on with the works, we agreed with the Council in terms of that indenture, and went on laying our mains.

J. Bigger,
Esq.
13 April, 1883.

- J. Bigger,
Esq.
13 April, 1883.
8. *Dr. Ross.*] What is the capital of the Company? £6,000.
 9. Is it fully paid up? 15s. per share is paid up, and 5s. is called up to be paid on the 2nd June next. This (*produced*) is the Share Register, if the Committee wish to see it.
 10. What is the number of shareholders? 5,450 shares have been taken up, which will be sufficient to cover all our present expenditure. We do not propose to issue any more at present.
 11. What amount has been expended, so far, in the construction of the works? We have an agreement with the contractor that we do not pay till he has finished his work. I will read you a portion of the report made by the Directors on the 1st December last. (*Read.*) The contractors are a London firm, and they supply everything and light us up. The works are capable of producing 20,000 cubic feet of gas in twenty-four hours. We are advised by Mr. Norman Selfe that the plant is very suitable and efficient, and will have all the latest improvements.
 12. *Mr. Tarrant.*] I see the price per thousand cubic feet is not to exceed 15s. Is any provision made in the Bill to reduce the price in the event of the Company paying a dividend of 10 or 12 per cent.? We have not thought that matter over; but we think of charging first of all 12s. 6d. and afterwards 10s. That is our present idea, so far as the more thickly peopled parts of the town are concerned; but in some of the remote places, away from the main street, where there would be only fourteen or fifteen houses on half-a-mile of main, the price will have to be higher; we should have to make an agreement with them as to the price, in order to secure us against loss on the supply of gas. What we contemplate is putting on the mains immediately in the principal parts of the town and gradually extending them, and if it does not exactly pay us at first it will eventually do so. The shareholders are all residents of the town, and have gone into the matter not so much as a question of profit as of convenience; and the fact that the shareholders will be themselves consumers is a guarantee that the price of gas will not be unnecessarily high.
 13. *Chairman.*] Have you heard of any objection to the Bill? No. We have heard rumours, but nothing definite. On the 29th January last three copies of the Bill were sent to the Municipal Council, with a request that they would give their consent to it, but we have had no answer since.
 14. Is there any provision to extend the gas supply outside the town? We will do so in time. We ask for 5 miles round the town, and beyond that area by petition to the Governor and Executive Council, who may proclaim any particular area to come under the operation of our Bill.
 15. *Mr. Tarrant.*] No objection has been made to the Bill? None have come in.
 16. The feeling of the inhabitants in favour of the Bill is almost unanimous? Yes.
 17. *Chairman.*] Is there any clause in the Bill giving the Municipal Council power to purchase the works? No.
 18. Would there be any objection to that? We hardly see why we should put a valuable property together for the sake of letting the Municipal Council buy it.
 19. Is there any penalty in the Bill in case the Company shall fail to supply gas? No.

Frederick Augustus Franklin, Esq., called in and examined:—

- F. A.
Franklin, Esq.
13 April, 1883.
20. *Chairman.*] You are Mayor of the Municipality of Wollongong? Yes.
 21. Are you aware of the application to incorporate the Wollongong Gas-light Company? Yes.
 22. Do you know of any objection to the Bill? A motion was tabled at the last regular meeting, asking the Council to adopt the draft Bill which had been laid on the Table at the previous meeting. After discussion, it was decided to refer the matter to a Select Committee of the Council. The result of their deliberation was that action should be postponed until I called here in Sydney to get copies of all recent Gas Bills, and to ascertain if all the clauses affecting the ratepayers and the public had been inserted in this draft Bill. I obtained that information, and reported to the last meeting, on the 6th instant, that the general penalty clause, number 22, in the Bills of the Dubbo, Albury, and Tamworth Companies, was not included in this Bill, which was supposed to be a copy of those Bills. That, we ask, should be inserted.
 23. Penalty for not proceeding with the work? Yes.
 24. What was the result? I simply made this report to the Select Committee; no opinion of the Council has been taken since that. The opinion was generally expressed in the Committee that, if this and some other clauses were inserted in the Bill, it would be acceptable to the Borough Council of Wollongong. Another clause which we think it necessary to have inserted is one that is in the recently passed Dubbo Bill, to the effect that upon the Company failing to carry out their part of the contract, it should be competent to the Council to take over the works at a valuation. The next is a clause which this Committee will perhaps consider it necessary to put in the Bill, which is the concluding clause in the Dubbo Bill,—that in the event of any general Act being passed for the regulation of all Gas Companies, this Company should be subject to it. The next question was that the Committee thought that, in view of the probable increase of population in our district, in consequence of the railway, the maximum rate of 15s. per thousand for gas should be reduced perhaps to 12s. 6d., which they think should be satisfactory. The cost of extension of mains, when land at present vacant is built over, will be in a measure paid for by the extension of municipal lamps; the number of lamps will be increased as the mains are extended, and there will be a considerable revenue to the Company from that source. We have 346 tenements in the town, most of which, we think, will be likely to consume gas, so that we are not a very small town. We therefore think that the maximum price of gas should not be fixed so high as 15s.
 25. Do you know whether the Company assent to these suggestions of the Council? I do not know whether the question has been put to the Company. When the motion was tabled that the Bill should be accepted, these questions arose, but the Company have not since been communicated with, the Committee I have referred to not having yet brought up its report.
 26. *Mr. Way.*] You know an agreement was signed between the Company and the Council? Yes.
 27. Was there any stipulation in that agreement giving the Council the right to take over the works? No. That agreement was simply intended to enable the Company to break ground and do all necessary work to commence laying their mains, as there was at that time a difficulty in getting a Bill through Parliament.
 28. There was no such stipulation in that agreement? No.

29. You know that on the strength of that agreement the Company have laid down their mains? Yes, they were allowed to go on laying down the mains so long as they did not interfere with the traffic; but the agreement was never intended to limit the provisions of the Bill which it was understood would be passed as soon as it could be dealt with by Parliament.

F. A.
Franklin, Esq
13 April, 1883.

30. And on the strength of that agreement the Company have gone to considerable expense? Yes; they have made an agreement with their contractors, and have gone on with the works. The Council are perfectly satisfied to see the Company go on, but at the same time they have a duty to perform to the ratepayers, and they think the clauses I have mentioned should be inserted in the Bill.

31. Do you know whether the Company object to give the Council a right to purchase? I am not aware. We merely want the right, in the event of the Company failing, to continue the lighting.

32. *Dr. Ross.*] Have the Council come to any agreement with the Company to supply gas to the public lamps at so much per cubic foot? I think they have entered into an agreement for twelve months, at so much per lamp, and some stipulation will be made about the style of burner.

1883.

NEW SOUTH WALES.

FISHERIES ACT, 1881.
(AMENDED REGULATION UNDER.)

Presented to Parliament, pursuant to Act 44 Victoria, No. 26, section 9.

Colonial Secretary's Office,
Sydney, 4 January, 1883.

His Excellency the Governor, with the advice of the Executive Council, has been pleased, in accordance with section 9 of the "Fisheries Act, 1881," to make the following Regulation, in substitution of No. 1 of the Regulations for giving effect to the provisions of the above-cited Act, relating to the despatch of public business.

HENRY PARKES.

1. That the Commissioners will meet at their Office, for the despatch of business, on such days and at such hours as they may deem necessary.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

WORKING OF THE FISHERIES ACT OF 1881;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
21 *April*, 1883, A.M.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1883.

1883.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 9. TUESDAY, 30 JANUARY, 1883.

11. WORKING OF THE FISHERIES ACT OF 1881 :—Mr. Fremlin moved, pursuant to *amended* Notice,—
- (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the working of the Fisheries Act of 1881.
- (2.) That such Committee consist of Mr. Stuart, Mr. T. R. Smith, Mr. Fletcher, Mr. Olliffe, Mr. Young, Mr. See, Mr. Abigail, Mr. Griffiths, Mr. Purves, and the Mover.
- Debate ensued.
- Question put and passed.
-

VOTES No. 52. SATURDAY, 21 APRIL, 1883, A.M.

11. WORKING OF THE FISHERIES ACT OF 1881 :—Mr. Fremlin, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this subject was referred on 30th January, 1883, together with Appendix.
- Ordered to be printed.
-

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1883.

WORKING OF THE FISHERIES ACT OF 1881.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 30th January, 1883,—“with power to send for persons and papers to inquire into and report upon the working of the Fisheries Act of 1881,”—have agreed to the following Report:—

1. Your Committee have examined the witnesses named in the List and See List, page carefully considered the evidence which will be found appended hereto.

2. Your Committee find that the above Act has not fulfilled the expectation of the framers; it has lessened the supply of fish, especially of some kinds; it has been no protection to our oyster-beds, nor does it hold out sufficient encouragement for oyster culture; it has placed unwise restrictions on an important industry and worked very harshly and oppressively to those engaged in fishing for a livelihood.

3. That the evidence taken before your Committee, almost without exception, goes to show that the length of the various nets along the corks ought to be increased, and the size of the mesh somewhat lessened, more especially in the one used for taking gar-fish.

4. Your Committee would recommend—

- (1.) That the hauling net should have a length along the line of corks not exceeding 400 yards, with a mesh of $2\frac{1}{2}$ inches in the wings, and 2 inches in the bunt; that the bunt should not exceed one-third the length of the net.
- (2.) That the gar-fish net should not exceed 250 yards in length with bunt not more than one-third, and the mesh should be $1\frac{1}{2}$ inches in the wings, and 1 inch in the bunt.
- (3.) That the prawn-net should not exceed 120 feet in length, and the mesh should be $\frac{3}{4}$ of an inch.
- (4.) That each net should be passed by an inspector before use, and should be once well tanned and properly labelled or painted to attest its legality, after which such net shall be deemed a legal net for six months. And that no net shall be forfeited until on a second conviction.

(5.)

(5.) That no net should be set across any inland river or creek without leaving at least 6 feet between the bank and each end of the net, and any person wilfully placing any obstruction of whatever kind between the net and the bank so as to prevent fish freely passing should be liable to a heavy penalty.

(6.) That the unnecessary clause relating to the riddling of prawns ought to be repealed.

5. An amended schedule of sizes of fish is recommended in a few instances only, but your Committee are of opinion that there is no necessity to limit the size of the gar-fish, considering the vast quantities that can be captured, and that it is also a migratory fish. The suggested alterations in the sizes of other fish will be found in Mr. Seymour's evidence, on page 4, which suggestions your Committee recommend for adoption.

6. Your Committee regret that more discrimination has not been shown in the closing and opening of rivers and bays for fishing—some being opened that ought to be closed, and others closed that ought to be opened.

7. The way the rivers Murray, Nicmur, and Edward are being cleared of fish calls for immediate action in order to give them time to replenish the loss.

8. The present state of our oyster fisheries is in a lamentable condition, many places once yielding profitable employment to dredgers are now completely denuded. The only cure seems to your Committee to be in granting long leases, such leases to be submitted at public auction, each separate oyster-bed to be a separate holding.

9. Your Committee are of opinion that with the view of encouraging artificial oyster culture long leases, with a reasonable extent of foreshore and water contiguous to such foreshore, should be granted to applicants on moderate terms.

10. Your Committee also are of opinion that those engaged in selling oysters should not be charged any license fee.

11. Your Committee are glad to find that the Commissioners have seen the necessity of amending the present Act, and acknowledge that the President, Dr. Cox, in a great measure has assisted the action of your Committee, and they respectfully urge the consideration of this question by your Honorable House.

A. R. FREMLIN,
Chairman.

*No. 3 Committee Room,
Sydney, 20th April, 1883.*

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 9 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Fremlin, | Mr. Purves,
Mr. Young.

Mr. Fremlin called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.

Motion made (*Mr. Purves*), and Question,—That advertisements be inserted in the Sydney daily Newspapers requesting persons desirous of giving evidence to communicate with the Chairman,—put and passed.

Committee deliberated.

Ordered,—That Mr. Frederick Woods and Mr. Inspector Seymour, be summoned to give evidence next meeting.

[Adjourned to Tuesday next, at *Two* o'clock.]

TUESDAY, 13 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Fremlin in the Chair.

Mr. Young, | Mr. Olliffe,
Mr. Griffiths, | Mr. Purves.

The Clerk reported to the Committee that advertisements had been inserted in the *Sydney Morning Herald*, the *Daily Telegraph*, and the *Evening News*, inviting persons desirous of giving evidence to communicate with the Chairman.

Mr. Frederick Woods (*Fisherman*), called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. Inspector Seymour and Mr. Charles Price, be summoned to give evidence next meeting.

[Adjourned to Friday next, at half-past *Two* o'clock.]

FRIDAY, 16 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Fremlin, | Mr. Olliffe.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY, 21 FEBRUARY, 1883.

Mr. Olliffe, | Mr. Fremlin,
Mr. Griffiths, | Mr. Young,
Mr. T. R. Smith.

In the absence of the Chairman, Mr. Olliffe called to the Chair *pro tem*.

Mr. Richard Seymour (*Inspector under Fisheries Act*) called in, sworn, and examined.

The Chairman entered the room and took the Chair.

Mr. Richard Seymour's examination continued.

The witness exhibited a collection of fish, of different sorts, sizes, and weights, to illustrate the working of the Act.

Witness withdrew.

Mr. Charles Price called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. Philip Cohen and Mr. Patrick Shedy, be summoned to give evidence next meeting.

[Adjourned to Tuesday next, at half-past *Two* o'clock.]

TUESDAY, 27 FEBRUARY, 1883.

MEMBER PRESENT :—

Mr. Fremlin.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY,

WEDNESDAY, 28 FEBRUARY, 1883.

MEMBERS PRESENT :—

Mr. Fromlin in the Chair.
Mr. Olliffe, | Mr. Griffiths,
Mr. Abigail.

Mr. Philip Cohen called in, sworn, and examined.

Witness withdrew.

Mr. John Emerson (*Oysterman*), called in, sworn, and examined.

Witness withdrew.

Mr. John Longford called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. Patrick Shody, Mr. Peter James and Mr. Peter Gascoigne, be summoned to give evidence next meeting.

[Adjourned to Wednesday next, at *Two* o'clock.]

WEDNESDAY, 7 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Fremlin in the Chair.
Mr. Griffiths, | Mr. Olliffe,
Mr. Abigail, | Mr. Young.

Mr. Peter James (*a Lessee of Oyster-beds*), called in, sworn, and examined.

Witness withdrew.

Mr. John M'Hugh (*Fisherman*), called in, sworn, and examined.

Witness *produced* the bunt of a fishing-net which had been condemned in consequence of the mesh having shrunk below the legal size.

Witness withdrew.

Chen Ah Teak called in, sworn, and examined.

Witness withdrew.

Mr. James Gascoigne (*Fisherman*) called in, sworn, and examined.

Witness withdrew.

Mr. Thomas Gascoigne (*Fisherman*) called in, sworn, and examined.

Witness withdrew.

Mr. Thomas Lambert (*Fisherman*) called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That J. R. Edwards, Esq., and Mr. F. J. Gibbons, be summoned to give evidence next meeting.

[Adjourned to Friday next, at half-past *Two* o'clock.]

FRIDAY, 9 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Fromlin in the Chair.
Mr. Olliffe, | Mr. Young,
Mr. Purves, | Mr. Griffiths.

Mr. Osborne Wilshire called in, sworn, and examined.

Witness withdrew.

Mr. Frederick John Gibbins (*a Lessee of Oyster-beds*), called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Dr. Cox and Chief Inspector Quinan be summoned, to give evidence next meeting.

[Adjourned to Wednesday next, at *Two* o'clock.]

WEDNESDAY, 14 MARCH, 1883.

MEMBERS PRESENT :—

Mr. Fremlin in the Chair.
Mr. Griffiths, | Mr. Olliffe,
Mr. Purves, | Mr. Abigail,
Mr. T. R. Smith.

James Charles Cox, Esq., M.D. (*President of the Fisheries Commission*), called in, sworn, and examined.

Witness *handed in* certain documents, which were ordered to be appended. (*See Appendices A 1 to A 7.*)

Witness withdrew.

J. R. Edwards, Esq., called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Mr. Chief Inspector Quinan and Mr. George Warrington, be summoned to give evidence next meeting.

[Adjourned to Friday next, at *Two* o'clock.]

FRIDAY,

FRIDAY, 16 MARCH, 1883.

MEMBERS PRESENT:—

Mr. Fremlin in the Chair.

Mr. Olliffe, | Mr. Abigail,
Mr. Griffiths.

Mr. James Quinan (*Chief Inspector of Fisheries*) called in, sworn, and examined.

Witness handed in certain documents, which were ordered to be appended. (*See Appendices B 1 and B 2.*)

Witness withdrew.

Mr. George Warrington (*Fisherman*) called in, sworn, and examined.

Witness withdrew.

Committee deliberated.

[Adjourned to Thursday next, at half-past *Two* o'clock.]

THURSDAY, 22 MARCH, 1883.

MEMBERS PRESENT:—

Mr. Fremlin in the Chair.

Mr. Olliffe, | Mr. Young.

Mr. William John Langham called in, sworn, and examined.

Witness withdrew.

Mr. Richard Seymour (*Inspector under Fisheries Act*) called in and further examined.

Witness withdrew.

W. E. Langley, Esq., called in, sworn, and examined.

Witness withdrew.

Re-assembling of the Committee to be arranged by the Chairman.

[Adjourned.]

FRIDAY, 20 APRIL, 1883.

MEMBERS PRESENT:—

Mr. Fremlin in the Chair.

Mr. Young, | Mr. Griffiths,
Mr. Olliffe, | Mr. T. R. Smith.

Clerk submitted to the Committee a letter from Mr. J. R. Edwards making a claim for expenses incurred in attending to give evidence before the Committee.

Committee deliberated, and decided not to allow expenses to Mr. Edwards.

Chairman submitted Draft Report which was read 1^o.

Draft Report read 2^o paragraph by paragraph.

Paragraphs 1, 2, and 3 read and agreed to.

Paragraph 4 read.

Amendment proposed (*Mr. Young*) to omit all the words after the word "recommend" in line 1, with a view to the insertion of the following words:—"That no restriction should be placed on the size of mesh in the nets to be used, but that the taking or killing of small fish should be prevented by penalties for selling or wilfully killing fish of less weight than is allowed under the Schedule when amended as proposed."

Question,—That the words proposed to be omitted stand part of the paragraph,—put.

Committee divided.

Ayes.	No.
Mr. Olliffe.	Mr. Young,
Mr. Griffiths,	
Mr. T. R. Smith.	

And so it was resolved in the affirmative.

Paragraph, as read, agreed to.

Paragraphs 5, 6, 7, 8, 9, 10, and 11 read and agreed to.

Chairman to report to the House.

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1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

WORKING OF THE FISHERIES ACT OF 1881.

TUESDAY, 13 FEBRUARY, 1883.

Present:—

MR. FREMLIN,		MR. OLLIFFE,
MR. GRIFFITHS,		MR. PURVES,
	MR. YOUNG.	

A. R. FREMLIN, Esq., IN THE CHAIR.

Mr. Frederick Woods, called in and examined:—

1. *Chairman.*] You are a fisherman at Botany? Yes.
2. How many years have you been there? Twenty-five years.
3. How many persons are employed with you in fishing? My two sons, and another young man that has been with me for fifteen years.
4. Have you always been able to earn a good living until recently? Yes, until the new Act came into force. Since then I have had to do work elsewhere at odd times.
5. What kind of fish do you chiefly catch at Botany? Gar-fish, bream, whiting, mullet.
6. Will you explain to the Committee the difficulties you have to complain of under the present Fisheries Act? First, the closing of the rivers. They closed George's River in winter-time. That is our main place of support in winter-time; we have nowhere else to go in bad weather. Even the fish fly to the river. Since the closing of that of course we have had to stop at home.
7. What is the reason given for closing George's River in winter-time? Because they say the fish spawn at that time; but the fact is that the fish spawn in the summer-time.
8. Then you think the proper time to close the rivers would be in the summer-time, not in the winter? Yes. It stands to reason, the little fish like to be in the warm water. When we land our net in summer-time all the little fish die the moment we haul them ashore; the hot water on the beach kills them. In winter-time the small fish fly to the deep water, and are not there to kill.
9. Are you constantly engaged in fishing now? Yes, except when I can get a job elsewhere.
10. Do you mean to say that when you can get other employment now you prefer it to using your nets? I would prefer it to going fishing under the Act as it is now, because I don't know when the Inspector will come down upon me; I do not know when I am right or when I am wrong. In one part of the Act it specifies that I am only to use a gar-fish net to catch gar-fish, but when I throw the net out I do not know what I may catch. I might haul in a load of bream, but under the Act I would have to throw them away if the Inspector came down on me to seize me. That is the Act now.
11. Supposing the fish you caught in this net were of the proper legal size —? They could be seized if they were caught in a gar-fish net.
12. Simply because they had been caught in a gar-fish net? Yes.
13. What was the size of mesh for a gar-fish net under the old Act? One inch and a quarter, which would tan down to an inch; when it tanned down to an inch we used to reckon that the net was worn out and was no good.
14. What is the size under the present Act? One inch and a half is the size now, and a 3-ounce gar-fish.

Mr. F. Woods.
13 Feb., 1883.

- Mr. F. Woods. 15. Can you catch gar-fish with an inch-and-a-half net? No, they go through it. I would like some of you gentlemen to go with me and see it. I might surround a school of gar-fish with the net allowed by the present Act, and not catch a bucket-full.
- 13 Feb., 1883. 16. What size mesh would you recommend for a gar-fish net if the Act should be altered by Parliament? I should ask for an inch and a quarter mesh, to be tanned down to an inch. A net has to be tanned every time you get amongst the blubber. I might have a brand new net, and I might shoot it and get it full of blubber. If I do not tan it there and then, or take it into fresh water, it goes rotten.
17. What is the size of the larger-sized gar-fish;—how large do they run? The largest sized gar-fish may run 3 ounces—one out of about 500; that is the overgrown ones; the general run is an ounce and a half or 2 ounces.
18. What is the smallest you are allowed to catch now? 3 ounces.
19. What weight for gar-fish would you be satisfied with if the Act were altered? For river gar-fish an ounce weight—that should be the lowest. That was what I put in in a statement before the Commissioners, because I knew I would not get it. A good many people ask for what they know they can't get. If you were to get a dozen fishermen I don't suppose you would get two statements alike.
20. You think about an ounce and a quarter would be a fair size? An ounce and a quarter or an ounce and a half.
21. A 1-inch net would catch these fish? Yes.
22. But a larger net would allow them to pass through? Yes. There are two sorts of gar-fish, the river gar-fish and the sea gar-fish; the sea gar-fish are larger.
23. Mr. Purves.] Which kind are you speaking of, when you give the weight as an ounce and a quarter? The river gar-fish.
24. Chairman.] What is the size at present allowed for what you call a summer net? Two inches and a quarter in the bunt and 3 inches in the wings.
25. What was the size under the old Act? Two inches and a quarter we used to buy it, and it used to be tanned down to 2 inches, and in the wings it would be 3 inches, which would tan down to 2½ inches; when the wings got down to 2½ inches we put them in the centre. Now we must buy a 3½ inch net for the wings and tan it down to 3 inches, and when it comes below that we must throw it away. It is too large for the bunt and too small for the wings. You could not catch whiting with a 3-inch mesh in the centre.
26. Mr. Purves.] What is the present size for a net to catch whiting? 3 inches in the wings and 2½ in the centre.
27. Chairman.] That is for a 4-ounce fish? Yes.
28. What do you think should be the legal size for whiting? I am satisfied with a 4-ounce fish, but you cannot catch 4-ounce fish with the present net.
29. Then the nets allowed by the present Act are practically useless for whiting? Yes.
30. Is that the reason why whiting are so dear and scarce in Sydney? It must be so; you can see them going through the net.
31. What size mullet will such a net catch? Mullet have bigger heads; the nets will stop them; 6-ounce fish.
32. You are not allowed to sell 6-ounce mullet? No.
33. Is a 6-ounce mullet a fair sized marketable fish—if you were allowed to catch it? Yes.
34. Is a 5-ounce black bream a fair marketable fish? Yes; plenty of people like them of that size better than they do the larger ones.
35. You are not allowed to catch 5-ounce black bream? No, they must be 8 ounces.
36. You consider a 5-ounce black bream a fair fish for market? Yes; we would sell more 5-ounce than 12-ounce bream, if we were allowed, because they are a sweeter fish.
37. Is travally a very saleable fish? No, not very saleable; it is used a good deal for bait.
38. It is sold in the markets, is it not? Yes.
39. How many fishermen have left Botany since the passing of the new Act? Eight have left Botany and are now working at Lake Macquarie.
40. Why did they leave Botany? When this Act was passed they could hardly make a living at all; they had to go somewhere.
41. What is the reason they can make a better living at Lake Macquarie? Even there they have to work night and day, and a third of their earnings go to the steamers that bring the fish up. They had to leave their wives at home. They have been away twelve months now. Three boats' crews on the river had to leave off fishing and go to work on the road.
42. How many fishermen less than there used to be are plying their vocation at Botany Bay since the passing of this Act? About sixteen.
43. Is there any "stalling" going on now? No.
44. Are you not allowed to "stall" under certain conditions? No.
45. You are allowed to use a 4-inch net? Yes, to go round the rocks, but not for stalling.
46. Stalling is completely abolished then? Yes.
47. Amateur fishermen are allowed to do what you are not allowed to do? Yes; they can catch just whatever they like. This Act was made to protect the fish we must not catch, but it seems as if it was made for the pleasure of the amateur fisherman. The fish we dare not touch they can haul up as fast as they like—those little red bream. That is no protection for the fish.
48. When you are out fishing with nets you often destroy sharks, do you not? Very often.
49. You scarcely ever take a haul without destroying some sharks? Very seldom, especially at night-time.
50. Which would you think would destroy most fish, the smaller nets that used to be used by the fishermen or the sharks outside? I think the sharks.
51. Then if you destroy the sharks in plying your avocation you more than recoup the water for the fish you take out? Decidedly. Sometimes the larger sharks ruin our nets.
52. Have you had any nets seized under the new Act? No.
53. Do you know of any having been seized? There is one along the river now—a poor old man that to my knowledge has been thirty years there, if not forty; his net was seized a fortnight ago.
54. Was that his livelihood? Yes, he had nothing else.

55. What would it cost him to replace that net? I daresay it would cost him £20. It was only a little net, but it was his livelihood. He was trying to get a few oysters, and he was seized and got a month in Liverpool gaol. Mr. F. Woods.
13 Feb., 1883.
56. What fish was he catching when his net was seized? He was putting it across some of the heads of the small bays.
57. Contrary to the law? Yes. The man was there by himself—an old feeble man, who could do nothing else.
58. If the Act was so altered as to allow you to kill a smaller fish, and there were not so many restrictions about winter-fishing in the rivers, could you pursue your avocation with profit again? Most certainly.
59. *Mr. Griffiths.*] Do you make any objections to the specified length of the nets? Yes; the gar-fish net is too short. In my statement before the Commissioners I asked for 50 fathoms in the bunt, and 50 fathoms on each of the wings; that is 150 fathoms.
60. Do I understand you to say that if you shoot a gar-fish net and take other fish you have to throw these other fish away? I am under a liability if the Inspector comes down upon me. If I catch whiting or bream, or whatever fish it is, when using a gar-fish net, I am liable.
61. Are you interested in any oyster-beds? No.
62. You have no evidence to give on that subject? No.
63. Your complaint is that a strict interpretation of the Act prevents you getting a living as a fisherman? Yes, it hurts me a great deal.
64. *Mr. Purves.*] You mean that you cannot now get a livelihood by fishing? Not the same as I used to.
65. But you can get a livelihood? A very poor one. It takes all my earnings now to get fresh nets to comply with the Act.
66. You are obliged to lay out more capital than you used to do? Yes.
67. *Chairman.*] Do you not get an increased price for the fish you catch now? Yes, because there is a scarcity in the market. The shopkeepers must have them, and of course they bring a little more, but that is no benefit to us.
68. The public have to pay for that? Yes.
69. *Mr. Young.*] Do they not give you more for the fish? It is not much more that they give to us.
70. *Mr. Olliffe.*] How much more? According to the supply in the market. One morning I have known fish to bring £1 a basket, and another morning half-a-crown or 2s.? There is no great consumption of fish in Sydney, and never was. If the market was full every morning in the week I believe the fishermen would not average 4s. a basket.
71. *Mr. Purves.*] Then your not making a living by fishing must be to some extent the fault of the people you think? It is a good deal the fault of the dealers who hold out for such enormous prices that people do not care to buy.
72. *Mr. Young.*] Can you give us any idea of the difference between the price the dealers give you and the price they sell to the public at? No, I could not.
73. *Mr. Olliffe.*] Has the market often been over supplied since the Act was passed? It has, but the fish has not been good.
74. Why? On account of the warm weather; it would not stand good an hour after it leaves the market.
75. While in the market it is sound? Yes; but the fish will not stand while the dealers take them round. In warm weather we sometimes work all night, up to 3 or 4 o'clock in the morning, trying to get fresh fish for the market. Fresh fish bring twice or three times as much as others, because they will keep while they are being taken round by the dealers.
76. Have you been able to supply the demand? The supply depends upon the weather. We could supply the demand if we could get the fish; but it is according to the weather. If you were to close up George's River, and it came on heavy weather, we would not get one of these fish—they would all go clean out of the Heads altogether. If the river was closed for two years, and there came on heavy rains, like those of last month, the fish would go clean out of the bay altogether. If the river were not closed we could catch them while they were in the river; but one storm would clear the whole lot out.
77. *Mr. Young.*] Do they not come back? No; fish always work to the northward; they travel round the coast.
78. *Chairman.*] Have you known the bay to be for a fortnight without any fish? Yes, we have been waiting for the fish to come up from the south. Sometimes they will go past Botany Heads and not come in at all, and past Broken Bay, right down the coast. If the weather is fine the fish will go into Botany, Port Hacking, and all the bays along the coast.
79. *Mr. Purves.*] Your theory is that the fish keep working up the coast? Yes.
80. *Mr. Young.*] Then you think there is no advantage in having a close season at all. I cannot see it. The river might be full of garfish this week, and if there comes a week's heavy weather they are all away to sea. Garfish spawn twice a year.
81. *Mr. Purves.*] At what times? In the summer-time. They come on the sea-beaches and in the bay to spawn.
82. *Mr. Olliffe.*] Do you not sometimes have to watch them for weeks? Yes. Sometimes we have to kill them on Curnella Beach.
83. It is a common thing to watch a school of fish for days? Yes, I have watched them for weeks.
84. *Chairman.*] Do not the flocks of gannet and shags that follow them overhead destroy them in thousands? Yes.
85. *Mr. Olliffe.*] You told the Committee just now that the price of fish has not much increased with fisherman since the new Act has been in force;—do you know whether there has been any alteration in the price to the consumer? We cannot tell what the price of fish will be in the market when we come in. Suppose twelve different boats come in, and each boat puts out its fish, the first boat may get 10s. a basket, and the last boat get £1 for the same quantity.
86. *Chairman.*] Mr. Olliffe means, are fish dearer now in Sydney than they were two years ago? Yes, they are dearer, because they are scarcer.
87. *Mr. Young.*] Do you get more for them? Yes, but we get less fish, and they do not pay us in the long run so well as they used to do.
88. Then there is no alteration to you of any consequence? Yes, I would sooner get plenty of fish, and get a reasonable price for them. We have to work and slave very hard for what we get now. 89.

- Mr. F. Woods, 89. *Mr. Griffiths.*] Have fish increased in numbers since this Act came into force? They are just about the same. It is just according to the weather. If it comes a dry season fish are sometimes very scarce till the proper time, and then they come all at once. I defy the Inspectors or any one else to tell me how the fish breed, or how they come or where they go.
- 13 Feb., 1883. 90. *Mr. Olliffe.*] Has anything come under your observation to make you believe that the provisions of this Act have been the means of increasing the supply of fish? No, it has decreased them. What we are not allowed to sell the amateur fishermen can catch as they please. The Act is making no new supply to us; the fish are getting less, I say.
91. The number of fish have decreased, you think? Yes, because it is left open to the amateur fishermen to catch what they please. This Act was made to protect fish, but instead of protecting fish it protects amateur fishermen. There are fifty amateur fishermen for one working fisherman, and they are allowed to kill any fish they please.
92. By what means? By hook and line. Six or seven of them in a boat will go and get a basket or two by these small bream-lines.
93. *Chairman.*] If you caught these fish by hook and line you would not be able to sell them because they are under the legal size? Yes.
94. *Mr. Olliffe.*] Do not amateurs come under the same rule? No; a lot of them go in small steamers and bring them home and make a present of them to shops and gentlemen; and if they make them a present of the fish I suppose they make them in return a present of something else. I think the amateur fishermen should be put on the same terms as we are, and should not be allowed to kill the small fish. If the amateur fishermen were not allowed to kill the small fish they would grow to a certain size.
95. *Mr. Young.*] Our desire is to obtain information as to whether this Act has been the means of increasing or decreasing the numbers of fish in the water? I do not see that it has made any difference; I think they are about the same as what they have always been.
96. *Chairman.*] Is there any other information you can give us? No; I only want a certain sized net and a certain sized fish.
97. *Mr. Griffiths.*] You want the size of the nets altered, the weight of the fish altered, and the time for fishing altered? Yes.

WEDNESDAY, 21 FEBRUARY, 1883.

Present:—

MR. GRIFFITHS,
MR. OLLIFFE,

MR. T. R. SMITH,
MR. YOUNG.

A. R. FREMLIN, Esq., IN THE CHAIR.

Mr. Richard Seymour called in and examined:—

- Mr. R. Seymour. 98. *Mr. Olliffe (in the Chair pro tem.)*] What is your position? Inspector of Nuisances of the City of Sydney, and Inspector and Auctioneer of the Sydney Fish Market.
- 21 Feb., 1883. 99. Will you be kind enough to give us what information you may possess as the result of your experience of the working of the Fisheries Act of 1881? Since the Fisheries Act has come into force the falling-off in the supply of fish in the Market has been very considerable, especially in gar-fish. The gar-fish mesh is a certain size, and the weight of the fish not less than 3 ounces, and it is impossible to catch fish of that size in the present gar-fish net. To meet the difficulty I would suggest that the gar-fish net should not exceed 150 fathoms in length—the bunt to be 50 fathoms with $1\frac{1}{4}$ inch mesh when new, and the wings each 50 fathoms with a 2-inch mesh when new. Then when the gar-fish net reduces to 1 inch, in place of the fishermen having to throw it away it would become a prawn net. I should also recommend, as the result of my experience, that the seine net should be not exceeding 200 fathoms—the bunt $2\frac{1}{4}$ inch mesh and the wings $2\frac{1}{2}$ inch, when new. Then the $2\frac{1}{4}$ inch bunt, when not in accordance with the regulations for a seine net, comes in for the wings of a gar-fish net. The prawn net at present is 15 fathoms. I would suggest that it should be from 15 to 25 fathoms and not more than 25 fathoms with 1 inch mesh. By following the plan I have suggested a seine net would tan down so that it could be used as the wings of a gar-fish net, then as the bunt of a gar-fish net, and then as a prawn net, and by the time it got to that it would be worn out and of little use for anything. I see that by the new Bill prepared by the Fisheries Commissioners for submission to Parliament some changes are recommended in the size of the fish allowed to be caught. I have brought up a lot of fish here to show you the weight of the different sizes. The schnapper is recommended at 16 ounces under the new Bill, the same as in the present Act; I think it should remain the same. The black bream under the present Act is 8 ozs.; I would suggest that it should be reduced to 6 ozs.; and the tarwhine, the weight of which is not now specified, should be not less than 5 ozs. The black-fish in the present Act is 8 ozs.; I think it should be 6 ozs. Rock-cod, I should say, should remain as they are, 8 ozs.; and gurnet the same. Flat-head the same as in the Act. Mullet of the variety commonly known as hard-gut mullet, as mentioned in the Schedule, I think ought to be reduced to 6 ozs., for it is very seldom they go to 12 ozs. as specified by the Act. The hard-gut mullet are a kind that comes in before the sea-mullet. The fan-tail mullet should remain at 4 ozs. Whiting should be not less than 3 ozs. Soles and flounders as here, 4 ozs.; and pike, 8 ozs.
100. Is there not a species of mullet known as sand mullet? Yes, sand or bull-nosed mullet; they are put down at 4 ozs., the same as the fan-tail mullet; anything less than that would not be worth buying. Trevally I should say should be reduced to 6 ozs., instead of 8 ozs.; and gar-fish from 3 ozs. to 2 ozs.—not less than 2 ozs. Lobsters are always over 16 ozs.; they should be allowed to remain at that. Murray Cod, 16 ozs., and perch, 4 ozs., should be allowed to remain as they are.
101. Do you know anything about the Murray River lobster, or fresh water cray-fish? No.
102. Is there anything else you would suggest? I would suggest that during the winter months Botany and Port Jackson should be altogether closed. What I mean by the winter months would be from the 1st March to the 30th September.
103. The whole of the bays? Yes, from the Heads to the end.
104. *Mr. Griffiths.*] Do you mean for all fishing? For all net fishing.
- 105.

105. *Mr. Olliffe.*] Does this Act deal with anything but net-fishing? It deals with line-fishing for schnapper, and other line fish.

106. You would not ask that the restriction should be imposed upon line fishers? No. I would also suggest that Tuggerah Lake should be opened at once for the benefit of the fishermen, as it is swarming with fine whiting, far larger than the largest I have got here.

107. *Mr. Young.*] Is it closed now? Yes, it has been closed ever since the Act came in force.

108. *Mr. Olliffe.*] Would you open it without any restriction at all? Yes, for a certain time. I think Tuggerah Lake and Broken Bay should be open the whole of the summer months. All the other fisheries—Lake Macquarie, Port Stephens, Newcastle, the Wollongong or Illawarra fisheries—ought to be open during the whole of the winter months. Fish from those places during the summer months, by the present means of bringing it, three-parts of it goes bad before it reaches the market.

[*Mr. Fremlin here took the chair.*]

109. *Mr. Smith.*] How far is Tuggerah Lake from Sydney? I believe it is about half-way between here and Newcastle.

110. *Chairman.*] You have been many years engaged in the sale of fish? Yes, eleven years next month since the opening of the market.

111. Of course there were some alterations needed under the old Act, the first Act? Yes, very badly.

112. If the fishermen were under the surveillance of the police and of the inspector who inspects the size and weight when the fish come into the market, do you think there would be any necessity for other inspectors? The only necessity that I would see would be for inspectors to look after closed waters. If certain bays or waters were closed it would be decidedly necessary to have police or inspectors to see that they were not fished surreptitiously.

113. Have you seen the suggestions made by the Commissioners as to alterations in the Act? Yes, I have a copy of their Bill.

114. They suggest in that every constable of whatever grade in the Force should be an inspector in virtue of his office. Now, don't you think that if policemen were stationed all along the coast in various places they could do the duty as well as inspectors? Certainly. If I had no one to interfere with me at the Fish Market, and the Act said fish must be of a certain size, I would not allow anything else to come in—I should seize them directly.

115. Under the present Act, when fish have come in, of which by far the larger proportion were of the proper size, have you known the whole of them to be seized because there were a few undersized fish among them? Yes; and I have known fish to be seized that did not come under the Act at all. I have known that to be done repeatedly with tarwhine, the weight of which is not mentioned in the Act; the name is mentioned in the first schedule, but there is nothing about the weight.

116. How much fish have you known to be forfeited under the present Act? Great quantities.

117. Can you mention the quantity forfeited in one morning? I could not do so now; but I could give you the quantities, because I have them in our books.

118. What becomes of these fish? Those seized in the market since 14th January, 1882, are sent to the charitable institutions.

119. In every case? In every case that I know of. I am speaking of what comes into the market. What is seized outside I know nothing about.

120. Supposing a load of fish comes in for sale and two-thirds of them are of the legal size and one-third below the legal size, would the whole of those fish be forfeited? They would, according to the present Act.

121. Have they been? Yes, they have been. I have known a Botany fisherman to lose several bushels of fine large bream for only having a dozen or so of small tarwhine among them; the whole of them have been seized. I thought it one of the cruellest things I ever saw.

122. What Inspector was that? Inspector Quinan. These fish would have brought that morning at least 12s. 6d. a heap—that is, 25s. a bushel, to the best of my belief. I think there were 7 or 8 bushels of them.

123. Nearly £10 worth of fish that this man had forfeited through having a few under size? Yes.

124. Do you know any fishermen that have given up their employment since the Act came into force? I do—men that are working now on the Corporation works at Botany.

125. Were they Botany fishermen? Yes.

126. Do you remember my stating that in the House? Yes.

127. And you saw it contradicted next day by the Commissioners and Inspector Quinan? Yes.

128. And you know that what I stated was true? Yes. I know the men are working for the Corporation at the present moment, and I know several of the Botany fishermen have come to me and asked me to get them employment as scavengers or anything else, as they could not live by fishing under the present system. A more industrious body of men we have not in the Colony, and I think I have had a good deal of experience. Before the Fish Market was established there was no more pitiful sight ever seen than these poor people with their wives and daughters standing on the wharves waiting for hours to see if they could get their fish sold. I then applied to the Mayor and Council and got the thing worked till we got a fish market built after a great deal of trouble, and it was opened next month will be eleven years. The market was thrown open by the Corporation till November free for the sale of fish; the people could use the stalls or anything else, and in the beginning of November I commenced to sell by auction. Eventually these poor unfortunate people were enabled to leave their wives at home, next the daughters were able to stop at home, and the fathers or sons only need come to market. Their children went to school, and they left off fishing on Sunday. I think there is only one man now who fishes on Sunday. I often say I consider myself the father of the Fish Market.

129. Do you know the family of the Smiths at Botany? I do.

130. I think in 1880, if my memory serves me, you sold for the Smith family about £1,550 worth of fish for the one year? Yes.

131. What would be a rough guess of the amount sold for them in 1882? I have made an estimate that in four and a half years I sold for them about £5,470 worth of fish.

132. How much did you sell for them last year? I sold a deal of fish for them last year.

133. They still pursue their work? They are now at Lake Macquarie.

- Mr. R. Seymour.
21 Feb., 1883.
134. Not at Botany? No, at Lake Macquarie; Charlie Smith got married there. They had to leave Botany. Johnson, of Botany, had a lot of black bream in the market last week, the result of twenty-four hours' work—I think they were got at Port Hacking—which brought him £50 18s. There is another thing I think it right of me to mention. There were two nets seized from a poor fellow by the name of Mildwater, and in consequence he was so hard up that he had to borrow £50 from Mr. Assenheim to buy another net. That net was then seized for being too short. It was locked up in the Fish Market, and his wife and children were actually starving, and getting assistance from people in the market. Eventually, when several of these new gentlemen came into the Commission, he got an order to go and take his net, after it had been lying there two months. I cannot for the life of me understand how the net being too short could do any harm.
135. Was this the same Inspector—Quinan? Yes. (*The witness here exhibited to the Committee a number of fish of different sorts and of different sizes and weights, which he had collected to illustrate the working of the Act.*)
136. Mr. Olliffe.] You think a restriction as to the weight of gar-fish is necessary? Yes; but the weight mentioned in the present Act, 3 ozs., ought to be reduced to 2 ozs.
137. Chairman.] You would not reduce the legal weight of gar-fish to 1½ oz? I would; but I would not go past that.
138. Mr. Olliffe.] Will you be kind enough to tell me why you think there should be any restriction as to the length of a net—you say it should not be longer than 200 fathoms—why should there be any restriction? I am speaking from my knowledge of the fishermen—they always wish to fish with a net not exceeding 200 fathoms.
139. Supposing a fisherman thought fit to have a net 300 fathoms long, what objection is there to that, or is there any objection? I cannot see any objection myself, further than a man of means may have a net so long as to monopolize the whole of a valuable fishing-place.
140. Is there any objection to having a net of 250 fathoms or 300 fathoms? I believe a seine net of 300 fathoms would be unworkable.
141. You have told us of a fisherman whose net was seized for being too short: what objection is there to that? I do not see any.
142. Do you think there should be any restriction in the Act rendering these people liable to punishment if their nets exceed 200 fathoms? I think when you look at the fishermen working together the net should not exceed 200 fathoms, because if a man takes up (say) 500 fathoms, he keeps some one else from earning his bread.
143. I understood you to say such a clause was not necessary? It is necessary. In the first place, I am sure that a net much over 200 fathoms is unworkable, and by having the nets 200 fathoms and no more, each man has a chance of working in a bay at the same time.
144. Mr. Griffiths.] Will you give us your experience with regard to the shrinkage of the net? To commence with a garfish net, your bunt is 1½ inch; then that with working in the water and tanning will reduce to close on an inch, or an inch and an eighth.
145. In how long a time? The space of time I could not say.
146. In a week or a month? No, not in a week or a month, nor in six months.
147. It is tanned once in how often? I think once in a season—once in a year.
148. Is the shrinkage from the water or from tanning? From tanning.
149. I understand that the great complaint against the working of the Act is the seizing of the nets? Yes.
150. That has occurred after the net has been inspected the first time, tanned, and reduced? Yes.
151. A man having a net an inch and a quarter or an inch and a half, tans that net, and it becomes less than an inch and a half? Yes.
152. Such nets have been seized on various occasions? Yes.
153. A net becomes illegal after the first tanning, if it is originally only just the proper size? Yes, of course it does after the first tanning.
154. Could you suggest a remedy for that? What I would suggest is, as I have stated, that the sizes of the meshes should be so prescribed that they would work down from one sized net to another until they became prawn nets, and got so old that they would be of no further use.
155. Would not this be an equitable thing, that a net previous to being used for the first time should be inspected and licensed, and have the Fisheries Inspector's mark put upon it, and then when the net decreased by use or tanning below a certain size, it should no longer be a legal net? I think the best way would be to work the three nets as I have suggested.
156. The Act now is that directly a net is below a certain size of mesh it is forfeitable? Yes.
157. If a net is the least under an inch and a half the Inspector can seize and forfeit it? Yes.
158. Is that a just and right thing when the same net a few weeks before it was tanned was full-sized? No, it is not; it should be allowed to work down to an inch and then be used as a prawn net.
159. Mr. Smith.] Do you think it should be stamped? Yes, and numbered when licensed.
160. Chairman.] Do you not think all this trouble about nets could be obviated by the simple practice of having the fish properly inspected as to size; if that were done thoroughly, would there be so much need of restriction as to nets? If only fish of a certain legal size or weight were allowed to be sold, and the inspector could seize all fish not up to weight, it would put an end to the whole thing. I know that plan is carried out in Tasmania—I saw it myself last Christmas. There was no seizing the nets there, or anything else.
161. Mr. Young.] It is not illegal to sell fish outside the market, is it? No; but if the keeper of a fish-shop or hawk in Sydney has fish under a certain weight he is liable for having them under weight. That is according to the present Act.
162. We have it in evidence from one fisherman that he considers the amateur fishermen interfere with the regular fishermen? I am sure they do.
163. Do you think they should be restricted? Yes, and I will tell you why. They go out schnapper-fishing outside the Heads in steamers, and they look out to see a fishing-boat and they go down right on top of him, so that the man is deprived of his living. Perhaps there are thirty or forty lines down at once from the steamer, and the bait and the burly they use attracts all the fish away from the fishing-boat, so that the man has to pull up his kellick and go somewhere else; and perhaps then they will follow him and take his ground

ground again. It is a fact that they have done it. These fish that are brought in by the amateur fishermen are sold in the town. Last Monday morning I went to the Coffee Palace and saw dozens of plates of schnapper coming on the table, and there had not been a schnapper brought into the market that morning, but there had been three steamers out fishing on the Sunday. They sell them on the Circular Quay when they come in.

Mr.
R. Seymour,
21 Feb., 1883,

164. Is it within your knowledge that sharks destroy a great many fish? Yes.

165. Would you recommend that any reward should be given for their destruction? I would.

166. Is there any other fish that is destructive in the same way? The king-fish destroy a good many, but I do not know that they are as bad as sharks.

167. *Mr. Smith.*] You say you would recommend the closing up of Botany and Port Jackson in the winter months; would it not be better to close them in summer? No, because we can get fresh fish from them in summer when it will not keep long enough to be brought in from places further off. We depend on Botany and Port Jackson for fresh fish during the summer months. The present Act shuts up a portion of it in winter, and it might as well shut up the whole or open the whole.

168. *Mr. Young.*] A fisherman has given evidence here that in his opinion George's River should not be closed in winter? I consider that the whole of Botany Bay should be closed in winter. They can go to Lake Macquarie, Tuggerah, and the other places I have mentioned, in winter, and can send in abundance of fish. Charlie Smith made the greater portion of his money at Tuggerah at that time.

169. *Chairman.*] Will you kindly give us what you have to say about oysters? Any persons retailing oysters in Sydney have to pay a license fee of £5, and, as they buy these oysters from men licensed by the Government to get them, they consider this a great hardship. You might as well go into any shop in Sydney and say they must pay a license fee for selling clothes. There has been a great outcry from the whole of them. We have removed all the organ-grinders from the streets, and a great many of them are now keeping oyster-shops. There are more fish and oyster shops in Sydney than ever there were. When I first went to the Fish Market there were only four, but there are some dozens now.

170. *Mr. Young.*] Do you know anything about the cultivation of oysters? No.

171. *Mr. Olliffe.*] Do you think that since the Fisheries Act has been in force the supply of fish in the market has increased or decreased? Decreased. In the month of January we only got a bushel and a half of gar-fish, and they brought £2 18s. 6d., though we ought to be selling them at the present moment for 5s. a bushel.

172. *Mr. Olliffe.*] Do you think that is owing to the size of the net required by the Act being too large? Yes. Take an inch and a half mesh and see how many of the fish I have shown you will go through it.

Mr. Charles Price called in and examined:—

173. *Chairman.*] What are you? A fishmonger.

174. In Hunter-street? Yes.

175. How long have you been engaged in this trade? Twelve years.

176. Has the demand for fish increased during the last few years? No.

177. You sell all kinds of fish, oysters and everything? Yes.

178. Have you noticed any diminution in the supply of fish lately? I have.

179. Will you state to the Committee the kinds of fish you are most deficient in? Blackbream, schnapper, garfish, and whiting.

180. What is the price of fish now, compared to what you had to pay two years ago? It is double the price.

181. Will you be kind enough to give the Committee what you believe to be the reason that fish is so dear now to what it formerly was? The fishermen say it is because they cannot get their nets.

182. Why—have their nets been seized? Yes, they have been seized by Mr. Quinan.

183. I suppose they mean that they have not the means of catching fish? They have not the means to get their livelihood.

184. Do you know what the price of these nets generally is? £45 to £60.

185. Of what size did you formerly get garfish? Some of them down as low as an ounce; a few as large as 4 ounces.

186. Do you not think an ounce too small? Yes.

187. What is the lowest size you would recommend? I should not like to see them under 2 ounces.

188. How small would you like to see a whiting sold? Not under 4 ounces.

189. Schnapper or bream? I would not like to see bream under 6 ounces.

190. Do you think that if the size of the mesh was altered again by Act of Parliament the supply of fish would increase? I could not say.

191. Do you believe the fishermen would resume their employment if they had the mesh of the old size? I believe they would.

192. Do your customers complain of the price of fish now? They do very much.

193. Does it affect your business in any way? It does.

194. *Mr. Young.*] What price do you pay for fish now, compared to what you used to pay two years ago? Two years ago I did not have the business, but I can show twelve years' receipts and compare them with mine, and my receipts are more than they paid that had the business before. These receipts will prove that my weekly account comes to more than his fortnightly account.

195. That might be because you sell more fish—I want to know the price for the same quantity of fish? I do not get as much fish as when Mr. Kohler was in the business; I cannot get a supply to serve my customers, and yet my weekly account is more than his fortnightly account was.

196. Have you only been in the business since the Act was passed? Yes, on my own account, but I was ten years with Mr. Kohler before. When Mr. Kohler had the business garfish were 8s. 6d. a bushel, now they are 35s., and other fish have increased in price also.

197. Do you have to pay a license-fee of £5 a year? Yes.

198. Do you think that is an unjust burden? Yes.

Mr. C. Price.
21 Feb., 1883.

WEDNESDAY, 28 FEBRUARY, 1883.

Present:—

MR. ABIGAIL, | MR. GRIFFITHS,
MR. OLLIFFE.

A. R. FREMLIN, Esq., IN THE CHAIR.

Mr. Philip Cohen called in and examined:—

- Mr. P. Cohen. 199. *Chairman.*] What are you? I am at present keeping the "Steayne Hotel," at Manly.
28 Feb., 1883. 200. You have taken great interest, I believe, in fishing for many years? Yes, for nearly half a century.
201. You thoroughly understand the different kinds of fish that frequent our coasts and bays? I do.
202. Do you know the fishermen who have been engaged in this employment for many years? Yes, a great number of them.
203. *Mr. Olliffe.*] Do you say you have been acquainted with fishing for fifty years? Between forty and fifty years, from boyhood upwards.
204. *Chairman.*] Do you remember the old Act? Driver's Act; yes, I do.
205. Do you think there was any actual damage done to the fisheries while that Act was in force? Yes, partly.
206. Will you be kind enough to state in what way you think it was injurious? I do not think Driver's Act was sufficiently restrictive as regards rivers and lagoons, but I believe it was suitable for coast fishing or bay fishing.
207. I suppose you mean that a lagoon ought to be protected in consequence of the fish spawning there? Yes, at certain seasons.
208. Since the passing of the Fisheries Act of 1881 have you carefully watched its effects? I have.
209. Will you state to the Committee your opinion of the working of that Act? The effect has been the complete disorganization of the fisheries; in fact it has been worse than useless; it has been tyrannical in the extreme as regards the fishermen, without effecting any useful object; in fact it is an ill-digested scheme altogether; it has not been carried out properly; it is not workable, and is grossly tyrannical.
210. You do not think it has had a good effect even in preserving fish? I am sure it has not.
211. Have you known any fishermen that have been compelled to give up their employment in consequence of this Act? I have. I will give you an instance of its tyrannical working: A man named William Mildwater, a very sober, industrious man, residing near Manly, brought up, bred, and born in that locality, his father before him having been a fisherman there. When this Act came into force this man, by his hard earnings was possessed of two boats and two nets. These nets had meshes that were of the size provided for—or at any rate they were legal—under Driver's Act. One of these nets was on the rocks, and the other was on what is termed the horse in front of his house. From conversation I know he intended to take out the bunt of that net and replace it with a bunt that would be legal under the new Act. While this net was hanging there Inspector Quinan came down and seized them both. They were not in use. The two nets were worth nearly £100. They were taken away, put into the Garden Palace, and destroyed when the palace was burnt down. The consequence was that the man was pretty well ruined, because he has a large family of children, and it would take him a long time to replace nets like these. Well, he purchased a new net after the destruction of these two; it had what is termed a booby bunt for gar-fish; the net when purchased had a mesh of the size indicated by the Act of 1881, an inch and a half, but when he put it in the tau of course it came down to an eighth of an inch less, and putting it in the water again brought it down another sixteenth perhaps. At any rate he bought it in accordance with the Act. I believe the bunt of this net was 45 fathoms, and the two wings 25 fathoms each, but I am not quite sure as to the exact length. The mesh in the wings was $2\frac{1}{2}$ inches or $2\frac{3}{4}$ inches. I forget exactly the size, but it was according to the Act of 1881. He used this net two or three times, and one night having a good haul of fish—to show the man's *bona fides*—he left the net in the stern sheets of the boat, on the rollers, and pulled up to the Fish Market. The Inspector came down, looked at his net, seized it, and took it from him. This was the third net seized from him.
212. Will you state what reason Mr. Quinan gave for seizing it? He seized it because the wings were not of equal length with the bunt, which is a most monstrous thing. That was one reason; and the other reason was because the mesh was about a sixteenth of an inch less than the proper size in the bunt. But his principal reason was that the wings were not of the same length as the bunt; the wings were not sufficiently long. When the man came back and told me I was perfectly horrified. He said, "What am I to do now?—I am ruined." I told him I would write to the Commissioners about it, and I did. I got an answer in due course. The Commissioners stated that under the circumstances as represented by me they would return the man the bunt of the net with the cork and head lines, but they would destroy or cut out the wings as being illegal—or that they would recommend that course to the Government, or something to that effect. I told the man he had better accept it, and set to work with his boys and make new wings. Well, after a vast deal of delay—I think two or three months—the man got this bunt back. But now comes the worst part of it. This Inspector, when he seized this new net, instead of hanging the net up to dry, put it in a heap in the Fish Market, and there it lay, wet as it came out of the boat, till it was almost rotten.
213. What is Mildwater doing now? He has a small net which I believe he either borrowed or purchased, but it is not of much account, from some man at Watson's Bay; but I think he is chiefly engaged now in line fishing.
214. You know the legal size of the present gar-fish net? Yes; I believe it is most absurd. These gar-fish are migratory and come in immense shoals, and even a large-sized gar-fish will not measure much more than an inch in diameter; therefore it is impossible to catch them in nets with the mesh required by the Act; they run through them like water through a sieve, and the men have their labour for nothing.
215. You know the present regulation size for gar-fish—3 ounces? Yes.
216. How much smaller would you recommend they should be sold without hurting our fisheries? From my practical knowledge I will answer that question in a rather round-about way. I cannot see how you can limit the size of gar-fish fairly. I will give my reasons why: A fisherman puts his net round a school
of

of gar-fish; the fish make a rush for the bunt, and the small fish, generally speaking, get meshed, or even if they do not get meshed, they must come in with the bulk of the fish, and you cannot preserve them alive; they will not stand the knocking about or the handling if they are thrown into the water. Therefore if you do not allow the men to sell these fish they must be sorted out and left on the beach to rot. It does no good to try and save the small ones alive, for the fish come in such immense shoals that it is impossible to diminish the quantity of them; they are migratory and travel round the coast. The fishermen, as a rule, will never shoot round schools of very small-sized gar-fish if they can help it, because they are quite unsaleable.

217. You mean to say that they are so tender of life that the mere fact of hauling them in destroys them? Yes.

218. And if the fishermen are not allowed to sell them they are wasted? —

219. *Mr. Griffiths.*] You recommend, then, that there should be no limit to the size of gar-fish? I do.

220. *Chairman.*] Can you give us any information, with reference to any other nets sized, bearing on this question? I will give you one: There is a man, old Bob—I do not know his other name; his net was absolutely passed by the inspector, but two or three months afterwards it was seized, at the same time that he seized Warrington's net. Because the man happened to have four or five different sized meshes in his net it was seized, but it was perfectly harmless in its operation.

221. What I stated in the House, was that true or false, about the seizure of these nets? Perfectly true. I think, if you will allow me to offer a suggestion, that this Commission is a useless and cumbrous piece of machinery; it is perfectly useless, and never will work. The Act ought to be assimilated to that of Victoria. Instead of the Commission there should be a chief inspector of fisheries—a man who understands what he is about, not a man who cannot tell the bunt from the wings of a net; and he should have two or three subordinate inspectors and a clerk. That should be the whole department. In places where they might be required water bailiffs should be appointed. That would be quite sufficient.* It is so in Victoria. I was instrumental in getting the Victorian Act passed. I was living there at the time, and was solicited by the authorities to place my ideas and propositions in writing, which I did, and they were adopted in the present Victorian Act. The reason they have water bailiffs in Victoria is that in a great number of the rivers they are acclimating fish from other countries, and these fish have to be protected; therefore water bailiffs are employed to look after them, and also in other localities where it is necessary to protect the fisheries. The Chief Inspector of Fisheries has his office, but he is subordinate to the Commissioner of Customs, who is there a Minister of the Crown. Here he would be under the Colonial Treasurer. That Act has worked, so far as I know, admirably in Victoria; no tyrannical measures are ever known; the fishermen are satisfied; and the public are well supplied with fish since the Gippsland Lakes were thrown open by means of the railway from thence to Melbourne.

222. When the fishermen of Victoria infringe the Act there in force are their nets seized and forfeited, or is a fine only inflicted? When the fishermen infringe the Act the Inspector has no power of seizure, no power of confiscation, but on a third conviction a magistrate has it in his power to order the confiscation and destruction of the net. The most extraordinary part of this Act of 1881 is that the net can be resold, and the money put into the Consolidated Revenue of the country. The net is seized for being illegal, and yet the Commissioners have the power of selling that net by public auction. All the nets that were burnt in the Garden Palace were under orders for sale, and, had not the Palace been burnt down, they would have been sold.

223. *Mr. Olliffe.*] Not for fishing, but for other purposes? What purposes?

224. *Chairman.*] Do you know for a fact that any fishermen who possessed illegal nets were in treaty with fishermen in Queensland for the sale of these nets? That I could not tell. In the case of Mildwinter the seizure was a most cruel thing. They were taken from him when not in actual use. They were confiscated and burnt when the Exhibition building was burnt down, without giving the man a chance of altering them. The idea of a 3-inch mesh in the wings! It is impossible to catch such a fish as the whiting with such a mesh. About a fortnight ago John Skinner surrounded with his seine about two boat-loads of flat-tail and hard-gut mullet, and only succeeded in taking about two dozen, instead of two boat-loads.

225. Can you give us any information about oysters? I never paid much attention to oysters.

226. Is there anything else you would like to mention? I would like to say that I think the Government should make some compensation to those men who have been so cruelly used, for the excessive losses they have sustained.

227. *Mr. Olliffe.*] You are an hotel-keeper? Yes.

228. And therefore, I presume, you are a large purchaser of fish? Yes.

229. Can you inform the Committee what difference in the cost and supply of fish has taken place since the introduction of this Act? The price is more than double what it was, sometimes treble.

230. *Chairman.*] With a short supply? A very short supply. The men cannot get the fish under the restrictions imposed by the Act. Now the schnapper season is over we very seldom get any fish at Manly.

231. In what particular fish is the short supply most obvious? Whiting, gar-fish, and mullet—fish that are only caught by the net. Bream can be got by line-fishing.

232. I suppose you know that the present Act does not interfere with amateur fishing? It does not.

233. Have you known of any instances where amateurs have been fishing and have disposed of their fish by sale? Yes; there are some clubs, the members of which go out schnapper-fishing, and when they come back to the wharf sometimes part of their fish are sold there; I have seen them in the shops often.

234. They may sell illegal fish? Yes. With regard to red bream, which are the young of the schnapper, though at one time they were thought to be of a different species —

235. You never saw a red bream with a roe? No, nor never will. They are destroyed in myriads. That makes schnapper so scarce outside the Heads, though I know places along the coast where I could go and fill a ship, a thousand-ton ship, so to speak, where the young have not been interfered with. But in Sydney Harbour these red bream are caught in myriads, and that makes schnapper scarce here. You will see boys and men in the spring and summer months with great strings of them; they are caught in all directions.

* NOTE (on revision):—The idea of Local Boards at different points of the coast is a most absurd proposition, and could effect no useful purpose.

Mr. P. Cohen. directions. I would protect them, and I would protect the river fish also. With respect to gar-fish nets, I would recommend that a 1-inch mesh be allowed in the bunt; but I would strictly prohibit it in any lagoon or river, such as the Parramatta River or George's River. There is no doubt about it, the beaky seines, as the fishermen call them, are engines of great destruction if used as general nets. I think these nets should be prohibited for general purposes, and only used as gar-fish nets. Fishermen would have no excuse for saying they did not know there were other fish there. In ordinary net-fishing they very seldom get gar-fish. They can always see the work of the gar-fish on the top of the water, and they have no occasion to throw the net unless they can see the fish. When a fisherman goes out for general fishing he may take three or four hauls off one large beach, but he could not do that if going after gar-fish, because he can see the work of the gar-fish, and can close his net round them, and there is an end of it. Gar-fish are usually caught in daylight, because at night the fishermen cannot see the work, and do not know where the fish are. Sometimes on a moonlight night they can see the work, but it should be made prohibitory for them to use the gar-fish net for general purposes, or in rivers or lagoons. The lagoons that are closed now should not be kept closed altogether; they should be opened and closed alternately.

236. *Mr. Olliffe.*] In what year was the Victorian Act passed? I will not be certain, but I think it was either in 1869 or 1870, as far as my recollection serves me.

237. Is it in force now? Yes.

238. Has it been amended? It has never been amended to my knowledge. Under that Act there are certain places which they close alternately; they do not do as the authorities here have done, close the whole of them simultaneously. They ought to have opened them for a certain period; they ought to have been opened this summer and closed again in winter; they should not be open in winter, but in summer they should be open, and the fishermen should be allowed to take the matured fish out.

Mr. John Emerson called in and examined:—

Mr. J. Emerson. 239. *Chairman.*] You are engaged in the fish trade? Fish and oyster trade; oysters chiefly.

240. Have you been many years at it? Since 1861.

241. Where are you chiefly supplied from? From different places all along the coast from Moreton Bay to Twofold Bay, more or less.

242. You pay a license fee to the Treasury for selling oysters here? Yes.

243. Have you noticed any deficiency in the supply from New South Wales? Yes. Under the present Fisheries Act the oyster-beds are not leased; they are open to any one to work indiscriminately, that is, to all who choose to pay a license fee; and in a very short time they worked most of them out.

244. What modification or alteration in the Act would you suggest? I would suggest that the oyster-beds should be let on a long term, long enough to repay anyone for the outlay of capital in the cultivation of oysters, and it should be a condition of the lease that a certain quantity of spat or young oysters should be returned to the beds in proportion to the quantity of oysters taken out; such a proportion as the Commissioners or the Government might think proper. For instance, if a man takes 100 bushels of oysters off a bed, there would be a large quantity of small ones which should be returned, or even if there are not he should be compelled to put down a certain quantity of spawn, so as to keep up the supply.

245. You think that certain areas along the shore, or a certain description of beds, should be leased to certain people? I think so, under restrictions and under inspection.

246. Have you noticed any deficiency in the supply of fish? Yes. The fishermen to a great extent have been dissatisfied with the way in which they have been hampered, as to the size of the nets, and hauling the fish into their boats instead of hauling them on the beach.

247. What kinds of fish have you noticed to be more deficient than others? Garfish particularly. It is hardly possible to catch garfish with an inch and a half mesh. I was at Port Stephens some months ago and the fishermen there told me that out of a haul of 5 bushels in an inch and a half net they did not save two pecks.

248. Of course this must affect the price very much? It does affect it. I do not know of any trade so badly regulated; what we pay 2s. for on one day we pay two guineas on another.

249. You never experienced any of these difficulties under the old Act? No, we never noticed it so much, but still there were irregularities. The demand is now much greater than it was.

250. The demand is greater and the supply less? Yes, and I am inclined to think it will be less. I would not allow the inland waters to be continually drained of fish. I consider them to be nothing but breeding grounds. I do not think it will ever be possible to keep up a fish supply if you keep continually working the lakes and inland waters.

251. Do you know of any deep sea-fishing going on now, other than by lines? I do not; I think it is one of the things that should be encouraged; it must come to that, either by private enterprise or in some other way. You will never be able to keep the fish supply going merely by the inland waters.

252. You know the size of the nets used now? I could not enumerate all of them, but I know them pretty well.

253. If the mesh of the gar-fish net were smaller do you think we should get a better supply? Yes. I think there are certain fishes that never become sea-fish, and other fishes that the inland waters should never be drained of.

254. *Mr. Griffiths.*] Are you aware of any oyster-beds being let? Do you mean the oyster-beds or the foreshore?

255. The Act contemplates the letting of certain portions of the foreshores? I do not know of any, but I know of several applications that have been made for permission to form beds and cultivate oysters on certain portions of the foreshores, but the Commissioners have never been able to grant them.

256. Do you think that if these clauses were put in force the supply of oysters would be increased? I think it could be, but not at once.

257. The cultivation of oysters has not been increased under the Act? No; there has been no cultivation at all, because the Commissioners state that they have not power to grant leases. They maintain now that anything above a depth of water 4 feet below mean low-water-mark is not a natural oyster-bed; I think all these oysters have been grown by nature, and why they are not considered a natural oyster-bed I do not know.

258. Do you know anything about the surveying of these foreshores? I do not think any have been surveyed at all, not even those that have been applied for.

259. Then this Act has failed completely in assisting the cultivation of oysters? Yes, in every respect.
260. The whole of that portion of the Act wants revision? Yes.
261. *Mr. Olliffe.*] There is no difficulty in obtaining spat, is there? None whatever; you can get tons and tons of it even at Middle Harbour; and the reason it never comes to anything is that it is a long time exposed to the sun, and that in such places as Middle Harbour the water is so salt and rank that the young oysters never get beyond a certain size; but move them into mild water, and in the course of a few years they become just the same as the oysters in the natural beds where they are put.
262. *Mr. Griffiths.*] Where do you get your supply of oysters from that you use in your business? I am getting some now from Twofold Bay, and I also get some from Walagut Lake and from Bermagui; but for a long time I have had to a great extent to depend upon what I get from Queensland.
263. Was it not partly in consequence of this Act that all the artificial beds in George's River were given up? We gave them up because the old leases that were given were never valid, and we never knew but what other people could come and work upon the ground that we were paying for—if they took out a license.
264. Then this Act has been a great detriment to those who had artificial banks of oysters? A great detriment to them; it gives them no chance of forming artificial beds.
265. Mr. Holt and yourself had *claires* on George's River, but this Act coming into force induced you both to stop your business as oyster cultivators? Yes. There is another thing that I suggested, but it was never taken notice of; I mean in regard to lobsters or cray-fish. You may have noticed that frequently under the tail of the she lobster there is one mass of spawn; I suggested to Mr. Oliver that that should be included in the Act—that they should not be allowed to be caught during the time they were in spawn, or that if caught they should be immediately put back into the water. There would be no difficulty about putting them back, because after a lobster is caught it will live two or three days.
266. *Chairman.*] Is there any other suggestion you would like to make to the Committee? There is one suggestion I should like to make with regard to the leasing of oyster-beds, that they should make the leases sufficiently long to repay lessees for their outlay, so that the best results might be obtained. And the regulations should be stringent. So far as the foreshore is concerned, I am certainly of opinion that any one who owns the ground abutting on the foreshore should have the preference of taking it up fronting his ground if he chooses to do it, under the same regulations as any one else.
267. *Mr. Abigail.*] Are the Northern oyster-beds at Newcastle, Port Stephens, Lake Macquarie, the Manning, and the Hastings, under lease? The Manning River is closed; that is, not under lease; Port Macquarie is not under lease; the Bellinger is not under lease; Nambucca and the Tweed are not under lease; Cape Hawke is under lease, I think, till September, and Port Stephens till April.
268. Are these leases under the Act of 1881? No, under the Act of 1861. They are allowed to work them, although it is doubtful whether any of them are valid, or whether the new Act of 1881 gives the Commissioners power to make the existing leases valid till they run out.
269. The extent of the leases was ten years, was it not? Yes. I can give you the names of all the rivers that are under lease at the present time: Camden Haven expires on the 1st May; Cape Hawke, 1st September; Port Stephens, 1st May; Broken Bay, 1st October; Shoalhaven, 1st September; Clyde River, 1st September; and Tross River, 1st March, 1884. These are all the leases in existence now.
270. What term of lease would you advocate as being sufficient? Not less than fifteen years.
271. How would you offer these leases—by tender or by auction? I think they should go by tender. I think the persons who might have the opening of the tenders should take into consideration who they thought would work them best.
272. Would you do away with indiscriminate licenses? Yes.
273. You think the Government should hold one lessee responsible for the proper working of one lake or river? Yes, under strict supervision. I think persons engaged in the trade should have the preference—or any one that understood the trade.
274. You think that system would promote a better supply without in any way decreasing the revenue? Yes, I am satisfied it would be better, and would save all complaints. It is necessary there should be at the head of the Department some one who knows what are the requirements of the business. At present, through want of system, we sometimes do not get half the supply we want; at other times the oysters come in in gluts and half of them are destroyed.

Mr.
J. Emerson.
28 Feb., 1883.

Mr. John Longford, called in and examined:—

275. *Chairman.*] What are you? A Warder in Darlinghurst Gaol at present.
276. You have not been long from Victoria? Not long.
277. You were a careful observer, I believe, of the working of the Fisheries Act in Victoria? I was an Inspector of Fisheries under the Act for nearly four years.
278. Have you gone carefully through the Act in force here? Not very carefully, but I have noticed one or two little things in it.
279. Did the Act in force in Victoria work well? We had great difficulty with it at first. We had to get thorough practical knowledge with the fishermen before we could introduce anything that would protect the fish and serve the men as well; they held so many different opinions.
280. Was there much difficulty in administering the Act after it came into force? No, not much.
281. Did it operate harshly on the fishermen? No.
282. Did it improve the supply of fish? It did.
283. Has it given general satisfaction? Yes. We had to amend the Act after we got thorough knowledge of its working.
284. Can you tell the Committee the size of garfish that were allowed to be sold—or was there any restriction as to the size of garfish? Garfish was limited to a quarter of an ounce.
285. What was the size of whiting fixed by law? 3 ounces.
286. Black bream? 4 ounces.
287. Schnapper? 12 ounces.
288. Red bream? We have not the red bream there. We have what you call in this Colony black bream; we call it the common bream there.
289. Did you look upon the red bream as the young of the schnapper? That was my opinion.

Mr.
J. Longford.
28 Feb., 1883.

Mr.
J. Longford.
23 Feb., 1883.

290. Were red bream excluded from the Act? They were not mentioned in the Act. We had black bream and silver bream. In reference to garfish, we found it was of no use fixing the size, for once they got into the bunt of the net, or touched it at all, or if they got hurt in any way, they were killed. The Chief Inspector, therefore, came to the conclusion that the public might as well have the benefit of the fish as let them rot on the different fishing grounds; so the size was made a quarter of an ounce; I think it was 2 ounces before that.

291. *Mr. Griffiths.*] Was there power given to any one to do that? Yes, it was done by proclamation. There is power to alter the legal weights of fish in Victoria by regulation.

292. *Chairman.*] How many inspectors were there? Only four of us. The Chief Harbour-Master held the position of Chief Inspector of Fisheries; there were no Commissioners at all. The Chief Inspector had four assistant inspectors under him, who were allotted certain districts, to look after the fishing, and to suggest anything that would protect the fish.

293. When the fishermen infringed the Act in what way were they dealt with? That was according to how they infringed it. If they had small fish to the extent of one in twenty-five we seized them, either from the fishermen who had them in his boat, or from the hawkers or fish salesman who might have them in his possession.

294. What was the punishment? A fine of from £2 to £10, I think.

295. Were the nets seized for any offence? No, except when they were caught using them in illegal waters.

296. Who had the power to seize? The fish inspectors.

297. In all cases of breaking the law they were fined? Yes.

298. Supposing the mesh of a net was illegal, how was that dealt with? There was no law relating to that. From my experience I would not make a law to regulate the mesh of any net; I do not see how you can do it; it will not suit everybody.

299. Do you think that if inspectors are appointed to see that only fish of proper size are sold, there would be no necessity to legislate about the mesh of the net? No, there would not. I had charge of the Gippsland Lakes, which are salt in summer and nearly fresh in winter —

300. *Mr. Griffiths.*] Are they open to the sea? Yes, there is an opening very similar to Lake Macquarie. I was called upon to report on a proposal to abolish the use of the seine net. I will read you my report. (*The witness read report referred to.*) In the Act here I see that you close certain waters in the winter-time. That is a most ridiculous thing. If you want to close waters it should be in the summer-time, when the fish are spawning. In the summer-time, in the Gippsland Lakes, you can see the mullet waddling about near the shore, waiting to spawn, and the consequence is that the fishermen glut the market, and destroy the fish when they are full of roe.

301. *Chairman.*] When is a fish in the best condition? When it is full of roe.

302. Is it not a well known fact that in the herring fisheries in Great Britain the fish are always taken in full roe? Yes.

303. Why, then, if nature has provided the fish in good condition, should not the people be allowed to catch them? That is a very good argument of course, but you would destroy the fisheries if you continued to follow it.

304. Which do you think destroys most fish, birds and fish that prey upon them, or the fisherman who tries to supply himself and other with food? The birds and fish.

305. Then by preventing the fishermen catching the fish when in good condition you actually give the fish to the birds and sharks? No, I would not do that; I would not stop the fishermen from catching fish altogether, but I would close certain places at certain times. The fish go to certain places to spawn, and if disturbed they will not go again.

306. Was not a reward given for sharks in Victoria? Yes.

307. How did it work? I believe the Government were pretty well swindled. They brought in a lot of dogfish, and the Government paid for them instead of sharks.

308. That was owing to having ignorant people to manage the matter, I suppose? Yes. You were speaking of roe just now. Here is a form that was served out to us, and we had to supply the information mentioned here every month to the Chief Inspector. (*The witness read the form referred to.*)

309. Was the Fish Market in Melbourne well supplied when you were in Victoria? Yes; when the Gippsland Lakes were opened there was a great supply. This is another kind of form we used in Victoria. (*Produced.*)

310. *Mr. Griffiths.*] Are fish more plentiful in Melbourne than in Sydney? I think, since the opening of the Gippsland Lakes they have been, but before that they were not.

311. Where were they supplied from before? From the neighbourhood of Port Phillip Heads and from Geelong and Schnapper Point.

312. Were any fish brought in from Tasmania? Very few.

313. Whereabouts are the flounders sold in Melbourne caught? At Geelong.

314. Off the flats? Yes.

315. *Chairman.*] By trawling? Yes.

316. *Mr. Griffiths.*] Were you aware of any fish company having been formed for trawling purposes outside Port Phillip Heads? I did hear of it; I believe it was not a success.

317. On the north side of the heads are there not Chinamen settled? Yes; and very destructive fishermen they are; they take all the small fish, dry them, and make them into a sort of powder.

318. *Chairman.*] Have you seen the schedule of the sizes of fish in our Act? Yes.

319. Have you compared them with the Victorian sizes? I have. Ours (the Victorian) are much smaller. The idea was to let the public get the benefit of the fish rather than let them lie on the beach to rot. No matter what net you have, such fish as garfish, mullet, and whiting will be killed if they get entangled in the bunt of the net; they will not stand handling. The main thing to do is to find out the places where fish spawn and close them in summer. I found in Victoria that the best way was not to interfere with the nets at all, but to close certain waters.

320. *Chairman.*] And inspect the size of the fish? Yes, that is the most important.

321. *Mr. Abigail.*] Did I understand you to say that you had difficulty in arriving at what would please the fishermen? Yes, they were very hard to please; some wanted one thing, some another.

322. What was the difficulty with them? They did not want to be interfered with at all.

323. *Mr. Griffiths.*] Was there no restriction as to the size of mesh or length of nets in Victoria? No, no restriction at all.

324. *Mr. Abigail.*] Fishermen like to carry on their operations without any restriction at all? Yes, they like to go and work a fishing-ground right out.
325. You have no doubt that nets were not confiscated in Victoria for any infringement of the Act? According to the Victorian Act nets were liable to confiscation if found in reserved waters, but in some instances, and under extenuating circumstances, they were returned to the owner.
326. *Chairman.*] Was there any license to pay for boats? No.
327. Or for oyster-shops, or fish-shops? No.
328. *Mr. Abigail.*] Was there any royalty? No.
329. *Mr. Olliffe.*] When were you in Victoria? In 1878.

Mr.
J. Longford.
28 Feb., 1883.

WEDNESDAY, 7 MARCH, 1883.

Present:—

MR. ABIGAIL, | MR. OLLIFFE,
MR. GRIFFITHS, | MR. YOUNG.

A. R. FREMLIN, ESQ., IN THE CHAIR.

Mr. Peter James called in and examined:—

330. *Chairman.*] What are you? A lessee of oyster-beds.
331. Where situate? At the Clarence River and Port Stephens.
332. Have you been many years a lessee of oyster-beds? About eleven.
333. Then you are fully aware of all prior Acts as well as the existing one? Yes, I am pretty well aware of them.
334. Have you any complaints to make against the working of the existing Act in connection with oysters? I certainly think it is a very curious Act to work; it is almost unworkable altogether would be my opinion. As to complaints we have no complaint to make as lessees.
335. When does your lease expire? At the end of April.
336. Have you made any application for a renewal of your lease? No, we cannot get a renewal.
337. What steps do you intend to take to procure oysters after the expiration of your lease? If this Act continues in force I intend to give up the trade altogether; it will not be worth while to carry it on.
338. Why? For the simple reason that the men who get the oysters under license will have the best of it; we have had to give them as high as 27s. 6d. a bag for oysters.
339. If you had the security of a lease you would work by paid labour? Certainly we would, and work the beds to a great deal better advantage too. If the first Act had been amended in some of its provisions it would have been the best Act you could have got; that is my view of it. We have been most wonderfully declaimed against for destroying the oyster-beds, but though it may have taken us seven or eight years to partly damage them, the men licensed by the Government would destroy them altogether in six months.
340. I suppose during the tenure of your lease you have always replaced the oysters you have taken away with seed oysters or spat? No, it would not do for a man that has only a ten years lease to attempt to cultivate oysters; the time is too short. If you get spat, it will take four years from the time you lay them down before you get any return at all, and what time have you left for profit.
341. If you had a lease with right of renewal would you be satisfied? Yes. For myself I do not care about it, but I think it would be the best for the country to give a man a whole river. If a man had a lease of a whole river he could always improve it; and when it was improved the Government and the lessee should participate in the benefit.
342. In what way would the Government participate? At the end of the lease the improvement the lessee had made in the oyster-beds should be valued and the Government should get more rent.
343. The rental should be increased at the end of the first term? Yes; the lessee should get his portion of the benefit by having his term extended, and the Government would be benefited by getting an increased rent. I believe by such a system the beds could be improved to a wonderful extent.
344. *Mr. Griffiths.*] Would you give to one person a lease of a whole river like the Manning, for instance? Yes, that is my opinion; one man should have the whole river.
345. You know that the Act provides for the leasing of certain areas of foreshores? The fore-shores are of no use at all. We do not want foreshore oysters; they are simply useless when we can get dredged oysters. If the trade can get dredged oysters they will not have foreshore oysters at all.
346. Would you have the whole of the Clarence River leased to one person? Decidedly I would. I believe a man with a large stake in it would work it better than ten or twenty people would work it.
347. What sort of rent would the Government get for the lease of a river such as the Manning? We gave them £1,150 a year for it, but that was too much rent for it then.
348. When your lease expired it would not be likely anybody else would take it? Yes, they could get a good rent for it still.
349. *Chairman.*] Under the present Act? No, they could not get any rent for it under the present Act. I reckon the present Act is unworkable. The Government had fifty-five licensed boats on the Manning River, but we as lessees never had more than twelve. If we could not work more than twelve, how is it possible for it to last with fifty-five? That is the fault of the Act—that it gives licenses to any number of men.
350. *Mr. Griffiths.*] Then it is open dredging on the Manning at present? It was open dredging by license, and the Government issued licenses to fifty-five boats at one time for a river that we as lessees could never work more than twelve boats on.
351. *Chairman.*] Then it is worked completely out, or will be? It is stopped altogether now.
352. Can you tell us how oyster-beds are leased in England? No, I do not know much about them. I believe the Frith of Forth is leased to one man, but it is not held from the Government at all but from the Duke of Buccleuch, I think. One man has the lease of that, and since he got it a great deal more oysters are obtained than before.
353. Indiscriminate dredging is not allowed in England? No; most of them are private beds.
354. *Mr. Abigail.*] What makes the difference between dredging and foreshore oysters? The foreshore oysters are harder to open for one thing, and they are generally very small.
355. Is there any difficulty in procuring them? No. In Melbourne they will not have them at all; they call them steel-backs, because they are so hard to open.

Mr. P. James.
7 Mar., 1883.

- Mr. P. James. 356. Do I understand you to mean that only one man should get the right from the Government to work a whole river, and that he should be responsible for its being worked properly? Yes; the lessee ought to have the whole working of one river; the Government should lease the whole river to one party. The first Act simply wanted amending in some of its provisions. For instance, they could have put the ring on the oysters to measure them, not to let a lessee get exactly what he chose.
- 7 Mar., 1883. 357. Would the river being leased to one man benefit the public, or the Government, or the lessee? It would benefit all parties.
358. A long lease? Yes, with a right of renewal so as to encourage improvement.
359. The lessee should be compelled to return to the beds all oysters that were below a certain size? If he had a long lease he would be sure to do that for his own sake. It would not be to the lessee's advantage to take anything that was not thoroughly fit for market. It would be a very unwise lessee that would take an oyster not fit for market.
360. *Mr. Young.*] Has it not been stated that some lessees have worked the beds and then thrown them up and paid no more rent? That has arisen a good deal from such reports as Mr. Langham's. The lessees have been hunted down as if they were complete robbers.
361. Was it not the fact that the lessees in some rivers stripped the beds and then gave up their leases? Some did; but many lost by their leases. For instance, we paid the Government between £2,000 or £3,000 for Port Macquarie and all we got off it was 2,800 bags of oysters. We had no certainty that we could hold the lease, for every one that came to the office to inquire was told that, and by a man that should have known better, that we had no power to hold the oysters, and that any one could go and get them. Was it possible then that we could go and lay money out on the beds or do anything when they were not paying us. It was the fault of the Act that it did not make better provision.
362. In your opinion we should return to the same system of leasing again? Yes.
363. About the foreshore leases—? Foreshore leases are good for nothing at all in 99 cases out of every 100, for we do not care about the foreshore oysters; we cannot grow them to any benefit. Port Stephens grows an immense quantity of foreshore oysters.
364. Are not the oysters that Mr. Holt grows at Botany foreshore oysters? How many has he got out of the immense quantity he has laid down?
365. We know there is a great deal of oyster cultivation going on in France on the foreshores? Yes, no doubt; but there the tide rises higher than it does here. At Mr. Holt's, when they let the water on it boiled them, and when they let the water go the sun roasted them.
366. It is your opinion, then, that the cultivation of oysters on the foreshores is impracticable? Yes; it would not answer at all. We put down some oysters at Balmain, when we wanted to keep them for awhile, and when we went to get them three-fourths of them were dead.
367. *Mr. Olliffe.*] You suggest that the lessee of an oyster-bed should have the right of renewal on condition that the Government should get an increased rental as the bed increased in value? Yes. Of course, if the lessee improved the bed he should be entitled to a renewal of his lease, at an advanced rent.
368. How would the Government know what improvement had taken place? They could prove that by the quantity of oysters the lessee was getting.
369. What improvements do you refer to? The improvement in the quantity of oysters—increasing the stock. The improvement would be shown by the quantity he could get out of the river. If he got 100 bags a week when he first took up the lease, and increased it afterwards so that he could get 200 bags, that would be an improvement that should entitle him to a renewal of his lease.
370. How could he increase the supply? By careful dredging, returning small oysters to the bed, and putting down seed or spat; also by taking the mangroves and laying them down on the ground, so that the oysters would grow better. There is plenty of ground at Port Stephens where you could lay oysters down on ground that we know will grow good oysters. In a few years Port Stephens could be made to produce four times as many good oysters as it does now. If you let these licenses for dredging go on they will clear out the Clarence in three months. I am only working one river now, and after my lease is up, if you let the licensed dredging go on, it will be cleaned out in three months. I have had it eleven years now nearly.
371. *Chairman.*] And it is in no worse condition? I do not think it is any better; I think it is a little worse. The lake oysters have a sort of fungus growing over them, which has killed many of them. I attribute that to the long time we have had dry weather, and there being nothing but salt water for them to lie in; but when the fresh water comes again I believe the oysters will grow all right.
372. *Mr. Olliffe.*] What is the extent of the Clarence River oyster-beds? There are oysters from the mouth of the Clarence for 5 or 6 miles up, a patch here and a patch there.
373. Suppose such a river as this were leased to one individual, would not that have a tendency to increase the price of oysters on account of the monopoly? Still they would grow the oysters better and increase the quantity. It might be a monopoly, but it would be a monopoly that would bring down the price by increasing the supply.
374. Then you believe that if each of these rivers were leased to one individual that individual would go on cultivating the oysters and increasing the present stock? Yes. I would give £500 a year for Port Stephens myself, and take it on a lease, I should say for twenty years, with right of renewal. If you do not give a long lease and the right of renewal, the lessee would naturally take all the oysters out of the bed at the end of his time; you could not expect anything else.
375. You think the inducement of a long lease would prevent such an evil occurring? Yes. I know it would make me lay money out; I would lay out thousands of pounds in some places if I had a long lease with the right of renewal, but if I had not I would not do it. A lease of ten years is not sufficient; it would take four years to make the bed, and then one-half of them would die, and they would only increase for the next four years; then I have only got two years to work my money out.
376. You spoke of using a ring—if the beds were leased in the way you suggest, would you still have the use of the ring? I would, and I would enlarge it for some of the rivers; I would enlarge it for the Manning to 2 inches.
377. Why? Because there is a larger sort of oysters there.
378. What should be the size for the other rivers? An inch and three quarters would be quite large enough for the Clarence. The different sizes should be fixed from experience.
379. Do you believe Mr. Langham's suggestions to the Government have had a beneficial effect, or the opposite? Quite the opposite. In one part of his report he says he would not know where to get ten bags of good oysters in the country.

380. Is such a statement justifiable? No.
381. Is he an inspector now? No. He was the first inspector under the old Act.
382. Then you think Inspector Langham has afforded information to the Government not in keeping with the truth? Yes, that is my opinion.
383. Do you know whether the information so obtained by the Government had any effect upon the framing of the present unworkable Act, as you call it? I believe it had; I believe Mr. Langham's reports were the sole cause of this new Act.
384. You believe this unworkable Act came into existence in consequence of the reports of Mr. Langham? Yes.
385. Is he in the service at present? No; Mr. Quinan is the head inspector now.
386. Do you know whether there are any individuals occupying similar positions now who are fit to afford the Government any information in framing the new Act? I do not know about Mr. Quinan; he is a sensible man, I believe, but as to the rest of them I doubt whether they could give much assistance. I do not know if Mr. Quinan has had much practical experience.
387. *Chairman.*] Are you acquainted with the working of the Fisheries Act so far as it relates to fishing with nets or lines? No, not much—I knew something of fishing at home.
388. Can you tell us whether there is any limit as to the size of nets or mesh used for the herring fisheries at home? None whatever. To legislate for sea-fishing would be simply preposterous, for the simple reason that if you did not take the herrings when they were spawning you would not get them at all. They come in to spawn and that is the only chance to catch them. After that you see them no more.
389. In spite of all the fishing there is no decrease in their numbers? No, not as a rule. In some seasons they are not so plentiful as in others. In Solway Firth the herrings went out of it for thirty years and never came back till five or six years from the time I left England about thirty years ago or a little longer. They came back then, and have stayed up to the present time.
390. Upon the average there is no decrease in the supply of herrings? None at all. There is no place that I know of, except Solway Firth, where you get all spent fish; in Solway Firth you get them always spent fish—no full fish, except an odd one.
391. You have had no experience of New South Wales fishing? No; but to legislate for fish that come in from the sea and go away again is simply preposterous, because they merely come in to spawn, and if they are not taken then they cannot be taken at all. Fish are not as good after they are spent as when they are full of roe.
392. You think no restriction should be placed on fishing for sea fish? No; nor licensing either. A license fee is simply a tax upon a poor man trying to get his living. It prevents many a poor man from getting a living.
393. *Mr. Young.*] And in your opinion does no good? No good that I can see.

Mr. P. James.
7 Mar., 1883.

Mr. John M'Hugh called in and examined:—

394. What are you? A fisherman.
395. Where are you fishing? I have been fishing in Sydney Harbour last.
396. Where are you fishing now? I was going away last night.
397. How long have you been fishing? About fifteen years.
398. What kind of fishing? Net-fishing.
399. Were you fishing outside or in the harbours mostly? In the harbour.
400. What kind of fish do you generally take? All sorts.
401. When you were working under the old Act were you successful? Yes.
402. And how do you manage now under the present Act? We are under great difficulties.
403. Can you point out to the Committee where the difficulties lie? We must not have a mesh of less than 3 inches in the wings of the net, but if you tan it once or twice it comes down below 3 inches, and then you have to throw it away before it is half worn out.
404. Or it is liable to forfeiture? Yes.
405. The same thing affects the bunt as well? Yes, it must not be less than 2½ inches.
406. Have you had any nets forfeited? Only this one. (*Produced.*) It got to be a little below 2½ inches, and the inspector told me that if I used it it would be forfeited.
407. What did that net cost you? About £6; this is the bunt only.
408. You have been afraid to use it in consequence of the warning you received from the inspector? Yes.
409. How long was it in use? About twelve months.
410. And then it became illegal from shrinking? Yes.
411. Will you be good enough to show the Committee how it has become unfit for use? (*The witness explained by measuring the meshes of the net.*)
412. What size was that net originally? It was 2½ inches originally.
413. And what has it shrunk down to? To a little less than 2½ inches—about 2½, or a sixteenth more.
414. *Mr. Young.*] Is the net worn out? It is about half worn out; it would last another twelve months.
415. *Chairman.*] What kind of fish have you been catching lately? Mullet, black fish, bream, whiting.
416. Have you caught any garfish lately? No.
417. If you had the chance would you be able to do so? There are plenty about, but with the present size of the garfish net we cannot catch them.
418. How small would you like to see garfish sold? I never weighed them. I think a net an inch and a quarter when new, and allowed to shrink down to an inch would be a fair thing for garfish.
419. When you are drawing in a shoal of gar-fish, after you have shot the net round them, do they get entangled in the weeds and the net and die? Yes.
420. So that the small ones cannot be saved alive? No.
421. Will whiting die in the same way? Not so easy as gar-fish.
422. Garfish are easily killed by coming into contact with any substance? Yes.
423. Are you satisfied with the present sizes of fish in the schedule, or not? The garfish are rather heavy.
424. Are the whiting too heavy? No, I think the weight for whiting is very fair.
425. Has the operation of the Act caused any loss to you? Yes, it has in Sydney.

Mr.
J. M'Hugh.
7 Mar., 1883.

- Mr. J. M'Hugh. 426. Where are you fishing now? I was going away to the Clarence River last night, but Mr. Evans called me to come up here; I will not be able to go now till Saturday night.
- 7 Mar., 1883. 427. Are you going to remain there? Yes, for the winter months.
428. How will you get your fish to Sydney? On the steamers.
429. Will you succeed in getting them in fresh? Yes, unless the steamer meets with bad weather.
430. Mr. Olliffe.] Suppose you do not take the garfish now in the harbour, what becomes of them? I believe the sea-fish will go away.
431. And if you do not get them now you will not get them at all? Not till next year.
432. Mullet the same? Yes.
433. And whiting? In summer-time we get most of the whiting.
434. You say that if garfish are struck by the net, weed, or any substance, they are liable to die? Yes; I have been used to catching garfish on the coast, and they are a very delicate fish.
435. Do you know whether they suffer from the attacks of many enemies besides the fishermen? Yes, birds and sharks.
436. To a great extent? Yes, I have seen the birds taking a great many.
437. If the garfish are not caught now you lose them altogether? Lose them till next season.
438. Do you think the same fish come back again? I could not say.
439. Chairman.] When working under the old Act were you careful about the destruction of small fish? We always turned them adrift again, but at times we could not help destroying them; they get in amongst the large fish, and the large fish rusing about would kill them; they would also get in the bunt of the net.

Chen Ah Teak called in and examined:—

- Chen Ah Teak. 440. Chairman.] What are you? A Chinese merchant, in Sydney.
- 7 Mar., 1883. 441. Are you engaged in fishing? No; I have some of my men drying fish; bought fish from fishermen; I cure fish—dry them.
442. Have you men catching fish? Not my men catching; buy from European, so much a bushel; dry fish and send them out of the country.
443. What kind of fish do you get mostly for drying? Schnapper, black bream, white bream, mullet, taylor, and all kinds of fish.
444. Where are your men chiefly employed drying fish? Before this Act they were employed at Port Stephens, Lake Macquarie, Broken Bay a long time, Jervis Bay.
445. Have you many men employed now? No; now all fishermen say, "Net too big—fish all run away—can't catch them—can't get much fish now."
446. How many men had you employed before the present Act came into force? About 200 men.
447. How many now? Not many now; very few.
448. Supposing the Act was altered as it was before, would you employ the same number of men as you used to? Yes; catch what we like one time; Government will not allow that now—only certain sizes.
449. Have you lost any nets? No; we buy from European; some of them lost their nets.
450. Do not the Europeans catch any fish now to supply you? Very little now; not many fishermen now, very few.
451. How many tons of fish used you to cure in a year? Two hundred, sometimes three hundred, tons of fish.
452. How many this last year? Very few; only a few fish. Do not send men for so few fish; cost too much. Only at Lake Macquarie very little; none at Port Stephens.
453. Before, at Port Stephens, you had a great many men? Yes, 100 men every time before.
454. All your countrymen? My countrymen and Europeans. European catch big fish; my countrymen catch some small ones.

Mr. James Gascoigne called in and examined:—

- Mr. J. Gascoigne. 455. What are you? A fisherman.
- 7 Mar., 1883. 456. Where are you employed? On the Parramatta River.
457. How long have you been fishing? About twenty-eight years.
458. Any one working with you? Not just now; one of my sons went away to Grafton, and another is working for himself. I am not fishing just now, but I have a license all the same.
459. What made your son leave you? Because we could not work under the Act; we could not catch fish according to the Act.
460. What fish do you catch chiefly in the Parramatta River? Principally mullet.
461. Does the size of the fish specified in the Act affect the mullet? If we catch them under the size we cannot sell them.
462. Do you think the sizes are too small? No. I defy any one to work under the Act.
463. Have you had any fish seized? No, I never had any fish seized, but I have had my net seized.
464. How many? Only one. I had my net seized when I was not fishing at all, and had not been for a long time; I had not had it in the water for three months.
465. Who seized it? Inspector Quinan.
466. On what grounds? He pulled the wing down and said it was not long enough. That was a net I had been using under the old Act. He said it was illegal because the wing was not long enough. I considered it was quite a legal net under the old Act, and then he said the bunt was too long. I do not believe it was. He then looked over another part and said the mesh was too small.
467. What was the value of the net when it was seized? It was worth £30.
468. What became of it? It was burnt in the Garden Palace.
469. Are you fishing at all now? No, I cannot fish till there is some alteration in the Act. I paid £2 10s. for a license a little while ago, and I have not caught a fish since.
470. If the present Act were amended so as to assimilate it to the old Act, you would go on fishing? Yes; the old Act was not quite what it should be; we could scarcely work under that; but under the present Act I defy any man to keep his net to a certain size of mesh; it is impossible.

471. Do you think that if fish below a certain size were not allowed to be sold, and an inspector appointed to examine the fish brought to market, there would be no need to legislate for the mesh of the net at all? I should like to see any man make his mesh as he liked. Stalling is always complained of; I think if the net was limited to 300 yards in length that would prevent stalling. Another thing was that many people would go out fishing now and then, and anything they caught, small fish and all, they would take to market; a license would prevent that. If the gar-fish bunt was limited to something like 100 yards, I think that would be all that is necessary.

472. Are fish scarce now? There are as many mullet and bream as I have ever seen since I have been fishing. One most ridiculous thing in the Act is that a man is only allowed to use 30 yards of net to catch prawns, and then he has to riddle them; how that is to be done I don't know, for a man has always to handle them as carefully as he can to keep them from getting knocked to pieces. I consider that the prawns I used to catch were worth £100 a year to me, but now we cannot catch them with a net of 30 yards.

473. How long would you like a prawn-net to be? The same net as for gar-fish, but 60, 70, or 80 yards would be sufficient; some men would want more.

474. If you riddle prawns after they are caught it kills them? Yes; it is impossible to do it. They get mixed up with the weeds and blubber and all sorts of things. It would kill them to try and riddle them, and then you could not do it. Last year we earned £100 by prawns alone; now we cannot get any. If they are not caught I believe they go away and die.

475. Have you ever riddled prawns? No; I never knew it to be done.

476. If you attempted to do it would not the legs and antennæ all get mixed up into a mass by their clinging to one another? Yes. It would break them all up, so that they would not be good for anything. It amused me when I saw that in the Act about riddling prawns.

477. *Mr. Olliffe.*] You say there is a large supply of fish in the river at present? Yes, I am positive there are as many mullet in the river now as there were twenty-seven or twenty-eight years ago.

478. *Mr. Young.*] In your opinion is it of any use to prevent the catching of small sea-fish. If you do not take them now are they likely to come back again next year? We do not want to catch what is not saleable.

479. Are these same fish likely to come back next year? I could not say. I have not much to do with sea-mullet; they do not come up our way much.

480. Do you think it is of any use preventing the catching of small prawns? I have always had an idea that prawns are like locusts—if you do not catch them they die?

481. If you put them back as too small the chances are you never see them again? Yes, that is my idea; those that belong to one year, if you do not catch them you never get the chance again. I do not believe you would catch the same prawns next year if you let them go.

482. *Mr. Abigail.*] Do I understand that you are against any restriction being placed on fishermen? I would limit the length of the net to prevent stalling; and the length of the gar-fish bunt; and every boat that used a net should pay a license.

Mr. Thomas Gascoigne called in and examined:—

483. *Chairman.*] You are the son of Mr. James Gascoigne who has just given evidence? Yes.

484. Do you know anything about sea fishing? No, all river fishing.

485. How long have you been fishing with your father? I suppose ever since I could fish.

486. How many years? About twelve years.

487. Are you fishing with him now? No.

488. For what reason? Because I could not get a living at home; there were too many of us, three of my brothers and my father; so we had to divide into two parties; my other brother stopped at home.

489. You used to get a living at one time? Yes, until the new Act came into force.

490. Are you sure whether it is the fault of the law, or whether it is the fish that have gone away? I am sure it is the law.

491. What is the principal objection? The size of mullet and gar-fish; mullet is too large—12 ounces; we very seldom get them on the Parramatta River.

492. If gar-fish were allowed to be sold smaller and mullet smaller, could you get a living? Yes.

493. *Mr. Griffiths.*] What are you doing now? I am fishing still, but I can hardly get a living and keep out of debt, for they took our nets from us.

494. Where? At Ryde.

495. *Chairman.*] Who seized them? Inspector Quinan.

496. Why? He seized one because it was a little bit too short in the wings.

497. Did he say he seized it on that ground? Yes. The same net he had passed a few weeks before, except that it had not been exactly fixed up the same way; I had altered it a little, and put some smaller stuff in the bunt, but it was correct as to size.

498. The length of the bunt was not exactly legal? No, it was a little bit too long.

499. *Mr. Griffiths.*] Did he mark your net when he first inspected it? No. I bought some new net 2½ inches in the bunt and 3 inches in the wings, and put in the old stuff that he said was right, but I did not put in hardly enough. He came one night at 12 o'clock and seized that net, which I valued at £30, and took about £3 worth of fish out of my boat, all good saleable mullet; there might have been a few that were under size; he took them away and I was fined £2 and costs. He swore in Court that I had six bushels in my boat and not a marketable fish in it. I was afterwards going through the town and I met another inspector, and asked him how many fish he took out of my boat; he said about two baskets; I said that is what Mr. Quinan calls six bushels; he laughed and walked on. Another time he took another net, which I valued at £30, the last one they got, which I had for catching prawns. I had got some stuff for a prawn net, an inch and a quarter, and I had three of them tied together. 30 yards is no use for catching prawns. We had about £2 worth of fish that day, and they took a few of them. My brother and myself were summoned and fined £2 each, £5 17s. in all with costs.

500. *Mr. Griffiths.*] Did you put in any claim for compensation for those nets after they were burnt? No.

501. Did you see the nets in the Exhibition building? Yes.

Mr. J.
Gascoigne.
7 Mar., 1882.

Mr.
T. Gascoigne.
7 Mar., 1883.

Mr. T.
Gascoigne.
7 Mar., 1883.

502. With the other nets there? Yes, a great quantity.
 503. *Mr. Abigail.*] Did you ever make any protest to the Commissioners about the seizure of your nets? No. As we read the law and heard the law in Court I thought it was no use wasting any more time about it.
 504. *Mr. Young.*] Is it possible to prevent a net becoming illegal before it is worn out? No, it is not; you cannot keep a net to the size. To keep a net legal you would have to lay it away before it was half used, or not tan it at all, and then it would not last six months; the water would rot it. The net I am using now had to be $3\frac{1}{2}$ in the wings and $2\frac{1}{2}$ in the bunt to allow for shrinking.
 505. Supposing the Act allowed you to use a smaller net would it be possible to return the small fish to the water so as to save them? No, it would not be much use; the knocking about and handling generally kill them.
 506. Does that apply to all kinds of fish? Yes; some are more delicate than others. If a garfish gets fast in the net he dies before you get him ashore, and so do taylor and travally; a mullet if not injured will go away, but if he is fast in the net he is killed.
 507. When you used to fish with a smaller meshed net were many small fish destroyed? No, we never caught or killed as many small fish as we do now. When the garfish were too small we never used to catch them; they would swim away or go round the wings without getting fast in the net; the mesh was too small to let them get caught in it, and we could turn them out without hurting them.
 508. Then there is a positive advantage in fishing with a small net according to your idea? Yes.
 509. The small fish were not so much hurt because they did not get meshed? Just so. The nets they allow us now will just catch the mullet they will not allow us to sell; the mesh is just big enough to let them get fast, and if once they get their heads in they die.
 510. *Mr. Olliffe.*] Do you mean to say that this net Mr. Quinan seized was the same net that he had examined a few weeks before? Yes, I can swear it was.
 511. You had done nothing to alter it? No.
 512. He came and seized that net after passing it? Twice.
 513. After passing it twice, without giving any reason whatever? Yes.
 514. Had you been using it since? No, not from the time he examined it till we used it this time; we had used it about three times I think.

Mr. Thomas Lambert called in and examined:—

Mr. T.
Lambert.
7 Mar., 1883.

515. *Chairman.*] What are you? A fisherman.
 516. Where? On the Parramatta River.
 517. How long have you been fishing there? Between twenty and thirty years.
 518. Are you still fishing? A little, not much.
 519. Why not much? I can scarcely earn a living at it now.
 520. Have you always earned a living until lately? Yes, until the new Act was passed. We cannot catch the fish now.
 521. What fish have you been in the habit of catching? Of late years it used to be a great river for garfish and bream, but they are all gone on account of the blubber destroying the sea-weed. There are very few fish there now but mullet.
 522. Thirty years ago was there no blubber? A little. There was any amount of seaweed and blubber; the fish cannot feed where that is.
 523. You say you cannot get a living now;—is it from the scarcity of fish, or from what cause? No, not from scarcity of fish; there are more fish in the Parramatta River now than I have seen for many years; they go through the net now, the mesh is too large.
 524. Does that apply to all kinds of fish? No, it will stop large fish.
 525. What sized mesh would you recommend for nets of different kinds? A meshing net should be $3\frac{1}{2}$ inches diagonal.
 526. Will it always remain $3\frac{1}{2}$ inches? No, every time it is tanned it gets a little smaller. It would have to be made a trifle bigger to allow for that.
 527. Do you think the legal sizes of fish as prescribed in the Act are too big? It is a good sized fish that we catch now.
 528. Do you think the legal size too large? Yes, where we catch one we lose twenty with the nets we are using.
 529. What is your experience in catching fish, about the destruction of small ones? With a $2\frac{1}{4}$ bunt you cannot destroy many small fish; they will all go through.
 530. Are garfish easily destroyed? The river garfish do not grow so large; we want a smaller mesh to catch them.
 531. Have you lost any nets? Yes, a good £90 worth.
 532. How long ago? Inspector Quinan took from my boys last winter £40 worth of nets and £6 or £7 worth of fish; they were fined £20, and I paid £5 5s. for a lawyer, £2 18s. for professional costs, and 16s. 6d. each for Court costs.
 533. On what ground did he seize the nets? He said they were fishing in closed waters. He never saw them catch a fish in closed waters; they were coming home and they went up Homebush Bay to get some water, and he saw them coming out of the Bay and stuck out that they had caught the fish there.
 534. Had they caught the fish there? No, they told me they did not catch any of them there. He seized another net because the wings were the same size as the bunt—because the wings were not 3 inches.
 535. What became of those nets? They were burnt in the Exhibition building.
 536. *Mr. Abigail.*] At the time you speak of when Mr. Quinan charged your boys with having been fishing in closed waters what evidence was produced? He swore in the Water Police Court that he saw them pulling something into the boat, and that it must be a net; the fact was they were standing up shoving the boat along.
 537. How many were in the boat? Only two.
 538. Did they make any statement to the Court? No, they were quite ignorant of such matters; they had never been in a Court before.
 539. Did you not employ a lawyer? Yes, Mr. Levien; he charged me £5 5s. 540.

540. Where did they get the fish? At the back of Cockatoo Island, going up Iron Cove.
541. What portion of the river was closed? The other side of the Iron Bridge.
542. They were this side? They were this side. They saw the inspector going up the Parramatta River that day, and coming back they met him going home.
543. Would you favour any restriction being placed on river fishing? I would like to see the small fish protected.
544. How protected? Not to have too small a mesh; with a 2½ inch mesh all the small fish can go through.
545. Would you favour closing the river during any portion of the year? No, I am not in favour of it.
546. *Chairman.*] When do the fish spawn? Fish are spawning every week in the year.
547. Where do they spawn generally—it is in quiet waters, is it not? Everywhere; all about the shallow parts.
548. *Mr. Abigail.*] Do I understand your experience to be that the present Act has been oppressive in its character? Yes, it has been an injury to me.
549. Without being a benefit to the public? The public have to pay dearer for the fish, because the fishermen cannot get the quantity they used to do.
550. It has restricted the supply and made fish dearer? Yes. This inspector has got another net of mine.
551. *Chairman.*] What was that for? He came up the Parramatta River when my chaps were prawning, and he took the prawn net because it was too long. According to the Act only 15 fathoms of net are allowed for catching prawns; I might as well have a pocket-handkerchief.
552. Have you ever riddled prawns? No, nor ever heard talk of it till I saw it in the Act.
553. *Mr. Griffiths.*] What was the length of the prawn net the inspector took from you? About 100 yards.
554. What is allowed by the Act? 15 fathoms—about 30 yards.
555. *Chairman.*] If you did attempt to riddle prawns what would be the effect on the prawns? It would knock them all to pieces; none of them would be any good.
556. *Mr. Young.*] In your opinion a prawn net should be allowed 100 yards? Yes, that is quite little enough; you cannot enclose much ground with that.
557. Is it possible to prevent a net that is a legal mesh at one time becoming illegal? No; it will run up with the tanning.
558. A net that is perfectly legal to-day may after a month or two be illegal? Yes; after tanning a few times.
559. Every time it is tanned the mesh gets smaller? Yes.
560. The consequence is that under the present Act the net becomes illegal and is seized? Yes.
561. There is no way of preventing that? Only by making the mesh a good deal larger than the legal size at first.
562. There is no means of preventing shrinking? No.
563. It has been stated here in evidence that there were fewer small fish destroyed before this Act came into operation, because the small fish did not get entangled in the nets when the meshes were smaller. Is that your experience? Yes; we could shoot them out of the net and let them go again.
564. Which in your opinion would best protect the small fish—a small mesh or a large mesh? A small mesh.
565. You think fewer small fish would be destroyed with a small mesh? I think most small fish would get away through a 2½ inch mesh.
566. All the fish that are not legal—that are under size? They would go through a 2½-inch mesh.
567. Without injury? Yes. You asked me about fish spawning; you can go on to the flats any day in shallow water and see thousands of young fish an inch long; fish are always spawning; I got spawn from mullet three or four months ago, and I got some last week and the week before that again, and black bream the same.
568. *Chairman.*] Did you ever see any spawn in red-bream? No.

Mr. T.
Lambert.
7 Mar., 1883.

FRIDAY, 9 MARCH, 1883.

Present:—

MR. GRIFFITHS,	|	MR. PURVES,
MR. OLLIFFE,	|	MR. YOUNG.

A. R. FREMLIN, ESQ., IN THE CHAIR.

• Mr. Osborne Wilshire called in and examined:—

569. *Chairman.*] What are you? Forest ranger in the Deniliquin district.
570. You are not an Inspector of Fisheries also? No, not yet.
571. You have not received the appointment? No.
572. Are there any rivers in your district? Yes, the Edward, Wakool, and Niemuhr.
573. What kinds of fish are in those rivers? Murray cod, bream, and gold and silver perch.
574. Are fish sold in your neighbourhood? Yes.
575. By whom? By the fishermen.
576. How are these fish caught? In nets.
577. All by nets? Yes; they set some night lines across the river at times.
578. Do they catch them in any quantity? Yes, in great numbers. They go principally to the Melbourne market, and to Ballarat and Sandhurst.
579. Do they fish all the year round? No, they only fish during seasons of flood, when the Murray floods the creeks.
580. Is there much line fishing going on in the interval? No, they cannot catch them in that way now.
581. Can you tell us the size of the fish? Murray cod, from 5 lbs. to 40 lbs.
582. Are there any less than 5 lbs.? Yes. The fishermen have large bag nets which they put right across the creeks, and as the water is running down with a strong current the fish get caught in these bag nets—all sorts of fish, large and small.

Mr.
O. Wilshire.
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Mr.
O. Wilshire.
9 Mar., 1883.

583. Are the small ones destroyed? Yes, they are all caught alike—little and big. The nets are kept there a couple of days sometimes. I have seen as much as 6 or 7 cwt. of fish taken out of these bag nets, at times.
584. Is there any one appointed to look after the fishing? No, only the Police.
585. What steps do they take? Sometimes they seize a net and summons the man using it. The meshes of these bag nets are about 1½ inch when stretched.
586. In what months do these fish spawn? I could not tell you that.
587. How do they get these fish to market? Some take them to Moama by the railway, and others cart them to Echuca, and then to Melbourne or Sandhurst by rail.
588. You say this fishing goes on in flood times? Yes.
589. I believe in flood time the fish ascend the rivers, do they not? No, they all go down the smaller rivers and creeks then. All these rivers now in summer are just a chain of waterholes; when the Murray rises it feeds them, and the fish go into them and go down with the current.
590. I thought it was a fish's nature always to ascend the river in flood time? They do not there; they seem to follow the current into these creeks.
591. Is there any complaint of the diminution of fish in the district? Yes, great complaints in the Deniliquin District.
592. What do you attribute that to? These nets destroying all the young fish.
593. Would your position as forest-ranger enable you to fully attend to the duties if you were appointed to look after the fishing also? Yes; I am always ranging the rivers and creeks; they are all reserved.
594. Of course the police would assist you all they could? Yes. My district is a very large one.
595. Do you know the provisions of the Act relating to fishing in the rivers? No, I do not.
596. *Mr. Olliffe.*] You say these rivers, which are full in times of flood, eventually form themselves into a chain of waterholes? Yes.
597. Do they ever dry up? None of the deep holes dry up; in places they get dry.
598. Did you ever see any loss of fish in consequence of the waterholes drying up? No.
599. Do you think that if it were not for these stalling-nets the supply of fish would be equal to the demand? Yes, I believe it would.
600. *Mr. Young.*] How long have you been in the district? Five years.
601. Have you had your attention drawn to the fishing during all that time, or only lately? I have always had opportunities of seeing it, and have known the fishermen.
602. Has this stalling been going on during all these five years? Yes.
603. You say they do not fish in any other way? They fish with a gill-net sometimes in the lagoons; they go in a small boat and stir up the lagoons with long poles to drive the fish into the net. The bag-nets have only small meshes, and the young cod have such large heads that they cannot get through them, and they are all caught and killed.
604. Is there any local demand for fish? Yes.
605. Without sending them to the Melbourne market? Yes.
606. *Chairman.*] Do you know if Murray cod is preferred in Melbourne to sea fish? Yes; they bring a very good price there, from 7d. to 10d. a pound.
607. They are sold by weight? Yes.
608. Do the fishermen get their living by fishing alone? No, they do other work at times, and take to fishing when the floods come down. It is very profitable employment.
609. Are the nets expensive? Not very; they are from 40 to 50 yards long.
610. Can you suggest any effectual way to preserve the fish and prevent their destruction? The only way would be to have the meshes larger, and not allow them to sell the small fish.
611. What size would you suggest as a limit? They set the nets there right across the river or creek, so that the fish have no chance.
612. That is illegal, with any sort of net. Do you think that might be permitted if the size of the fish allowed to be sold was made larger? Yes, I think so. They cannot haul a net there at all; the only way is to set it across the stream.
613. What sized mesh do you think they should be limited to? From 3 to 4 inches.
614. Are there any edible fishes there of a smaller size than cod that would go through these 4-inch meshes? Yes; silver bream.
615. What size do they run? From 1lb. up to 3lbs.
616. Do the fishermen use dynamite at all? I have not seen them do it, but I have heard it has been done in these waterholes.
617. Is that done by fishermen or by amateurs? By fishermen. Now, about this time they use it, when there are only deep holes.
618. *Mr. Young.*] Are the fish destroyed in that way by dynamite as good as those caught in a net? I could not say. When they get an extra supply in the nets, they tether a great many large cod to keep them for market; they put a hole through their nose and a stake in the river and tie them; they leave them three or four days or a week that way.
619. Would you recommend that any of these rivers or lagoons should be closed for the purpose of allowing the fish to breed? Yes; I think they should all be closed for a time. The Edward River feeds a great many of the creeks; the fish go from the Murray into the Edward and then into the creeks. These creeks are nearly all dry, except chains of waterholes in summer; as the Murray fills they all fill, and as the Murray goes down they get lower.
620. *Mr. Olliffe.*] If the Murray was closed the injurious effect of the fishing would cease? They never use nets in the Murray; there is too much current; they use the nets in the creeks just a few yards down from the Murray.
621. *Chairman.*] Do you know the Murray at all? Yes.
622. You would not have any power to interfere with the Murray fishermen? The Murray water belongs to New South Wales. A lot of these fishermen live on the Victorian side of the Murray and come over to fish in New South Wales.

Mr.

Mr. Frederick John Gibbins called in and examined:—

623. *Chairman.*] What are you? I have been since 1873 a lessee of oyster-beds.
624. Where do your leases lie? At the Clyde River and Hawkesbury River—Broken Bay, as it is termed.
625. When do they expire? Broken Bay in October, and the Clyde River in September.
626. What is the condition of these oyster-beds at the present time? Very good.
627. Do you replenish the beds with spat as you draw from the stock? I am not doing so now, but I have done it very largely. My lease has nearly expired.
628. When your leases expire what course do you intend to pursue? That will depend upon any new Act that may be passed. If it is a liberal one I will go into the business again; if not, I will not.
629. When your leases expire who would have the right of drawing oysters from these beds? Any person.
630. By paying for a license? Without a license under the present Act.
631. What must be the result of such indiscriminate use of the oyster-beds? The result will be the same as in all the rivers that have been worked under licenses—they will be perfectly worked out.
632. If you had a renewal of your lease and proper security would you go on working and attend to the replenishing of your beds? Yes, so long as we have a secure tenure will always do so; but we have always been harassed by people smuggling oysters off the beds. I had to give up the lease of the Hunter River to the Government on that account, although I offered double the rent if they would give me security. During the last four years that I worked the Hunter River I took 36,000 bags of oysters out of it with eleven boats. I gave it up and cancelled my lease; the Government closed it for a few months, and afterwards opened it for working under the license system, and they let sixty boats go to work on it.
633. Where you employed eleven? Yes.
634. How long do you suppose the supply will last under the present system? During the whole of the time I worked the Hunter River beds I paid the men 4s. a bag for getting the oysters, besides rent and other expenses, and at that rate men that worked moderately well could earn three guineas a week; some of them earned more. Under the present system I paid the same men 25s. a bag and only got rubbish.
635. *Mr. Olliffe.*] What was the cause of the present action being taken by the Government—what representations had been made to them to induce them to allow the oyster-beds to be treated as they have been? The present Act allows it.
636. Do you know what information the Government got before the Act was drawn up? I understood Mr. Oliver framed the Act. I gave evidence before two Royal Commissions, but I do not think they went by any of the evidence they got.
637. You think the evidence was ignored? Yes. A good bag of oysters to-day is worth 35s., and under a proper system the same bag of oysters could be produced for 15s. I sold Newcastle oysters for 15s. when I had the beds.
638. *Chairman.*] You say the same oysters are worth 35s. now? I could get 35s. for them.
639. *Mr. Young.*] Why did you give up the Hunter River beds? Because I had no power to prevent people stealing the oysters. I had two actions in the Court at Newcastle to try and stop a family of the name of Campbell from stealing oysters from the beds, and I lost both cases, although I took down Mr. Pilcher and Mr. Colyer to prosecute the cases. These people were smuggling and shipping the oysters away to Melbourne in large quantities.
640. You found your lease was not valid? Yes.
641. At the time you gave it up was it then in as good and productive a state as when you first took it? Yes, a great deal better. I authorized Mr. Cameron to double the rent if they would give me a secure holding. I would have given £3,000 a year rather than have lost it.
642. What was the extent of your lease when you gave it up? It had a year and nine months to run.
643. How is it you have not had the same trouble at the Clyde River and Broken Bay? There was a different class of people to work with at the Hunter River. There are boats running from Newcastle to Melbourne continually, and they shipped the oysters at night time. On Mosquito Island I had a floor laid about 100 feet by 40 feet, and each man brought his day's work and put it on this floor; he was only paid for the good, marketable oysters he put on this floor, and all that were not so were sent back to the beds. Consequently, I got a good class of oysters. The people who smuggled the oysters worked all night long; they culled all the large oysters out, and the small ones were taken away to the limekiln or thrown away and destroyed. That would ruin any bed. The young oysters should be carefully preserved.
644. What would you suggest as the best way of managing the natural oyster-beds—what extent of lease and upon what conditions should they be granted? I think everything to high-water mark should be included; now it is everything to low-water mark, and the rivers are getting totally destroyed. There should be no licenses and no royalty. They are bringing up oysters from all these rivers and competing against us, after we have gone to all the expense of improving the beds.
645. Your opinion then is, that all the foreshores should be included in the leases? Yes, up to high-water mark.
646. Whether there are oysters there naturally or not? Yes.
647. Where there are no oysters originally it cannot be called a natural oyster-bed. What I want to get is your opinion as to the best way of managing the natural oyster-beds of the country? Under the old Act they leased the whole of one river to one person; and we were supposed to have a secure tenure of ten years, which we did not have. I think ten years is too short a time; it should not be less than fifteen years.
648. Should there be any stringent provisions in the lease to ensure the preservation of miniature oysters and the improvement of the beds? I would adhere strongly to the ring, not less than 1½ inch; no oyster that would go through the ring should be allowed to be taken off the beds. But if you were to give a secure tenure there would be very little difficulty about that, as the lessee would improve the beds in his own interest.
649. You told us just now you received some oysters from artificial beds. Can you give us any particulars;—what sort of ground they have been formed on and so on? They are all on the foreshores.
650. Between high-water mark and low-water or below low-water? Some are covered at low-water and others hardly so. We have been laying down beds at the Clyde River and the Hawkesbury.
651. Where did you get the oysters to lay down? In the river.

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652. In what depth of water did you lay them? Some of them, at low-water, would have from 1 foot to 15 inches of water over them, and some would get bare. In the Hawkesbury I suppose I laid about 5,000 bags.
653. We have had evidence given here that oysters in shallow water get destroyed by the heat of the sun;—is that your experience? No.
654. You think they are safe in a foot of water at low water? I do.
655. *Chairman.*] Do you know what they call steel-backs? Yes.
656. Where do you get them from? There is one place in the Hawkesbury River where they call them all steel-backs; the water is very salt there; it is near the entrance to the river.
657. We have had it in evidence that the foreshore oysters are small and of inferior quality;—is that your experience? No; in the Hawkesbury River good oysters could be got from the foreshores.
658. *Mr. Young.*] What sort of bottom do you find the best for cultivating oysters? Any gravelly or shelly bottom. You cannot lay down the whole foreshore, but wherever you get a firm gravelly bottom they will do well.
659. What sized holdings do you think would be sufficient for the foreshores. Supposing a person wished to apply for a lease of a certain foreshore, what sized holding do you think should be allowed to him? You might give him 2 miles of foreshore, and out of that he might not get 100 yards fit to lay down. You cannot make oysters grow where you like; you must work with nature.
660. Supposing he had 1 acre of suitable foreshore? I think he would require 100 acres.
661. A hundred acres of suitable foreshore? Yes.
662. *Mr. Griffiths.*] You mentioned that with eleven boats you raised 36,000 bags of oysters from the Hunter River beds in four years;—how many men had you to each? One man in each boat.
663. And now the whole of the oyster fishery of the Hunter is open to any one? It has been open; but it is closed at the present time; it has been closed for eleven months.
664. Was it closed immediately after the expiration of your lease? They closed it when my lease expired, and then opened it for about six months, and worked it so long as they could get a bag of oysters from it.
665. How many boats were employed? About sixty boats.
666. You have the lease of the Clyde and Broken Bay still? Yes.
667. Are you robbed up there? No; I have a secure tenure now under the new Act. The new Act validated the leases. I might say I endeavoured before I gave up the Hunter River to get a Bill passed through the House to validate all those leases.
668. *Mr. Purves.*] Your chief complaint under the old Act was that people could steal largely, and you could not get a conviction? Yes.
669. On what grounds? Because I really had not a lease; I only had a promise of lease.
670. So that you really relinquished nothing in giving up the river to the Government? Yes, I did.
671. What did you relinquish? The profits I ought to have made out of my agreement with the Government: I agreed to pay so much a year, and they agreed to give me a lease.
672. But you say you had no lease? I tendered in good faith for the Hunter River, and I got Mr. John See and Mr. Henry Clarke to enter into a bond as sureties for me.
673. Your giving up your so-called lease did not make any difference to the right of other persons to go there and take oysters as they chose? No, it seemed not.
674. When the Government allowed people to go there and take oysters as they chose did not that tend to cheapen oysters to the public? No; I tell you we have since paid as high as 25s. a bag for oysters from the same river, whereas we sold them at 15s.
675. If these oysters are all of the proper size why should they not be taken? They are not up to the proper size.
676. Then the fault is in the Government allowing the small oysters to be taken rather than in the number of men permitted to work there? No doubt there is a great deal in that.
677. So that if the beds were open to any one, subject to restriction, as to the taking of marketable oysters only, no harm would be done? Each bed will only stand a certain number of oysters to be taken from it. There is only a certain area of oyster-bearing ground, and if that is overworked the bed is destroyed, or at least seriously injured. The oysters take a long time to grow to a proper size.
678. I am referring only to their being allowed to take marketable oysters. If they only take marketable oysters it does not matter whether they are taken by eleven men or sixty men? No, I suppose not.
679. So that really if the restrictions were properly enforced no damage would be done by throwing the beds open? Not if you can enforce them; but how are you to do it?
680. That is a question of administration. You advocate security of tenure of a large area for a long term of lease? Yes.
681. Or, in other words, you advocate throwing the whole of the oyster-fishing into the hands of a few people. That would be the effect of your system? Yes.
682. Would not that bring about a monopoly of the trade to enrich the few to the detriment of the consumers of oysters? No, I think the very fact of what we did under the old system of leasing shows quite the contrary. Under the old system I sold Newcastle oysters at 15s. a bag for eight years.
683. Was the consumption then anything like what it is now? Yes, a great deal more. In the year 1879 I sold 16,000 bags of oysters in the Melbourne and Sydney markets. The consumption is now restricted by the price. I am now paying £1 a bag to men to get oysters, 3s. royalty, and 2s. 6d. freight. That is because it is no one's interest now to see that the beds are replenished; they are simply worked out and then left to nature; but if the rivers were leased in the way I suggest, the lessees would, for their own sakes, lay down spat and young oysters, and the production of marketable oysters would be very much greater than it is now.
684. *Chairman.*] When you applied for your leases under the old Act, did you pay anything for them? I paid £1,027 a year for the Hunter River, £127 for Broken Bay, and £135 for the Clyde River.
685. When you were told the leases were not valid did the Government return you any money? They returned the rent I paid for the Hunter; I had paid a year's rent in advance.
686. *Mr. Purves.*] You say you offered £3,000 a year for a secure lease? I offered double my rent for the Hunter for the balance of my term.
687. *Chairman.*] For how many years did you hold these leases, or promise of leases, before you found out they were not valid? I suppose about four years. Mr. James and myself took Mr. Salamon's advice
on

on it, and he was of opinion that our leases were valid, and that the Government had power under the Act to grant them; but when I took Mr. Pilcher and Mr. Colyer down to Newcastle I lost the case, and that settled the whole affair; although Mr. Pilcher also said he thought we should win.

688. *Mr. Purves.*] You advocate that all oysters between high and low water mark should be protected? Yes.

689. In other words you think there should be no free oyster-beds? There should be no free oyster-beds, unless the Government were inclined to leave certain rivers open for the public.

690. That would have the effect of throwing the whole trade into the hands of a few people? It would be better to throw it into the hands of a few people than to have the oyster-beds destroyed. The few people would make no fortune out of it.

691. *Mr. Olliffe.*] Would it not be the most profitable plan to let people who understand the business work the beds in the way that would pay them best? Many people may work their whole life-time in the oyster business and then not learn it. Closing rivers altogether is not the best way of replenishing them; no oyster-bed should be allowed to lay idle at all; the oysters get covered up with weeds and mud. The best way is to work the beds systematically and continuously, but not excessively. It is only by continual working in a proper way that you can bring an oyster-bed to perfection.

692. *Mr. Purves.*] Was it not a proviso in the lease that you should replenish the oyster-beds? We are supposed to do it, but there is nothing binding.

693. *Mr. Young.*] I think you said the lessee would do it for his own interest? Yes, I certainly should, but there is nothing binding. If it was not for the leased rivers to-day you would be paying £5 a bag for oysters instead of 35s. As to the Manning River oysters—I never saw any English oysters, but I have inquired about them and people tell me there are no finer oysters in the world than the Manning River oysters. And yet that river was destroyed by indiscriminate working under the license system. Where three boats would have been sufficient they allow fifty-five to go to work. There are parts of the Manning River oyster-beds as bare as this table.

694. *Mr. Griffiths.*] Do you know anything about the working of the oyster-beds in Queensland? No.

695. You draw a large supply from Queensland now do you not? Most of them go to Melbourne.

696. Do you know how leases are granted in Queensland? I believe the right of dredging is sold by public auction.

697. Over whole rivers? No, they are leased in areas; they are all laid out in blocks.

698. And leased by auction every seven years? Yes.

699. *Chairman.*] Can you tell us anything about the working of the Act for other fish? No. Under a new Act I would go into that business too, to bring a supply into this market if the Act was a liberal one.

700. But you would not undertake any business in connection with fish under the present Act? No.

701. *Mr. Young.*] What would you call a liberal Act? Something that would not allow inspectors to seize fishermen's nets the way they do now. There are plenty of fish, and they would be caught and brought to market if the fishermen were not harassed by restrictions and seizures as they have been. At all the bays north and south of Sydney Harbour there are abundance of fish; I suppose this market could be supplied from Jervis Bay alone for twelve months.

702. *Chairman.*] Are you aware of any cases of arbitrary seizure of nets? I have heard of many, but I could not specify them now. I tendered for five nets that were sold by the Government and sent them to Melbourne.

703. Were they good nets? Yes, splendid.

704. Were they legal in Victoria? Yes.

705. What did you pay for those nets? £58. One of the nets was worth the money. One of them had been only used twice.

706. Do you know what it was seized for? The mesh being under size, I believe; I did not measure it.

707. They paid you very well, I suppose? I have not sold them yet, but I have no doubt they will.

708. *Mr. Griffiths.*] Did you ever see the nets that were seized in the Fisheries Department at the Garden Palace? Yes.

709. Were there many nets there? Yes, a great heap. I offered a tender for the whole of them to send to Melbourne.

710. Were there fifty nets there? Yes, I suppose there were.

711. *Chairman.*] Do you remember at what time you saw the nets? About a week before the fire.

712. Is there any other suggestion you would like to make? I think the whole business connected with fishing and oyster-dredging should be placed under one responsible head. I think the appointment of a lot of Commissioners is the greatest farce out. If the business were placed under one head, and a proper leasing system adopted, the quantity of oysters obtained would be so great that there would be no monopoly, as Mr. Purves seems to think there would be. I really believe that with a secure tenure I could work Newcastle, that is, work it continually, so as to get 15,000 bags of oysters every year.

713. *Mr. Young.*] Supposing you were offered twenty years' secure tenure of the Hunter River, what would you be prepared to give for it? I do not think it would be fair to ask me to say. I do not know that I will go into the business largely again; but if I could only get one river, to make a model river of it, I could afford to spend a little money on it. I don't know what the Hawkesbury River would turn out under proper management.

714. *Mr. Griffiths.*] All oyster-farming depends greatly upon the quantity of fresh water that comes down the rivers, does it not? Yes; any place where the fresh water is not continually mingling with the salt water is no good.

715. At what depth do oysters breed best? I have studied that very closely, and they seem to do well at various depths. In some places there may be a foot of water at low tide, in others 2 or 3 feet, and deeper still. When we lay down young oysters we do it so that we can get at them nicely.

716. Are the oysters you lay down mud oysters? No, rock oysters; we break them off the foreshores.

717. *Mr. Young.*] In what depth of water are you of opinion oysters do the best? In 6 or 8 feet of water. I have seen oysters that were got in 50 feet of water.

718. *Mr. Griffiths.*] Do you mean 6 or 8 feet at low-tide or high-tide? At low-tide.

Mr.
F. J. Gibbins.
9 Mar., 1883.

WEDNESDAY, 14 MARCH, 1883.

Present:—

MR. ABIGAIL,	|	MR. OLLIFFE,
MR. GRIFFITHS,	|	MR. PURVES,
MR. T. R. SMITH.		

A. R. FREMLIN, Esq., IN THE CHAIR.

James Charles Cox, Esq., M.D., called in and examined on oath:—

- J. C. Cox, Esq., M.D.
14 Mar., 1883.
719. *Chairman.*] You are chairman of the Fisheries Commission? Yes, I was appointed to the office on the 19th October, 1882; the first meeting I attended was on the 21st of the same month.
720. How many other gentlemen are on the Commission? Mr. Want, Mr. Geddes, Mr. Thomas, and Mr. Ramsay.
721. Is the Commission an independent one, or is it under Ministerial control? It is under the Colonial Secretary.
722. You know the object of this Committee—to inquire into the working of the Fisheries Act? Yes.
723. I believe you have taken a very warm interest in the fishing industry of this Colony? Yes, the study of the subject has been one of the pleasures of the few hours of recreation I have had; I have more particularly studied oysters and their cultivation.
724. Do you find the Fisheries Commission work well? I should like to state that the office I hold in connection with it was in no way sought by me. I was one of the members of the Royal Commission; and when Mr. Macleay resigned his position on the present Commission, Sir Henry Parkes wrote to me to ask me if I would accept the position. For some time I would not hear of accepting it. However, I found Sir Henry was very unwell, and that the matter was giving him a good deal of trouble and annoyance, and I consented to take the office until at all events the specimens for the London Fisheries Exhibition, as proposed by the Commission, had been carried into effect. That was an inducement, because I was a member of the Muscum Board. I said, however, at the time, it was a most invidious office for me to take, because it was extremely unpopular; and there were many points in the working of the Fisheries Act which I disliked extremely. I told Sir Henry Parkes that if he would permit me, I would accept the office and see the proposed exhibition through, and would point out in what way I considered the Act harsh and objectionable. Sir Henry said he should be very much obliged to me if I could give him any information that would guide him in the future, as something would have to be done with regard to the working of the Fisheries Act, and with that understanding I accepted office. The Commissioners I may say have always worked together very harmoniously.
725. Then Sir Henry Parkes was well aware that the Act passed in 1881 was not working well? I think he was convinced of it.
726. Can you tell the Committee what number of nets have been seized under the Act? I have a list of all that have been seized in the home district since I took office. [*List handed in—See Appendix A 1.*] A net belonging to Mr. Knox was seized.
727. I would like to ask you specially about that one before you go any further? Mr. Knox is the proprietor of a pleasure yacht.
728. He is an amateur fisherman? He is. I have the papers in connection with the case, which I shall be happy to hand in to the Committee. The facts are these: Mr. Knox bought a yacht; there was a net on board the yacht, which he also bought. During some of the excursions made by the yacht this net was used. It attracted the attention of some of the fishermen on the Hawkesbury, and it came to be spoken of. Our inspector going by one day saw this net lying out to dry on the green in front of his house. He examined it, and found it had recently been in salt water, with all the evidences of its having been used. He found it was an unlawful net, and he accordingly seized it. [*Papers in connection with the case handed in. See Appendix A 2.*] Another net that was seized belonged to a Mr. Mildwater.
729. Did Mr. Knox protest against the seizure of the net? Yes.
730. On what grounds? On the ground that he was not a licensed fisherman, and did not use the net for the purpose of obtaining a living; that the net had only been used for the purposes of pleasure on excursions, and by his men without his knowledge. I am under the impression that those were the grounds upon which he based his protest.
731. Of course you are aware that there is nothing in the Act to prevent an amateur using a line or doing what he pleases? I am aware of that.
732. *Mr. Griffiths.*] The Commissioners forfeited Mr. Knox's net notwithstanding? Yes.
733. What has become of it? It is in the office now. We desired to return it, but we felt that the net had been brought under the operations of the law, and we could not show any favouritism.
734. *Mr. Olliffe.*] You say that the net was brought under your notice as an illegal instrument, although used by an amateur who did not gain his living by fishing. Does the law permit you to seize anybody's net, whether it is used for the purpose of obtaining a livelihood or not? The law is so severe that it actually allows our inspectors, if they think proper, to go into Lassetter's, or any other shop in the city, and seize any net with a mesh of unlawful size.
735. *Mr. Griffiths.*] Although it may not have been used? Yes.
736. And may not be intended for fishing purposes? Exactly.
737. *Chairman.*] You recollect Mildwater's case? Yes.
738. He is a licensed fisherman living at Manly? Yes.
739. Can you tell us the circumstances under which his net was seized? It was found to be of illegal mesh in the wing, $2\frac{1}{2}$ and $2\frac{3}{4}$ -inch mesh. On hearing of the seizure I hurried down to ask the inspector not to have it condemned until he had brought it before the Commissioners; but by the time I got down it had been condemned by the Magistrate, Mr. [Senior]. Perhaps the Committee will let me explain more fully: When an inspector seizes a net he does not report the matter to the Commissioners until after it has been brought before a Magistrate and condemned. When a net has been seized, and condemned by a Magistrate, it passes into the hands of the Crown. The matter is then reported to the Commissioners, and all they have to do

is to see that the seizure has been made in a legal manner. We can make representations to the Government as we did in Mildwater's case. It was the wings only, not the middle portion or bunt of the net that was wrong, and we recommended to the Colonial Secretary the restoration of the net, provided Mr. Mildwater undertook to make the wings of a legal-sized mesh and length. In accordance with our recommendations, the corks, leads, and bunt were, after some little delay, caused I fancy by a change of Government, returned to him.* Mr. Mildwater, I believe, ultimately made the wings good; but he did not come for it until long after it had been ordered to be given back to him.

J. C. Cox,
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740. Did he know he might have it? He did.

741. After the net got into the hands of the inspector, was due and proper care taken of it? Yes, I say that positively. I know for a fact that Mr. Quinan bought a pole and hung the net up in the Fish Market himself, with the view of having it cared for, and it was in good order all the time it was there. I inquired myself personally about it.

742. Then if a witness has declared that the net was left lying in the Fish Market until it became partially rotten, he has declared what was not true? If that was the case I must have been told an untruth.

743. *Mr. Olliffe.*] When you say that the net was cared for, do you speak from your own personal knowledge of the matter, or from what was reported to you? From what was told me by the inspector.

744. And from what you have heard from him you believe that due care was taken of the net whilst it was in his hands? Yes.

745. You never saw the net? No.

746. You say you are perfectly satisfied, beyond all doubt, that Mildwater was made acquainted with the fact that it had been decided to return part of the net to him upon his making application for it? I am sure of it. [*Witness read the entry in the Commissioner's Minute-book, 4th November, in reference to the inspector's report.*]

747. *Chairman.*] For what reason did the inspector seize the net? On account of the illegality of the mesh.

748. *Mr. Olliffe.*] According to the minute you have just read, Mr. Mildwater was informed that you had recommended the restoration of certain portions of the net? Yes, he was written to. I think the Commissioners should have power to act in such a case, and restore a net if they thought it desirable to do so. All they can do now is to make recommendations to the Colonial Secretary. Immediately after Mildwater's case came before us, one of the Commissioners brought forward, or gave notice of a motion, that it would be a good thing to come to some conclusion as to the restoration of seized nets. We saw that the Act was working most annoyingly. But before doing anything we waited for the decision in Mildwater's case, as we regarded it as a kind of test case. There was great delay in the case; and when I found out where the delay was, I went to the Colonial Secretary's office and begged them to answer our letter. At last we received a letter in reply, complying with our recommendations. I then gave Mulhall an order to let Mildwater have his net.†

749. The bunt of the net was actually legal? Yes.

750. The Commissioners recommended to the Government a certain course of proceeding, and the Government approved of the recommendations;—was the approval of the Government made known to Mildwater as soon as you received an intimation of such approval? Yes.

751. On what date was the seizure made? On the 27th October, 1882. We wrote to the Colonial Secretary on the 29th. But some time elapsed before we received the reply, which was to the effect that the Government approved of the recommendations of the Commissioners of Fisheries for New South Wales; that the bunt of the net seized by Inspector Quinan should be restored to Mr. Mildwater, together with the corks and lead lines, provided that he made the necessary alterations to the net. This reply from the Colonial Secretary is dated December 2. [*Correspondence handed in. See Appendix A 3.*] We at once informed Mr. Mildwater of the result. There may have been a little delay from our desire to take the matter into consideration, to see if we could not establish a precedent for having nets restored in certain cases, provided the owners would make them legal. But I am quite sure there was no unnecessary delay. We desired to see if some arrangement could not be made for enabling these fishermen to put their nets right, instead of forfeiting them altogether. The fact is, these poor fishermen cannot possibly make out what this particular section of the Act means; indeed, it requires a very shrewd man to find out what it means.

752. *Chairman.*] In regard to the meshes of a net;—suppose a fisherman takes a net to an inspector or Commissioner, and it is passed as a legal net, will not three or four usings shrink it below the legal size? It will, and particularly if it is put into tan. If the men were to tar their nets they would not shrink so much. And I have advised fishermen to tar their nets. I had a long conversation with Mulhall about a very intelligent fisherman named Newton on this matter who had had his net seized. If the nets were tarred instead of tanned there would not be such frequent collisions between fishermen and the inspectors. I maintain that once a net has been pronounced legal it ought always to be considered legal, no matter how much it may shrink.

753. If an Act was passed prohibiting the sale of fish under a prescribed size and weight, and an inspector was appointed to see that the law was not infringed, do you not think fishermen might then be left to use what net they like? If you could trust to the men returning to the water fish that were under the prescribed size; but I feel persuaded that the destruction of fish would be so great, our fisheries would soon be ruined, unless the law defined the size of the mesh of the net.

754. I put the question in connection with your statement that you thought that a net which had been declared to be legal should remain legal? Yes.

755. In connection with the shrinking of the nets, do you not think that some provision which would prevent fish under a certain size being brought to market, is all that is wanted? If we could possibly
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* NOTE (on revision):—Since giving my evidence I have looked over the dates of the correspondence in this case, and find that the secretary did not communicate the decision of the Commissioners on the 4th November to Mildwater till 2nd December. He only wrote to Colonial Secretary on same subject on 21st November, which was answered on the 24th. Hitherto I was under the impression that the delay was in the Colonial Secretary's Office, but it really turns out to be in the Fisheries Office.

† NOTE (on revision):—Mildwater did not take his net from the Fish Market for about five weeks after he got the order for it.

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brand the nets it would be the best thing to do. After a net is branded as legal I think a man ought to be allowed to catch any fish with it of a legal weight. But I think also the law ought to prevent fish under a certain size or weight from being sold. If you could combine those two things you would make a good law.

756. *Mr. Olliffe.*] From what you have said it appears that an inspector has power to seize a net, take it before a Magistrate, and have it condemned without consulting the Commissioners, and the Commissioners have no power to interfere with him in connection with any action he may have taken in the seizure of the net? Yes. An inspector may go into any house he likes, mine or yours, or any one else's, if he has cause to suspect there is an unlawful net on the premises. If he finds such net he may seize it, take it before a Magistrate, and have it condemned before we know anything about it. And all that we have to do is to say whether or not he has acted in accordance with law. We can do, and have done, what I am afraid is a step a little beyond the law. For instance, in the recommendation of the restoration of Mildwater's net. But as I said at the time, we could only appeal to the opinion of the public, and if we had done anything wrong we must be content to be turned out. As the law stands it is very severe.

757. *Chairman.*] Are you aware that anyone infringing this Act, not being a licensed fisherman, is only subject to a fine, and not subject to having his line or net seized? Yes, I know that, but still for all that we must have a legal net; no one can use an illegal net. Suppose we found you up Middle Harbour, with an excursion party, using an illegal net, it would be at once taken from you.

758. *Mr. Olliffe.*] Notwithstanding the 21st clause of the Act? Notwithstanding that clause. Nets are seized, not because they are in private hands but because they are of illegal mesh.

759. *Mr. Abigail.*] I understand, from your reading of the 21st clause of the Act, that the net therein referred to is an illegal net, that is one not in accordance with the provisions of the Act? Yes.

760. Then that provision in the clause which exempts from certain penalties persons on excursion or pleasure parties fishing for purposes other than sale, does not extend to cases where illegal nets are used? Exactly; we should have our fishing industry destroyed altogether if we allowed private persons to use illegal nets.

761. *Mr. Olliffe.*] The provision in the 21st clause of the Act reads as follows: "But nothing in this section contained shall extend to persons on excursion or pleasure parties fishing for purposes other than sale. Provided always that it shall lie upon the defendant to prove that he is within the saving in this section contained in any case where not being the holder of a license under the next preceding section he shall be found fishing in a boat licensed under this Act." It was under that section Mr. Knox's net was seized? I did my best to get that net restored to Mr. Knox.

762. *Chairman.*] How did the provision apply? The net was of illegal mesh.

763. *Mr. Olliffe.*] You have no power over the inspectors; they can simply do as they like? All they have to do is to act in accordance with law, and the Commissioners have to see that they do act in accordance with law.

764. What mode have you of doing that? Anything improper occurring is soon reported to us. Any man can write to us when he thinks the inspector has exceeded his duty. We frequently receive letters about these things.

765. Have you ever taken action upon any of those letters? Numbers of them.

766. Have you found the tenor of the letters truthful? Many of them.

767. Have you ever found inspectors doing anything contrary to law? I do not know of a single instance that has occurred since I have been on the Board.

768. Then they have always performed their duties faithfully and according to law, so far as the Commissioners have any knowledge of? Yes.

769. *Mr. Abigail.*] Not in an arbitrary or persecuting spirit? I have no doubt they are harsh at times, but they have much to contend with.

770. They might still carry out the law and be more reasonable in their actions? They are the pluckiest fellows I ever know in making seizures. They are often attacked in the most violent manner. Some of their reports are worth while reading. Mr. Quinan has behaved most pluckily on many occasions.

771. *Chairman.*] We have evidence given that there is a diminution in the supply of fish;—is that your experience? The supply is said to be less now than it was.

772. As the supply diminishes the price increases as a consequence? The supply has certainly decreased; but the price of fish is not alarmingly high compared to what it used to be. If you compare the price of fish now with what it was when Mr. Seymour gave evidence before the Royal Commission you will find very little difference. Mr. Quinan has, I understand, prepared a list of the prices for you. [*List of prices handed in, as sold on 13th March, 1883. See Appendix A 4.*]

773. *Mr. Abigail.*] You have said that the supply has decreased;—can you tell us the cause? I think the fishermen have not yet settled down to this Act; they attempt to resist it in every way they can; they are not working with that spirit towards the Act which would supply the market liberally with fish.

774. You think if they acted up to the spirit of the Act they could carry on their operations profitably? I do. But it is their continuous wish not to act in accordance with the Act.

775. If it has been given in evidence that these men have given up their vocations in consequence of the arbitrary provisions of the Act and the persecutions of the inspectors, is that in accordance with your experience? It is not. I have a return showing the number of licenses taken out since the commencement of the present year, and I must confess it presents a very fair show. There has been nothing equal to it before. [*List handed in. See Appendix A 5.*]

776. The number of fishermen holding licenses at the present time has increased, but the supply of fish has decreased? The increase in the population, and consequently increased demand for fish, has had something to do with that.

777. The increase in the population has not affected the supply of fish? I do not think they willingly bring it to market; they are afraid of coming into collision with the inspectors. There is a feeling of hostility towards the Act which I cannot account for.

778. Do you think the decrease in the supply of fish is in any way caused by a disposition on the part of fishermen to place the Act in an unfavourable light before the public? I do.

779. *Chairman.*] We have it on sworn testimony that Chen Ateak has been unable, since the present Act has been in operation, to employ the number of hands he used to employ at Port Stephens;—do you think that correct? There are a great many other reasons. He used formerly to supply fish to a great number of Chinamen coming here to go to the gold-diggings; but there is not at the present time such a great field for his labours in that direction.

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780. But he told us the other day that he would have just the same consumption of fish, if he could get it, but he cannot get it? I suppose, then, if he says so, the supply is less. That is all I can say. I do not believe it myself. If there was proper provision for bringing it to market I think the supply of fish would be just as great as ever it was. The Commissioners were very anxious, indeed, to get a sum of money placed on the Estimates for the purpose of enabling the Government to employ a steamer to bring in the fish every morning from north and south alternately. If the Government did that I believe the supply of fish would be enormous. There is another important point: I think Port Jackson is too convenient for the fishermen; they spend too much time in it. It is almost ruined as a fishing-ground in consequence of drainage and the navigation by steamers and other vessels, and I think it would be a very wise thing to close Port Jackson, and reserve it as a nursery for encouraging fish about our own homes. My idea is that the great supply of fish to this market should come from outside the Heads, where there are swarms of fish. If the ground from Broken Bay to Wollongong were properly surveyed and laid out, and men were to use large trawls, an enormous quantity of fish might be brought to Sydney every day, especially if the Government were to employ a steamer to bring it in.

781. *Mr. Abigail.*] Do I understand you to say that fish are taken away or destroyed instead of being brought to market. You say that if facilities existed for bringing it to market it would be brought? I do not think it is caught. By the time the men reach the market with their fish it is often stinking and unfit for food.

782. *Chairman.*] You have given us information in reference to the seizure of fishing nets in consequence of the illegality of the mesh—the inspector may one day pass a net as legal, and in a month's time it may become illegal through use? Yes.

783. Do you not think that to be exposed to the working of such an Act is sufficient to drive men from their vocations? The men make a great to-do about the question of shrinkage, but I think there is a good deal of policy in it; they can shrink their nets very considerably by putting them in bark. If instead of going to great expense in taking off the leads and corks, and buying bark and stuff to shrink their nets, they were to buy new nets, they would find it cheaper.

784. *Mr. Abigail.*] How long will a net last? I cannot say; I am not a practical fisherman.

785. *Mr. Olliffe.*] How much does a net cost? From £40 to £45.

786. Do you think the destruction by tanning is equal to £40? If you take the loss of time and loss of money into consideration.

787. How long does it take to tan a net? About a week.

788. *Chairman.*] Do you know what Mildwater is doing now? No.

789. He has had three nets seized? Yes.

790. What must be the result to such a man to have three nets seized? I do not know—ruination I should think.

791. If men are exposed to ruination is not that sufficient to drive them from their vocation? Yes, but why should he come into collision with the law. The law must be upheld; you might as well say that if I knock a man down twice and am punished, I might go unpunished if I knock him down again.

792. I think you misapprehend my question;—we are trying to find out whether the Act is a righteous and just one? I do not think it is.

793. That is the opinion we wished to obtain;—whether or not you think the Act a good one? I think it is a very harsh Act.

794. *Mr. Abigail.*] The Act is bad, not its administration? Yes; as far as I can see, one or two alterations might be made at once. The gar-fish net might be altered at once to $1\frac{1}{2}$ inch in the bunt; the wings of the hauling nets might be lengthened, by making them 400 instead of 300 yards. Then I think that oysters on the rocks should at once be declared natural oyster-beds. If that was done it would be nearly all that is required to make the Act work well. I may mention one curious fact: there has not been one gar-fish net seized yet in the home district.

795. *Chairman.*] Was not Warrington's a gar-fish net? No.

796. But he used it for catching gar-fish? He may have used it for many purposes.

797. What is the reason we have no gar-fish in the market? We have quantities; they are coming in in thousands just now.

798. We have sworn evidence that there are no gar-fish in the market? There was a quantity sold in the market this morning (*list handed in, Appendix A 6*) at from 15s. to 10s. the half-basket. A half-basket means 50 dozen gar-fish, or about $1\frac{1}{2}$ bushels. Notwithstanding that 50 dozen gar-fish sold in the market for 15s., when I went to buy some in the street, retail, I had to pay 2s. per dozen. That was this morning, and this may be regarded as the most expensive day of the week, it being Wednesday, and Lent. Schnappers sold in the market at from 15s. to 10s. the half-basket; mullet, 10s. to 8s.; bream, 14s. to 8s. per half-basket. Those are absurdly low prices. If the public could get fish at anything like the price it realises wholesale we should have abundance. But there is a limited demand for fish at the prices charged by the retailers in the streets. Mr. Quinan gave half-a-crown for thirty long-toms. He was standing with the fish-dealers, who were at liberty to buy if they chose. Mr. Quinan gave 1d. each for them, and I have learnt since that they were sold for 1s. each in the shops. That was pretty good profit.

799. *Chairman.*] Do you think $1\frac{1}{2}$ -inch mesh too large for a gar-fish net? Yes; I think it would be better to alter it to $1\frac{1}{4}$ inch. Mr. Cohen, and a number of fishermen who gave evidence before the Royal Commission, advised that the mesh should be over $1\frac{1}{4}$ inch.

800. *Mr. Olliffe.*] Have you any practical knowledge of the migratory habits of the gar-fish? I only know from what others have told me. I may tell you something worth publishing: Mr. Adams, the Surveyor-General, recently visited Lord Howe Island. He found the gar-fish there in immense masses. There is another prolific place for fish within easy reach of Sydney—Elizabeth Reef. Commander Richards of H.M.S. "Renard," says it is a most prolific place for fish. If a steamer were sent there, with an ice chamber, the Sydney market could be supplied from that place alone.

801. *Chairman.*] Are you aware that there are no limits with regard to the mesh of garfish nets in Victoria? The lawful weight of a gar-fish in Victoria is 1 ounce; in this Colony it is 3 ounces. In addition to changing the size of the gar-fish net mesh, and the length of the hauling-net, and declaring oysters on the shore natural oyster-beds, I should like to see the lawful size and weight of the fish altered. I should like to see the lawful weight of the following fish altered: Black bream, 6 ounces; silver bream, 5 ounces; blackfish, 5 ounces; sea-mullet, 8 ounces; whiting, 6 or 8 ounces; flounder, 6 ounces; sole, 6 or 8 ounces; trawally, 6 ounces; gar-fish, 2 ounces; perch, 8 ounces; carp, 8 ounces.

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802. *Mr. Griffiths.*] Do you see in what way the size of the mesh could be altered at once? I have written to the Colonial Secretary asking him to have the size of the mesh of the gar-fish net altered, and also recommended other matters. I think if Parliament were to pass a resolution authorizing the Colonial Secretary to make alterations it would meet the case, and enable the Commissioners to remedy the defects in the Act at once.

803. *Chairman.*] The Act would require the passing of an amending Bill before it could be altered; and it is not likely that a Bill could be passed this Session? I thought the Colonial Secretary would be able to act under a resolution of the Assembly. I am sure it is the ardent wish of the Commissioners that some alteration should be made; and I am only waiting in office until some change is effected. I should like to see a provision inserted in any amending Bill that may be introduced, which would make it necessary that an inspector, after seizing a net, should first of all report to the Commissioners the seizure, and submit the nets seized to the Commissioners.

804. There are quite sufficient evils under the Act to warrant the present inquiry by a Select Committee? I am quite sure of it; and I am personally delighted to see that a Committee is investigating the working of the Act.

805. With regard to the leasing of oyster-beds, are you aware that the present leases have nearly expired? Yes.

806. Do you know that the leases now vacant are being wrought out by innumerable boats? I am sure it is the case. The Commissioners have lately had their attention seriously drawn to the matter, particularly with regard to Port Stephens [*Report handed in, see Appendix A 7*] to the way in which the oysters are being taken away. The lease of that place will expire on the 1st May next. It is a positive fact that schooner loads of small oysters, below the proper size, are being sent into Sydney. The lessees of these beds have been warned that they are acting illegally, but they take no notice. I told Mr. Quinan if they persisted to seize the next lot that came to Sydney, and I would take the responsibility of it. We have done our best in the way of persuasion to induce the men to desist, but they do not seem inclined to take any notice of it whatever. There is no doubt that the Clarence River is also being very seriously skinned. The lease of that will expire on the 1st of April.

807. Do you think if these lessees had the right of renewing their leases this skinning would go on? No.

808. But the law does not allow any renewal? No.

809. What alteration of the law in connection with the leasing of oyster-beds would you suggest? One objection to the present law is that it places the control of tidal waters and the land under one office, that of the Surveyor-General. I think the tidal waters and the tidal lands up to a certain point should be entrusted to the Commissioners. They should be empowered to lease them in sections of one or more miles in extent as might be necessary. In France and England the leaseholds are of much smaller extent; but here I would lay out certain portions of a river in blocks, and put them up to auction. Then I would let them have (say) twenty years leases, and let them enter into the cultivation of oysters, by making artificial beds, or laying them down on natural beds and give them the right to dredge anything on their leaseholds, all oysters taken off to pay a royalty, provided that when their leases were up they left the beds as well stocked as when they came into possession of them.

810. *Mr. Olliffe.*] You speak of apportioning the rivers in 1 mile, 2 mile, or 3 mile blocks;—what would you say to leasing a whole river to one individual? It would create too much of a monopoly. There would be more men wanting rivers than you have rivers to give. There would be a very large number of applications, and that is why I would propose to lease the beds in blocks.

811. *Mr. Griffiths.*] You do not see any other objection to leasing a whole river to one individual? No.

812. *Mr. Olliffe.*] Do you think the cultivation of oysters on the plan suggested by you could be effectually carried out in so small a space as 1 mile? Yes, and in some choice spots, even a less space.

813. You think it would not require a larger space, it would not require the whole of a river to carry such a plan out? No.

814. If evidence has been given to a contrary effect—to the effect that it would be necessary to allow one individual to have a whole river, in order to the proper cultivation of oysters as suggested by you,—the persons who gave that evidence must be under an erroneous impression? It is an erroneous impression, and an attempt to obtain a monopoly. In addition to what I have just stated in regard to the block system, there is a certain class of men who are licensed dredgers, who pay the Government so much per year, £10 per year. Large numbers of blocks might be reserved and let to that class of men. They would be glad to have such blocks. That is why I do not wish to see the thing made a monopoly of. If a number of men were working in the cultivation of oysters it might be carried on to a large extent. There is one other matter I should like to refer to, and it is briefly referred to in the report by Mr. Langham attached to the Bill prepared by Mr. Farnell and others in 1877. It had reference to the establishment of an experimental oyster-farm, in order to teach men in a practical way what is being done in other parts of the world, and what may be done here. The report recommended that Port Jackson or its tributaries should be used, or set apart, as an experimental oyster-farm, where the several methods of cultivating oysters might be tried.

815. *Mr. Abigail.*] How are the present leases of oyster-beds let;—by tender or by auction? The present leases were taken up before the present Act came into operation.

816. How were they let? By favouritism.

817. There is one lot at an annual rent of £1,150? It is a monstrous price. Some of these men must have made £10,000 or £12,000.

818. You think if they were divided into blocks, and each block put up to auction, the amount realized would be very much greater, and the supply would be increased at the same time? I will give a guarantee that within twelve months from this, if my suggestions were to be adopted, we should get a revenue of £10,000 a year from our oyster-beds.

819. *Mr. Purves.*] For what length of time are the leases held? With the exception of three they have nearly all expired. The Kissing Point bed was given up; another bed at George's River has been given up; the Turross River is still working.

820. *Mr. Abigail.*] You say that loads of oysters are being taken away from Port Stephens;—does not the law prohibit that? Yes.

821. The same vigilance on the part of the inspectors in regard to fish has not been applied in regard to the oyster? I think the inspector will tell you he has been very lenient, both in regard to fish and oysters. But there are many persistent cases of obstinacy.

822. Are you aware that numbers of men have given up the occupation of fishing and are now working under the Corporation, in consequence of the operation of the Act? I have no doubt they feel the Act harsh. As I have already stated, I think the law is harsh and offensive; it is excessively offensive to those who have to administer it.

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823. Would you recommend the closing of the rivers during any portion of the year? In a letter which I have addressed to Mr. Stuart, the Colonial Secretary, I have recommended that Port Jackson, from Bradley's Head to Point Piper, should be always closed; and I also recommended that from Mullet Island, on the Hawkesbury River, upwards, should always be closed; that the opening of Lake Macquarie and 1 mile on each side of it should always be closed. We hear of most shameful things going on there in regard to fish and oysters.

824. You say you know for a fact that the destruction of fish would be very great without some restrictions on the fishing industry—that, in fact, our fisheries would be soon virtually destroyed? That is my opinion.

825. Can you state in a few words how you have arrived at that conclusion? If you once give permission to men to net everything, without having a specified mesh, the young fish will be brought up with the large fish. The legal sized fish will be picked out, and whilst that is being done the young fish will die. They must die, for you cannot expect these fishermen to go out bare-footed into their nets and take out the small fish whilst they are in the water. They would be crippled with catfish, sting-rays, and other things in no time. The law demands that they shall do that with garfish nets, but you cannot expect them to do it.

826. Has the size of the mesh anything to do with it? The regulations demand that a net shall be emptied into the water. If you do not want to kill the young fish you must make the law as stringent as it is.

827. Would an alteration in the size of the net interfere with it? The nets, with the exception of the garfish nets are satisfactory. They are of a mesh required by law, and there is no grumbling about them.

828. *Mr. Smith.*] There is no grumbling about the nets, but what about the seizure of their nets, when the mesh gets below a certain size? There is no grumbling about the mesh provided by law except, in the garfish nets.

John Richard Edwards, Esq., solicitor, called in, and examined on oath:—

829. *Chairman.*] Where do you reside? At Deniliquin.

830. You know the object for which this Committee is sitting? Yes.

831. Can you give the Committee any information with regard to the fresh water fish in the Deniliquin district? I can give you evidence as to the way in which they are being destroyed.

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832. They are being destroyed? In very great numbers, both in the Murray, the Edwards, and Wakool Rivers, and the creeks running into them; and also in the Moira Lakes and Moira Creek.

833. What legal protection has New South Wales over the fish in the River Murray? The water belongs to New South Wales; the southern bank is the boundary-line between the two colonies.

834. In what way are the fish being destroyed? By being netted.

835. In what way are the nets used? They are very large nets with a bag; the net forms a wing something like a net used for a kangaroo drive; the fish go between the two wings and run into the inner circle, where there is a large bag in which the fish are retained.

836. Are the nets set from bank to bank? Yes.

837. Are they used at any time, or only in flood time? Principally when the rivers are running.

838. What size fish do they catch in these nets? The meshes of some of the nets are very small. I do not think the size of the mesh matters much. Even a 4-inch mesh will keep in a perch or bream half-a-pound in weight, and that is too small a fish to catch.

839. Has there been any supervision or inspection of the river fishing? The police have been very inactive. I am a member of the Deniliquin Municipal Council, and we have stirred the police up on many occasions; but they seem to consider it outside their province altogether, and rather *infra dig* to interfere in any way.

840. Under the Act any man above the rank of a common constable is an inspector? Yes, but notwithstanding that the police do not interfere. Lately two or three cases of infringement of the law have been brought specially under the notice of the police, and they took proceedings.

841. Was any conviction obtained? In three different cases convictions were obtained and fines inflicted.

842. But these convictions did not diminish the destruction of fish? Fishermen tell me they have lost fully £200 in consequence of their not being able to fish across the mouth of the Edwards River.

843. Where are the fish sent to? Out of the Colony, chiefly to Melbourne. The fishermen obtain their supplies from Melbourne, and most of the fish are sent there; in fact there is only one fisherman who sells fish retail in Deniliquin.

844. Are any of the fishermen careful enough to return the small fish to the waters, or do they dispose of them indiscriminately? The fish are put into the boat first of all, and then into crates; sometimes the small fish are returned to the water, at other times they are merely thrown upon the bank. The destruction of small fish is very great.

845. What prices are obtained for the fish? In Deniliquin 6d. per lb.; I think it is from 4d. to 6d. wholesale.

846. What would you suggest in the way of legislation to prevent the destruction you speak of? I should recommend that a close season should, if possible, be declared, and that power be given to the Fisheries Commissioners to close rivers against netting for any period that might be deemed advisable. I think the rivers have been so denuded of fish that it will take years to enable them to recover. Fresh-water fish grow very slowly. All the large fish, I believe, have been got out of the rivers; there are few, if any, left.

847. I understood you to recommend that these rivers shall be closed for a long period, and only lines permitted to be used until the rivers have recovered themselves? Yes; and I would recommend that a close season be declared during the spawning.

848. Has there been any wide expression on the part of the people of your district in favour of some action which would prevent the rivers from being denuded of fish? Yes.

849. There is no proper inspector in your district? The police sergeant is an inspector. We have recommended the appointment of Mr. Osborne Wilshire, the forest ranger, as an inspector. I believe the recommendation has been approved of by the Government, but the appointment has not been confirmed.

- J.R. Edwards, Esq. 850. *Mr. Olliffe.*] How long do you think it would take for a river to recover itself? Two or three years, I should think.
- 14 Mar., 1883. 851. You would recommend the closing of a river for two or three years? Yes.
852. If some steps of the kind are not taken, or proper inspection provided, the rivers will soon be denuded of fish? Yes. The Act says that no net shall be stretched across a river. That is too indefinite. In certain prosecutions that took place it was found impossible to say what was meant by "across a river." A net may be taken within a few feet of the bank, and then saplings might be laid the remainder of the distance. I think that nets should not be allowed to stretch more than one-half the whole span of the water. The size of the mesh should in no case be less than 4 inches. In fact, I think 4 inches is too small.
853. What kinds of fish are in the rivers? Cod, bream, and perch.
854. Do you ever see any speckled fish there, like trout? Yes.
855. They are very rare? No, very common.
856. What are they called? They are called trout.
857. *Mr. Griffiths.*] You do not know anything of the net-fishing on the Darling? No, but I believe all fish are treated alike. I cannot speak for the Murrumbidgee; but about Echuca fishing is carried on to a large extent.

FRIDAY, 16 MARCH, 1883.

Present:—

Mr. ABIGAIL, | Mr. GRIFFITHS,
Mr. OLLIFFE.

A. R. FREMLIN, Esq., IN THE CHAIR.

Inspector Quinan, called in and examined:—

- Inspector Quinan. 858. *Chairman.*] What are you? Inspector of the home division of the Fisheries.
- 16 Mar., 1883. 859. When were you appointed? On the 1st July, 1881.*
860. When did the Act come into force? I think it was in April or May, 1881. I was not appointed until several months afterwards.
861. What are the limits of your district? From Port Stephens to St. George's Basin.
862. Were you ever connected with the inspection of fisheries before? No. I have fished as an amateur.
863. In the exercise of your duty you have, I believe, often had to seize nets? Yes.
864. Can you tell the Committee when you made your first seizure? I think it was about November or December, 1881; I am not very certain.
865. That would be about four months after your appointment? Yes, about four or five months.
866. Can you give us a rough estimate of how many nets have been seized by you under the Act since your appointment? I seized, prior to the burning of the Garden Palace, twenty-two nets.
867. How many nets were seized in the same time by any other inspectors? About three.
868. Can you give the Committee a rough estimate of the value of these twenty-five nets? I value them at about £8 a piece; some were very rotten, old nets, and others very good ones.
869. What is the value of a full-sized net, with leads and corks, fitted up ready for use? A very good net, legal under the present Act, would cost about £40.
870. And you have seized none of that value? I think one net might have been of that value.
871. Do you superintend the sale of fish in the market? I have nothing to do with the sale; I occasionally visit the market to see that the officers are doing their duty, and occasionally make seizures of fish myself; in fact I have made a great many seizures of fish myself.
872. What position does Mr. Seymour occupy under the Commission? Acting Assistant-Inspector.
873. Your position is superior to his? Yes.
874. Have you ever had any occasion to seize fish that Mr. Seymour would or might have sold? I could have done so, but I have invariably called his attention to it. I do not venture to interfere with his duty, but I have called his attention to it frequently.
875. Can you tell the Committee on what grounds you have effected most of the seizures of nets? On the ground of their illegality under the 11th section of the Fisheries Act.
876. That would be on account of the size of the mesh? Their construction altogether.
877. Are you aware that there was a promise made by the Colonial Secretary that the fishermen should have at least a year before their nets should be seized? It is embodied in the Act, with regard to gar-fish nets only.
878. Was that carried out? Yes, strictly; in fact I have never yet seized a gar-fish net. I could now seize forty if I were inclined to do so under the size of mesh.
879. When you have seized a net on account of the illegality of the mesh, might not that net have been legal when first made and first used? No; the construction or size of the net could not possibly have been legal, according to the present Act, when first they were made.
880. Is it not possible that to-day a new net may be of a legal mesh, and that after a month's using, from shrinkage, that mesh may be illegal? Not in a month; when re-tanned in three or four months it may shrink a little.
881. Then it would be possible for a net to be legal at one time and illegal at another time? Quite so.
882. Can you tell us from your own experience that the present Act has worked harshly for the fishermen in general? It has not in my experience.
883. Let us come to an individual case: Do you remember seizing nets from a man named Mildwater? I do.
884. What was your first seizure, and about the date? I cannot tell you exactly when the first seizure was made from him; it was somewhere about the early part of 1882. I seized two nets belonging to this man. They were lying drying upon the rocks at Manly. I know they were very much under the size allowed by the Act. I cannot give you the dimensions, my papers having been burnt in the Garden Palace. The nets were illegal in the size of mesh and in length also, and in the construction. The bunt must be 50 fathoms and each wing must be 50 fathoms.
- 885.

*12 July, 1881. *Vide Gazette*, 81/275.

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885. How many nets did you seize from Mildwater? Three; two on the first occasion, and one on the last.
886. What was the value of the two first seized? I think the best net was worth about £35, and the other about £10.
887. After these two were forfeited did he procure another? He must have done so.
888. Did you seize that? I seized it at the Woolloomooloo Wharf in his boat. He had just brought fish to market.
889. That was a new net? Apparently a new net.
890. What would be the value of that net? It was worth about £30—from £25 to £30.
891. That net was complete, not talking about its legality—a complete fisherman's net, with bunt and wings? Yes.
892. On what ground did you seize that net? It was not in accordance with the construction given in the eleventh section of the Fisheries Act.
893. That is rather a vague answer. Tell us exactly why, please? I measured it, and this is the measurement: It had wings of 18 fathoms each, 2½ inches in the mesh, and a bunt of 40 fathoms, 2½ inches in the mesh.
894. The size of the mesh was legal? The size of the mesh in the bunt was legal.
895. But the length of the bunt exceeded the length allowed by the Act? No, it did not; it was under the size allowed by the Act; he could have had 50 fathoms; it was not within 10 fathoms as long as it should have been. Then the wings should have been each 40 fathoms, but instead of that they were only 18, and it was also ½ of an inch smaller in the mesh than allowed by the Act.
896. If a man is allowed 50 fathoms in the bunt and he only has 40, can that be considered illegal;—how much is he allowed in the bunt? Not to exceed 50 fathoms.
897. This man did not exceed 50 fathoms? No. The Act says he must have on either side of the bunt a wing hung on the same corks and lead lines, not less in length than the bunt of such net. He had only 18 fathoms, where he should have had 40.
898. Then, according to your reading of the law, if a man had 18 fathoms of a bunt he only ought to have 18 fathoms on either side? He must have 18 fathoms; he may have more if he likes; it must not be less.
899. We have it on sworn testimony that this man's net was seized because the wings were not of equal length with the bunt;—that is true? Yes.
900. Do you suppose that when this man's net was first used the mesh was of the legal size? I do not.
901. *Mr. Olliffe.*] That was the third net seized? Yes.
902. *Mr. Griffiths.*] The mesh of the bunt was of the legal size, 2½-inch? Yes.
903. *Chairman.*] What became of the net? The bunt of it was returned to Mildwater.
904. How many days, weeks, or months, after the seizure? It was seized on the 27th October, 1882, and, after some correspondence with Mildwater on the subject, the Commissioners recommended to the Governor in Council, on the 24th November, that it should be restored; Mildwater was informed by letter on the 7th December that he could have it.
905. Nearly two months after the seizure? About six weeks, I think.
906. Was the whole of the net recommended to be returned to him? No, only the bunt.
907. *Mr. Griffiths.*] With the corks and lead-lines? Yes.
908. *Chairman.*] While this decision was pending, what became of the net? The net was hung upon a pole in the Fish Market; I purchased a pole myself specially, and had it hung 7 feet off the ground.
909. From the very commencement? From the very commencement.
910. In what state was that net when returned? I saw the net in the morning, before it was returned, and it was perfectly dry and sound. My assistant gave it to Mildwater in the afternoon.
911. If any one has sworn that this bunt was in a rotten state and unfit for use, that must be untrue? Perfectly untrue.
912. *Mr. Olliffe.*] You say you are an amateur fisherman? For years I have taken great interest in fishing.
913. Will you kindly tell us how you were appointed an Inspector of Fisheries? I was recommended by the Commissioners and appointed by the Governor in Council.
914. Which Commissioner recommended you? The Commissioners; I cannot say which one; Mr. Macleay and the rest, I made a formal application, and the Commissioners as a body recommended my appointment.
915. You are quite sure the Commissioners recommended you? Quite; I could not have been appointed without.
916. Who appointed you chief inspector? I never was appointed chief inspector.
917. Are you acting as chief inspector? I am commonly called chief inspector, because I am inspector of the home division and have assistants under me.
918. You are aware that on the Estimates £250 was asked for for your salary—£50 as chief inspector? I was not aware whether it was asked for for me; I could not say it was for me until I was appointed chief inspector, but I reasonably expected I should receive the appointment, being the senior officer.
919. Are you any relation to any of the Commissioners? None whatever.
920. Are you aware that any of the Commissioners have any relations among the inspectors? Dr. Cox has a brother-in-law, lately appointed.
921. Where is he? At Bateman's Bay, in the southern division.
922. *Mr. Griffiths.*] Who is he? Mr. Benson.
923. *Mr. Olliffe.*] You are quite sure you were recommended by the Commissioners for appointment? Quite certain; I could not have been appointed otherwise. My appointment was sent in with the rest.
924. Since you have been working under the Commission have you always been confined to the one particular portion of the fisheries? Yes.
925. The home division? Yes.
926. You have been confined to the home division? Yes.
927. Has it been suggested to you at any time the advisability of your going to the southern division? Yes.
928. How long since? Barely a month ago.

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929. Do you know any reason why it was suggested? The suggestion was that as I perhaps had had more experience I would be able to look after matters there that are in a very bad state at present.
930. You have reason to believe that matters are not being conducted as they should be in the southern division? I have. They have not been.
931. You have reason to believe that the fishermen there have certain grievances to complain of? Yes.
932. It was suggested that you should go there to remedy these grievances? Yes.
933. Did you refuse to go? No.
934. You have not refused to go? No.
935. It is possible even yet that you may go? If directed to do so by the Commissioners I must obey them.
936. You have been consulted as to the desirability of your taking charge of that particular district? Yes.
937. For the purpose of remedying the grievances that now exist? Yes.
938. You have not given an answer whether you will go or not? I am simply awaiting instructions.
939. You may possibly have to go yet? I may possibly have to go yet.
940. You say you have seized twenty-two nets? Before the Garden Palace was destroyed.
941. How many nets have you seized since? Twelve nets since.
942. Do you remember the names of the persons they belonged to? One of them was a net belonging to Mr. Knox, of Double Bay.
943. Will you be kind enough to tell us the circumstances? The net was lying drying in front of Samuel Richardson's premises at Double Bay.
944. He is a fisherman? Yes. He looks after Mr. Knox's boat and net.
945. Is he Mr. Knox's yachtsman? He said he looked after his boat and sails for him.
946. You found this net in his possession and you seized it? Yes.
947. Did you ask him any questions? I measured the net and found it of illegal dimensions, and told him I would have to take it.
948. What did he say? He gave me a great deal of abuse—called me all the names he could lay his tongue to; I never answered him.
949. Did he tell you who the net belonged to? Yes. I told him it was seized under a certain section of the Act.
950. Which section? The twenty-fifth section.
951. And he told you the net belonged to Mr. Knox? Yes.
952. Are you aware that under the twenty-first section Mr. Knox could keep a net of that kind if he chose? I read that as not requiring a license; nothing to do with a net. That section imposes a penalty on unlicensed persons fishing for sale, but exempts pleasure parties fishing for purposes other than sale.
953. Do you not see that that section does not interfere with amateurs? Only as to the license; I think it simply means that they need not have a license.
954. That is your construction of the clause? Yes.
955. And that is the reason why you carried into effect the 25th section in this case? Yes.
956. There were some other nets you seized? I seized another net from Mildwater. Another from a man named Newton, at Manly; the wings were 59 fathoms, with a mesh of from 1 to 2 inches; the bunt was 21 fathoms $\frac{3}{4}$ of an inch.
957. Therefore that net was illegal? Yes.
958. In consequence of being what? It was illegal as regards mesh and construction.
959. Do you think that net was ever legal? Never under the present Act.
960. Do you think that net had become smaller in consequence of the action of tanning? It never could have been legal.
961. Will you be kind enough to tell us how you arrive at such a conclusion—that the net could never have been of the legal size? By personal observation.
962. Do you think that if we have it on oath that a net will become illegal in consequence of use and tanning, such evidence is not truthful? You asked me with regard to this particular net of Newton's. It never could have been legal under the Act; the mesh was a great deal too small; it was $\frac{3}{4}$ of an inch where it should have been $2\frac{1}{4}$ inches.
963. Was it used for gar-fish? They were using it for catching travally.
964. It was not used as a gar-fish net when you seized it? No. Even if it was used as a gar-fish net it would have been illegal.
965. Will you mention another net that you seized? I seized two hoop nets on the Parramatta River. The men were holding them as the tide came in at an aperture in the breakwater, and the fish were running into them very strongly; they had buckets baling them out—fish of all sizes, including little fish the size of your finger.
966. What were the names of the men? I do not know their names; they made off as soon as we appeared.
967. What became of the fish? They were sent to the charitable institutions.
968. Will you give the particulars of the seizure of Mr. Gascoigne's net? I seized a quantity of small fish in the market one morning, which had been exposed for sale by Gascoigne, and then immediately got into my boat and went up to his place on the Parramatta River. Before I came to it I called in at his father's, as I did not know which of the Gascoigne's it was that had brought in the fish. I went in and examined a lot of netting lying on the jetty. I then looked about and found a net hanging up in the boat-shed close to the water. I examined this net and found it to be, I think, $\frac{3}{4}$ of an inch in the mesh—it was under an inch throughout—very much under the legal size. I told Mr. Gascoigne I would have to take it away.
969. Was that the first net you took from him? Yes.
970. What time was this? About 7 or 8 o'clock in the morning. They gave me great abuse, and threatened to resist the seizure. I then went up a little further to the son's place. He had just come in from fishing; I examined his net and found it much under the legal size, and seized it.
971. That was also about 8 o'clock? Very nearly so.
972. *Mr. Griffiths.*] What date was this? It was in 1882; I could not say exactly when.
973. *Mr. Olliffe.*] Did you seize any other net from that same man? Yes; I was coming down from Parramatta on the 21st October—

974. That was after seizing the other net? Yes. I met the Gascoigne's rowing up the river. As I got up to them they made away, defying us to catch them; at all events, after a short pull, we overtook them and brought the boat to the side of the river, and examined their nets. My assistant saw one of them undo one net from another quickly, as we were getting out of the boat. We measured this net that had been loosened from the other, and found the wings to be 35 fathoms of $2\frac{3}{4}$ inches mesh —

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975. *Chairman.*] What should it have been—the legal size? 3 inches.

976. It was a quarter of an inch less than the legal size? Yes.

977. Do you think it was possible that net may have shrunk a quarter of an inch? Yes.

978. Then a net may be legal to-day, and in three weeks time illegal? No; in three months time.

979. After every tanning a net shrinks? Yes.

980. Supposing a man's net comes in contact with blubber very often, and he has to re-tan his net say three times in a month, would it be possible to reduce that net below the legal size within that time? Yes.

981. Just now you said the Fisheries Act did not work harshly? It has not done so, according to the way we have administered it; if we were very strict with it it would work harshly.

982. If you were compelled to seize a net a quarter of an inch under the legal size, would you think that harsh or not? Yes, I think it would be harsh. This net of Gascoigne's had 38 fathoms in the bunt of 1 inch mesh; that was considerably under the legal size; it should have been $2\frac{3}{4}$ inches.

983. Did you seize any other net from him? No, not from him.

984. Did you ever examine a net at his place and pronounce it legal? I dare say I have. I did a long time previously to that. He had in his boat two other nets which were of legal size.

985. Did you pass a net of his on a certain day, and three weeks afterwards seize the same net? I could not have done so. I would not pass a net that was not the legal size.

986. Did you examine a net and three weeks after seize it? I examined a net previously; I could not say how long before; it was not the same net.

987. At what time did you seize this net afterwards? It was 4 o'clock in the morning. I am quite sure it was about 4 o'clock—just dawn of day.

988. Was anybody about when you seized it? My assistant and two boatmen.

989. Anybody else? Only the two Gascoigne's.

990. Were there any fish with it? Yes, a small quantity of under-sized fish.

991. Did the Gascoigne's know you seized that net? Yes, they were present.

992. You took the net away and the fish? Yes.

993. You never went at 12 o'clock at night and seized a net? Yes, I did; I seized another at 12 o'clock at night—fish and net.

994. Was any person present when you did that? No person but my own officers.

995. Therefore you did not know who the net belonged to? I suspected it belonged to Gascoigne. It was taken out of his boat in fact.

996. From the circumstances you were satisfied it was his? Yes.

997. Did you summons him for it? Yes; he was fined £2.

998. *Mr. Griffiths.*] Did you not see him at the time? No.

999. *Chairman.*] Do you think that a harsh power, or not? If not harshly used I do not think it is. It is the only means we have of getting at these illegal nets, because they make signals all along the river to give notice of our approach; you will hear a gun go off here and another there all up the river.

1000. Was that net of any value? About £15.

1001. Do you think that the new law would have been better carried out by inflicting a fine upon a man who broke it, rather than seizing his property? I do not, for still he would be in possession of the illegal instrument.

1002. Do you not think that if a man found he was in possession of an illegal instrument he would sell it? He could, but he would not. They have had them in their possession ever since the Act came into force.

1003. If they were summoned for using these illegal instruments, and a fine inflicted, do you not think that would be sufficient? It would be most difficult to detect them; you would have to swear that you saw them shoot, haul, or cast the net.

1004. It is done in other places? Yes, but it is a very difficult thing to prove.

1005. *Mr. Olliffe.*] You say you saw on several occasions fish being sold in the market under the supervision of Mr. Seymour of an illegal size? Exposed for sale—I did not say sold;—because then I called his attention to it, and he seized them.

1006. You have never allowed fish that were illegal to be disposed of in the market? I never did.

1007. You have at all times drawn the attention of the inspector to them when you saw them? Yes.

1008. And they have not been sold? They have not been sold.

1009. Do you not think that if that rule were carried out in its entirety it would prevent a great deal of unpleasantness on your part in seizing nets, and also a great deal of trouble in preventing these people using instruments of an illegal character? It would not be sufficient. They would catch all kinds of fish and cull the best fish out for sale. A fisherman named Kelly, who lives at Birchgrove, came several times to market with fish of proper size. He then came with under-sized fish. I went down to the jetty and saw his boat with a bag over the bottom of it; I got into his boat, removed this bag, and found a flour-sack full of fish that would not weigh a quarter of an ounce; he had these hid from view. I immediately proceeded to his residence and seized the net; it was about 132 fathoms long, and $\frac{3}{4}$ inch in the mesh throughout.

1010. *Chairman.*] Could you not have punished him under the Act for having small fish in his possession? He was punished by being fined, I think, 10s. The magistrate let him off because he was poor.

1011. If the penalty was made heavier —? It would require a very large staff to look after them, for they sell these small fish in all the suburbs—Balmain, North Shore, everywhere. I could guarantee I could go to Parramatta any morning and get any quantity of small fish brought up there by Lambert and the Gascoignes.

1012. You say Lambert's net was seized because he was fishing in closed waters? Yes.

1013. Was it an illegal net? Yes; I seized it as an illegal net, under the 25th section; he was in closed waters at the time.

- Inspector Quinan. 1011. *Mr. Olliffe.*] With respect to the net of Mildwater—you say you handed it over to him? My assistant did.
- 16 Mar. 1883. 1015. You were present? No. I saw it the morning before. I was in the Fish Market in the morning, and my assistant handed it to him in the afternoon.
1016. Do you know that he did? He told me he did.
1017. If anybody says he took the net, is that the fact? I am only telling you what my assistant said; he said he delivered it to him.
1018. *Mr. Griffiths.*] You say there were twenty-two nets in the Garden Palace that were seized before the Garden Palace was burnt? Yes.
1019. They were all in the Palace? Yes.
1020. Nets that you seized? Yes.
1021. And three others? Yes.
1022. All in the Palace? Yes.
1023. What has become of the nets seized since? Four of them were sold, and the remainder are still detained.
1024. What were they purchased for? To go to Melbourne.
1025. Will you tell the Committee what the course of procedure is when you seize a net? I get a Magistrate to examine it; I measure it for him, and satisfy him it is illegal. I will show you one of the Magistrate's certificates to show what he does with it. (*Produced—See Appendix B 1.*)
1026. Was that a gar-fish net? No; I consider it a hauling-net; it could not be a gar-fish net, for a 2-inch mesh would never catch gar-fish; the wings were 2 inches and the bunt $1\frac{1}{4}$ inch; the bunt was 23 fathoms, and it had only a wing of 12 fathoms; it should have had a wing equal to the bunt.
1027. You seized that net? Yes; and it was condemned by a Magistrate.
1028. Do you always ask the fishermen to come with you to see the Magistrate inspect the net? Not always; sometimes they are not by when the net is seized.
1029. And not when the net is before the Magistrate? No.
1030. Has there been any case of appeal from your judgment? The only appeal was in Warrington's case—a net I seized at Manly Beach.
1031. What happened then? The decision of the Commissioners was that he was not to get the net back, for they considered it an illegal net in every sense of the word; they confirmed the action taken.
1032. You have the net submitted to a Magistrate before you notify to the Fisheries Commissioners having made the seizure? Yes. I at first reported a seizure to the Commissioners, and my letter was returned with an intimation that it was informal—that it should be accompanied by a Magistrate's certificate.
1033. The Commissioners know nothing about a seizure until it has been accomplished and the Magistrate has decided that the net is illegal? Yes.
1034. Then an appeal against the forfeiture may be made afterwards by the fisherman to the Commissioners? Yes.
1035. That is the course? That is the course.
1036. You claim the right under this 25th section to go anywhere? Yes.
1037. Into any house? Yes.
1038. And to go into any part of the house and look for nets? Yes.
1039. Have you ever gone into shops in Sydney? No.
1040. But I dare say your attention has been drawn to nets exposed for sale? Only netting, not nets; they must be fitted out with corks and lead lines to make them nets.
1041. Can you tell me what is the practice of the fishermen with regard to throwing out undersized fish? I have not seen them do it; I have seen several hauls made, but they were with legal nets and on ground where they very seldom get small fish. It is in the little rivers and small bays that they get small fish.
1042. What becomes of any undersized fish they catch;—do you know? I cannot tell you; I try to find out, but it is a very difficult thing. I think they sell them in the suburbs; that is my impression, for I have seized a great many undersized fish in the suburbs.
1043. Talking about Gascoigne's nets;—would you know a net again after having examined it? If I put a label on it I might know it; but we do not put any mark upon it, although, in my opinion, there ought to be some little tag or tablet attached to it.
1044. You are of opinion that a net once inspected should be marked by the inspector? Yes, in such a manner that he would know it again.
1045. That has never been done? No.
1046. You say you have difficulty in making your inquisition as to the proceedings of the fishermen, because they make signals to one another when you are about? Yes.
1047. Of course with the object of defeating the officers of the law? Yes.
1048. Have you any reason for such an idea? We have seen the Gascoignes and all their party on the look-out, and as we passed by their house they laughed at us, and when we went a little further we saw their boat at the jetty.
1049. You have reason to believe that a good deal of illegal netting is going on? There was; we have put a stop to it.
1050. Has the working of the Act and the seizure of these nets done good, and in what way? It has. When I went to the Fish Market in 1881 it was filled with fish that would hardly weigh a quarter of an ounce. I seized cartloads of them and brought them before the Honorable Richard Hill to condemn; he was very pleased with the seizure, and said those men must be punished—"Fine them, fine them"—those were his words. Now if you go to the market you see it well filled with large fish. The supply is even greater than it was, and the prices are about one-third less than what Mr. Scymour quotes in his evidence before the Royal Commission in 1880. I will give you the prices on Tuesday, the 13th March. Tuesdays and Fridays are the best days in the week, for there is generally a large supply, and it being Lent a great deal of fish is purchased. On Tuesday, 13th instant, the supply was plentiful, but the market was not glutted.
1051. What does that mean;—were there 100 bushels in the market? Yes, more than that—120 or 130 bushels.
1052. A good supply? A good supply but not a glutted market. I have seen the market glutted so that they could not sell the fish. On the day I have mentioned harbour mullet brought 14s. a basket.

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1053. What is a basket? About a bushel and a quarter. Garfish, 12s. to 14s. a basket; one basket of particularly large and fine fish fetched 23s. Lake mullet sold at from 10s. to 13s. a basket; lake mullet by the dozen, very large fish, weighing 7lbs. each, brought 7s., or 1d. a pound, 7d. each; schnapper varied from 5s. 6d. to 18s. per half-dozen—the supply was not plentiful; these are caught by line outside the Heads; taylor, from 8s. to 10s. a basket.

1054. *Chairman.*] They are used for bait, are they not? A great deal for smoking. Blackfish, 8s. to 9s. per basket; whiting, twenty-four fish, for 4s. 6d.—they are sold in twenty-fours, and these fish were selling to my knowledge at 1s. each retail. Another description of garfish, called long-tom, weighing about a pound each, I bought thirty for 2s. 6d. I have frequently seen beautiful fish sold in the market, when it was glutted, or when the boat came in late from Newcastle, for 2s. a basket; I have bought them myself. Green prawns brought about 10s. 6d. to 15s. a basket; that is ten heaps at 1s. or 1s. 6d. a heap. On this day there were not any salmon, but I have frequently seen salmon sold for 8s. a dozen, weighing about 7lbs. each, and seen these same fish sold retail in the suburbs at 1s. each.

1055. There was not an extra supply that day? No.

1056. Nor was it a very cheap market? An ordinary market.

1057. Where did these fish mostly come from? They came from Lake Macquarie, Botany, Broken Bay, and Lake Illawarra.

1058. Do you know any reason why the supply of garfish is so small this season? They are not small now.

1059. The supply is short, is it not? Not now; they are coming in very plentifully; for the next three months they will be very plentiful; they come only at certain seasons in any number. I have seen gar-fish in the market, both this morning and yesterday, which weighed fully 3 and 4 ounces each.

1060. The legal size is 3 ounces? Yes; I would reduce that to 2 ounces. In fact that list wants re-writing altogether.

1061. May I ask, do you know that many men have been driven to other means of livelihood owing to the seizure of their nets and to the working of this Fisheries Act? No, the records are quite the opposite. Fully 100 more fishermen are occupied this year than last year; that is to say, 100 more licenses have been taken out this year than last year.

1062. Are the men better off than they were;—have you any means of knowing? I know that Newton has frequently brought forty and fifty baskets of fish to the market, and got 10s. a basket for them all round.

1063. For one day's work? For one night's work.

1064. Where is Newton fishing? At Watson's Bay.

1065. One boat? One boat; he and his two boys.

1066. *Mr. Olliffe.*] Does he do that two or three days in the week? Yes; he could do it every day if he felt inclined; but fishermen, as a rule, do not work every day. Some of the fishermen are considered very rich indeed—very well off.

1067. *Mr. Griffiths.*] The fish supply has not been diminished by the introduction of this Act? No; it has been improved greatly.

1068. And the men employed in the fisheries have been increased in number? Yes.

1069. In your opinion they are better off than they were before? I think they are.

1070. *Mr. Abigail.*] If it has been stated in evidence that the supply is very much less indeed than it was two years ago and the price three times as high, that would not be correct? It would not.

1071. If it has been stated that black bream, schnapper, gar-fish and whiting are very scarce at the present time, that would not be correct? It would not.

1072. If it has been stated that a scarcity has been brought about by the arbitrary seizure of nets, would that be correct? It would not.

1073. Do you think that if these men were heavily fined for using illegal nets, but allowed to retain their nets, the fines would cause them to abstain from again using them? I do not; they would still illegally use them.

1074. Do you think the size of the gar-fish net should be immediately reduced? Yes, the mesh should be immediately reduced to 1½ inch, and the net should be longer, about 40 fathoms to each of the wings.

1075. Have none of the nets that have been seized been forfeited without a certificate from a Magistrate? No.

1076. Are the fishermen called upon to appear at the examination of their nets? No.

1077. Do you think they should be? I think they should be. In fact I think it is a great pity these men are not compensated for the loss of the nets they had in use when the Act came into force.

1078. With reference to the Gascoignes fishing in closed waters, if it has been stated that these fish were caught in the harbour, and you followed them into closed waters, would that be correct? No, it would not. It was proved that the fish had been caught in closed waters, and they were fined £10.

1079. I understood you to say that if the Act were carried out strictly it would be very harsh, but you have not administered it in that spirit? I have not.

1080. *Mr. Griffiths.*] By direction of the Commissioners? No, by my own action. All the direction or instruction I ever received from the original Commissioners was a copy of the Act and a short letter telling me to carrying out its provisions in their entirety.

1081. Have you had communications from them about the bad working of the Act? Yes, frequently.

1082. Did they ever recommend you not to be harsh in carrying out the provisions of the Act? Dr. Cox has very often said so, and I have assured him we have never been harsh.

1083. *Mr. Abigail.*] The seizure of these nets has been entirely your own action without instructions? Yes.

1084. And you conceive you have carried out your duty fairly and not harshly? Yes.

1085. Did you seize a net belonging to a man named Bob—Old Bob he was called. It was seized at the same time as Warrington's net was seized? Yes, Bob Paskell; he had a net of illegal construction.

1086. Could you tell us whether that was a net you had passed a little time previously? No, I could not.

1087. When you seized that net did he say so? Yes, he made a remark to that effect.

1088. Do you think the fishermen have any means of starting their operations with a net of legal dimensions and preserving that legality while continuing their avocation? The net must shrink a little; but any net that I have once seen to be legal, since the passing of the Act, I would never take, even though it had shrunk a little.

1089. Suppose a man had a net that was too big at starting, would that interfere with the number of fish he would catch? Not at all. I may tell you that a fisherman named Bronnan uses a net 3 inches in the mesh throughout and brings splendid fish to market; he also uses a prawn net an inch and a quarter, and does not care to use a smaller one.

1090.

- Inspector
Quinan.
16 Mar., 1883.
1090. Have you ever taken part in forfeiting a quantity of fine large bream because there were a dozen or two small ones among them? No; I look for a very large per-centage of small fish among them before I seize them; I consider there should be 20 per cent. of small fish before I make a seizure, but nothing under.
1091. You have never forfeited as much as 7 or 8 bushels of fish, worth nearly £10, because there were a few small undersized fish among them? Not a few, a good per-centage, about 20 per cent.; I would not take if there were under 20 per cent.
1092. *Mr. Olliffe.*] Although you would be justified in doing so? Although I would be justified.
1093. *Mr. Abigail.*] You are not aware of any of the Botany fishermen having given up their avocation and taken employment as labourers under the Corporation? I am not. A great many have gone to the Lakes, where the fishing is better.
1094. You have stated that the number of fishermen is greater? The number of licenses issued is much larger.
1095. Are they new men coming into the work, or the old men? I could not say.
1096. Have you noticed new men coming in and the old ones disappearing? I have not noticed the old ones disappearing, except by death or going to the Lakes.
1097. Do you know the family of the Smiths at Botany? Yes.
1098. Have you had any case of forfeiture of fish in connection with the Smiths? Once, at the very first going off of the Act, a few bushels were seized, and Smith was fined 10s. As a rule the Botany men bring in very large fish; I never see small fish with them. I have never seized a net from a Botany man, except Smith; they bring in the finest fish and are quite pleased with the Act.
1099. You never have any trouble with their nets? No; and what is more, I have never seized a garfish net from them, although I could do so now if I thought proper; but I think it would be very harsh to do it.
1100. *Mr. Olliffe.*] What did you say is the gentlemen's name who is Inspector of the Southern Division? Mr. Benson.
1101. *Chairman.*] Is it possible to riddle prawns? I do not think it is; they jump about so, and their long feelers prevent it.
1102. Do you not think the prawn net ought to be lengthened? That is a very difficult question, because if you lengthen it they may use it for catching small fish.
1103. Are you aware that any amateurs are selling fish in the city? I have heard of it; but I may tell you the way they do: A number of gentlemen who go out in the fishing boats outside the Heads send their fish to a man named Moses, and this man brings them into the market and sells them.
1104. Do you think it an honorable thing for amateurs to do so? I do not.
1105. *Mr. Abigail.*] About the reading of the 21st clause, is there not a provision exempting amateur fishermen? Yes, exempting them from the necessity of taking out a license. It seems unfair to the regular fishermen, but I am afraid there would be a great deal of disturbance if they were not exempt.
1106. The second line speaks of line or net;—do you read that to mean a legal net? It can be read both ways. If he fishes with an illegal net he is liable to be fined, and he is also liable to be fined for selling fish.
1107. Then the exemption does not allow amateurs to use illegal nets? No, it does not.
1108. *Chairman.*] On what grounds did you seize Warrington's net? On account of the construction of the net, and its being illegal.
1109. Can you make any suggestions to the Committee, as briefly as possible, for the improvement of the present Act? The only alteration I really think necessary in the fishing part of the Act, or to the 25th clause, would be the alteration of the gar-fish net, and the alteration of the hauling-net, making it a little longer than it is.
1110. With regard to the schedule of sizes, what alteration would you make? I have a list here. (*See Appendix B 2.*)
1111. Is it the same as that suggested by the Fisheries Commissioners Act? No, it is a little different.
1112. *Mr. Abigail.*] We had evidence before us about a month since that gar-fish two or three years ago were sold at 8s. 6d. a bushel, and that the current price on or about the 21st February was 35s. a bushel? A month ago they were dearer than they are now; they are only now coming in.
1113. That high price was only because the fish were not in season? Yes.
1114. Otherwise fish are no dearer than they were two or three years ago, before the Act was passed? I consider them cheaper.
1115. *Chairman.*] Do not householders complain that they are dearer? It is not the fishermen who are making money out of them; it is the dealers. I have seen fish sold in the market for a penny a piece when they were selling for 9d. or a shilling in the suburbs. I often buy fish in the market myself, a couple of dozen for two or three shillings.

Mr. George Warrington called in and examined:—

- Mr. G.
Warrington.
15 Mar., 1883.
1116. *Chairman.*] What are you? A fisherman.
1117. Have you been long engaged in fishing? Ever since 1832; since 1850 in this Colony.
1118. Whereabouts? From Sydney to Manly, Broken Bay, and Botany.
1119. Where do you dispose of your fish? At the Fish Market.
1120. By auction? Yes. Previous to that I used to sell them at the Queen's Wharf.
1121. Is the supply of fish more abundant now than it was? No, it is much less.
1122. Are you sure of that? Yes.
1123. If we have evidence before us stating that the supply is better, of better fish, is that true? No. Previous to the passing of the Act I used to get from 8s. to 10s. and 15s. a bushel for my whiting, and now for a few gar-fish and a few whiting I get 30s. or £1.
1124. Recently? No, not since my nets have been taken away.
1125. Does that arise from the fish not being so abundant? Simply because we are not allowed to have a net that will catch them.
1126. Did you ever lose a net by seizure? Yes, my net was taken away after being passed by that man who has just gone out.

1127.

Mr. G.
Warrington.
16 Mar., 1883.

1127. When did he pass it? Some months before he took it away.
1128. Were you present when he seized the net? No.
1129. Do you mean to swear that the net he seized was the same net he passed? It was not exactly the same as it was when he passed it, but a part of it was; I had put in a new piece in the bunt; it came down to an inch and a quarter, and the law was that I could not use that, so I put in a piece of two-inch net.
1130. Do you know the dimensions of your net in the wings? It was supposed to be just under 90 fathoms, the whole length of the net; he made it about 79 fathoms, or something of that sort—27 fathoms in the centre, and 23 and 29 fathoms in the wings.
1131. Was it 90 fathoms when it was new? Yes, I made it so by measuring it with my arms stretched.
1132. Can you stretch a fathom? Very near—a bit over.
1133. Were the wings legal? For a gar-fish net they were, but not for a seine net; it is supposed to be 3 inches, neither larger nor smaller, which is impossible. Some parts of my net were under 3 inches, $2\frac{1}{2}$ and $2\frac{1}{4}$.
1134. You can buy netting of any mesh you like? But you cannot tell what it will shrink to.
1135. Was there more than one size of mesh in your wings? Yes.
1136. Are you not, in accordance with the law, compelled to have a mesh of equal size? Yes.
1137. Did you have one portion of your wings $2\frac{1}{4}$ mesh? Yes, one portion of it, and some parts of it $2\frac{1}{2}$, and some $2\frac{3}{4}$ inches.
1138. Was that legal? Not as the law made it; it was not legal according as the law is got up.
1139. What blame can you attach to Mr. Quinan for seizing the net, if he is acting under instructions so to do? Because he passed this $2\frac{1}{2}$ inch stuff in my shed.
1140. Did he pass the whole of your net? No.
1141. What mesh should the bunt of your net be? An inch and a half tanned; it would have to be made fully an inch and three-quarters to allow for shrinking, for gar-fish.
1142. Did you have any portion of your bunt $1\frac{1}{2}$? I believe some of it was, but other parts of it would be $1\frac{1}{4}$; some parts of the twine took up more than others. I could not use $1\frac{1}{4}$ inch, and so I got a bit of new 2-inch stuff, and put it in the middle.
1143. That was an excessive size? I could not manage any other way; I could not get it $1\frac{1}{4}$ inch.
1144. What was the reason you had so many different sizes in one net? Because I had the netting by me, and I used it, not thinking they would exact it from me that it should be no larger and no smaller.
1145. What is your complaint against the inspector? He had no business to tell me that if I brought it up to $1\frac{1}{2}$ inch he would pass it. When it was put together he took my net away.
1146. Two and a quarter inches in the wing is not legal—the wing ought to be 3 inches? Not for gar-fish; that is only for a hauling net.
1147. Was this a gar-fish net? It was fitted up as a gar-fish net, and kept as a gar-fish net.
1148. Do I understand you to declare positively that the inspector permitted you to have this net, and then seized it for being illegal? He knew that I got it $1\frac{1}{2}$ inch and put it into the net, but it tanned down, and then the law came in that I could not use my $1\frac{1}{4}$ inch, and I took that out and replaced it with 2 inch, not dreaming for one moment that I was violating the law for so doing, when the law only required it to be $1\frac{1}{2}$ inch.
1149. *Mr. Griffiths.*] What alterations do you think are required in the Act? The whole thing is a scandal altogether, a disgrace to the country.
1150. Will you tell us where the Act wants altering? To my mind it ought to be consumed altogether. A greater diabolical affair I never knew—that a man should not even go to the sea-board and take a fish under 1 lb. weight but that man's fish and everything in the boat is to be seized, and the man fined. Other people who don't pay a license may come and take little bream no longer than my finger, killing them in thousands as they do, but if we catch them we are fined, and our nets and fish seized.
1151. *Chairman.*] What was the value of the net you lost? It cost me about £30.
1152. Did you make any application to have it returned to you? Yes, I wrote to the Board; they had me before the Board as well, and asked me about it. Dr. Cox said I had better leave it with him, and he would see and get it back. I am £10 out of pocket by it now; and I had a home of affliction, and could not get bite or sup for her. Mr. Want told me the mesh in the wings must be just 2 inches—no larger, no smaller; and the bunt just $1\frac{1}{2}$ inch—no larger and no smaller; and just so many fathoms long.
1153. *Mr. Olliffe.*] Where do you fish? Sometimes one part, sometimes another.
1154. Where do you live? At Manly.
1155. Are there less fishermen now than there used to be, or more? Less. Some have gone wood-chopping, some fencing, and some wherever they could get a job. They have told me they cannot get a living now.
1156. Are there any new men fishing? I could not tell you.
1157. Have you met any? Yes. I have asked the size of their nets, and when they told me, I said, "Go home with it as fast as you can, or it will be taken from you."
1158. *Chairman.*] Have you ever seen small fish destroyed by the fishermen? That requires explaining. How can it be done, when we are fishing on the ocean beaches, with the surf coming in? They told me at the Board that I must stop in the water and pick out the small fish and let them go. I said, "You come and give it a trial, and you will find you will have enough to do to save your life."

THURSDAY, 22 MARCH, 1883.

Present:—

MR. OLLIFFE, | MR. YOUNG.

A. R. FREMLIN, ESQ., IN THE CHAIR.

Mr. William John Langham called in and examined on oath:—

1159. *Chairman.*] What are you, Mr. Langham? I am an hotel-keeper, and reside at the Richmond River.
1160. You were, I believe, formerly an inspector of oyster-beds? Yes.
1161. For what district? For the whole of the Colony.

Mr. W. J.
Langham.
22 Mar., 1883.

- Mr. W. J. Langham.
22 Mar., 1883.
1162. For how many years? Between eight and nine, I think.
1163. Can you give the Committee any information as to whether there is any difference between the leased oyster-beds as they are now and as they were at the time you were inspector? Yes, they are in a considerably worse condition now. I might go on to relate that from the time the present Commission was appointed until I left—
1164. If you will, please to give the Committee as clear and brief a statement as you can as to the present condition of the oyster-beds, without my putting any questions to you? At the time the Commissioners took office the Manning River had been shut up for two or three years.
1165. For what reason? I considered the beds had been overworked; the lessee thought so too, because he chucked the beds up; he was paying too large a rental.
1166. You shut the river up in order that the beds might replenish themselves? I had no power at that time to take them away from the lessees. There was no such power given under the old Act. Afterwards Newcastle was thrown up by the lessee.
1167. Did he throw it up before the expiration of his lease? Yes.
1168. For what cause? Simply because he thought these people could go on to the beds at the time; and he had no power to stop them; nor had I any such power.
1169. When you say "these people," what people do you mean? Oystermen; men without licenses. There was no power under the old Act to lease the natural oyster-beds. The consequence was this thing was found out by the oyster-men.
1170. As a practical man, will you say how you consider the Fisheries Act of 1881 has worked in regard to the oyster fisheries? In my opinion it has been a perfect failure. I told the Commissioners so at the time of my retirement. I had been two years in position, and I made certain suggestions, but not one was carried out. When they appointed me to the Southern districts I asked them what I was to do. I think these men should carry out the fisheries and oyster business from end to end. The two things, that is the oysters and the fisheries, should be kept separate to a certain extent, and I think that five men with a secretary would be quite sufficient to carry out the whole Act. At present the law is simply a trap for unfortunate fishermen. The Act is too long.
1171. In what way or in what manner do you think the natural oyster-beds of the Colony should be leased? I object to leasing any of the natural oyster-beds at all.
1172. Why? Because I think that the Crown should maintain them. But I think private speculators might be encouraged to lay out artificial beds; and I think the Government should supply them to a certain extent with the necessaries for doing so, that is with spawn and so forth. But I should by all means, and at any time the beds are fit, permit them to be worked under certain restrictions. I would give them certain rights.
1173. To whom would you give the rights you speak of, and what rights? I would deal with them the same as I would deal with a free selector. I would examine a place, and determine how many men should be allowed to work there. If there were more applicants than were required, I would let the rights to work be balloted for.
1174. Do you not think it would be better for the beds and for the revenues of the Colony if the oyster-beds were divided into sections, and each section put up to lease by auction? The natural oyster-beds?
1175. Yes? Most decidedly not.
1176. Why? Why they would turn to and denude them, and what recompense would the Government have. The whole of the beds at the present time are perfectly destroyed. When first the Commission started they had something to work upon. At the present time they have nothing.
1177. But do you think the lessees would have destroyed the beds if they had had a proper tenure of them? I think the men we have had have simply grabbed all they could, and worked the beds out.
1178. But if there was a clause in the Act compelling the lessees to keep the beds properly replenished? Then you would require a number of inspectors to see that the law was carried out, and there would be no end of expense.
1179. But do you not know there has been as much as £3,000 given for oyster-beds by one lessee? Yes; I am not sure it was as much as £3,000.
1180. And if you had fifty men holding £10 licenses you would only get a revenue of £500—would not the other plan I suggest bring in more revenue? I think the inspector should be a man who has a knowledge of the beds.
1181. Do you think a mile of any oyster-bed too much for any one man to hold under oyster lease? Most decidedly.
1182. How much would you recommend? I would not recommend the leasing of any part of a natural oyster-bed.
1183. Do you know the Manning? Yes, well.
1184. Do you know that the lease of that place has expired? Yes, before I left.
1185. How many men have worked there since? Fifty or sixty, I dare say, have worked the ground since Price gave up.
1186. What made Price give up? Oysters could not be got.
1187. In your opinion the oyster-beds want more supervision and protection than they have had? Yes, more than they had in my time. At the same time you do not require a large number of inspectors to look after them.
1188. Do you know anything about foreshore oysters, what they call steel-backs? Yes. The Manning was a natural breeding-ground and should not have been interfered with. But when oysters went up from sixpence to 30s. a bag, picking up oysters was like picking up gold.
1189. Are there any oysters in the river near where you are living? Yes.
1190. That was shut up in your time and has been kept shut since? Yes.
1191. It is shut now? No, it is open now.
1192. In what state was the Richmond River at the time it was opened? It had never been leased during my time. I kept it open. Mr. Oliver told me I knew nothing about it; and they said they wanted the thing tested. The oysters at the Manning are not fit to be looked at.
1193. How many years does it take before the spat will become an edible oyster? That depends upon the locality and the state of the beds. That is a question that would take a lot of time to answer. The beds can be overworked, and an inspector ought to be able to tell when a bed has been overworked.

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1194. About how many years does it require for the spat to become an edible oyster? In what way?
1195. How many years will it take for the spat to grow into an oyster fit to eat? From three to five years. It depends entirely upon the locality.
1196. Then you would recommend the closing of a river for at least three years? I would recommend that any river from which oysters are obtained, when closed, should be closed to everybody; except in case of private oyster-beds. A natural oyster-bed should be closed for a certain time.
1197. You would not have anything under three years? I would in certain cases.
1198. You have said that you know something of foreshore oysters—what they call steel-backs—they are very hard to open—will they alter their place? Yes, they will alter in colour; although that entirely depends upon the class they are of. They will get to the colour of the bed they were originally removed from.
1199. The reason I put the question is because there is such a variety of opinions about it? What you term steelbacks are something like what you get on the rocks on the North Shore. If you get on a natural bed that has not been destroyed, and put it down there—for instance you get mangroves on these rock oysters—you can put them down, and if they are left they will actually turn to the shape of the oysters originally there.
1200. How many months will that take? Some people say nine months; but I think it will take about eighteen months or two years.
1201. *Mr. Young.*] In stating your objection to leasing natural oyster-beds you said the lessees would only grab all they could get? Yes, they have done so.
1202. But was it not under these circumstances: directly they have denuded the beds they have thrown them up and paid no more rent? Yes, they have done that.
1203. But if the leases were for a longer term, say for twelve or fifteen years, and the lessees had to pay rent for the whole term of the leases whether they denuded the beds or not, would not that lead them to take care of the beds? No.
1204. It would surely be to their interest to take care of the beds? If a man wants to go into a private speculation he would be allowed to take up the foreshore, but the Crown should hold possession of the natural oyster-beds, and only allow them to be worked when the inspector thinks they are fit to be worked.
1205. But what I want to get from you is this: Suppose the Crown gave leases for twelve or fifteen years, and secured itself against loss so far as the rent is concerned, by inserting in the lease a clause making the rent payable during the whole term of the lease, and obtained security for such payment, would it not then be to the interest of the lessees to maintain the beds in proper condition? My experience is that it would not.
1206. *Chairman.*] Under the old system of leases, but *Mr. Young* is speaking of what might be expected were a different plan of leasing adopted, under which the Crown would be secure of getting its rents? I certainly object to the leasing of natural oyster beds under any shape or form.
1207. *Mr. Young.*] Have you any other reason for your objection than that the lessees would derude the beds? Yes, many reasons.
1208. What other reasons have you? These men simply send others there to work the beds, and they clean them out. The lessees need not be there at all; they might go to England, and still make money out of it.
1209. But if the Crown were to secure itself so far as the payment of rent was concerned, by a system of guarantees, or in any other way,—if you could suppose —? You must understand this: the present state of things is a farce.
1210. Now in reference to the beds that are not natural oyster-beds, what do you think would be a reasonable extent of ground for carrying on oyster cultivation? It depends upon the locality entirely.
1211. *Chairman.*] Take the worst and best, and strike an average? Would you take a straight line?
1212. *Mr. Young.*] No, take a river frontage—what length and depth would you allow? Any distance so long as they are clear of the natural oyster-beds.
1213. What, in your opinion, is the best depth for oysters to thrive in? Any depth, so long as they are covered at low water. In some places they actually do well where they are not covered at low water.
1214. But they never become of any size then? Yes, they do.
1215. *Chairman.*] Now, I want to ask you a few questions about fish. You know the neighbourhood of Port Stephens? Well.
1216. And the Chinese drying factory there? I was only there on one occasion.
1217. Are you aware that they formerly dried vast quantities of fish there? Yes.
1218. Do you know how the place is going on now? I have not been there for a considerable length of time. It is bound to get less.
1219. What is bound to get less? By the way in which it is worked. All the rivers have been worked on the same principle.
1220. I am speaking only in reference to sea fishing, not with regard to rivers at all? Well, the porpoises during the last ten years have accumulated enormously in number, and they are exceedingly destructive to fish; they destroy more than all the cormorants out. I can speak of one place, the mouth of the Clyde River. Some few years ago you could take a clothes-line, or anything in the shape of a piece of rope, and catch what you like in the shape of schnapper. Now there are large numbers of porpoises coming up and down, but no schnapper. I was laughed at when I told the Commissioners that the porpoises had more than anything else to do with the diminution in the number of schnapper. I have seen a porpoise actually strand himself in his efforts to lay hold of a bream. I think they prefer bream.
1221. Is there any means of destroying porpoises? You can shoot them.
1222. Do you think the offer of a reward for their destruction would induce people to destroy them? I object to rewards generally. Since the present Commissioners were appointed the unfortunate fishermen have been persecuted for the sake of the reward.
1223. But rewards offered for the destruction of fishes of prey would go into the hands of the fishermen? The moment you shoot a porpoise he will sink.
1224. *Mr. Young.*] Will a porpoise sink? As a rule they go down; in fact I think the other porpoises eat them.
1225. *Chairman.*] As regards the present size of meshes and nets, the length of the bunt and the length of
the

- Mr. W. J. Langham.
22 Mar., 1883.
- the wings, what is your opinion? I think the difficulty can be got over by the appointment of an inspector, some such man as Mr. Seymour at the markets.
1226. You think if an inspector was placed in the markets to see that no undersized fish was sold that would afford sufficient protection? I don't go that far. I think you should have a market both for fish and oysters. But the two things should be separate. You should have a chief inspector and auctioneer, something like Mr. Seymour is at the present time. All the fishermen should register their names, and should agree amongst themselves as to the size of the fish to be sold. The moment a river is to be shut up, shut it up entirely and allow no person to work there. A river ought to be closed from its mouth.
1227. You do not exactly understand me;—Do you think it necessary to alter the law with regard to the size of the net, the length of wings or bunt, or the mesh? It is a thing that will never work under the circumstances.
1228. But do you think it necessary to alter the present size of the net, the mesh, or the wings, or the bunt? I would allow them to agree to anything they would work themselves.
1229. Do you think the present size of the mesh a proper one? I would simply allow them to use any reasonable size they liked. I gave the Commissioners an idea of what I thought was required. I think they have got whaleboat-shaped boats for these men, for the inspectors of oyster-beds.
1330. How many years were you inspector? Between eight and nine.
1331. You were inspector over the men who leased the oyster-beds? Yes, over the whole of them.
1332. Then oyster-beds have been leased? Yes.
1333. And whilst you were inspector abundance of oysters were found? Yes, but the Act gave us no power.
1334. But did that do it? Yes, it cleaned the beds out.
1335. But some of the leases have not expired yet? There will be nothing left for the Crown to take possession of.
1336. Do you think they would have left the beds in their present unsatisfactory state, if the lessees had had a proper renewal of their leases? Most decidedly they would.
1337. *Mr. Olliffe.*] Do you mean to say, or do you mean to infer, that if a person obtains a lease of a natural oyster-bed, or any other oyster-bed, he would simply remove every oyster there was that would prove saleable, and then throw the lease up? They have done so up to the present.
1338. If they had leases for twenty years, do you think they would do the same thing? I do not think it would make any difference.

Mr. Richard Seymour recalled and examined on oath:—

- Mr. R. Seymour.
22 Mar., 1883.
1239. *Chairman.*] Have you at any time seen cart-loads of small fish condemned and taken away from your market? Never.
1340. What is the largest quantity that any inspector has ever condemned? I do not think the largest quantity ever condemned at the markets exceeded seven baskets.
1241. And what per centage of small fish might have been in that lot? About twelve tarwhine.
1242. From what you know of the thirty confiscated nets, what do you consider would be the average value of each? A full size net would be worth over £50.
1243. You know the style of nets mostly confiscated;—what at a rough estimate would be their average value? I daresay the average value of each would be over £20.
1244. If anyone has sworn before this Committee that the value of the confiscated nets was only about £8 each, it was an untruth? It was untrue.
1245. Have you ever heard or do you know, what amount of the fines went into the inspectors' pockets? I do not know; I know they receive half the fines; but I do not know how much the fines amount to.
1246. Sometimes when fish are taken to market in baskets a black stuff exudes from their belly, and makes them look rather black? Yes.
1247. How are they washed before they are sold? As soon as they are sold they are washed in salt water. There is a large tank for the purpose.
1248. Have you ever seen fishermen, before offering the fish for sale, washing them under a sewerage drain? Never.
1249. If such a statement has been made it is, as far as you know, false? It is false. The men have no occasion to do it. I have never in my life seen such a thing done. I cannot imagine what they would do it for, for there is abundance of clean salt water provided for them. As a rule the greater portion of the fish hawkers not only wash the fish in the large tank, but take their carts and stand them under the tanks that hold salt water for watering the streets, and they turn this water on to their fish.
1250. Have you ever known fish that has been taken by an inspector to be used for that inspector's private use? No; the fish has been taken from the market, but I do not know where it has been taken to.
1251. You do not think it was sent to a public charity? I do not know.*
1252. *Mr. Olliffe.*] Has your attention ever been called to illegal sized fish being sold in the market? Mr. Quinan has pointed out fish to me which he said was illegal.
1253. On how many occasions? On several occasions.
1254. Were they sold after being pointed out to you? No, they were not.
1255. How many illegal fish, as far as you can judge, did the basket contain, that is the basket pronounced to contain illegal fish? I do not suppose there were a dozen illegal fish in it; and a basket is supposed to contain about a hundredweight of fish.†
1256. You remember Mildwater's net that was in the markets? Yes.
1257. When you were being examined by the Committee before you told us that the net remained in the markets until it became rotten? It became rotten, and almost useless to the man.
1258. You are perfectly satisfied about that? Yes; the man told me himself that the net was beginning to rot away.

1259.

* NOTE (on revision):—Previous to my appointment under the Fisheries Act I don't know where the fish went to. All that I have seized has been sent to some charitable institution.

†NOTE (on revision):—Presuming this to be Sparks' and Botany Johnston's fish there were about twelve small Tarwhine in each basket.

Mr. B.
Seymour.

22 Mar., 1882.

1259. Did you see the net there? Yes.
1260. Was it in a shed or was it hanging on a pole? It was put inside a place that was made for a freezing-room.
1261. It was never hung on a pole? I never saw it on a pole.
1262. Could it have been placed upon a pole in any part of the markets where it could not have been seen by you? It could not.
1263. Then if it was on a pole you must have seen it? If it was outside the freezing-room I must have seen it.
1264. You say it was in the freezing-room? I swear solemnly that it was in the freezing-room, and I never saw it outside that room.
1265. *Chairman.*] Lying on the floor? No, on one of the slate slabs.
1266. And you are quite satisfied it was never placed on a pole in the market? There are two markets.
1267. In either of them? I never saw it.
1268. So far as your knowledge of it is concerned it was at all times stowed in the freezing-room? Yes, on a slab standing about the height of an ordinary table.
1269. Did you see Mr. Quinan interfere with it in any way? No; I understood they gave the net back to Mildwater.
1270. Can you tell us how Mildwater got it—whether it was handed to him by the inspector, or whether he took it? No, I cannot say.
1271. All you know is that the man got it? That is all; my clerk told me Mildwater got it.
1272. And you were told that the greater portion of it was rotten? One of my men told me that the greater portion of it was rotten. Whatever is put in the place that it was put in must rot. We tried some fish there and they became rotten.
1273. What do you think was the value of the net? Mildwater told us he had borrowed £50 from Assenheim to get the net; what its real value was I cannot say.
1274. Was it the net to buy which he borrowed the money? Yes, that was the net he told us he had borrowed £50 to buy.
1275. You know the price of fish in the market? Yes.
1276. Have you seen fish sold in the city? Yes.
1277. Have you ever priced the fish in the city? Yes; I have seen them sold.
1278. What is your opinion as to the average profit the fisherman make? I have seen squires and schnapper sold in my market for 6d., and have afterwards seen the fish-dealers asking 2s. 6d. for it in the city.
1279. Do you think the supply of fish has increased or decreased since the present Act came into force? The supply of fish decreased up to the last month. The supply has now increased, because, I think, the inspectors are not looking after the men so much as they were. They went last evening and seized another net, from old Derwent, in George's River. It is a garfish net, a little over an inch in mesh.
1280. We have been told that the number of licenses issued has increased considerably of late—is that a fact? I cannot say.
1281. Are you aware whether there is an extra number of fishermen now? I do not know; I do not see any strange faces.
1282. Do you notice any difference in the number of fishermen who attend the market? No; I have the same names on the list that have been on for years.
1283. Their number has not increased? No, it has sometimes decreased.
1284. You told us before that some of the fishermen had to leave their vocations in consequence of the Act? Yes.
1285. Is that a fact? It is a fact. Some of the men went to work at Botany.
1286. Do you know where the others went? No. But the man Derwent has been working on the road at Koggerah in consequence of the Act; but as soon as he heard they were going to allow a smaller mesh he turned to fishing again.
1287. Then since there has been an apparent carelessness on the part of the inspectors to prosecute, you think there has been a better supply of fish? I am sure of it. I have a return with me which bears that out. For the last three weeks only 371 bushels of garfish have been brought to market, whereas, if the men had been allowed to fish as formerly we should have had a couple of thousand bushels. I sold garfish for the first time this season last Tuesday from 4s. to 5s. per bushel. This morning they fetched from £1 to £1 5s. a bushel.
1288. Do you think that this being Lent season would make any difference to the price of fish? Not to-day; because Thursday is what fishermen regard as an off-day. Wednesdays and Fridays are the principal days for fishermen.
1289. Do you know the chief inspector? Mr. Quinan.
1290. Is he known as the chief inspector? Yes.
1291. And if he has told the Committee he is not known as the chief inspector he has told us what is not true? He tells a lie.
1292. Do you know whether there have been any complaints made about the inspectors in the southern districts? No.
1293. There have not been any complaints so far as you know? I know nothing of it.
1294. Do you know whether Mr. Quinan has been solicited to visit the southern districts? He told me so himself.
1295. Did he tell you for what purpose he was asked to make the visit? He thought it was for the purpose of enabling Dr. Cox's brother, or some relative of Dr. Cox, to be appointed here. He thought they wanted him to go south for three months, in order to get him away from Sydney.
1296. You do not know of any complaint being made against Mr. Benson? I do not know who he is.
1297. That is the gentleman whom Mr. Quinan was to go and see in the southern districts? I do not know him at all. Mr. Quinan had a conversation with me in the markets with reference to a letter which the Commissioners sent him. Mr. Quinan said, "A nice way they have treated me. The fact is they want to get some relation of Dr. Cox's appointed head inspector, and the Commissioners want me to go down to the southern districts for three months, and I won't do it; and I wish you would explain that when you see any of your friends who belong to Parliament." I think he said it was Dr. Cox's brother-

Mr. R. Seymour.
22 Mar., 1883.

brother-in-law that the Commissioners wanted to appoint. Mr. Quinan has told me within the last month or six weeks not to seize—because I am an inspector under the Act—not to seize any fish if there were only 25 per cent. of small fish in the bushel.

1298. *Mr. Young.*] And formerly you used to seize if there were only 1 per cent? He used to come into the markets and take out a piece of red tape, and marking off the lots he would say, "This is mine," and "That's mine," and then the whole of it would be carted away.

1299. And they were all good marketable fish? Every one of them.

1300. You say that the inspector reaps a benefit by the sale of nets that have been seized? No, I said they received half of the fines.

1301. Does he receive any benefit from the sale of nets? I cannot say.

1302. Would you think so, judging from the careless way in which they throw the nets about? From the way in which nets have been seized I should think the inspectors have some interest in them.

1303. We are told that when nets are seized they are thrown on one side, and no further notice taken of them;—I want to know whether the inspectors get any benefit from the sale of nets? I do not know. In order to show why I think the inspectors have not been so strict in carrying out their duties lately I may mention one fact: During the whole of last month the quantity of fish brought to market amounted to 1,947 baskets; for the three weeks ending the 21st instant the quantity amounted to 2,016 baskets.

1304. *Chairman.*] Are the fishermen aware that the Act is being administered now less severely and more justly? They believe it is.

1305. And they feel more free to pursue their vocations? Until last night they did. Botany Bay is swarming with garfish; and to-morrow I suppose we could sell—if the men had liberty to do what they justly ought to do,—800 or 900 baskets of fish in the market; but it is questionable now whether we shall sell five.

1306. *Mr. Olliffe.*] When nets are seized, have the fishermen from whom they are seized to go before a Magistrate before the nets are condemned—that is, does the Magistrate adjudicate before seizure? No, I think not.

1307. The Magistrate has no adjudication? The nets are taken before a Magistrate and he orders them to be confiscated.

1308. Are fines then imposed upon the fishermen? No, the fishermen are summoned.

1309. After the nets are confiscated? Yes.

1310. And at the Court the inspector produces his measurement? Yes.

1311. What is your opinion of Mr. Langham, as to his being an experienced fisherman or oysterman? I never knew his name until this afternoon. But I have known him for some time, and I think he is the most experienced oysterman we have in the colonies. He is well up in the whole fish trade, and I think he is one of the best men who could be appointed over our oyster fisheries

William E. Langley, Esq., called in and examined on oath:—

W. E. Langley, Esq.
22 Mar., 1883.

1312. *Chairman.*] What are you? A journalist.

1313. I believe you have taken great interest in the fishing industry of this Colony? I have.

1314. Are you an experienced amateur? I have done my share of fishing; I think I have fished at almost every place where fish is to be had, along the coast, from Twofold Bay to Cape Moreton.

1315. You know the object for which this Committee was appointed? I have heard indirectly from Mr. Cohen, and I have also seen statements in the newspapers.

1316. Its object is to inquire into the working of the present Fisheries Act, to find out whether the Act has been beneficial or not? I have had more than one conversation with Mr. Seymour, and also with Mr. Langham. After he was sent from Sydney he came back periodically, and used to tell me what was going on in his district. I have also conversed with several fishermen on the subject.

1317. Will you tell the Committee what you know from your own experience of the working of the present Act? I think the Act was never intended to do what it is doing. It is harassing the unfortunate fishermen and depriving them to a large extent of their means of livelihood.

1318. In what way? A great many of the present regulations are useless. It is radically wrong to fix the mesh of the net at the size it is fixed by the Act. An Act of three or four clauses was in my opinion all that was needed to protect our fisheries.

1319. If there was a proper inspection of the fish sold in the markets, that is as to their size, might not fishermen be left to use any size mesh they pleased? That is my opinion. I pointed out through the Press some years ago that we should have here what they have in Victoria, that is, an inspector to examine the size or weight of the fish before it is sold in the market. If he finds fish under the prescribed weight or size in any lot of fish he should have the right to confiscate the whole. I think a few such penalties would effectually put a stop to the killing of small fish.

1320. Do you think, if a small mesh was used, it would lead to the destruction of small fish that might otherwise be brought to market? I do not, if you take this precaution, that the bunt of the net shall not be taken out of salt water, and the large fish only be taken out whilst the bunt is in the water. The small fish could then be thrown out of the net before they had time to perish. I think if some such precaution was taken, and there was careful inspection to see that the law was carried out, and severe fines imposed when the law is infringed, that would preserve the small fish.

1321. That is, you would have the bunt of the net emptied into the boat? I would have the larger fish taken out of the bunt of the net whilst it is in the water, and not taken in the boat or on to the beach, and all the small fish or fry in it should be allowed to escape.

1322. But have you sufficiently taken into consideration this fact, that in many instances there are quantities of catfish, stingrays, and poisonous fish of other kind in the nets? Yes. I have seen fish even more dangerous than those named—a small fish not much larger than a toad fish; I forget its name.

1323. But are you not aware that the chief objection raised by fishermen against that mode of emptying the nets is the danger to themselves arising from the presence of poisonous fish in the nets? There is a danger to some extent. But if the bunt of the net is brought into 18 inches of water, I fail to see why they cannot get out the larger fish; it might perhaps take them a little longer.

1324. Do you think these difficulties could be got over by hauling fish to the shore? I do not see any difficulty whatever if the bunt of the net is kept in the water; the dangerous fish might be killed; the

the good fish might be taken out and put into the boat, and the small fish shaken out of the net. If you take the bunt of the net in the boat, then by the time the large fish are taken out the small fish are dead.

1325. Do you know any fishermen who have given up their employment? No.

1326. Do you know any who have lost their nets? I know Warrington, of Manly Beach; I have known him for twenty years.

1327. Do you know whether he used the net that was seized for anything else than catching garfish? I do not know. But from my experience of him I would as soon take his word as that of any man in New South Wales.

1328. Have you ever known fishermen use a garfish net between sunset and sunrise—that is in the darkness? Yes, before the present Act came into force.

1329. Do you think it is wise to permit them to use garfish nets during the night? If the fish are in I do not see why fishermen should be debarred from using nets at night.

1330. *Mr. Young.*] Do you know anything of the oyster fisheries? Yes; it is a matter about which I have been for years in communication with Langham.

1331. Do you agree with Mr. Langham's views generally? I do; I think he is about the only man who thoroughly understands our oyster fisheries.

1332. Are you of opinion that our natural oyster-beds should not be leased by the State? I am.

1333. Will you give the Committee your reasons for thinking so? They should be kept as seed beds. I think licenses should be issued to men who desire to enter into the work; and they should not be permitted to take small oysters; if they did I would cancel their licenses. In that way you would be able to preserve the seed. But if you lease the beds, say for two years, does it not stand to reason that the lessees would clear off all the oysters they could get.

1334. But if they were leased for a longer period, twelve or fifteen years? They would do the best they could.

1335. *Chairman.*] Suppose they had to give five years notice, and they knew that unless they kept the beds properly replenished their leases would be liable to cancellation before they expired? If you put in a clause like that the objection to leasing would be to some extent removed.

1336. *Mr. Young.*] Under the old Act leases were taken for so many years, but the Government had no power to compel the lessees to continue to hold their leases; naturally, under such circumstances the lessees skinned the beds, and then simply failed to pay their rent; but suppose an entirely different system of leasing was adopted, for given periods, and the payment of rent was secured until the lease expired by effluxion of time, would your objections to the leasing system be still valid? Unless the lease is surrounded by precautions such as have never existed up to the present: I still adhere to the opinion that it would be unwise to lease. If, on the other hand, precautions are taken that the spat shall be preserved and the small fish returned from the dredge, the objection is to some extent removed. Unless some precaution of that kind is taken, we shall see oysters selling at £4 or £5 a bag, which Mr. Langham predicted some years ago would come to pass under the regulations under which the beds were leased. There is another thing I may mention: If I remember rightly, when the present Act was introduced there was a clause providing that an inspector should be allowed to go when he pleased and how he pleased, to examine deposits; I remarked at the time that if that was passed no one would put down artificial beds.

1337. *Mr. Olliffe.*] Why, because the inspector was allowed to go across a bed and examine it? To put a dredge down and examine it.

1338. *Chairman.*] I do not think the Act extends to private fisheries but only to licensed fishermen? I do not say who it extends to. In such cases as that of Mr. Holt, or other gentlemen at Botany, where the water may almost be called private water, an inspector should not be able to do it.

1339. A man may be a licensed fisherman, and have a private oyster-bed? Yes.

1340. His oyster-beds would come under a different rule to that which would apply to the dredging of a natural oyster-bed? Yes, if I remember rightly, no difference was made in the Act.

1341. *Mr. Young.*] But although it was thought necessary to give an inspector that power it was never intended that he should use it to the injury of any one, but simply that he should see that the licensed fisherman did his duty? But there is the power, and as you know, men, when they get power, will sometimes misuse it.

1342. Now with regard to the cultivation of oysters, the laying down of artificial beds, have you anything you would like to state to the Committee? I think any person who is in a position to lease a piece of foreshore and put down at his own expense an artificial bed, should be protected to the full extent of the law; no interference with him should be allowed.

1343. But you would still have to lease the foreshores? Yes, but the oyster-beds would be private property.

1344. Have you any idea as to what extent of foreshore would be required for an artificial bed? That is a question difficult to answer; in some places it might take three times as much as would be required in others.

1345. In regard to artificial beds, it would be necessary to afford them some protection, and give a lease for a term;—what term of lease would you recommend? They should have it for seven years at the very least.

1346. *Chairman.*] Would you think twenty years too much? I should not.

1347. *Mr. Olliffe.*] You are of opinion that if a man had a lease of a piece of foreshore for twenty years he would cultivate oyster-beds, and make them more beneficial year by year? I certainly do, provided also that the Government took the precaution of compelling him to give security for the rent up to the very last day of his lease, and not allow him to destroy the bed and then throw up his lease, as has been done.

1348. You seem to be confounding the natural with the artificial beds—if a man started an artificial bed, and afterwards found he had made a mistake, you would not compel him to pay rent for twenty years? Decidedly so. There is another matter which I think might be considered: If fishermen choose to provide themselves with wellboats, and bring fish alive to market here, as they will do sooner or later, they should be allowed to construct floating boxes, or fish reservoirs, such as they have at New York. The fish are put in alive and kept alive, so that virtually there is no difference in the market supply one day as compared with another.

W. E.
Langley, Esq.
22 Mar., 1883.

WORKING OF THE FISHERIES ACT OF 1881.

APPENDIX.

[To the Evidence of James Charles Cox, Esq., M.D., 14 March, 1883.]

A 1.

Mr. Inspector Quinan to The Secretary, Fisheries Commission.

Sir,

Office of Inspector Home Fisheries, Sydney, 7 March, 1883.

Referring to the enclosed lists of seizures made by me of unlawful fishing nets, I have the honor to state that in every case the owners of these nets had been previously visited by me and made acquainted with the legal dimensions, and were not ignorant of the requirements of the Act.

I have, &c.,

JAMES QUINAN,
Inspector.

PARTICULARS of Seizures of unlawful Nets since 24th October, 1882, in the Home District.

Date of Seizure.	From whom seized.	Wing measurement.	Bunt measurement.	Decision of Commission.
1882.		fs. in.	fs. in.	
24 October	E. Knox	29 2 mesh...	16 1½ mesh...	Min. 102 of 15/11/82. Law prevents return of net.
27 "	W. Mildwater ... (2nd seizure)	83 2½ & 2¼ "	40 2¼ "	Min. 137 of 29/11/82. Bunt, with cork and lead lines, to be returned conditionally that he undertakes to make his net legal.
11 "	Geo. Newton	69 1 to 2 "	21 ¾ "	No action. Min. 44.
21 December ...	Unknown	¾-inch mesh hoop net.		No action.
21 "	"	¾-inch "		"
21 "	T. Lambert	21 2 mesh...	37 1 mesh...	Min. 226 of 3/1/83. Nets to be confiscated and owner to be prosecuted.
21 "	J. Gascoigne...	35 2¼ "	38 1 "	Min. 226 of 3/1/83. " "
1883.				
13 January	G. Warrington...	Diagram attached		Min. 349 of 7/2/83. Net not to be returned, as it is decidedly illegal.
13 "	R. Paskell	7 2¼ mesh...	67 2 mesh...	Min. 344. No action.
1882.				
8 October	C. Couldry	51 fs. 1 in. mesh throughout.		Min. 160 of 6/12/82. Forfeiture confirmed.
8 "	"	4 nets of various lengths, having a mesh of 2 inches throughout. These nets were returned to Couldry on the recommendation of the Commissioners.		Restored, with a warning that he must dismantle them, or they will be again seized and confiscated.
1883.				
25 January	R. Johnson	68fs. 3½ in. mesh	46fs. 2 in. mesh	Min. 403. Action confirmed.

LIST of Fishing-nets seized by Inspector Quinan and condemned under the provisions of the Fisheries Act, 1881.

Date of Seizure.	Name of Owner.	Particulars of Seizure.	Original Value	Actual Value.
13 Jan., 1882.	L. Porchello	Seized in boat, together with small fish.....	£ s. d.	£ s. d.
13 " "	H. Pearce	Seized on premises; not then in use.....	5 0 0	4 0 0
13 " "	C. Smith	Seized in his boat	20 0 0	7 0 0
15 " "	Jas. Parker.....	" " (3)	15 0 0	8 0 0
17 " "	C. Smith	" "	89 0 0	40 0 0
19 " "	Geo. Kelly	Seized on his premises, after seizing small fish in Market	40 0 0	20 0 0
20 " "	Jas. Gascoigne	" " not in use	35 0 0	20 0 0
22 " "	W. J. Mildwater	" " (2)	25 0 0	12 0 0
5 July, "	R. Johnson.....	" "	85 0 0	55 0 0
6 " "	T. Lambert.....	Seized in his boat; fishing in closed waters.....	15 0 0	10 0 0
26 Aug., "	T. Kelly	Seized on premises; not then in use.....	25 0 0	20 0 0
26 " "	Unknown	Found set as a stalling-net, 1 mile long, permanently set at Wollongong.	15 0 0	10 0 0
26 " "	Barber & Dennis...	Seized on premises; not then in use (4)	60 0 0	25 0 0
7 Sept., "	G. Sweetman	" " not in use.....	72 0 0	40 0 0
" "	Unknown	Seized on banks of Cook's River	8 0 0	5 0 0
19 " "	T. Gascoigne	Seized in his boat; in closed waters.....	2 0 0	1 0 0
3 Oct., "	C. Couldry	Seized lying on Botany Jetty, and in his shed, but not then in use (5)	30 0 0	20 0 0
11 " "	Geo. Newton	Seized lying on Botany Jetty, and in his shed, but not then in use (5)	75 0 0	50 0 0
24 " "	Saml. Richardson..	Seized in his boat at Manly; resisted seizure	35 0 0	28 0 0
" "	"	His net was found drying on Richardson's premises, but it belongs to E. W. Knox.	25 0 0	15 0 0
27 " "	W. J. Mildwater	Seized in his boat at the Market; had small fish.....	35 0 0	30 0 0
			£ 711 0 0	£ 417 0 0

NOTE.—All the nets seized prior to the 3rd October, 1882, were destroyed by fire in the Garden Palace. The nets seized from the 3rd October, 1882, are at present lying in the Woolloomooloo Fish Market.

JAMES QUINAN,
Inspector.

FISHING-NETS

FISHING-NETS seized by Inspector Quinan, and declared forfeited under the provisions of the Fisheries Act, 1881.

Date of Seizure.	From whom seized.	Length of Net.		Mesh of Net.		Present Value of Net	Amount sold for, and to whom.
		Wings.	Bunt.	Wings.	Bunt.		
Oct. 3, 1882	C. Couldry	fathoms. 51	fathoms. ...	in. 1	in. 1	£ s. d. 15 0 0	} Sold to Mr. Gibbins, £55. 31 fathoms, at 30s., Lewis; one-third value. Sold to Mr. Gibbins; included in £55. (See above.)
" 11, "	G. Newton	59	21	2	1	20 0 0	
" 24, "	E. Knox	29	16	2	1½	15 0 0	
" 27, "	W. J. Mildwater	83	returned	2½ & 2½	...	9 10 0	
Aug. 17, "	Parker and others, seized in closed fisheries.	108	29	3	2½	35 0 0	
						£ 94 10 0	

FORFEITED FISHING-NETS.

Date of forfeiture.	From whom	Length.	By whom seized.	To whom sold.	Amount.
Oct. 3, 1882	C. Couldry	fathoms. 51	J. Quinan	F. J. Gibbins	£ s. d. 13 15 0
" 11, "	Parker and others	137	do	do	13 15 0
" 24, "	E. Knox	45	do	do	13 15 0
" 11, "	— Newton	80	do	do	13 15 0
" 27, "	do. (portion)	45	do	do	3 0 0
" 27, "	W. J. Mildwater	30	do	W. H. Lamb	1 10 0
" 27, "	do	52	do	W. M'Hardie	2 0 0
Dec. 24, "	Geo. Warrington	77	do .....	.....	.....
" 24, "	— Paskell	74	do .....	.....	.....
" 24, "	2 hoop-nets .....	..	do .....	.....	.....
" 13, "	T. Lambert	57	do .....	.....	.....
" 13, "	T. Gascoigne	73	do .....	.....	.....
" 24, "	A. Campbell	66	W. Boyd .....	.....	.....
Nov. 16, "	do	15	H. Curan .....	.....	.....
Jan. 24, "	R. Johnson .....	...	J. D. Grant .....	.....	.....

A 2.

Mr. Inspector Quinan to The Secretary, Fisheries Commission.

Sir,

Office of Inspector Home Fisheries, Sydney, 24 October, 1882.

I have the honor to report that this day I seized an unlawful net found drying on the grass adjoining the premises of Samuel Richardson, of Double Bay. The net was of the following dimensions:—

Left wing, 10 fathoms; mesh, 2 inches.

Right wing, 12 " " 2 "

Bunt, 23 " " 1½ "

This seizure was made under the 25th section of the Fisheries Act.

Richardson stated that the net was the property of Mr. Knox and used by him on yachting excursions to Broken Bay; also that it was a prawn net.

I may state that considerable abuse was given by Richardson to me. The following remark made by him I consider my duty to bring under your notice:—"That the Government had better build another Garden Palace to help to burn the net."

I attach the Magistrate's certificate declaring this net to be forfeited to Her Majesty.

I have, &c.,

JAMES QUINAN,

Inspector.

Certificate of Frank Senior, Esq., J.P.

Sydney, 28 October, 1882.

I HEREBY certify that I have this day been shown a net by Inspector Quinan said to have been seized by him under the provisions of the 25th section of the Fisheries Act, 1881, from Samuel Richardson, of Double Bay. The dimensions of the net are as follows:—

Left wing, 10 fathoms; mesh, 2 inches.

Right wing, 12 " " 2 "

Bunt, 23 " " 1½ "

I am satisfied that this is an unlawful net, and order it to be forfeited to Her Majesty.

FRANK SENIOR, J.P.

E. W. Knox, Esq., to The Secretary, Fisheries Commission.

Sir,

O'Connell-street, Sydney, 24 October, 1882.

I have just been informed that one of the inspectors employed by the Commission this morning seized and removed a small private net which was stored in a shed in Double Bay attached to a house occupied by Samuel Richardson, who has charge of my yacht and of the sails and gear belonging to her, including the net in question.

As this net has not been used at all of late, I shall be obliged if you will inform me for what reason it has been seized.

I am, &c.,

EDW. W. KNOX.

E. W. Knox, Esq., to The President, Fisheries Commission.

Sir,

O'Connell-street, Sydney, 26 October, 1882.

On the 24th instant I wrote to the Secretary of your Commission inquiring for what cause a small private fishing net belonging to me had been seized by your inspector, but I have not yet been favoured with a reply to my letter. I have therefore decided to lay before you the facts of the case in the hope that you will give directions for the net to be returned to me.

About

About six months ago I purchased a small seine as part of the outfit of my yacht, and have since that time used this seine on two days only. Some three months since I was informed that private gar-fish nets were not allowed to be used, and I then instructed the man who keeps my yacht to put away the net with the rest of the yacht gear in a small shed attached to his house in Double Bay. There it has since that time remained, but having been wetted by the late rain it was being dried on Tuesday, when the inspector arrived and seized it. He had for some months been aware that the net belonged to me, and he knew where it was kept, yet during this time I have never received from him any intimation, either verbal or written, to the effect that the net was not to be used, or that it should be stored in some place under lock and key.

I therefore contend that I am most unfairly and unjustly treated by the net being now seized, and that I am entitled to have it restored to me at once.

I am, &c.,
EDW. W. KNOX.

Minute of President of Fisheries Commission.

WRITE to Mr. Knox to say that there will be a meeting of the Commissioners on Tuesday next (I think I am correct), and that his letter as well as one written to the President will be laid before the Commissioners.

The Secretary, Fisheries Commission, to E. W. Knox, Esq.

Sir, Fisheries Office, Sydney, 28 October, 1882.
I have the honor to acknowledge the receipt of your letter dated 24th instant, respecting the seizure of your seine net, and to inform you that it will be laid before the Commissioners at their meeting on Tuesday next, together with your letter addressed to the President on the same subject.

I have, &c.,
LINDSAY THOMPSON,
Secretary.

Minute of Commissioners of Fisheries on above.

Postpone till next meeting, and in the mean-time ask Mr. Knox to state whether he became possessor of the net before or after the passing of the Fisheries Act.

The Secretary, Fisheries Commission, to E. W. Knox, Esq.

Sir, Fisheries Office, Sydney, 3 November, 1882.
Referring to your letters on the subject of the seizure of your fishing-net, I have been desired by the Commissioners of Fisheries to request that you will be good enough to inform me whether you became possessed of the net before or after the Fisheries Act, 1881, was passed into law.

I have, &c.,
LINDSAY THOMPSON,
Secretary.

E. W. Knox, Esq., to The Secretary, Fisheries Commission.

Sir, O'Connell-street, Sydney, 6 November, 1882.
In reply to your letter of the 3rd instant, I beg to say that my seine, which was seized, was purchased by me on the 15th or 20th of May last.

I am, &c.,
EDW. W. KNOX.

Minute No. 102 of Commissioner of Fisheries on above.

Mr. Knox to be informed that under the law it is impossible to return the net.

The Secretary, Fisheries Commission, to E. W. Knox, Esq.

Sir, Fisheries Office, Sydney, 22 November, 1882.
The Commissioners of Fisheries have had your letters of the 26th October and 6th instant, respecting the seizure of your fishing-net, under their careful consideration, and have desired me to apprise you that in view of the provisions of the Fisheries Act, 1881, they are unable to recommend its restoration.

I have, &c.,
LINDSAY THOMPSON,
Secretary.

A 3.

Mr. Inspector Quinan to The Secretary, Fisheries Commission.

Sir, Office of Inspector, Home Fisheries, Sydney, 27 October, 1882.
I have the honor to inform you that at 4 a.m. this morning I visited the Woolloomooloo Fish Market, and observed a quantity of small trawls exposed there for sale by a fisherman named Mildwater, of Manly. I then proceeded to the wharf and found in his licensed boat an unlawful net, of the following dimensions, which I seized, viz. :-

Wings, 18 fathoms each. Mesh, 2½ inches.
Bunt, 40 " " 2½ "

This is the third net seized by me from this fisherman, the previous seizures having been made in June last.

Attached is a magistrate's certificate, declaring this net to be forfeited to Her Majesty.

I have, &c.,
JAMES QUINAN,
Inspector.

Certificate from Frank Senior, Esq., J.P.

I HEREBY certify that I have been shown a net by Inspector Quinan, said to have been seized by him from a licensed fisherman named Wm. Mildwater, of Manly. I am satisfied that the same is an unlawful net, within the meaning of the 11th section of the Fisheries Act, 1881, and order it to be forfeited to Her Majesty.

Dimensions of net :-

Wings, 18 fathoms each. Mesh, 2½ inches.
Bunt, 40 " " 2½ "

FRANK SENIOR, J.P.

Mr. W. Mildwater to The Chairman, Fisheries Board.

Sir, Brightside, Manly, 27/10/82.
With reference to the net belonging to me, and which was seized this morning at the wharf by the inspector, I beg to forward the following particulars with regard to size of same :-

It is 48 fathoms of 2½ mesh, which is 2 fathoms less than required by the Act.

There are also two wings of 25 fathoms 3 in. mesh, or as near that as I can get in the Colony.

I may state that the said net was purchased by me specially to meet the requirements of the Act, and has only been three weeks in use.

Hoping the above particulars will induce you to extend your kind consideration,

I remain, &c.,
WM. MILDWATER.

The

The Secretary, Fisheries Commission, to Mr. W. Mildwater.

Sir, Fisheries Office, Sydney, 4 November, 1882.
I have been desired by the Commissioners of Fisheries to acknowledge the receipt of your letter respecting the seizure, by Inspector Quinan, of your unlawful net, and to inform you that the matter is now under their consideration.
I have, &c.,
LINDSAY THOMPSON,
Secretary.

Minute of Commissioners of Fisheries on above.

Mr. Mildwater to be informed that the Commissioner will recommend the restoration of the bunt of his net, together with all corks and lead lines, if he will agree to fix wings of proper length and mesh.—4/11/82.

Extracts from Minute Book, Fisheries Commission.

Minute 45.—It was decided to consider at the next meeting whether any equitable arrangements can be made in respect to seizure of forfeited nets.—30/10/82.

Minute 95.—The consideration of the question whether any equitable arrangements can be made in respect to seizure of forfeited nets was postponed.—7/11/82.

Minute 101.—It was directed that Mr. Inspector Quinan attend at the next meeting of the Commissioners in reference to forfeited nets generally.—15/11/82.

Minute 103.—Mr. Goddes, by leave, withdrew the resolution standing in his name for the consideration as to disposal of forfeited nets, and whether any equitable arrangement can be proposed in respect to seizure of unlawful nets.—15/11/82.

The Secretary, Fisheries Commission, to Mr. W. Mildwater.

Sir, Fisheries Office, Sydney, 2 December, 1882.
Referring to my letter, dated 4th ultimo, respecting the seizure of your unlawful net by Mr. Inspector Quinan, I am desired by the Commissioners of Fisheries to inform you that, on consideration of the peculiar circumstances surrounding the case, they have decided to recommend to the Government the restoration of the bunt of the net, together with the corks and lead lines, conditionally upon your agreeing to carry out to the satisfaction of the inspector the offer made to the Commissioners to alter the net in such a manner as to make it accord with the provisions of the law.
I have, &c.,
LINDSAY THOMPSON,
Secretary.

The Secretary, Fisheries Commission, to The Principal Under-Secretary.

Sir, Fisheries Office, Sydney, 21 November, 1882.
I have the honor to apprise you, for the information of the Colonial Secretary, that Mr. Inspector Quinan, in the execution of his duties, seized an unlawful net from W. J. Mildwater, of Manly Beach; its illegality consisted in the wings being of less size in the mesh than is prescribed by the Fisheries Act, and of lesser length than the bunt, which by law should be equal.
Mildwater, who had written to the Commissioners respecting the seizure, appeared before them personally, and stated he was ignorant of having transgressed, and was willing, with the permission of the Commissioners, to alter his net to accord with the provisions of the law.
I am now, by direction of the Commissioners, to recommend that the bunt of the net, together with the corks and lead lines, be restored to Mildwater, provided he agrees (to the approval of the inspector) to carry out the offer made to the Commissioners.
I have, &c.,
LINDSAY THOMPSON,
Secretary.

The Principal Under-Secretary to The Secretary, Fisheries Commission.

Sir, Colonial Secretary's Office, Sydney, 24 November, 1882.
In reply to your letter of the 21st instant, I am directed to state that in accordance with the recommendation of the Commissioners of Fisheries for New South Wales, the Colonial Secretary approves of the restoration to Mr. W. J. Mildwater of the bunt of the unlawful net recently seized by Inspector Quinan, together with the corks and lead lines, provided that Mr. Mildwater agrees to effect the necessary alteration to the net.
I have, &c.,
CRITCHETT WALKER.

Minute of Commissioners of Fisheries on above.

Mr. Mildwater to be so informed, 29/11/82.

J. C. Cox, Esq., M.D., to The Secretary, Fisheries Commission.

My dear Sir, 11 December, 1882.
Please give Mulhall an order to let Mildwater have the bunt, cork, and leads of his net.
Yours, &c.,
J. C. COX.

Assist. Inspt. Mulhall to note, 11/12/82. Seen and informed Mildwater to-day that he could have bunt, &c.—
THOMAS MULHALL, 11/12/82.

A 4.

PRICES of fish in the Market, 13/3/83.

Gar-fish, 12s. to 20s. per basket.
Harbour mullet, 6s. to 15s. per basket.
Lake mullet, twelve of 7lb. each, 7s.
Black fish, 9s. per basket.
Long tom, thirty, averaging 1lb. each, and really splendid fish, 2s. 6d.
Prawns, one large basket of fine large live prawns brought 23s.; and several baskets of good prawns from 14s. to 16s. per basket.
Market fairly supplied but not glutted. It must also be remembered that fish in Lent time always bring good prices.

A 5.

LICENSES ISSUED UNDER THE FISHERIES ACT, 1883.

LICENSED FISHERMEN.

	License No.		License No.
Ah Chee, William, Port Stephens	8	Danby, Thomas, Woolloomooloo.....	204
Ah Fow, Port Stephens	11	Draper, George, Newcastle	290
Ah Pack, Raymond Terrace.....	10	Denny, George, Dora Creek.....	307
Ah Sam, Raymond Terrace	7	Deas, Anthony, Broken Bay	298
Andrews, John, Woolloomooloo	29	Evans, Augustus, Middle Harbour.....	32
Aler, Alfred, Hexham	248	Evans, John, Middle Harbour.....	32
Ayres, Augustus, Grafton.....	244	Filesbey, Chas., Tarce	96
Ah Son, Belmont	230	Edney, John, Cooper-street, Balmain.....	100
Ah Kin, Belmont	229	Ellery, Charles, Broken Bay	117
Ayres, Robert, Grafton.....	220	Edwards, John, Lane Cove	183
Asquith, Joseph, Shoalhaven	214	Euston, George, Hexham.....	249
Ah Young, Swan Creek.....	313	Evans, Alfred, Raymond Terrace	241
Askwith, Benjamin, Stockton	314	Edwards, John, Woolloomooloo	271
		Edwards, George, Woolloomooloo	272
Barber, Edwin, Wollongong	226	Escott, Charles, Belmont.....	289
Brennan, William, Peacock Point, Balmain	1	Emblem, W., Ulladulla	294
Brownett, Samuel, Lake Macquarie	28		
Bedford, Joseph, Mosquito Island	47	Farrell, Thos., Watson's Bay	292
Buckingham, Thomas, Fullerton Cove, Newcastle	57	Foo, Sum, Swan Creek.....	311
Burges, Daniel, Mosquito Island.....	66	Foster, Charles, Mosquito Island	83
Raggets, Walter, Mosquito Island	80	Frisch, V., Richmond River	88
Brown, William, Raymond Terrace	85	Fisk, Joseph, Woolloomooloo	94
Bagnell, Joshua, Botany	102	Finnucane, Anthony, Parramatta	99
Batts, Edward, Woolloomooloo	126	Frenchy, Thomas, Botany	105
Bagnell, Samuel, Hawke's Nest	223	Fanning, E., Hunter's Hill	152
Bagnell, Thomas, Hawke's Nest	219	Foster, Albert, Newcastle	260
Bell, Richard, Newcastle	254	Fortune, John, Forster, Cape Hawke.....	205
Bell, Frederick, Newcastle	253	Frazer, William John, Newcastle	237
Barnett, George, Raymond Terrace	243	Foster, Arthur, Newcastle	232
Baxter, John, senr., Shoalhaven	211		
Baxter, Ephraim, Jervis Bay	210	Glover, Alfred, Nelson's Bay	192
Baxter, William, Shoalhaven	209	Glover, Walter H., Nelson's Bay	191
Baxter, Richard, Shoalhaven	208	George, Charles, Goat Island	53
Baxter, Thomas, Shoalhaven	207	George, Frederick, Goat Island	54
Baxter, John, Jervis Bay.....	212	Gascoigne, John, Ryde.....	20
Brown, Thomas, Gerringong	215	Gascoigne, Thomas, Ryde	21
Burns, Robt., 11, Princes-st., Sydney.....	265	Gascoigne, Robert, Ryde	22
Blaxter, Joseph, Eden	301	Gascoigne, Robert, Ryde	23
Burkwith, John, Balmain	205	George, Thomas, Newcastle.....	75
Bray, James, Middle Harbour.....	270	George, Alfred, Newcastle	76
		Gidney, William, Newcastle	82
Chapman, Abraham, Lake Macquarie	27	Gilbert, James, Botany	90
Consmacker, Henry, Merimbula	48	Goldsmith, Herbert, Botany	91
Chapman, James, Raymond Terrace	49	Goldsmith, William, Botany	93
Chapman, Edward, Raymond Terrace	50	Goode, James, Balmain	143
Chapman, William, Raymond Terrace	52	Gilbert, Charles, Botany	147
Campbell, James, Hexham	61	Gabberdy, Charles, Bowman-street, Pyrmont ..	150
Campbell, John, Hexham.....	62	Gooda, John, Woolloomooloo	176
Campbell, Alexander, senr., Hexham.....	63	Griffin, Wm. F., Raymond Terrace	261
Clifford Abraham, Wollongong	227		
Campbell, Alexander, Hexham	64	Hansen, John, Richmond River	89
Croese, Adrian, Mosquito Island.....	81	Hammond, Arthur, Botany.....	155
Clouten, George, West Maitland.....	87	Hastie, Charles, junr., Broken Bay	170
Cox, William, Broken Bay	127	Hastie, Charles, senr., Broken Bay.....	171
Cox, John, Broken Bay	128	Hastie, William, Broken Bay	177
Cox, Fred, Broken Bay	129	Hollis, W., Nelson's Bay	256
Cox, Robert, Broken Bay.....	130	Harrison, William, Newcastle.....	246
Chamberlain, William, senr., Double Bay.....	140	Harrison, William, senr., Newcastle	245
Chamberlain, William, Double Bay	141	Honor, Edward, Jervis Bay	213
Chung Long, Milton	160	Hodgson, Charles, Ballina	267
Carrol, James, Broken Bay	180	House, Charles, Rushcutters' Bay	280
Courtenay, John, Elliot-street, Balmain	194	Haydon, John, Lake Macquarie	309
Courtenay, William, Elliot-street, Balmain	195	Hansen, Christopher, Balmain.....	282
Campbell, Alexander, Lake Macquarie	197		
Connatt, George, Grafton.....	224	Joass, James, Raymond Terrace	287
Campbell, James, Newcastle.....	218	Johnson, James, Botany	296
Campbell, George, Newcastle	217	Johnson, John, Lake Macquarie	306
Coombes, Benjamin, Kiama.....	263	Judge, Henry, Hexham	59
Clouten, W. J., Newcastle.....	284	Judge, George, Hexham	60
Cameron, R., Belmont	305	Johnson, George, Botany.....	111
Choyeye, Sam, Swan Creek	312	James, Charles, Botany	112
		Jones, Stephen, Botany	149
Denis, Abraham, Sydney	17	Johnson, William, Chowan-street, Pyrmont.....	151
Denis, William, Sydney.....	18	Johnson, John, Trialba.....	225
Drennan, Thomas, Lake Macquarie	25	Jordan, Martin, Newcastle	258
Danby, James, Woolloomooloo.....	35	Johnson, Alexander, Trialba	236
Dennis, George, Wollongong	39	Johnson, William, Trialba	235
Dennis, Jacob, Wollongong	40		
Deamer, James, Mosquito Island	65	Kong, Young, Port Stephens	9
Derwent, Andrew, George's River	137	Kelly, Thomas, Wollongong	43
Derwent James, George's River	138	Kiescy, Frederick, Raymond Terrace	51
Duncan, William, Botany	153	Kelly, Thomas, Broken Bay	169
Duncan, Thomas, Botany.....	154	Kempstey, William, Broken Bay	173
Dingwall, John, Woolloomooloo	179	Kelly, George, Balmain	176

LICENSED FISHERMEN—continued.

	License No.		License No.
Lambert, Thomas, Parramatta	16	Pollocks, Jas., Newcastle	276
Lambert, Thomas, junr., Parramatta	16	Parks, A. M., Blackwall	303
Lambert, Bernard, Raymond Terrace	53		
Lambert, William, Raymond Terrace	56	Richardson, Peter, senr., Double Bay	30
Longsbury, John, senr., Shoalhaven	71	Richardson, Peter, junr., Double Bay	31
Longsbury, Robert, Shoalhaven	72	Rutledge, George, Peacock Point, Balmain	2
Longsbury, John, junr., Shoalhaven	73	Ross, Joseph, Newcastle	77
Lambert, Emanuel, West Maitland	86	Ross, John, Mosquito Island	78
Lifo Ah, Milton	158	Richardson, William, Botany	107
Lambourne, Henry, Nelson's Bay	193	Richardson, John, Botany	116
Lambert, Thomas, Raymond Terrace	247	Rodgerson, John, Woolloomooloo	119
Leslie, George, Raymond Terrace	239	Richardson, Thomas, Lake Macquarie	134
Lambert, D., Raymond Terrace	238	Ross, James, Broken Bay	163
Lewis, Charles, Cardiff	234	Ross, Frederick, Nelson's Bay	189
Lewis, John, Newcastle	279	Ross, David, Newcastle	251
Lec, James, Sydney	231	Ross, James, Newcastle	231
Lilley, Samuel, Newcastle	288	Reynolds, G., Balmain	273
		Roys, J., Watson's Bay	293
		Ross, William, Eden	300
Maxted, Henry, Woolloomooloo	5		
Melit, Phillip, Manly Beach	19	Shepherd, Joseph, Broken Bay	164
Mayo, Charles, Lake Macquarie	26	Shepherd, Jessie, Broken Bay	165
Massey, John, Wollongong	41	Sposito, Dominick, 11, Princes-street, Sydney	266
Massey, Joseph, Wollongong	42	Shepherd, John, Broken Bay	166
Morris, James, Mosquito Island	67	Sanderson, John, Broken Bay	172
Morris, Walter, Mosquito Island	84	Strongman, Samuel, Broken Bay	174
Mildwater, William, Manly Beach	92	Smith, Charles, Woolloomooloo	34
Miller, Samuel, Double Bay	97	Sweetman, George, Cook's River	12
Miller, W., Double Bay	98	Sheppard, William, Wollongong	38
Moloy, Peter, Botany	156	Scott, George, Surry Hills	45
Mosely, Joshua, Broken Bay	167	Shearman, George, Goat Island, Newcastle	70
Morris, Thomas, Botany	178	Scully, William, Raymond Terrace	74
Murray, W., Nelson's Bay	190	Sparks, John, Botany	108
Mosely, Thomas, Botany	198	Smith, James, Botany	110
Mosely, William, Botany	201	Smith, John, Broken Bay	113
Moriarty, Joseph, Newcastle	216	Smith, James, Lake Macquarie	135
Marks, Maurice, Belmont	222	Smith, Charles, Lake Macquarie	136
Marks, Henry, Belmont	221	Smith, William, George's River	139
M'Alister, James, Woolloomooloo	124	Smith, Joseph, Botany	146
M'Hughe, John, Woolloomooloo	203	Sing Chum, Milton	157
M'Clure, William, Newcastle	228	Silva, William, Watson's Bay	161
Mahalm, James, junr., Redfern	295	Sly, Charles, Watson's Bay	181
Mahalm, James, senr., Petersham	286	Smith, John, Watson's Bay	185
Mudge, H. S., Gosford	302	Smith, James, senr., Watson's Bay	186
Marks, John, Belmont	308	Smith, James, junr., Watson's Bay	187
M'Kinnon, Alex., Belmont	304	Slater, William, Forster, Cape Hawke	206
M'Clouney, Jas., Woolloomooloo	291	Stanley, Charles, Cardiff	233
		Sheedy, Patrick, jun., Middle Harbour	269
Nowland, Denis, Burwood	3	Sly, Charles, Manly	268
Neaves, George, Wollongong	79	Sweeney, Daniel, Belmont	310
Nichols, Joseph, Woolloomooloo	120	Sheedy, Patrick, senr.	274
Nowland, Wm., Burwood	4		
Nichols, Charles, Woolloomooloo	121	Twooney, John, Taree	95
Neal, W., Iron Cove	122	Thompson, Frederick, Botany	101
Nichols, Joseph, Woolloomooloo	123	Thompson, George, Botany	114
Nichols, Charles, Woolloomooloo	125	Thompson, James, Lake Macquarie	133
Newton, Frederick, Watson's Bay	162	Thompsett, Charles, Woolloomooloo	196
Newton, Henry, Watson's Bay	163	Thompson, Samuel, Lake Macquarie	199
Newton, George, Watson's Bay	182	Thompson, Henry, Newcastle	255
Newton, George, senr., Watson's Bay	184	Taylor, William, Fullerton Cove, Newcastle	262
		Thoroughgood, Thos., Newcastle	277
Olsten, Andrew, Raymond Terrace	58	Thomas, Henry, George's River	283
O'Donnell, Daniel, Newcastle	257		
		Vine, Robert, Double Bay	144
Pearce, Thomas, Stockton, Newcastle	68		
Poiner, David, Long Cove	36	Wilson, Henry, Stockton, Newcastle	69
Poiner, Francis, Long Cove	37	White, Louis, Marrickville	6
Palmer, Charles, Hexham	46	Wilson, R., Broken Bay	13
Palmer, James, Hexham	44	Wilson, Thomas, Broken Bay	14
Potter, Richard, Botany	106	Whitfield, Henry, Ryde	24
Parker, Charles, Botany	115	Wood, Fred., sen., Botany	103
Peel, Robert, Woolloomooloo	118	Wood, Stephen, Botany	104
Pobige, Henry, Lake Macquarie	131	Wood, Fred., jun., Botany	109
Parker, George, Lake Macquarie	132	Woodger, Samuel, Lake Macquarie	200
Pierce, Henry, Double Bay	142	Wiseman, William, Hexham	250
Parker, Joshua, Botany	145	Whipps, Arthur, Hexham	247A
Parker, Henry, Botany	148	Witchard, E., Taree	264
Parker, James, Botany	202	Wheeler, James, Manly	299
Porto, Antonio, Newcastle	259	White, Isaac, Lake Macquarie	297
Philp, A., Raymond Terrace	252	Ward, Thomas, Newcastle	278
Poulden, J. E., Raymond Terrace	242		
Partridge, William, Raymond Terrace	240	Young, Ah, Milton	159
Faterson, William, Newcastle	275		

FISHING-BOAT LICENSES.

	License No.		License No.
Ayres, Robert, Grafton.....	93	Jones, William, Moama	135
Ah Chee, William, Port Stephens	38	Joass, Jas., Raymond Terrace	152
Asquith, Joseph, Shoalhaven	87		
Ah Kin, Belmont	100	Kelly, Thomas, Wollongong	9
Ah Young, Swan Creek.....	161	Kempster, William, Broken Bay.....	68
Askwith, Benjamin, Newcastle	159	Kelly, George, Balmain	74
		Kong Fung, Raymond Terrace	5
Brennan, William, Peacock Point, Balmain	1		
Brownett, Samuel, Lake Macquarie	31	Lambert, Emanuel, West Maitland	128
Bedford, Joseph, Mosquito Island	20	Lambert, Thomas, Parramatta.....	21
Bagnell, Joshua, Botany	51	Longsbury, John, sen., Shoalhaven.....	34
Baxter, John, sen., Jervis Bay.....	85	Lewis, John, Raymond Terrace	134
Baxter, William, Shoalhaven	86		
Bryant, George, Raymond Terrace.....	129	Morris, James, Newcastle.....	94
Brown, William, Raymond Terrace	91	Maxted, Henry, Woolloomooloo	3
Bagnell, Thomas, Bulahdelah	97	Melit, Phillipo, Manly Beach	25
Barber, Edwin, Wollongong.....	105	Morris, Walter, Mosquito Island	18
Buckingham, Thomas, Newcastle	112	Mildwater, William, Manly Beach	37
Bell, Frederick, Newcastle	118	Miller, W., Double Bay	40
Bulow, August, Belmont	151	Moseley, Joshua, Broken Bay	73
Bogan, Robt., Gosford	155	Murray, William, Nelson's Bay	77
		Marks, Maurice, Belmont.....	89
Chapman, James, Raymond Terrace	11	M'Hughc, John, Woolloomooloo.....	82
Consemacker, Henry, Merimbula.....	23	M'Clure, William, Newcastle	114
Croese, Adrian, Mosquito Island	17	Mudgo, H. S., Gosford.....	164
Cox, John, Broken Bay	57	Mewett, William, Lake Macquarie	149
Chamberlain, William, sen., Double Bay	59	Masey, Chas., Wollongong	146
Courtney, William, Elliott-street, Balmain	81	M'Clouney, Jas., Woolloomooloo	142
Campbell, Alexander, Lake Macquarie	84		
Congdon, Samuel, Sydney	65	Nowland, Denis, Burwood	2
Connatt, George, Grafton.....	92	Neaves, George, Wollongong	24
Campbell, Alexander, Hexham	95	Nichols, Joseph, Woolloomooloo.....	53
Campbell, Alexander, Hexham	96	Nichols, Charles, Woolloomooloo	41
Cook, James, Moama	101	Neal, W., Iron Cove	52
Campbell, George, Newcastle	102	Newton, Henry, Watson's Bay	69
Cook, John, Moama	108	Newton, George, sen., Watson's Bay	80
Coombes, Benjamin, Kiama.....	127		
Coulten, W. J., Belmont.....	150	Overall, John, Belmont	148
Christian, Norman, Smith Town.....	158		
		Poyner, Francis, Long Cove.....	29
Donis, Abraham, Sydney	22	Palmer, Charles, Long Cove.....	19
Drennan, Thomas, Lake Macquarie	32	Peel, Robert, Woolloomooloo	50
Dounis, Jacob, Wollongong	8	Parker, George, Lake Macquarie.....	56
Derwent, Andrew, George's River	54	Porto, Antonio, Newcastle	121
Duncan, William, Botany.....	66	Pearce, Thomas, Stockton.....	90
Dingwall, John, Woolloomooloo.....	75	Pierce, Henry, Double Bay	58
Duncan, William, Botany	67	Parker, James, Botany	83
Dwyer, Cornelius, Moama	123	Porto, Antonio, Newcastle	120
Drane, T. C., Gosford	154	Philp, A., Raymond Terrace	117
Draper, George, Newcastle	162	Partridge, William, Raymond Terrace	104
Dunn, Thomas, Belmont	147	Philp, John, Raymond Terrace	10
		Parker, George, sen., Botany	62
Frans, John, Middle Harbour.....	30	Paterson, Walter, Newcastle	156
Edney, John, Cooper-street, Balmain.....	43	Parks, A. M., Blackwall	165
Edwards, John, Lane Cove	76		
Euston, George, Hexham.....	113	Ross, John, Mosquito Island	15
Evans, John, Moama.....	137	Ross, James, Broken Bay	71
Emblem, W., Ulladulla	143	Richardson, Peter, sen., Double Bay	28
		Rice, Joseph, Moama	138
Frisch, V., Richmond River.....	35	Ross, W., Eden	163
Fanning, E., Hunter's Hill	64	Rouse, Harry, Lake Macquarie	166
Foster, Albert, Mosquito Island	103		
Farrell, Thomas, Watson's Bay	144	Sposito, Dominick, Princes-street, Sydney.....	131
		Strongman, Samuel, Broken Bay	70
Glover, Walter, Nelson's Point	78	Smith, Charles, Woolloomooloo	33
George, Charles, Goat Island	12	Sweetman, George, Cook's River.....	6
Gascoigne, Thomas, Ryde	27	Sparks, John, Botany	44
George, Thomas, Newcastle.....	13	Smith, John, Broken Bay.....	49
Gidney, William, Newcastle.....	16	Smith, Charles, Lake Macquarie.....	60
Goldsmith, William, Botany	36	Sheedy, Patrick, Middle Harbour	140
Griffin, William F., Raymond Terrace	124	Sheldrake, Fred., Moama	157
Glover, Walter H., Nelson's Bay	125	Sheldrake, John, Moama	133
Goode, James, Balmain	55	Shepperd, Joseph, George's River	139
George, Thomas, Newcastle.....	14	Slater, William Forster, Cape Hawke	107
Gascoigne, James, Ryde	26	Smith, James, sen., Watson's Bay	79
		Spencer, Thomas, Moama	136
Hastie, Charles, sen., Broken Bay	72	Stanley, John, Cardiff	99
Hollis, W., Nelson's Bay	122		
Harrison, William, Newcastle	106	Taylor, W., Moama	153
Honnor, Edward, Jervis Bay	88	Taylor, William, Moama	130
Hall, Thomas, Raymond Terrace.....	110	Thomas, Henry, George's River	141
Hall, Thomas, Raymond Terrace.....	111	Thompson, Henry, Newcastle	119
Hunt, Richard, Mathoura	116	Thompson, Frederick, Botany	42
Hodgson, Charles, Ballina	132	Twooney, John, Taree	39
Hansen, Christopher, Balmain	145		
Hanley, Wm., Maclean.....	160	White, Louis, Marrickville	4
		Whipps, Arthur, Hexham	109
Johnson, George, Botany.....	47	Wilson, Thomas, Broken Bay	7
Jones, Stephen, Botany	61	Witchard, E., Taree	126
Johnson, William, Chowan-street, Pyrmont.....	63	Wood, Frederick, sen., Botany	45
Johnson, William, Trialba	98	Wood, Frederick, jun., Botany	46
Johnson, George, Botany.....	48		

OYSTER-DEALERS' LICENSES.

	License No.		License No.
Alexander, John, Elizabeth-street, Sydney	33	Lane, Leonard, Wagga Wagga	16
Anderson, Hans, Newcastle	62	Melit, Frank, Manly Beach	18
Assenheim, I. J., Market-street, Sydney	35	Malsiniotis, Michael, 75, King-street, Sydney ...	20
Baubrey, George, Tamworth	46	Meador, John, Newtown	37
Barry, Mrs. D., Tarco	13	Maxwell, John E., West Maitland	36
Black, Charles, Yass	70	M'Coy, John, 52, Market-street, Sydney	64
Blackwall, Edward, Newcastle	66	Nickels, George, 513, George-street, Sydney	24
Burby, Francis, Albury	28	Nobulu, Antonio, Oxford-street, Sydney	25
Cooto, Joseph, Sydney	1	Nummelin, John, Woolloomooloo-street, Woolloomooloo	50
Cochin, A. & Co., Sydney	17	Nichols, Frank, Newcastle	54
Christensen, Frederick, 151 George-street, Sydney	26	Ongley, William, Sydney	10
Comino, A., 36, Oxford-street, Sydney	32	Pannam, George, Paddington	29
Clarke, George, 378, Pitt-street, Sydney	41	Pierce, William, Goulburn	36
Clarson, Samuel, Armidale	47	Pitsu, Piri, Liverpool-street, Sydney	38
Doyle, William, York and King-streets, Sydney..	21	Pepperell, Hannah, Tamworth	56
Debetonto, Antonio, 253 Oxford-street, Sydney..	7	Pepper, Hannah, Queen-street, Woollahra	63
Dickson, Benjamin, Redfern	71	Price, Chas., 33, Hunter-street, Sydney	67
Drassus, Punagiotti, Darling-street, Balmain.....	61	Rosich, Frederick, Sydney	
Emerson, Albert, George's River	48	Risby, Ellen, Narrandera	19
Fernandez Isaac, 186, William-street, Sydney ...	52	Riley, Joseph, Bathurst	59
Fitzgerald, John, George-street, Sydney	39	Reach, H. S., 206, Elizabeth-street, Sydney	60
Flindall, Ralph, Woolloomooloo	68	Silverwood, C., Wagga Wagga	9
Furlan, George, Erskine-street, Sydney	3	Schikel, Henry, 163, Elizabeth-street, Sydney ...	4
Freeman, John, 114, Oxford-street, Sydney	31	Smith, John, Glebe Point Road	11
Gibbins, F. G., 17 and 19, Sussex-street, Sydney	8	Stamat, Dimetes, George-street, Sydney	12
Goodier, C. H., Emmore Road	30	Sotters, John, Millor's Point, Sydney	14
Gotz, Joseph, Albury	44	Stephens, G., 94, William-street, Sydney	34
Hughes, James, Oxford-street, Sydney	65	Solari, Lorenzo, 15, George-street, Sydney	42
Hughes, John, 815, George-street, Sydney	23	Stearn, Alfred C., Windsor	55
Halstead, L., North Shore	27	Scelligo, Andrew, Woolloomooloo	58
Howel, Peter, Glebe Road	72	Walker, Mrs. E., George-street, Parramatta.....	5
Johnson, Peter Thomas, Wollongong	15	Woodward, Henry, 85, Castlereagh-street, Sydney	22
James, Peter, 5, York-street Markets	40	Ward, Henry, Darling-street, Balmain	43
Jones, W. G. H., Regent-street, Redfern	53	Wege, Charles, Church-street, Parramatta	49
Jackson, Edward, Temora	57	Wilson, George, 48, Regent-street, Redfern	51
Leaves, George, Park-street, Sydney	6	Watt, Edward, 54, King-street, Sydney	69

OYSTER-DREDGING LICENSES.

	License expires.	License No.		License expires.	License No.
Baxter, William, Shoalhaven	17/2/83	82/ 1	Fisher, John, Oxford-street, Sydney	16/4/83	83/10
Burns, Henry, Ballina	13/4/83	83/ 8	Haiser, George, Shoalhaven	2/4/83	83/ 1
Bastakis, Nicholas, Wogonga Heads ..	8/5/83	83/12	Haiser, Henry, Shoalhaven	18/4/83	83/11
Baxter, Wm., Shoalhaven	20/5/83	83/14	Longsbury, John, senr., Shoalhaven.	31/12/83	83/ 3
Campbell, William, Corunna	20/3/83	82/ 5	Muratorio, Angelo, Sydney	20/3/83	82/ 6
Caspear, Theodore, 19, Argyle-street, Sydney	31/12/83	83/ 4	Page, Mary, Onion's Point	13/4/83	83/ 9
Chapman, Wm., Bermagui	24/5/83	83/15A	Severs, John, Eden	4/3/83	82/ 3
Donnelly, Demetrius, Wonga	12/4/83	83/ 7	Templeman, William, Bermagui.....	12/4/83	83/ 6
Drassus, Punagiotti, Darling-street, Balmain	9/5/83	83/13	Wilson, Thomas, Shoalhaven	17/2/83	82/ 2
Davis, Wm., Shoalhaven	1/6/83	83/16	Warren, William, Eden	27/3/83	82/ 7
Emblem, William, Bermagui	12/4/83	83/ 5	Walden, Joseph, Onion's Point	9/4/83	83/ 2
Ellis, George, Eden	4/3/83	82/ 4	Wilson, Thomas, Shoalhaven	1/6/83	83/17
Edwards, George, Port Jackson	21/5/83	83/15			

A 6.

List of fish sold in the Market on the morning of the 14th March, 1883.

Schnapper sold from 15s. to 10s. per dozen; mullet sold from 8s. to 10s. a half basket; bream, from 8s. to 14s. a half basket; gar-fish, from 10s. to 15s. a half basket, which contained about 50 dozen, and these were retailed in the streets at 2s. a dozen.

There were sixty baskets of fish from Wollongong, almost all mullet; forty baskets from Botany, nearly all gar-fish; five baskets mixed fish from Sydney Harbour; thirty baskets from Broken Bay, all mixed fish; ninety baskets from Lake Macquarie and Newcastle.

A 7.

Mr. Inspector Quinan to The Secretary, Fisheries Commission.

Sir,

Office of Inspector, Home Fisheries, Sydney, 13 March, 1883.

It has frequently for the last few months come under my notice that the oysters disposed of by Mr. Clarke, the lessee of the Port Stephens beds, are of unmarketable size and otherwise out of condition. I wrote to Mr. Clarke some time ago calling his attention to the character of the oysters taken from his leased beds, and warned him that I should seize the next shipment if found unmarketable.

I apprise you of this matter, as required by clause 5 of the Special Regulations Appendix, page 44.

I have telegraphed to Assistant Inspector Curran to inform me when the next shipment of Port Stephens oysters may be expected and will examine them on arrival.

I have, &c.,

JAMES QUINAN,

Inspector.

Mr.

Mr. Inspector Quinan to The Secretary, Fisheries Commission.

Sir, Office of Inspector, Home Fisheries, Sydney, 16 March, 1883.
 Referring to my report of the 13th instant respecting the state of the Port Stephens leased oyster-beds, I have the honor to inform you that I inspected a consignment to Mr. Clarke which arrived here this morning per "Lady Bowen" at 5 a.m. Several bags were thrown out on the wharf, and although a good many small oysters and shells were amongst them I did not feel justified in making a seizure. This shipment seemed rather better than previous ones owing no doubt to the repeated warnings I sent to the lessee.

I think that Assistant-Inspector Curan should be instructed to go to Port Stephens and send a report as to the state of the beds, and prevent the lessee from over-dredging, so as not to leave the beds in such a state as they cannot be worked under Royalty at the termination of his lease.

I have, &c.,
 JAMES QUINAN,
 Inspector.

[To the evidence of Mr. Inspector Quinan, 16 March, 1883.]

B 1.

Copy of Magistrate's certificate, given under section 25 Fisheries Act, 1881.

Sydney, 22 December, 1882.

I HEREBY certify that I have examined a fishing net shown to me by Inspector Quinan, said to have been seized by him under the provisions of the Fisheries Act, 1881, from Thomas Lambert, of Parramatta, of the following dimensions:—

Bunt, 37 fathoms, having a mesh of 1 inch.

Wings, 21 " " 2 inches.

I am satisfied that the same is an unlawful net within the meaning of the 11th section of the Fisheries Act, and order it to be forfeited to Her Majesty.

FRANK SENIOR, J.P.

NOTE.—The above net was used for catching all kinds of fish; the fish also were seized on account of being much under weight, and distributed to the Charities.

B 2.

Lawful weights of fish.

Sea	{	Schnapper or red bream	16 oz.	}	Whiting	6 ozs.
		Bream, black	8 "		Flounder and sole	6 "
		do silver, or tarwhine	6 "		Pike	8 "
		Black-fish	6 "		Travally	6 "
		Rock-cod (black or red)	8 "		Sea { Gar-fish	2 "
		Gurnet	6 "		Lobster or cray-fish	16 "
		Flat-head	8 "		And the female in spawn not to be caught	
		Mullet (sea)	12 "		under a penalty.	
		do flat-tail and sand	6 "		Perch	8 "
Fresh-water	{	Cod or Murray cod	2 lbs.			
		Perch	8 oz.			

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ABORIGINES.

(REPORT OF THE PROTECTOR, TO 31 DECEMBER, 1882.)

Ordered by the Legislative Assembly to be printed, 31 January, 1883.

The Protector of the Aborigines to The Principal Under-Secretary.

Sir,

On the 11th August last I had the honor to send in a Progress Report of the working of this Department to that period, which Report was laid on the Table of the Assembly by the Honorable the Colonial Secretary, printed and distributed, by which was shown that much useful aid had been rendered to the aborigines in various parts of this Colony. There was also shown, from a census which had been taken of the number and sexes (also distinguishing pure-breds from half-castes) of the aborigines of New South Wales, that they were—

Laid before
Parliament 30th
August, 1882.

Pure-bred adults	4,994
Pure-bred children (under the age of fourteen years)	1,546
Adult half-castes	1,108
Children (under fourteen) half-castes...	1,271
In all—Adults...	6,102
Children	2,817

Grand total 8,919—equal to 7,510 statute adults.

A most comprehensive and interesting Return (Appendix B) has, by the kind and useful aid of the Inspector-General of Police and the officers of his department, been furnished, showing in detail every obtainable particular in respect of the aborigines all over the Colony.

Since the date of my previous Report we have been able to afford aid to the aborigines in the districts named below, and of the description also shown herewith, viz. :—

Botany—To the aborigines there have been given boats and gear, fishing-tackle, some clothing, food, materials for building five houses or huts (special reference hereafter made to this district).

Casino—Rations; also medical aid and medical comforts.

Copeland—Application for grant of land for aborigines to cultivate grain, vegetables, fruit, and to form homes and habitations; also a supply of agricultural implements, had their land ploughed for them, &c., &c.

Coonabarabran—Flour, tea, sugar, &c., supplied.

Currambeen—Flour, tea, sugar, &c., supplied.

Coraki—Flour, tea, sugar, &c., supplied.

Clarence Town—Flour, tea, sugar, &c., supplied.

Cox's River—Flour, tea, sugar, &c., supplied.

Coonamble—Flour, tea, sugar, &c., supplied.

- Denison Town—Flour, tea, sugar, &c., supplied.
- Dubbo—Flour, tea, sugar, &c., supplied.
- Hastings River—Flour, tea, sugar, &c., supplied.
- Jervis Bay—Biscuit or flour, tea, sugar, clothing, knives, tomahawks, cooking-utensils, ammunition, boat and gear, fishing-tackle, &c., &c.
- Lake Macquarie—Supply of rations to old aboriginal woman.
- Maitland—Some rations and clothing.
- Manero—Flour, tea, sugar, &c.
- Moruya—Flour, tea, sugar, clothing, &c.
- Milton—Flour, tea, sugar, clothing, &c.
- Macleay River—Application for grant of land for use of aborigines to cultivate grain, vegetables, &c., &c., to form homes; also a supply of the necessary farming implements, with rations of flour, tea, sugar, and some clothing.
- Manning River—Flour, tea, sugar, and some clothing.
- Nanbuckra—A very fine boat and full gear, &c., &c.
- Oatlands—Flour, tea, sugar.
- Penrith—Flour, tea, sugar.
- Picton—Flour, tea, sugar.
- Port Macquarie—Application for grant of land same as that of Macleay River; also flour, tea, sugar, &c.; a boat and gear to be sent.
- Paterson—Tea, sugar, flour, and clothing.
- Pudman's Creek—Tea, sugar, and flour.
- Port Stephens—Boats and gear, fishing-tackle, bread, tea, sugar, and clothing.
- Rollands Plains—Flour, tea, sugar, and clothing.
- Rye Park—Provisions (tea, sugar, flour, &c.).
- Shoalhaven—Provisions (tea, sugar, flour, &c.).
- Sackville Reach—Bread, tea, sugar, &c., &c.
- Singleton—Flour, tea, sugar.
- Taree—Flour, tea, sugar, and clothing.
- Tuross—Flour, tea, sugar, &c.
- Tilba Tilba—Flour, tea, sugar, &c.
- Tomakin—Flour, tea, sugar, &c.
- Tinonee—Flour, tea, sugar, &c.
- Ulladulla—Flour, tea, sugar, &c.
- Wingham—Flour, tea, sugar, &c.
- Yass—Flour, tea, sugar, &c.

Other districts have since been supplied with aid of provisions, boats, fishing-gear, &c., and in no instance, where application for aid to the aborigines has been made, has there been any neglect, refusal, or delay in supplying it.

From the preceding statement it will be seen that much useful aid has been distributed to many hundreds of the aborigines all over the Colony. I have evidence that this distribution of the bounty of the Government, among this hitherto neglected people, has been a great comfort and blessing to them, and particularly so to the old, infirm, and helpless among them.

It is unquestionably necessary that this assistance should be kept up with the pure-bred aborigine especially. I maintain the opinion I have always held with regard to the half-caste portion of the aborigines, viz, that they should be compelled to work in aid of their own requirements. They are well able to do so, having strength, experience, and intelligence to qualify them for it; whilst I am of opinion that the pure black should be taught, encouraged, and aided in doing something for his own sustenance and comfort; but as this subject is a large and important one, it will be for the consideration and action of the Legislature to determine what will be the best and wisest course to take in respect of support and civilization of the aborigines of this Colony. And the question of the annual cost of this aid to the aborigines will be a serious one for Parliament. It will be easily seen that inasmuch as it will cost at the least £20 per head to provide each aborigine with simple necessaries, and as the census I have had taken shows there are at least equal to 7,500 statute adult aborigines in the Colony, the cost would be £150,000 per annum. Although it is unlikely that all these 7,500 adults will require aid, yet provision should be made for them; they are entitled to be equally considered and provided for all over New South Wales.

From some of the districts in the interior it has been urged upon me that this succour to the aborigines (and particularly so in reference to the half-castes) has been productive of ill-effects by making them indolent and useless, and thereby depriving those places of the very useful labour had from these men, and where labour is so scarce and so much needed. I have thought it no part of my duty to interfere with the matter, nor have I ever done so.

I am strongly of opinion that reserves of land should be made in such parts of the Colony, where it can be conveniently and usefully done, for the purposes of the aborigines, to enable them to form homesteads, to cultivate grain, vegetables, fruit, &c. &c., for their own support and comfort. This plan would be productive of the most beneficial results. We are progressing with this plan with great promise
of

of success at Copeland, Lower Macleay, and other places. I have every reason to hope and expect great success from granting reserves of from 10 to 40 acres of land for the uses of the aborigines in their own particular districts, as already indicated in this paragraph, and as shown in the statement of aid rendered, and of the nature of that aid, viz., agricultural implements, ploughing their land, giving them seed, &c., to sow, helping them to fence in their land, build huts, &c.

I deem it necessary again to state, with regard to the Aboriginal Mission Stations of Warangesda and Maloga, that these institutions are the creation of private enterprise and benevolence, free of any control or interference by the Government, and, of course, quite outside the power and interference of the Protectorate. Yet, whenever my assistance has been asked by either of the gentlemen who manage those institutions, it has always been willingly given. I have not always succeeded in my applications made on their behalf, but I have at all times tried my best to do so. I repeat that the Mission Stations of Warangesda and Maloga are private institutions, free of all control by the Government or the Protectorate. They have recently been the subject of inquiry by a special Commission; a report thereof has just been laid on the Table of Parliament. I need not make further reference to it; nor do I deem it necessary to notice herein some correspondence in the Press from one of the managers of the stations, having fully replied to it already through the same medium.

It having been stated in Parliament and in the Press, in regard to the aborigines located at La Perouse, near Botany, that they had at times been allowed to suffer from neglect and want of food, I deem it necessary to report upon that subject fully, and, I do not doubt, satisfactorily.

One of my first anxieties on assuming the duties of Protector was to endeavour to get all the aborigines away from Sydney and suburbs and back into their own districts, and I took such steps as would attain that object. I found some of them had settled at La Perouse, and were anxious to remain there. They had several boats, by which means—catching fish and letting their boats to visitors—they were able to earn some money; they were also at times assisted by some kind friends with food, &c. I also made arrangements by which they were to be supplied at Botany with flour, tea, and sugar, and duly informed them of that arrangement. They were able to catch fish and use them for food, or sell them and purchase meat, so that I did not think it necessary to supply them with meat, nor do we in any district supply the aborigines with meat as part of their ration. I took the precaution of asking the permission of the Inspector General of Police to authorize and instruct his officer stationed at Botany to look after these aborigines and see they did not at any time be in want of food. I also visited them and personally explained to them that they should be properly looked after, and if they were in want of anything else—clothing for their children, cooking-utensils, fishing-gear, or other necessaries—they should be supplied with them. They said if I would give them a good boat—one fit to go to sea—to enable them to go long distances safely, to catch fish, they could thereby earn enough money to provide themselves with all they wanted, and would not require any Government rations. I had a very first-class and suitable boat built for them, fully equipped and provided. They are much pleased and earn a good deal of money with this boat. I also told them they should have a good supply of fishing-lines, hooks, &c., and need only come to Sydney to get them.

I also made them understand that they were still to be supplied with rations whenever they wanted them, and they knew that an arrangement had been made with a storekeeper at Botany to issue the rations to them. To make them more fully understand all this, I wrote them a letter from Sydney to that effect. I also sent out materials for building houses for themselves—boards, galvanized-iron, tools, &c., sufficient to build five huts or houses. They have expressed themselves as being very thankful to me for what had been done for them. A sum little short of £100 has been spent upon these aborigines at La Perouse within the last few months. The men are all young, strong, intelligent (some able to read and write), able and willing to work—they are nearly all half-castes, with half-caste wives, and a number of children. There were doubtless occasions when visitors—aborigines from other districts—would cause their provisions to suddenly run short. They do not, as a rule, keep a stock of provisions, indeed have no habits of economy in such things. If they were short of provisions at Christmas or any other time, it was not from any neglect or refusal on my part to supply them; it could only have arisen from their own carelessness in not going to the storekeeper at Botany for them; and I undertake to say the aborigines at La Perouse will bear me out as to the correctness of this Report in regard to them.

The state of things, under the issue of the Government bounty, which existed prior to the establishment of the Protectorate, was disgraceful in the highest degree. It cannot be fully described, except in language unfit for this paper, but will perhaps be sufficiently shown and explained in the official reports of the police authorities, as to the disgusting state of things among the aborigines maintained by this misplaced charity at the Government boat-sheds at Circular Quay, and at Botany, copies of which reports are hereunto appended. It will doubtless surprise those who read these reports to know that people can be found advocating a return to that system! I also forward herewith a statement showing the expenditure (as far as we have received accounts) to date. I have had to exercise every proper care in disbursing the public money, whilst I have not allowed any application for aid to go unheeded. I have reason to hope and expect that the action of the Protectorate with regard to the aborigines will evoke a feeling of confidence and approbation from all those places in the interior where our help, under the bounty of the Government, had reached them.

I have, &c.,

GEORGE THORNTON,
Protector of Aborigines.

Sydney, 22nd January, 1883.

Laid on the
Table of the
Legislative
Assembly, 18th
January, 1883,
and upon the
Table of the
Legislative
Council, 24th
January, 1883.

Sub-Inspector Johnston to The Superintendent of Police.

Sir,

No. 4 Police Station, 28 January, 1881.

I have the honor to report for your information that for some months past a number of aborigines have been sheltered in the Government boat-sheds on the Circular Quay, and that during the late holidays especially they have been a perfect nuisance, not only in this neighbourhood, but also in many of the public streets of the city, in consequence of their drunken and filthy habits. Several of them have been recently locked up during the night-time for drunkenness, fighting, and riotous behaviour, a state of things which I need scarcely add has been brought about by the facility with which these unfortunate creatures obtain money in Sydney, *i.e.*, by begging and other disgraceful means.

In consequence of complaints being made to the police of the noisy and disorderly conduct of the aborigines in the boat-sheds during the night-time, I caused the matter to be brought under the notice of Captain Hixson, who at once directed Mr. Poole (the person in charge for the Marine Board) to expel them from the boat-sheds. This has not been done, as it appears Mr. Poole was under the impression the aborigines were allowed temporary shelter by the sanction of the Government, and seeing that rations had been supplied them daily since their arrival in Sydney.

On visiting the boat-sheds this evening I find that several of the aborigines have during the past few days left for their respective districts, but there are still about seventeen (17) lodging in the sheds, amongst whom are five women and four children, blacks and half-castes. They appear to belong to the Kiama and Shoalhaven District, and have no property with them, with the exception of an old boat which has nearly gone to pieces, and state that they have left their boats, fishing-lines, and seines at Kiama.

I would respectfully suggest that the aborigines now remaining be supplied with a free passage by steamer to Kiama and Shoalhaven, and the police could see them on board, which I think would be the quickest and most effectual means of getting rid of them.

I have, &c.,
S. D. JOHNSTON,
Sub-Inspector.

Sub-Inspector Donohoe to The Water Police Magistrate.

Sir,

Water Police Station, Sydney, 29 January, 1881.

I most respectfully beg to report for your information with reference to a number of aboriginals at present living at one of the Government sheds, Circular Quay. I may state from my own knowledge that I have known more or less of these people living in a portion of the Marine Board shed for the last two years, but they have increased in numbers during the last twelve months. At present they number eighteen blacks and half-castes, males and females, all huddled together in one sleeping-place. I have reason to believe that the shed is sometimes used for the purpose of prostitution, as men (Europeans) have been seen to leave the shed hastily on the approach of the police. One of the half-caste women is now in gaol, being convicted as a common prostitute. Their conduct of late has been of the worst description, as they obtain drink about the city, and in their drunken state, when they collect at the boat-shed, frequently assault each other in the most brutal manner, and cause crowds of people to assemble at the boat-sheds. Very frequently of late I have had to send the water police among these people to restore order, and have brought many of them before the Water Police Bench for drunken and disorderly behaviour, and also for assault. I consider them a nuisance to the neighbourhood, as they roam about town by day getting drunk, and wrangle and quarrel all night.

I beg to submit a report from Constable Little, who is constantly on day duty on Circular Quay, and can testify as to these people's conduct on holiday times.

JOHN DONOHOE,
Sub-Inspector.

Sub-Inspector Donohoe,—

Water Police Constable Little reports, for the information of Sub-Inspector Donohoe, with reference to the conduct of a number of aboriginals that are located in the Government boat-shed, Circular Quay:—

The constable has been daily doing duty on the Circular Quay for over twelve months, and it has been almost a daily occurrence for these blackfellows to come about the Circular Quay begging, meeting with sympathisers, get drunk, and assault each other, their wives and children, in a most savage manner. This collects sometimes two or three hundred people, and frequently stopping the public thoroughfare. Some of them have been locked up and punished—in fact their conduct has been very bad in various ways, and they are a public nuisance. The constable has had a great many complaints made to him of their conduct, from all sorts of society. The constable has seen them pushing in and out of the excursion steamers while half drunk, to the annoyance of passengers, and sometimes endangering their lives by nearly knocking them overboard. The constable has on a great many occasions had to remove them from the various places where they misconduct themselves on the Circular Quay.

PRINCE F. LITTLE.

The Inspector-General of Police to The Principal Under-Secretary.

Sir,

Police Department, Inspector General's Office, Sydney, 1 February, 1881.

In accordance with the Colonial Secretary's instructions conveyed in your letter dated the 27th ultimo, No. 81,446, I have caused inquiry to be made regarding the representations made by the Hon. G. Thornton respecting aboriginals congregated in town, and submit herewith copy of Sub-inspector Johnstone's report in the matter.*

It is extremely desirable that the aboriginals should as far as practicable be discouraged from coming to Sydney; and although, in cases of sickness or inability to work, it may be necessary to issue rations

rations to some of them occasionally, yet I think it would be better to do this in the districts to which they belong. I have always understood that as a rule aborigines could readily earn a livelihood by fishing and other pursuits.

Might I be allowed to suggest the desirability of placing all matters connected with the aborigines under the control of one officer or an Honorary Board.

In some districts there are special arrangements for medical attendance upon them, in other places for the supply of rations, boats, and gear, whilst throughout the Colony supervision is necessary as regards the issue of blankets.

I have, &c.,

EDMUND FOSBERY,

Inspector-General of Police.

* 81/779, 3rd February. 81/446. Hon. G. Thornton, M.L.C., 18th January. Drawing attention to condition of aborigines living at Government boat-shed, Circular Quay, and requesting Water Police Magistrate's report on same.—W. P. NEAGLE, B.C., 27 January, '81.

The Water Police Magistrate to The Principal Under-Secretary.

Sir,

Water Police Office, Sydney, 15 February, 1881.

In compliance with the instructions contained in your B.C. communication with reference to the letter of the Hon. G. Thornton, I have the honor to report, for the information of the Hon. the Colonial Secretary, that I find upon inquiry (as stated by Mr. Thornton) the aborigines camped in the Government boat-shed "are constantly drunk, fighting, and swearing"; I understand also that they roam the streets all day long begging, and that late at night they return to their camp in a state of intoxication, where they commence quarrelling and fighting.

As will be seen by Mr. Sub-Inspector Donohoe's report (which I have the honor to forward), Europeans have, upon the approach of the police, been seen to quit the aboriginal camp at night, where they (the Europeans) could have gone, it is to be inferred, for only immoral purposes.

Another great objection to these aborigines remaining at the boat-shed or its neighbourhood is the circumstance of the men belonging to H.M. war-ships in harbour having constantly to pass and repass the place on their way to and from their ships, and who might from various causes be unwittingly drawn into some serious affray with them.

Mr. Thornton's suggestion "that no rations be hereafter issued to any aborigines, except within the limits of their own particular districts" would I imagine in a measure help to cure the evils complained of.

I have, &c.,

Submitted, 17/2/81.

J. MILBOURNE MARSH, P.M.

Memo. of Inspector-General of Police to Sub-Inspector Donohoe.

Police Department, Inspector-General's Office, Sydney, 8 July, 1881.

I AM informed that aborigines are camped at the boat-shed, Circular Quay, and that white men and boys go to the camp with liquor, and remain with the women. (See 2 sec. Vag. Act.) I should wish Mr. Donohoe to pay attention to the complaint, and report.

E.F.

Sub-Inspector Donohoe to The Inspector-General of Police.

Sir,

Water Police Station, Sydney, 8 July, 1881.

I most respectfully beg to report for your information with reference to the complaint made respecting the aborigines camped at the Government boat-shed, Circular Quay. I may state that at present there are about twenty aboriginal men, women, and children living in the Marine Board portion of the Government shed, and have been more or less in number there for years past. The Hon. G. Thornton wrote to the Government some months ago, with a view to the removal of these aborigines to their own districts. I then furnished a full report to the Water Police Magistrate on the condition of these aborigines, which report was forwarded to the Colonial Secretary. I then recommended their removal from the shed, as they were found to be a source of annoyance to the public, more especially on holidays, about the wharfs.

These aborigines roam about town most of the day, and return to the shed at night drunk, when they fight and assault each other in the most brutal manner, causing crowds to collect at the shed at times.

I frequently send the men from this station to restore order among them. They have occasionally been arrested and punished for drunken and disorderly behaviour, and been arrested in a drunken state conveying liquor to the shed. One of the half-caste women was sent to gaol a short time ago as being a common prostitute. The Water Police have seen men (Europeans) leaving the shed hurriedly, but never in the camp with the blacks, at night-time. The men on leave from the ships-of-war generally return to their vessels close by this shed, and may sometime cause a disturbance with the blacks.

I would therefore suggest their removal from the shed, more particularly as the Detached Squadron will be in port in a few days.

JOHN DONOHOE,

Sub-Inspector.

Will Mr. Donohoe see the Hon. G. Thornton and make a suggestion where these aborigines should be removed to. Are they supplied with Government rations?—E.F. Sub-Inspector Donohoe, 10 July.

Sub-Inspector

Sub-Inspector Donohoe to The Inspector-General of Police.

Sir,

Water Police Station, Sydney, 12 July, 1881.

I would further beg to state that I waited on the Hon. G. Thornton this morning respecting the blacks camped at the boat-sheds. Mr. Thornton said that he took it as a compliment to him the action taken by the Inspector-General in the matter, and, as he had already brought the whole subject under the notice of the Colonial Secretary, he would now suggest that the Inspector-General write to the Colonial Secretary at once, urging the necessity of the immediate removal of these aborigines to their own districts, where they might be allowed rations, and not in Sydney.

JOHN DONOHOE,
Sub-Inspector.

Memo. to The Water Police Magistrate.

Police Department, Inspector-General's Office, Sydney, 15 July, 1881.

Will the Water Police Magistrate instruct Sub-Inspector Donohoe to attend to this matter at once.

EDMUND FOSBERY, I.G.P.

Sub-Inspector Donohoe to The Inspector-General of Police.

Sir,

Water Police Station, Sydney, 15 July, 1881.

I beg to state, that with a view to carry out the instructions contained in attached papers, I went to the blacks' camp at the boat-shed yesterday and offered passages by steamer to any of them that would go to the districts they belonged to. None of the aborigines appeared willing to leave Sydney, and on being told that they would not be allowed to camp in the boat-shed, about ten in number went at once to the North Shore, an equal number went to Manly, and one wished to go by train to Cootamundra. I sent a constable with him to obtain a passage, but the constable missed him on the road, and I cannot say whether he went or not.

The boat-shed is now clear of aborigines, and I recommended Mr. Poole, the person in charge of the shed, not to allow them to camp there in future.

I think some of the blacks will accept the offer I made them in a few days.

JOHN DONOHOE,
Sub-Inspector.

Forwarded to the Inspector-General of Police.—J. MILBOURNE MARSH, W.P.M., 16th July, 1881.
Will the Inspector-General of Police be so good as to report whether the aborigines have been removed from the Government boat-shed.—B.C., 24/8/81.—C.W.

Sub-Inspector Donohoe to The Water Police Magistrate.

Sir,

Water Police Station, Sydney, 24 August, 1881.

I do myself the honor to report for your information that the aborigines who were camped at the Government boat-sheds were removed on the 14th July last, as stated in my report attached of 15th July. None of the blacks have since returned to the sheds.

I have since furnished water-passages by steamer for seven of the number who have gone to their districts, viz., three Hunter, two Kiama, two Illawarra.

JOHN DONOHOE,
Sub-Inspector.

Forwarded to the Inspector-General of Police.—J. MILBOURNE MARSH, W.P.M.
The Inspector-General of Police reports that all the aborigines have been removed from the Government boat-shed, 26/8/81. Forwarded to the Principal Under-Secretary.—EDMUND FOSBERY, I.G.P.

The Protector of Aborigines to The Principal Under-Secretary.

Sir,

Sydney, 18 January, 1881.

I feel it my duty to bring under the notice of the Honorable the Colonial Secretary a disgraceful state of things which has existed for many months past, and now still going on. I allude to the fact that a number of aborigines (about thirty, I am informed) from various districts in the interior and coasts of this Colony—blacks and half-castes—men and women—are living in the Government boat-sheds on the Circular Quay, supplied with food and rations by the Government, but are constantly drunk, fighting, cursing and swearing, and doing much worse than these. They are a public nuisance, are demoralized, and fast destroying themselves by drink and its horrible accompaniments.

Many of these people have had boats, fishing-lines, seines, &c., &c., supplied to them by the Government, in their own districts; they have abandoned the boats, &c., left them to be destroyed, being attracted to Sydney, and encouraged to remain here, by having shelter and rations given to them.

There is not one person left of the Sydney or Botany tribes, nor has there been one for some years.

I venture to suggest that it be ordered that no rations shall be now or hereafter issued to any aborigines except within the limits of their own particular districts. Kind friends can always be found—a clergyman, police officer, &c.—in every district to willingly and gladly undertake the duty of issuing the rations. This course would perfectly remedy the many evils now existing among them in Botany, Sydney, &c., and would be the greatest blessing to the poor creatures themselves.

It will scarcely be credited, I am sure, that such an abominable state of things now exists with these people in Sydney and Botany, and especially at the boat-sheds, Circular Quay.

I would also suggest that my letter be referred to the Water Police Magistrate, Sydney, for inquiry and his report thereon. I feel certain that his report will at least confirm my statement and lead to a quick remedy. I respectfully urge upon the Honorable the Minister that it is a great, a serious mistake, and is productive of the worst consequences—the issuing of rations to the aborigines in any place outside of their own particular districts—and should be immediately discontinued. I claim to have a good knowledge of the people, and to be second to no one in the Colony as their friend, and one desirous of having kindness—useful kindness—done to them.

I have, &c.,

G. THORNTON.

Police Report on Botany Blacks, 27th December.—Senior-constable John F. Byrne to Inspector Waters.

Botany Police Station, 28 December, 1882.

SENIOR-Constable Byrne respectfully reports for the information of Mr. Inspector Waters, with reference to the aborigines at La Perouse being in want of food. On the above date Senior-Constable Byrne, accompanied by Constable Graves, visited their camp, and from inquiries made from the aborigines found they had not been, nor were they at present, in want of food, but on account of a number of aborigines from different places visiting them during Christmas holidays, their stock of provisions would have been inadequate had not Messrs. Hill and McElhone supplied them with a quantity of meat and bread. The senior-constable begs to state that on the 6th inst., Foot and Dixon were each supplied with 8 lbs. flour, 2 lbs. sugar, $\frac{1}{4}$ lb. of tea. On the 11th inst. Timberly and Edwards were supplied with the same quantities. Again, on the 23rd inst., Foot, Dixon, Timberly, and Edwards each received 8 lbs. flour, 2 lbs. sugar, $\frac{1}{4}$ lb. tea. At this time they stated they were not in want of food, but being so near Christmas the senior-constable thought it advisable to supply them with some provisions. The senior-constable desires to add that it is a well-known fact that when a stranger visits their camp they complain bitterly of the want of food, with a view to obtain money for the purpose of purchasing liquor, as every time they visit Sydney on their return to Botany they are more or less under the influence of drink.

JOHN F. BYRNE,

Senior-constable.

Report of Senior-Constable Byrne.

Police Station, Botany, 17 January, 1883.

Senior-Constable Byrne begs most respectfully to report for the information of his officers that he has been stationed at Botany for over two (2) years.

In the year 1881 there were about fifty (50) aborigines, all told, in the district. They had two (2) camps—one (1) at La Perouse, the other on the reserve at Botany. The chief camp was at La Perouse, where there were about thirty-five (35); the remainder, about fifteen (15), were camped on the reserve. They were continually going to and fro from one camp to the other, and were occasionally visited by aborigines from Wollongong, George's River, and Burragorang. During this year, when they received rations, nearly all visited Sydney, when they received an order from the Hon. R. Hill, M.L.C., for the supply of same. This took place about every Saturday, and generally on their return to camp the majority would be in a semi-state of intoxication, and the senior constable noticed that many of them returned without rations, having either sold or lost them on the way. It was on one of those occasions, viz., May 7th, 1881, the aboriginal Bundong fell from the roof of a bus and was killed.

At this time there was a large number of young girls in the camp; and about the month of August, Mr. Matthews, of the Mission Station at Maloga, visited the camps and persuaded the greater portion of the females (some of whom had husbands) to remove with their husbands to the station at Maloga; this they did, and the camp on the reserve was shortly after broken up. Up to the time of Mr. Matthews' visit they very seldom done work of any kind, and their conduct was a great nuisance to the neighbourhood of Botany in consequence of their intemperate habits, quarrelling with each other in camp; and again, a number of young men (Europeans) used to visit the camp for immoral purposes; these people, it is presumed, gave them money which they spent in drink. The senior constable frequently visited their camp with a view to detect the intruders (Europeans), but they were always warned of his approach by the aborigines or their associates.

During the whole of the year 1882 there was but one (1) camp, viz., at La Perouse, and the average number of aborigines there has been about twenty-six (26) all told. They still occasionally have been visited by their countrymen from Wollongong, George's River, and Burragorang. The male portion follow the occupation of fishermen, and are supplied with several Government boats for that purpose. Their gins assist to earn a living by making shell baskets, which they sell in Sydney and the suburbs.

The senior constable is not aware whether they were in receipt of Government rations or not, but on the 23rd August he received, through his Inspector, an order from the Hon. G. Thornton, M.L.C., to supply them (the aborigines) with provisions, should they at any time be in want through bad weather, &c. On the following day the senior constable visited the camp and had them supplied with rations, and informed them of the instructions he had received, and told them should they at any time be short of food to apply to him and he would immediately attend to their wants; but, although they perfectly understood him, they have not up to the present applied more than five or six times altogether. He may mention that he supplied them with rations personally at Wiggins' grocer shop, on Botany Road, on Saturday evening, 23rd December; the supply was tea, sugar, and flour.

The

The senior constable desires to state that, as the camp is distant about five (5) miles from Botany, he can only occasionally visit them, consequently he has only a limited acquaintance with their habits, &c., but this he can say they are able-bodied and well able to work if they were so inclined, but on the contrary they appear to be of a very idle disposition, and are all of intemperate habits.

JOHN F. BYRNES,
Senior Constable.

Forwarded to the Inspector-General of Police. Senior-Constable Byrnes having frequently visited the Aborigines' camp has of course a better knowledge of their condition and circumstances than the officer in charge of the division.—G. READ, Supt., 18/1/83.

Forwarded for the information of the Protector of Aborigines, in reply to his letter of the 12th instant.—EDMUND FOSBERY, J.G.P., B.C., 18 Jan., 83. The Protector of Aborigines.

The Protector of Aborigines to Mr. J. DIXSON.

Sir,

Sydney, 6 October, 1882.

I address you for the aborigines now at La Perouse, to let you know I have sent out to your camp a case of galvanized iron roofing, about 140 sheets 8 feet long, with the ridge-capping, screws, &c., to form the roof of the new huts you wish to put up. The huts should not exceed 15 feet wide from outside to outside, so that the 8-foot sheets will allow a little overlap; and of course this iron must only be used for roofing. If you want any further help in completing the huts let me know, and, if reasonable, I will give it to you. I would like to see the huts put up as soon as possible. I have also ordered a new and very suitable boat to be built for you, with sails, oars, centre-board, and everything complete, but cannot get her finished in less than a month.

I also wish the old women (aborigines), and those who have children, at La Perouse, to get a weekly ration of 8 lbs. flour, 2 lbs. sugar, 4 ozs. tea—children half rations—from the grocer who supplied the last. I hope to go out again soon to see you all, and will let you know when I am coming.

Yours truly,
GEO. THORNTON,
Protector of Aborigines.

Mr. J. G. Coote to The Inspector-General of Police.

Sir,

Aborigines Protectorate Office, Colonial Secretary's Department, 23 August, 1882.

There are some aborigines, half-castes, &c., encamped near La Perouse, Botany, who have been supplied by the Government with boats, &c., but it may happen during some continuance of bad weather, or from other causes, they may at times be in want of food. I am requested by the Protector of Aborigines to ask your usual kindly assistance in such matters, by causing instructions to be given to the officer of police stationed at Botany, that he will visit them occasionally, and not allow them to suffer from want of food, but doing anything promptly in respect of same in any case of necessity arising. Any food so supplied shall be duly paid for by this Department, and also to instruct the officer to report now and then as to the condition and behaviour of these people.

I have, &c.,
T. GETHIN COOTE,
Secretary.

APPENDIX A.

From Aborigines William Foot and others to The Protector of the Aborigines.

La Perouse, 20 January, 1883.

Mr. George Thornton, Protector of Aborigines,—

We have written a few lines to you that Mr. Thornton was good to us so far, for he gave us all that we wanted from him—that was the tin [galvanized iron roofing] and timber, and the tools; so that Mr. Thornton gave us all that we applied to him for. As for the food, we used to get it when it was bad weather, for we did not apply to Mr. Thornton for weekly food; for if we had applied to him, perhaps we would have got it long ago; and the boat we got too from Mr. Thornton; he did not refuse us anything that was.

WILLIAM FOOT,
WM. ROWLEY,
CHARLES EDWARDS,
JOSEPH DIXON, and
TIMBERLY.
That is all.

APPENDIX B.

The Secretary to the Protector of the Aborigines to The Principal Under-Secretary.

Sir, Aborigines Protectorate Office,
Colonial Secretary's Department, Sydney, 12 September, 1882.

Herewith, by desire of the Protector of the Aborigines, I beg to hand in, for the information of the Colonial Secretary, a supplemental statement in regard to the Aborigines, showing—

- 1 & 2. Ages—sexes of Aborigines and Half-castes.
3. How employed?
4. If in need of Government aid, why? and in what shape most requisite?
5. If provided with fishing boats by Government or otherwise. If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby?
6. If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent?
7. If all supplied with Government blankets? If issue necessary, or in any way misappropriated?
8. If in need of supply of clothing by Government?
9. If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking if practicable?
10. How medically attended when sick?
11. Any special information regarding race likely to be of use and interest in considering their condition, and the replies which have been obtained from these inquiries.

I have, &c.,
T. GETHIN COOTE,
Secretary.

If in need of Government aid, why? And in what shape most requisite?	If provided with fishing-boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent?	If all supplied with Government blankets? If issue necessary, or in any way misappropriated?	If in need of supply of clothing by Government?	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
No	Nil	Nil	No, not necessary	No	No	By their employer.	
No	One boat on Uega River used by aborigines fishing with lines and hooks. The boat requires repairs and painting.	No	Yes. Issue necessary. Not aware of any being misappropriated.	The old men and women require warm clothing in winter	A few of the old men and women are addicted.	By the Government, Medical man, Dr. Sheil.	Senior-constable Church begs to suggest that a fishing-net be supplied to the aborigines; also, a grant of land on Uega R. (say 40 acres) to each family.
No	No	No	Not required				
No	No	The aboriginal girls go to school daily.	Yes	No		By doctor.	
Yes; clothing	No boats	None	Yes	Yes	Yes. They obtain liquor from the inhabitants of Bomahala and Delegate. Police endeavour to check it.	Dr. Watson, of Bomahala.	No.
No	Yes. Boat in fair condition, also gear. They are very careful. Considerable sums earned with boat.	No	Yes	Yes; children and old people.	Yes. Two men, one half-caste, one woman drunkards. Liquor obtained from public-houses by white men & women (drunkards).	Nil.	
No	Not required	Nil	Not required	No	No	Nil.	
No					Intemperate occasionally, gets drink from her husband.	Not known.	
No; all very well off	Four boats in this portion of district in fair order, and properly cared for. Impossible to say what they earn.	Two aborigines and two half-castes are instructed by Mr. Bennett, Public School teacher.	Yes. Issue necessary	No	Yes, wherever they can get it, but do not often get a chance.	Dr. Boot, Moruya	The half-castes in this district are remarkably well off, and can earn the same wages as Europeans. The half-castes generally use the boats. The names of those receiving Government aid are as follows:—Merriman, age 60; Maxwell, age 60; Naddy, age 60. The two last-named are unable to walk.
Three aborigines very old. Aid would be requisite in the shape of food and clothing.	Two supplied with boats which are in good condition. Subsistence earned principally fishing.	None	Yes	Three in need	No	None receive medical attendance.	
Tom Brown & family very much in need of a boat to aid them in earning a living.	Abraham is well taken care of and in good condition at the present time.	No	Yes. Issue necessary, and not misappropriated.	No	Elderly males are, if they can get liquor. Supposed to be got occasionally when employed by whites.	None	Tom Brown (half-caste), wife, and seven children (ages from 2 to 21 years), living on the Clyde River, are very industrious. Have applied to Police Magistrate for a Government boat to assist them in getting a living. The others have no settled place of abode for any time.
Nil	Nil	Nil	Nil	Nil	Not much		
About eight in need of Government rations. Three old women, one blind man, and four children. It would be difficult to suggest in what shape Government aid would be of service when there are so few, and these scattered through large districts, and not permanently located in any place.	No; not required	Three or four half-caste girls and two boys have been educated at the Catholic schools, Yass.	Yes. Issue necessary. In a few cases blankets have been sold.	Nothing further than they are already receiving.	Yes, with few exceptions. Generally from public-houses.	By a doctor	No.
		No, there are no aboriginal children in the Dubbo district, and the half-caste children are so circumstanced that instruction would be impossible.	Not always. There were several poor creatures at Morangarell last year who received none, for the reason that no blankets are sent to the Young sub-district. Some of these aborigines in this report receive their blankets at Gundagai. The blankets of late years supplied to the blacks are of an inferior description, in some cases moth-eaten and useless.	Yes, each black, and particularly the children would require a suit of warm clothing for the winter.	For the most part they are but I have known males and females who would not take spirits. The liquor is obtained principally at public-houses, sometimes from Europeans, who take it to their camps. I do not think there is any mode by which drink to the aborigines could be checked.	When sick, and it is known to the police, the patient or patients receive medical attendance from Government Medical Officers, at the instance in all cases of the police. Many cases receive many comforts and provisions until quite strong.	Have known blacks in the Broadwood and Coast districts very intelligent, who have been and now are excellent farm labourers, and whose operations at all times were to be allowed some land which they might call their own in reality, which they might cultivate unimpeded for the use of themselves and their families; and where the aborigines of the surrounding districts might meet periodically for the purpose of holding corroborees and other exhilarating games.
			All supplied		All addicted. Secretly supplied by travellers and others.		Different times of the year when blacks muster at Corowa, there are about twelve or fifteen asking for blankets. None reside near Corowa.
No	No	No	No	No	No	Attended by family practitioner.	
Yes. Some land to cultivate. They say they are driven away by owners of land.	Not provided	None	All supplied. Issue necessary, and not misapplied.	Yes, the women and children are very miserable in winter	Very little, but they no doubt sometimes obtain liquor at bush public-houses, or from persons drinking at such places, but they have been prosecuted by the police, when evidence was forthcoming.	Police look after them.	There are two tribes. A piece of land on the river for each, where they could make homes, and the men cultivate and employ themselves, the girls at fishing, should they be supplied with boats. Proper boat sheds on high ground would be necessary.
			Not necessary	No	No		

If in need of Government aid, why? and in what shape most requisite.	If provided with fishing-boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent.	If all supplied with Government blankets? If issue necessary, or in any way misappropriated?	If in need of supply of clothing by Government?	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
Yearly blankets only	None required	None	Yes, some of the blankets have been sold to civilians, but not a frequent occurrence.	No, plenty supplied by people in the district.	Some of the men and women drink very much if it can be got. The publicans now are afraid to supply them, but some of the civilians will get it for them.	The person by whom employed pays for medical attendance	The race seems either dying out or else gone to Mission Station at Darlington Point.
No	No	No	No application made for blankets for several years.	No	No	None	None.
No	No	Yes, religious instruction.	No. Not necessary.	No	No	None	When inspecting public-houses at Narrandera, on the 29th ultimo, I found several blankets branded N.A.W. Aborigines, in the bed-rooms, "Union Club Hotel," kept by James O'Sullivan, who accounted for them by saying he supposed his wife had bought them. The railway free pass is much abused by aborigines, who travel a boat to races, sports, and other public gatherings where they are likely to get liquor, and then become a nuisance. —W. G. CASEY, Sub Insr. I have taken action respecting this.—E. F.
Blankets	Nil	Children attend Public School at Camden Park.	Yes, to each child	Nil	Nil	Supplied by parents	Nil.
Nil	Nil		Not required	Not required	Nil	By master.	
Yes, in Winter they suffer very much from cold and wet. A tent or some covering would be a great boon, and ration in winter.	One boat provided by Government, and is kept in good condition. Ours and rail want mending. At present one family of half-castes entirely subsist by fishing.	Some half-caste children attend the Peterborough Public School and can read very well.	One blanket each was issued to each in May, which is not sufficient, they are not misappropriated.	Warm clothing in winter would be acceptable.	Very sober in this district.	Government doctor of the district attend and give them medicine.	Bark being scarce, a few iron huts would improve their condition.
Yes, in the improvement of their huts.	One boat is provided by Government in fur-cum-dition, and gear fairly looked after. In bad weather subsistence scanty.	Two children go to the Public School.	All supplied with blankets. Issue necessary. No information that blankets have been misappropriated.	Most of them in need of clothing.	They are not in the habit of drinking, except when they go to town. The drink is provided by white people.	Go to hospital.	
The four eldest should be given rations of flour, tea, and sugar, as they are unable to work. The rest ration through the winter. An old widow and 3 children, and a young aboriginal boy with cancer in the mouth, require permanent help.	Three boats have been supplied by Government. Boats and gear in fair condition. Fishing and oystering.	6 half-caste children have been attending Illadulla Public School, and attained 2nd Class proficiency.	Yes; issue necessary. No way misappropriated.	Clothing for those unable to work.	Some of them occasionally; liquor supposed to be given to them by Europeans; police endeavour to check it.	No sickness amongst them.	Boats required and a net.
Yes, some of the families having lost their fathers are now left almost without food, which with clothing are necessary.	Nil	At Public School, Cox's River, and Wollondilly River, Burragarang.	Yes. Issue necessary and in no way misappropriated.	Yes	No	Government Medical Doctor.	Nil.
To enable the old man, John Budget, to get on a living, if he had a gun he says he could get a good living by shooting opossums.	No		Yes. No	Yes. The old man and woman would be much benefited by a suit of clothes each.		1st nil. 2nd pay himself.	The female, Nelly, is the last of the Nepean tribe. They camp on the Government reserve in Castlereagh, Nepean.
The Jervis Bay blacks get Government rations. This is necessary as there are few white people in that locality.	No	The five are instructed by Miss Single.	Yes. No			Mr. Single's medical man.	
None	None	No children	Yes. Issue necessary and not in any way misappropriated.	Yes, at Jervis Bay	A number of them given to drink. But since the Act of 1882 came into force drunkenness has ceased.	Own expense.	
No. They can always get sufficient food from the farmers for whom they work. If they got food and clothing they would at once leave off work which keeps them out of mischief.	None	Yes. Frequently sold.	Yes. Frequently sold.	No	Yes. By white people but many publicans supply them.	Hospital	The race is nearly extinct. It is useless supplying them with boats or rations as they thereby can get rum.
They have no blankets and very little clothing.	The Sackville Beach aborigines are provided with a Government boat. It is in good order. A supply of fish is the only subsistence earned thereby. Two outrs required for boat.	All supplied. Yes. Not misappropriated.	All supplied. Yes. Not misappropriated.	No	The aborigines and half-castes in this district are very moderate in the use of intoxicating drinks. They get white people to obtain liquor for them. The only way to check this evil is to make it an offence to procure liquor for them.	Admitted to the hospital in connection with the Hawkesbury Benevolent Asylum at Windsor	Educate the half-castes. Nothing can be done to elevate the mind or change customs of aborigines.
Not in need	None	In need of blankets	In need of blankets	Temperate	Temperate	Nil.	
No	No	No	Not necessary	No	No	Local doctor.	Where there are tribes such as are at the Richmond River and other places, it would be a source of great pleasure for them to have hunting grounds reserved for their purposes.
Clothing and blankets required, wages earned to be insufficient for support.	No	No	No, do not require them.	No	No	Charitably	
Are receiving wages and in want of nothing	No	No	One only supplied with blankets; issue required by the others.	Yes	One of the aborigines is addicted to intemperance when he can obtain liquor, not known where obtained	By neighbours.	No sickness.
No	None required	None	Yes, have Government blankets each year.	No	Yes, addicted to intemperance at wine-shops and public-houses.	Both steady	They are well employed and taken as much care of as possible by the squatters and selectors in this district.

District.	Police Station	Number of Aborigines in Sub-district.							Number of Half-castes in Sub-district.							How employed, or supported? (Detail as far as practicable)				
		Men—Ages.			Women—Ages.			Children.	Total.	Men.—Ages.			Women.—Ages.				Children.	Total.		
		Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.					
North-western— <i>continued</i>	Carroll	....	....	..	..	..	..	..	..	..	..	..	..	..	..	..	4	5	Married to a native of the Colony, who is employed as boundary-rider.	
	Currahubula	....	....	..	....	..	..	..	..	..	..	..	..	..	..	..	..	8		Shepherding.....
	Barraba	....	....	..	....	..	..	..	..	..	..	..	..	..	..	..	1	1		
	Brecza	1	2	..	1	..	..	..	4	6	3	..	6	3	..	..	29	47		
South-western	Blackville	....	..	..	....	..	..	..	..	..	..	..	..	..	..	..	..	..	Men work on stations	
	Booligal	5	1	..	4	..	..	3	13	..	..	..	..	..	..	..	2	2		
	Balranald	23	20	5	20	20	..	8	98	2	..	..	3	..	..	..	3	8		Some employed on stations, and some live by fishing and hunting.
	Cudgellico	7	2	..	4	1	..	2	16	5	1	..	3	..	..	..	6	15		Working about the station
	Clare	9	..	1	6	..	..	1	17	1	..	..	..	..	..	..	..	1		Boundary-riding, killing rabbits, kangaroos, &c. Some receiving £1 per week as station hands
	Darlington Point	46	6	3	30	12	2	25	124	10	5	..	9	2	..	..	13	39		These on mission station. Adults fencing, building, clearing. Children attending school
	Dentiquin	6	5	1	4	2	..	3	21	2	..	..	3	..	..	..	5	10		The men between 20 and 40 are employed on stations and at country villages. When not employed they take to fishing and shooting.
	Euabalong	18	4	1	11	3	..	5	42	10	1	..	15	..	..	..	40	68		Generally working about stations.
	Euston	51	..	6	12	..	3	2	74	5	..	..	..	..	..	..	2	7		The younger blacks and most half-castes are employed by the squatters. They are very useful, doing almost all station work, viz., mustering and shepherding during the lambing season. The old blacks are chiefly supported by the squatters and younger blacks.
	Gilgunnia	5	2	1	6	2	..	2	18	3	..	..	2	..	..	..	3	8		Nine are employed on stations; get from 15s. to £1 a week, including four half-castes. The remainder, hunting kangaroos, get 5d per scalp from stations, but kangaroo hunting will not last long.
	Hillston	15	10	6	12	6	2	10	60	9	..	..	2	..	..	..	9	20		Some on stations during shearing only. They mostly decline to work in the extreme heat and cold.
	Hay	4	1	..	3	..	..	1	9	3	..	..	3	..	..	..	3	9		Police tracker, station hands, domestic servants. Half-caste married to an overseer.
	Jerilderie	2	1	..	2	1	..	..	6	1	..	..	1	..	..	..	1	3		Fishing and working on stations.
	Murundie	30	10	4	18	2	1	6	71	1	..	..	2	..	..	..	2	5		The greater part of year employed on stations in the sub-district, the males getting £1 a week while at work. The females get 12s. if willing to work.
	Mount Gipps	23	10	..	10	3	..	12	58	..	..	..	..	..	..	..	2	2		Stations
Milparinka	about 45	10	..	60	15	..	20	150	1	..	..	2	..	..	..	..	3	The males are employed by the squatters in the district bringing in the horses and general knock-about work, for which they receive food, clothes, and tobacco. Each blackfellow has one or two guns generally with him, they are fed in the same manner.		
Mount Hope	1	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	Employed on a station and receiving wages.	
Mossyiel	21	16	5	20	9	..	12	83	..	..	..	2	..	..	..	14	16	Men and boys are employed by well-sinkers and other contractors. On the stations looking after horses and bullocks, sheep and paddocks, and assisting at the woolsheds at shearing time. Very few of the women work, occasionally assisting the contractors' wives in their work.		
Maude	8	6	2	6	2	2	3	29	2	..	..	1	..	..	..	1	4	Stations employ most		
Mathoura	3	2	2	2	4	..	..	13	..	..	..	..	..	..	..	..	..	..	Work on stations	
Moama	6	..	..	6	2	..	10	24	7	..	..	9	..	..	..	25	41	Supported by the Maloga Mission Fund, and are employed in various works connected with mission station. At shearing time men employed on sheep stations.		
Thule Station blacks	1	1	1	1	..	1	2	7	..	..	..	..	..	..	..	..	..	..	Kangaroo hunting	

If in need of Government aid, why? and in what shape most requisite.	If provided with fishing-boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent.	If all supplied with Government blankets? If issue necessary, or in any way misappropriated?	If in need of supply of clothing by Government?	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
Not in need		No		Not in need	Sober	Local doctor.	
Blankets	No	No	No blankets supplied, issue necessary.	Yes	No	Nil.	Nil.
Not in need	No	One half-caste at Public School at Breeza.	All can be supplied with Government blankets by going to Guandah, but none have gone for them.	No	No	By doctor at Guandah.	
No	No	No	All supplied yearly	No	Yes. Cannot be stopped are supplied by all publicans.	No attendance	No.
Nil	Nil	Nil	Supplied with Government blankets, and misappropriated, issue necessary.	Nil	Yes, if they can get it at the public-houses (and give no suggestion how to check it)	Nil	Nil.
Don't know	No	No	Yes	Yes	Yes Public-houses. Cannot suggest.	Attend on one or other At local hospital	Race rapidly dying out.
Nil	Nil. No inner creeks or lakes.	Nil	All supplied with Government blankets annually	Nil	Yes; at public-houses and other sources unknown to the police.	At local hospital	Nil.
Mission station in need of food and clothing.	No Government boats or otherwise.	All the children are instructed by W. S. Carpenter, Government teacher. The entire community receive religious instruction from the Rev. J. Griddle.	All so supplied	Yes; one suit for summer and one for winter	Some old blacks so addicted. At bush public-houses. Strict enforcement of the Licensing Act.	All attended by the superintendent of Mission Medicine contributed by funds in Sydney. Supply badly inadequate.	Properly constituted aboriginal station. Will tend to the decided improvement of the race.
In need of Government aid in the shape of clothing and blankets, especially the young and old. It would be desirable also that they should receive medical attendance.	Nothing supplied by Government.	Not in this district	Supplied with Government blankets; no knowledge of misappropriation.	Yes	addicted to habits of intemperance. Greg pumpkins obtained at bush public-houses. The clause in Licensing Act of 1882, making persons other than publicans liable for supplying aborigines, is a step in the right direction	Sometimes attended by Government doctor of the district.	Nil.
No. Can always obtain work or food at stations.	Not provided	Not at present School starting.	Yes. Yes. No	Yes	Yes Public-houses infliction of the highest penalty on publicans or persons supplying.	Aboriginal have here a doctor of their own race, not qualified or registered.	Aborigines very fond of dirt, idle and thriftless.
Yes. Blankets, molskin trousers, and cotton shirts, flour, tea, and sugar.	No	No	Yes. The blacks in this part take great care of their blankets. I have never known one case where the blacks have misappropriated them	Yes	Yes. Liquor obtained from publicans generally. I have no idea what mode best to adopt more than that already done by the police.	Forwarded to nearest hospital, Swan Hills, Victoria, Balmoral, N.S.W.	None.
Tents would be very desirable for shelter during the winter months, especially for the aged men and women.	Not provided not required.	Boats. None of them receive instruction.	Have been supplied annually with one blanket each. One blanket is not sufficient for their comfort during winter months. (I wore one)	Two suits of clothing per annum would be necessary, especially for the aged men and women.	They are more or less addicted to habits of intemperance. The police always suppress them from being served with spirits when it comes under their notice	No medical attendance. When sick generally supplied with nourishment from stations.	Food would be necessary for the aged men and women. They depend on the stations for their bit of tea, sugar, and flour.
Protection and assistance.	Nil	No means available. Darlington Point, the only place about 20 miles distant.	One blanket supplied yearly to each, which is requisite	Should get one suit of clothes yearly.	Some are addicted more than others when they can get it, which is prevented and suppressed by the police	Nil	There should be some institution here, this being a central spot for this race of people, as the old ones require assistance and protection, and young ones in need of education, training, and protection likewise.
No	No	No	Not all Issue necessary, but not to all, as aborigines at work earn sufficient to keep themselves. Some aborigines do not keep their blankets long.	No	Generally the aborigines will be content with what they get. It is a very hard thing to check, as it is supplied in a way mostly to evade discovery, and when aborigines are found under the influence of drink they will not, as a rule, state from whom they obtain it	They sometimes attend as do other in some cases their employers. Some are able to buy their own medicine, and sometimes, not often, they go to hospital.	The aborigines are very useful on stations amongst cattle, being more in accord with their natural condition. They have no desire for learning, and no thought for to-morrow in their intercourse with Europeans they readily contract habits of intemperance.
No	No	No	Yes. Issue necessary.	Yes	Yes. At way-side and out-of-the-way places.	Deniliquin hospital	Nothing to suggest.
Only require blankets, which they look for every year.	None have been supplied with boats in this sub-district.	No	The whole of the blacks in this district have been supplied with blankets up to the present, and aware of any misappropriation.	Do not think so. They seem to be well provided with clothing given to them by squatters & others.	Yes. They are doing on rapidly from the effects of drink, which is generally supplied to them by white men for immoral purposes connected with their vices	They do not believe in being attended by the European medical men. They generally are attended by what they call their own doctor	None
Blankets and clothing	No	No	No	Yes	No	Self-attended	Nil.
Yes. They often, when wandering from one waterhole to another, make a practice of killing at the different places of habitations, asking for old clothes, and have to depend entirely on the white-inhabitants for their clothing.	Nil	Nil	The blacks in this district have not yet received their issue of blankets for 1881, owing to the River Darling not being navigable until about six weeks ago, and the supply was thus delayed.	Yes	All addicted to habits of intemperance when they can obtain liquor, which is generally given to them by the white inhabitants.	They attend each other when sick. No medical attendance obtainable nearer than Wilcannia, 200 miles distant.	The number stated is given by one of the blackfellows at Milparinka, who states that they are now camped at Scott's Creek, 70 miles distant, holding a corroboree.
Nil			Nil	Nil	Nil	Nil	Nil.
No. The station-owners and contractors are always willing to employ them. They get provisions from the stations when they require it from them. Occasionally they go and live in the thickly timbered parts of the district, and when they get tired of hunting they get employment from the stations and others again.	No use for boats or fishing gear. No rivers or lakes in Mossiel sub-district.	None	All supplied with Government blankets. They are in no way misappropriated.	Most of the stations on the Mossiel sub-districts are managed by single men, and they have no clothes to give the women, who are poorly dressed. They are in need of some clothing.	The aborigines in the Mossiel sub-district are very temperate. There may be an odd one or two that are not so.	No medical attendance. The station people treat them very well, and when sick they are attended to	Nil.
Not necessarily in need of Government aid.	Not provided	No instruction	All supplied Issue necessary; not misappropriated.	Not in need	All addicted to intemperance. Liquor obtained by men bringing into their camp.	Not medically attended.	All well civilized, and work for wages most part of the year.
Are provided with blankets.	Not provided with boats	Blacks receive instruction at Maloga.	All are supplied with blankets.	No	Very temperate	No doctor's attendance.	All are healthy.
Blacks at Maloga are desirous of getting land allotted to them to cultivate for their own support.	Not provided with boats or nets. The manager of Maloga station states that the blacks had boats and nets a number of them could make a good living fishing on Mona Lakes.	All at Maloga are being educated at the Maloga school under the N.S.W. Education Department	All supplied with blankets.	Women and children badly want boots and warm clothing.	All blacks at Maloga are of sober habits.	Receive medicine at Maloga station. When severely ill taken to hospital at Sandhurst, Victoria.	Eight of the blacks and half-castes at Maloga brought from Sydney here received rations allowance from Government.
	No	No	Only one received Government blankets this year.	Women and children want clothing and boots.	No	Deniliquin hospital.	

District.	Police Station.	Number of Aborigines in Sub-district.								Number of Half-castes in Sub-district.								How employed, or supported? (Detail as far as practicable.)
		Men.—Ages.			Women.—Ages.			Children.	Total.	Men.—Ages.			Women.—Ages.			Children.	Total.	
		Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			
South-western— continued	Moulamein ..	12	8	2	8	4	..	18	52	10	....	..	6	....	..	20	35	Employed on stations, boundary-riders, kangaroo hunting, and general station work. Supported by the stations.
	Pooncarie	12	7	1	9	3	..	3	36	....	....	..	1	....	..	1	2	Employed on Polia, Monaro stations, during shearing seasons.
	Salt Creek.....	....	0	..	....	0	..	..	15	....	....	..	....	....	..	..	..	Generally employed on stations to kill kangaroos and rabbits.
	Tocunwal..... Elbooburra ..	40	20	15	35	20	10	20	160	4	....	..	2	....	..	15	21	A few are employed on surrounding stations.
	Wentworth ..	6	5	1	1	3	..	..	16	....	....	..	..	....	..	..	..	Killing noxious animals on Tassio and Avoca stations.
Wilcannia	46	16	4	27	0	1	0	100	....	....	..	....	....	..	..	..	Principally on stations those who are employed, with the exception of a few young men who follow shearing.	
Northern	Wilson's Downfall.	9	9	..	5	3	..	10	36	2	....	..	1	1	..	2	6	They sometimes do a little work for squatters and farmers and receive rations; at other times they wander about, living on wild animals, fish, &c.
	Walla .....	....	1	..	....	1	..	4	6	....	1	..	....	....	..	..	1	The aboriginal is employed upon station work, such as stock-keeping, &c. The female aboriginal is wife of the half-caste, and is supported by him, who takes jobs about town, wood-cutting, &c.
	Walcha	14	0	..	8	8	..	23	50	8	2	..	3	....	..	18	31	The young men are employed as stockmen on stations throughout the district, and the women are domestic assistants. The older portion travel about the district, no fixed occupation.
	Wardell	7	0	..	3	7	..	10	36	8	1	..	....	....	..	1	5	As a rule the greater portion are employed at various works, chiefly stripping cane, felling timber, others are lazy, and seldom do anything other than catch fish (by hands) and live on animals of all kinds, killed by them on their travels.
	Woodburn.....	5	3	..	6	1	..	0	21	....	....	..	....	....	..	..	..	Hoeing and stripping sugar cane, hoeing, pulling, and husking maize, and breaking fire wood. Women washing clothes and scrubbing floors for the residents.
	Vegetable Ck Ulmarra.....	8	6	..	9	1	..	7	31	....	....	..	....	....	..	2	2	Working for farmers.....
	Corindi	4	5	2	5	2	..	1	10	....	....	..	....	....	..	..	..	Living by getting honey, stripping bark, fishing, &c.
	Glenreagh....	1	2	1	1	2	..	2	0	....	....	..	....	....	..	..	..	Stock-riding and getting honey..
	Shearwood ..	10	4	1	5	3	..	10	33	....	....	..	1	....	..	3	4	Stock-riding, getting honey, and general bush work. Some of them live in their wild state on game and fish.
	Tweed River..	23	8	2	30	7	..	27	97	4	....	..	2	....	..	6	12	Working on farms, and employed by timber getters.
	Tingha .....	....	....	..	1	....	..	2	3	1	....	..	....	....	..	..	1	As station servants
	Stannington Rocky Mouth	6	4	..	6	3	..	2	21	....	....	..	....	....	..	..	..	Occasionally chopping wood or cane stripping.
	Palmer's Island..	9	3	..	3	2	..	2	19	....	....	..	1	....	..	2	3	Stripping cane, cutting wood, and general farming labour.
M'Donald's River. Lawrence	15	4	..	10	2	..	12	43	....	....	..	2	....	..	1	3	Labouring amongst the farmers of the district.	
Lionsville	10	13	2	10	8	1	5	49	....	....	..	2	....	..	5	7	Mostly all employed about stations stock-riding and different kinds of work, for which they receive wages. The women and elderly men live in the bush and support themselves, and are assisted by the others.	

If in need of Government aid, why? and in what shape most requisite.	If provided with fishing-boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent?	If all supplied with Government blankets? If issue necessary, or in any way misappropriated?	If in need of supply of clothing, by Government.	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition
No	Not provided	The aborigines receive no instruction whatever.	Supplied yearly. Issue necessary.	No	Very much addicted to intemperance if obtainable. They usually obtain the liquor from hotels, almost impossible to check it.	Not attended	Nil.
Flour, tea, and sugar most requisite.	Nil	Nil	Yes	Yes	Liquor obtained by aborigines at road-side public houses.	Nil	Nil.
Not in need	Not provided with fishing boats.	Not instructed	All supplied with Government blankets.	Not in need of clothing by Government.	Addicted to habits of intemperance, but will not let the police know where they get the liquor.	By one of their own tribe.	Nil.
Very much in need of Government aid, in a wretched condition in every way.	Nil	Nil	None supplied with Government blankets. Issue very much required.	Yes	Very much addicted to habits of intemperance, as the police interfere.	Nil	Require special attention.
One suffering from ulcer, in need of aid at present. All at same time are in need of clothes and rations, as they are not employed and cannot get fish or game to subsist on.	No	No	Yes	Some would need clothing, and at times all need rations.	They will drink if they can procure the liquor, but as they are not well paid they seldom have money to spare.	Not known, as none of them ever complain.	The only way to benefit them would be to collect them together on some reserve, employ them, and have some humane person to take charge of, advise, and look after them.
Do not think Government aid necessary this year, but was very badly off at Cobham Lake last year for want of food.	Not supplied with boats or nets in this district.	Nil	Mostly all supplied with Government blankets, which are necessary in this district.	Yes, most of them in need of clothing.	Most of the blacks are addicted to drink, generally get it from public houses. Do not know of any better way of check than summons persons who supply them. This the police do when possible. The punishment does not seem severe enough.	Seldom receive medical attendance, except in towns.	The natives are getting less every year, especially where more civilized; probably through exposure when they are intoxicated.
Nil	Nil	Nil	Yes; not misappropriated.	Nil	Yes; if they can obtain it, but it is seldom they can, and when they do have and drink they are cunning and tell the police they get it over the border.	Nil	The most of the blacks mentioned in this return are at present camped just over the border in the Colony of Queensland, it being warmer than here for the winter, but they properly belong to this sub-district.
The wife and children of the half caste, being four in number require blankets during the winter, as the wages of the husband being insufficient to provide necessary clothing during the winter in New England, when it is very cold.	No; not required	No instruction given to the aborigines, or their children.	No blankets issued from this station to aborigines.	No	On occasions, aborigines have been found under the influence of liquor, by what means obtained cannot up to the present be ascertained by the police.	No aboriginal has asked or required (as far as the police are aware) any medical aid.	
The old men, women and children, not able to work require such aid as wearing apparel.	No	No	Yes	The old men and women require clothing.	Not addicted	As other subjects	
Any and other than clothing and blankets would be of little service to the race, they would in all probability sell anything of value given to them to obtain grog.	Not. They are careless in their habits, and are quite content to roam in and around their own locality.	They received no instruction, and from habits they follow the habits and customs of the older ones, viz., wandering about the bush and rivers.	Yes. The usual supply is necessary and except in very few instances does it appear to have been misappropriated. The aborigines look forward to the supply as their chief craving for winter.	They certainly are in want of clothing, the refuse or left off clothing, used by Europeans, is eagerly sought for by them, and worn till actually in rags.	Both male and female drink grog to excess, when procurable, or given to them by the whites in the bush. They all use tobacco freely. Liquor is obtained by them in most cases given them in return for work. They are acute, and in no case will they inform.	The tribe attends to them and in no case do they require the services of a medical man, are very superstitious and rely on their own treatment.	A tribe not of much assistance to the race as they will not take care of one, and very seldom use it, except in crossing rivers. No doubt clothing, blankets, and a tomahawk to the elder ones would be of most service.
No. They get sufficient food & clothes from the people who employ them.	No, they got boats to catch fish, when they want them.	No	Yes, issue necessary. Not misappropriated.	No	Yes: liquor surreptitiously obtained from the publicans. Police surveillance.	No medical attendance.	Owing to incurable habits of intemperance, I don't know what to suggest as likely to benefit them. They do not understand what gratitude is for kindness shown to them.
Not in need of Government aid, can support themselves.	None provided	None	All supplied with Government blankets. Issue necessary. None not been misappropriated.	Not in need	All addicted. Liquor obtained from publicans.	Never had medical attendance.	
Fishing-lines, &c., not necessary.	do	do	do				
Not in need	do	do	do				
Not in need of Government aid.	Not provided	No instruction received.	All supplied with Government blankets. Issue quite necessary, and in no way misappropriated.	Not in any need	Nearly all are addicted to habits of intemperance. Obtained from persons they are working for, and often from public-houses.	The only medical attendance received is what they know themselves.	
Government aid for very old or sick aborigines would be advisable, because they have nothing to help them at those times, except the little given them by the tribe, and they have but little at any time, as they drink everything they earn.	Not provided	None, except one boy, By Mrs. McLeod, of Sargort, Reading a little.	Yes, and necessary. Have not known of any case of misappropriation.	Yes. They only wear old clothing given to them.	Yes, greatly. Must be supplied by publicans and others, there being eighteen public-houses in this sub-district, including Rocky. Cannot suggest anything, because if they have money they will some where or other, procure drink. A publican was fined £1 for supplying them.	Not medically. The aborigines live in the bush. It is never known when any are sick, and when they die their tribe bury them.	Although the number is now given, they are constantly coming and going, sometimes few less. As blanket time is coming on, three times this number will be here before a month.
	Supplied with old police boat, now in bad condition through accident. Has been properly cared for by blacks. Earned about £3 a month.	None	Yes. New issue very necessary, the blacks being nearly naked.	Supply of clothing very necessary.	Generally addicted to habits of intemperance. Liquor obtained from publicans. Blacks sometimes employed working about houses get liquor in lieu of payment. Prohibit publicans from having blacks on premises.	Not medically attended.	A return given in a few months.
No	No	No	Supplied with blankets, and issue necessary.	They are in most cases fairly clothed.	As a rule they drink when they can get liquor, and the people they work for give it to them in payment for their work. They also get it in the public-houses.	Not known.	
Yes. They have not sufficient clothing, the wages they receive only keeps them in rations.	None provided	Not known to receive any instruction from any one.	Supplied with one blanket each every year, which they take care of and require.	Yes. Do not obtain sufficient clothing as they require in winter.	Some of the males are addicted to habits of intemperance if they can obtain liquor, supposed to be obtained from persons who employ them.	Nil	The aborigines meet other tribes at times to fight, and sometimes cripple each other in the contest.

District	Police Station.	Number of Aborigines in Sub-district.								Number of Half castes in Sub-district.								How employed or supported? (Detail as far as practicable.)
		Men.—Ages.			Women.—Ages.			Children.	Total.	Men.—Ages.			Women.—Ages.			Children.	Total.	
		Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			
Northern.	Lismore	50	30	.	40	30	..	20	170	3	..	..	2	..	..	10	15	Principally employed by selectors to fall scrub.
	Inverell	7	9	5	....	..	..	8	29	11	1	..	....	....	..	15	27	Shepherding and bullock-driving occasionally.
	Glen Innes ..	12	4	..	6	2	..	6	30	3	..	..	2	..	2	7	Generally employed on stations and with farmers who find them rations, old and new clothing, in some cases money, for services rendered.	
	Grafton	13	4	..	7	3	..	2	29	2	..	..	3	..	..	..	Employed by farmers for a few months in the year; the remaining time they are wandering about the town and bush.	
	South Grafton	25	12	..	10	7	..	8	71	3	..	..	1	..	1	5	Some as stockmen, but most of them are employed by farmers during several months of the year.	
	Drake.....	9	4	..	12	3	1	25	64	1	..	..	2	..	9	12	Those who are not employed by the neighbouring stations support themselves by prospecting for gold, fishing, hunting, &c.	
	Dalmorton	7	....	..	4	..	..	..	11	1	....	..	2	..	3	6	Gathering honey and burning off timber for farmers.	
	Cossmanshurst.	15	3	2	8	2	..	5	35	1	..	..	2	1	4	8	Cutting wood and drawing water.	
	Chatsworth Island	12	8	2	6	4	1	11	44	....	....	..	3	....	3	6	Employed by Europeans getting firewood and such like, and supported thereby but very poorly.	
	Casino.....	..	100	..	....	100	..	70	270	....	12	..	..	12	..	10	34	Nearly all the aborigines are employed on the various cattle stations in the district as stockmen, clearing and burning off timber, &c. The half-castes are similarly employed.
	Clarence Heads	9	6	2	4	4	2	4	31	..	..	..	....	....	..	2	2	Employed by farmers stripping sugar-cane and chopping wood.
	Coraki.....	8	....	..	4	1	..	5	18	....	....	..	1	....	..	1	2	When employed ring-barking, farm-labouring, bullock-driving, &c., women sometimes perform domestic work for residents.
	Blicks River..	8	3	..	9	....	..	18	37	..	..	..	1	..	..	1	1	In harvest they help to collect the crops, they get honey, and sometimes are employed as stockmen, in each or any case they receive but small remuneration.
	Bundarra	7	1	1	2	1	1	..	13	..	....	..	1	....	..	1	2	Driving and farming.....
	Ben Lomond..	7	3	..	3	1	..	3	17	1	....	..	....	....	..	1	2	Men chiefly employed on stations stock keeping
	Beandemeer...	1	1	..	....	1	..	5	8	2	....	..	4	....	..	7	13	Employed on stations as general servants.
	Ballina.....	12	....	..	17	....	..	30	59	....	....	..	....	....	..	2	2	Working for the sugar planters ..
	Ashford.....	....	....	..	..	..	..	..	..	1	....	..	1	....	..	1	3	Stockman and general servant ..
	" .....	....	....	..	....	..	..	..	..	1	....	..	....	....	..	1	1	Stockman
	" .....	....	....	..	....	..	..	..	..	1	....	..	....	....	..	1	1	Stockman
	Armidale	8	9	2	4	9	2	19	54	10	....	..	9	1	14	34	Those that are willing to work are employed as shepherds, others stock keeping, for Mr. Fletcher, of Wallumambi, and Mr. Hargraves, of Hill Grove; those that are employed get rations, those that are not get rations the best way they can.	

If in need of Government aid, why? and in what shape most requisite?	If provided with fishing-boats by Government or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent?	If all supplied with Government blankets? If issue necessary; or in any way misappropriated?	If in need of supply of clothing by Government.	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
Not in need	Not provided	No instruction received by aborigines or their children.	Supplied with blankets, issue necessary; not misappropriated in any way.	Government clothing not necessary.	Yes. Usually receive liquor from publicans.	Attended by Government medical officer.	Nil.
The climate being cold in winter, clothing would be necessary, also tomahawks.	Nil	None	Blankets supplied, which are very necessary.	Yes	The whole number, with the exception of five, liquor usually obtained from bush public-houses. The aborigines will obtain liquor if possible. If publicans are seen supplying them, summons under Licensing Act.	Mrs. Cameron supplies them with medicine when sick. Their main camp is at Mrs. Cameron's, Apple-tree Gully.	
Not in need of Government aid. Clothing would be preferable to blankets.	None provided	Nil	They are all supplied with Government blankets if they choose to call for them. In some instances, they have neglected to call for them. A small supply of blankets and clothing would be necessary. Not known to be misappropriated.	Yes, in cases of old age.	Generally addicted to intemperance. The liquor is usually obtained from publicans. On proof of delivery would suggest the publican be heavily fined for the first offence, and that his license be cancelled for a time for a second offence.	When sick they are generally attended to by European friends, but seldom by medical gentlemen.	
Not in need of Government aid.	No	No	Yes	Yes, in need of clothing in the winter, particularly the women.	They are addicted to habits of intemperance, and manage to get liquor at the public-houses, brought to them by Europeans.	They are generally attended by Dr. Purdie, the Government Medical Officer for the Graham District.	
They are not at present in need of Government aid. They seem very happy and content in their present state.	Not supplied	As far as can be ascertained they do not receive any instruction.	They are supplied with blankets, and there are no accounts of misappropriation.	They are all fairly clothed by the people for whom they work.	They are all more or less addicted to habits of intemperance. The drink is usually obtained from some of the hotels when they come into town. The only mode of suggestion is to inflict the full penalty on any publican found supplying them.	They generally attend on their sick themselves.	The total number on this sheet comprise South Grafton, Ona River, and Kangaroo Creek.
Apparently not in need.	Not provided	No	Supplied	Yes	Not so addicted	By their own race, in whom they appear to have the most confidence.	
Yes, in the way of clothing.	Not provided; is necessary.	No	All supplied with Government blankets. Issue now necessary. No instance of misappropriation.	Yes. Would suggest aborigines be supplied with (say) trousers, shirts, and hats; other clothing would likely be misappropriated.	Aborigines generally addicted to habits of intemperance. Heavy penalty on persons supplying liquor—only suggestion for checking.	Seldom medically attended.	
Not necessarily	Not provided	None	Yes. One every 24th May; quite necessary, and not misappropriated.	All appear to be well clad.	At times when money is received by them for labour in lieu of provisions.	By one another	Fishing gear would be of great service to the aborigines here.
A boat and fishing gear would be very requisite here for the blacks, as this sub-district is all composed of islands.	Not provided	Nil	All supplied	Some clothing would be very requisite, as the blacks are almost naked, and the cold of the winter is very severe on them.	Generally addicted to habits of intemperance. Usually supplied by publicans, but very much suppressed of late.	Not medically attended.	
From inquiries made, they are not in want of any aid from Government.	Not provided with fishing boats or gear.	Do not receive any instruction.	Supplied with Government blankets. Issue necessary. No complaints of being misappropriated.	Do not appear to require any clothing from the Government.	Yes. Liquor usually obtained at the various public-houses in the district, although every effort is made by the police to stop the practice.	No cases known where they have ever received any medical attendance.	The average number of aborigines and half-castes has been entered on this return, it being impossible to classify them according to their different ages.
Not in need of Government aid at present.	They were supplied with a fishing-boat that had been used by the police a short time ago, but it has since been taken away by them and run down by a steamer.	They have never received any instruction.	They were all supplied with Government blankets last year, but are in need of another issue again.	They are fairly provided with clothing at present by the inhabitants, but more would be necessary.	Not given to habits of intemperance.	Never received any medical attendance.	
Not in need	No	No	Yes. Supply necessary. No instance of misappropriation has come under notice.	No	Yes. Liquor obtained from publicans. Since the operation of the new Licensing Act drunkenness has decreased considerably. The most effectual means of checking the sale of liquor to blacks would be the infliction of the full penalty on cases brought before the Bench.	The residents supply medicine when required.	The half-caste child marked in this return is the daughter of the half-caste woman marked in the return. The child is four years old, very intelligent, and almost white.
Yes. Nations would be the most requisite aid.	Not provided	No instruction	Yes. But issue is not sufficient. The children do not get any blankets.	Yes; in most cases.	Yes. They are all fond of liquor. It is supposed that the farmers pay them for working with liquor.	They are purely dependent on the settlers in this case.	Nil.
Poorly clad; require clothing.	None	None	Yes. Not aware of any blankets misappropriated.	Yes	Generally temperate	None	Nil.
Clothes for the women and children for winter which is severe in this district.	None required	None receive education.	Once a year. Issue necessary. Not known to be misappropriated.	Yes	Chiefly all at bush public-houses, and supplied by station-owners with spirit for their labour.	Assisted by each other when sick.	Nil.
Nil	Nil	Nil	One aboriginal, wife, and five children receive Government blankets. Not in need of any yet.	Nil	Nil	Nil.	
The yearly supply of blankets is requisite, as they are depending on them.	Not provided	None	All supplied yearly on 24th May, which is necessary. They are not misappropriated.	No	Yes. Mostly get liquor from publicans, occasionally from their employers. A strange constable in private clothes travelling through the district occasionally for the purpose of prosecution might check this abuse.	Their several employers look generally to their little ailments. No medical man has been called to them for the last nine years. No real diseases have been amongst them for that time.	I don't know anything that could better their present condition.
Not in need	No		Not necessary	No	No	No doctor	Fishing gear would be of great service to the aborigines here.
Yes; in the shape of clothing.	Not required in this district.	They receive no instruction.	They receive Government blankets on the 24th May each year, but they complain of being kept from getting them until the 24th May. The winter sets in early, and if the blankets were issued in the month of April it would be much better.	Supply of clothing is very much needed for the winter, as the New England district is very cold during the winter months.	They are all more or less addicted to habits of intemperance when they can obtain liquor. They are seldom seen drunk, and it is very hard to find out who gives it to them. The opinion is that they get it through their employers, and it is impossible to prevent them getting a little.	They are not medically attended. Some of them go to Dr. Shelton who attends them free of charge. They say Government ought to appoint a doctor to attend them and their children, and a doctor was appointed there would not be so many die.	The aborigines are dying very fast. The half-castes who are rather intelligent are very anxious to get a grant of land from the Government, stating they are well able to manage it, but the general opinion is that they are better without it.

District.	Police Station.	Number of Aboriginals in Sub-district.								Number of Half-castes in Sub-district.								How employed, or supported? (Detail as far as practicable.)	
		Men.—Ages.			Women.—Ages.			Children.	Total.	Men.—Ages.			Women.—Ages.			Children.	Total.		
		Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.				
Nancoi	Yetman	3	3	..	4	3	..	8	21	The men are chiefly employed as stockmen and horse-breakers, and some of the women as domestic servants.
	Walgett	35	17	3	44	12	..	48	164	7	..	..	8	..	..	19	31	Nearly all the young men are employed on stations; they generally assist the old ones. The station owners are very good to the aboriginals in this district.
	Wee Waa ..	9	3	..	7	2	..	5	26	6	..	..	4	..	..	14	21	The majority are employed as shepherds by the squatters in the district.
	Warialda ..	2	4	..	3	4	..	3	16	2	..	..	1	..	..	1	1	One half-caste, domestic servant.
	Tambar Springs Pilliga	10	4	1	9	3	2	19	48	7	..	..	8	..	..	6	21	Working on stations
	Narrabri	22	19	5	13	9	4	16	93	11	9	..	7	..	1	29	57	Some as shepherds, ring-barking, and stockmen.	
	Merce	12	8	..	13	4	2	8	47	9	..	..	7	..	..	14	30	Generally employed and supported on stations as stockmen and general servants.
	Mogil Mogil ..	35	13	9	30	11	8	48	154	9	..	..	5	..	..	12	26	A number of the younger men are employed on the stations amongst the stock, but the majority of both sexes maintain themselves by catching fish.
	Morce	19	11	..	23	6	..	20	88	2	..	..	..	..	..	2	4	About fifteen are employed as shepherds and stockmen; the others are principally supported by station owners.
	Goodooga	44	27	3	65	21	1	87	180	5	2	..	4	..	..	17	28	Some employed on stations; the remainder support themselves fishing and hunting.
	Coonabarabran ..	..	1	3	..	1	..	..	5	4	1	..	5	1	..	11	22	The aboriginals live in camp and are destitute. The half-castes are able to, and do, support themselves at labouring work and shepherding. One family of half-castes have a selection and between 200 and 300 sheep.
	Bingora	5	0	..	3	7	1	13	38	7	5	..	6	..	..	10	28	Shepherding, stock-keeping, and destroying marsupials.
	Boggabri	2	1	3	One shepherd, two woodcutters..
	Baradine	3	3	1	3	1	11	3	1	4	Chiefly as shepherds and labourers on surrounding farms and stations, and at bush public-houses.
Boggabilla ..	28	18	..	21	8	..	25	100	7	..	..	10	..	..	9	26	Some employed stock-keeping and supported by the stations.	
North-eastern.	Arakoon	10	7	2	10	3	1	20	53	4	3	..	1	..	..	4	12	Some of the aboriginals assist the farmers in gathering their maize crop and other odd jobs, but they cannot be persuaded to stop and hire. Three half-castes have cultivated Government ground, and have very full crops of maize. They complain of their white neighbours driving their cattle and horses on to their cultivated ground.
	Boat Harbour ..	22	17	1	14	11	2	27	94	..	..	..	2	..	..	5	7	Employed by settlers in clearing ground and pulling maize.

If in need of Government aid, why? and in what shape most requisite.	If provided with fishing boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent.	If all supplied with Government blankets? If issue necessary, or in any way misappropriated.	If in need of supply of clothing by Government?	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
The blacks in this district are fairly well off, and are not at present in need of Government aid.	No	Not instructed.	Yes. Issue not misappropriated.	No	The aborigines in this district are not drunkards, although occasionally a black fellow may be seen in the neighbourhood of a public house under the influence of drink. Police, too, use their utmost efforts to detect and bring to justice publicans and others who supply liquor.	Usually by one of their own people, except when they meet with an accident, then they are sent to hospital, or attended by a medical man.	No special information.
The old ones require clothing.	No	No	Yes. Issue necessary, and is in no way misappropriated.	Yes	All adults are addicted to habits of intemperance when they can procure liquor. The Licensing Bench at Walgett, at their quarterly meeting on the 26th inst., gave the publicans to understand that they were determined to put down the supply of liquor to the aborigines.	No medical attendance.	
The old are in need of clothes.	No	One half-caste boy and girl attend the Public School at Wis Wan. The boy is sent to school regularly by his grandmother, a black woman. The girl is sent by a lady who has adopted her.	Yes. The issue is necessary.	None, except the old	The aborigines, with few exceptions, drink when they can get it. In some cases the publicans supply them when the police are absent, and men who go to the camp take spirits there in bottles.		
They all need Government aid — clothes, tea, and sugar.	Not necessary	No	Yes. Supply not misappropriated.	Yes	Yes. Source of supply not known. Police prevent, as far as practicable, their supply by the public.		One man paralytic, unable to walk. His removal to a hospital is necessary. His gun won't allow him to remain in local institution.
Nil	Nil	Nil	Yes. Not misappropriated.	Not required	Yes. Not known how obtained.	Nil.	
It is useless giving aid; better let them work for a living. If any of them get a few pounds they soon spend or squander it.	No	Three children — mother aboriginal, father Chinaman — receive instruction at the Narrabri Public School. These children might become good members of society if assisted. Don't know of any other.	They receive a blanket each year.	It would be useless giving clothing.	Some are addicted. In some cases the licensed publicans supply, and in others the lower classes carry it to them.	The doctor in the neighbourhood attends them gratis.	
Nil	Nil	Nil	Issue necessary	Nil	Mostly addicted to habits of intemperance, which is generally supplied by the white people.	By their own race	Nil.
Fishing gear and tomahawks would be of great service, both articles being requisite in obtaining their living.	Unprovided	No	Yes, which are very necessary, and appreciated during winter.	Yes; is much needed	Very little intemperance owing to the difficulty in obtaining liquor, but all are addicted to it.	No medical attendance.	
Government blankets.	Nil	Nil	Yes. Issue necessary. In no way misappropriated.	No	Yes, but find it very difficult to obtain liquor occasionally from publicans, the police checking this evil as much as possible by prosecution, &c.	Not attended	Nil
Some of the older aborigines are sadly in want of clothes	Nil	Nil	Yes. Issue quite necessary.	Yes; clothing	Yes. Liquor obtained from licensed publicans. Would suggest that heavy penalties be inflicted.	Nil.	
Three male and one female aborigines require clothing and rags, as they are too old to provide for themselves. Some of the half-castes think they ought to get blankets	Not required	No	Yes. Issue necessary to some half-castes.	Yes	No	No provision made in this respect. When sick, have known them to be attended by the neighbours about.	The aborigines subsist chiefly upon the charity of the people of the neighbourhood.
Clothing	Not required	None	Yes; one blanket each. Issue necessary. Not misappropriated.	Yes. Warm clothing for women and children in winter.	Yes. Liquor obtained at the bush public-houses. Not practicable to keep a watch on all the bush public-houses, as in some instances they are situated miles from Police Stations.	None; only their own remedies	None.
Nil	No	Nil	Yes. Issue not necessary.	No	No	No report of sickness.	The three blacks seem to be in comfortable circumstances, and are regularly employed.
No	Not provided. No use for them.	No	All who apply are supplied with blankets. No further issue necessary at present. Not misappropriated.	Not at present	Yes. The liquor in most cases bought for them by whites. The only remedy for the evil, in my opinion, is to teach them self-respect, a principle they lack altogether at present.	They seldom or never get medical attendance when sick.	The blacks being rather scarce in this district, it is difficult to form a definite opinion of their intellectual capacity. But, judging from the few employed as police trackers, I should think that, under proper management in any field of industry, they are capable of contributing to the wealth of the country, and of supporting themselves in comfort.
Yes. Unemployed. Provisions.	Nil	Nil	Yes	Yes	Yes. Supposed obtained from publicans and others.	Not medically attended.	
Yes. They are very desirous of having a boat at Trial Bay for fishing purposes. The fish could be sold or used for their own consumption. A fishing-net also would be a great boon to them. They say great care would be taken of them, and a house or shed would be built by them. The boat, &c., could be placed under care of police.	No	No	Yes. No further issue necessary this year	Yes. Some are very much in want of clothes, particularly the women. They appear jealous of the Grafton blacks, who they say are provided with clothes by Government.	Yes, when they can obtain liquor. They state when they have money they can obtain grog at Byrne's (Smithtown), Cannons (Summer Island), and Salmon's (Spencer's Creek). Idleness is principally the cause of their intemperance. By giving them some Government land to cultivate, and appointing some person who takes an interest in blacks to visit and instruct them what to do. Some seeds also might be given them. Aborigines are very proud of calling a piece of ground their own.	Dr. Gabriel, of Kempsey, they say, supplies them with medicine free when any are sick.	The blacks of this district seem intelligent and most industrious when at work for the settlers. So soon, however, as they get the small amount due to them, when their work is done, they make for a public-house. Aborigines have a great reverence for their king, who can exert great authority over them. Might this attempt not be made through their king of reclaiming some at least from their drunken habits.
No. They can get plenty of work to provide food.	No	No	Yes. Issue necessary, not misappropriated.	Clothing very badly wanted, their nakedness barely covered by old clothes given them	Yes. Liquor in most cases supplied by settlers. Would suggest that a reward be offered for information leading to a conviction.	No medical attendance.	There are a number of black girls between 6 and 14 years if taken from the camps would make useful servants.

District.	Police Station.	Number of Aborigines in Sub-district.								Number of Half-castes in Sub-district.								How employed or supported? (Detail as far as practicable.)	
		Men.—Ages.			Women.—Ages.			Children.	Total.	Men.—Ages.			Women.—Ages.			Children.	Total.		
		Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.				
North-eastern.	Bullah Delah Bungwall Flat	..	..	..	2	..	..	1	3	2	..	..	1	..	..	3	6	Generally domestically employed
	Coswick Cassilis	2	..	..	..	..	..	..	2	1	..	..	..	..	..	1	1	Farmer One employed as tracker at Cassilis Police Station, the other as shepherd for a stockowner; the half-caste by a stockowner, and receiving wages.
	Cooranbong	1	..	..	1	1	..	..	3	1	2	..	..	..	..	4	7	The half-castes and the black boy work as labourers, and both women do washing when they can get it.
	Cundletown	3	4	2	4	2	..	5	20	5	4	..	3	2	..	7	21	Blacks not employed regularly; will work sometimes for a week or so, getting firewood or pulling corn. Principally getting honey in bush to sell. Of very indolent habits. Half-castes employed as bushmen, bullock-drivers, stockmen, &c. Supporting themselves and families. Generally good servants; in regular employment	
	Dungog	1	1	..	..	1	..	1	4	1	1	..	1	..	..	8	11	The half-castes work same as Europeans, and educate their children. Aborigines pull corn for farmers, cut firewood, and other work, such as splitting in the bush.
	Forster	8	5	3	4	3	1	12	36	2	1	..	2	..	..	15	20	Young men usually employed gathering oysters and boating; rest procuring honey when obtainable; all lead a rambling life, except one half-caste and family.
	Fredericktown	7	4	..	4	2	..	5	22	By farmers
	Gloucester	4	4	7	3	4	2	20	44	2	..	..	7	..	..	6	15	General labour, growing vegetables, fishing, and cultivating portion of 50 acres of Church and School Lands.
	Gresford	6	..	6	0	..	2	9	32	3	..	..	..	..	..	4	7	Getting honey and fishing, sometimes employed by the settlers.
	Gladstone	7	5	..	8	2	..	10	32	3	..	..	2	..	..	3	8	They occasionally work for the farmers for food and wages. When not employed they live on game and fish.
	Howe's Valley	1	1	General servant
	Kerrabee	3	3	One employed by Government as tracker, one as stockman, by Mr Jas Thompson, of Widdin Creek, one by Mr. Roberts, of Widdin Arm, as stockman.
	Kempsey	47	18	4	40	4	2	38	168	12	3	..	14	..	..	6	84	Assisting farmers bullock-driving, but will not stay long in one place; some half-castes are good fencers.
	Lanhton	..	..	..	..	..	..	..	..	..	..	..	1	..	..	1	2	The woman house-keeping, the boy employed fishing.
	West Maitland	..	3	2	5	Follow no employment; supported by charity.
	"	2	2	Labourers
	"	3	3	Domestic servants
East Maitland	..	..	..	1	..	..	3	4	..	..	..	..	..	..	..	..	..	Washing occasionally
Merrava	..	..	..	..	1	..	4	5	1	..	..	2	..	..	1	4	4	Shepherding at Broadly Park Station; two boys boundary-riding
Morpeth	1	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	As labourer, by Mrs. Taylor, Morpeth.
Minni	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	Housekeeper for her father a bushman.
Pt. Macquarie	9	17	..	15	4	..	12	57	10	1	..	6	..	..	25	42	They are scattered through the district and earn their living chiefly for the settlers, and on wild game they get in the bush by hunting.	

If in need of Government aid, why? and in what shape most requisite?	If provided with fishing-boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent?	If all supplied with Government blankets? If issue necessary, or in any way misappropriated?	If in need of supply of clothing by Government?	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
Not in need	Not provided	Not instructed	Aborigines annually supplied.	No, not supplied	Not addicted	Not known.	
No	No	No	Not required	No	Of temperate habits		
No	No	No	Two only supplied with blankets.	No	Temperate		
The women are in need of returns. They are very industrious, but cannot get work to do, and were it not for the kindness of the neighbours would often be hungry.	Nil	One half-caste girl, aged 11 years, receives instruction at the Public School, Pelican Flat.	Yes	The women are in need of a supply of clothing. One of the women is in very bad health, and states that she caught cold through want of clothing.	The aboriginal boy is addicted to habits of intemperance. It is supposed that he obtains the liquor at the inn, or some person get it there and give it to him.	Nil.	
At present not in need of anything, except clothing.	Not provided	No instruction	Yes. Issue not necessary at present. Not aware of any misappropriation.	Yes, in need of suit of clothes each	The aboriginals will not drink if the liquor can be obtained, which opportunity they do not get, except at races or other sports, when they have a chance of mixing up with the low class of roughs. The only possible way of preventing this is to offer a reward of £10 to any person that will by information that will convict parties giving black liquor.	By doctor.	
None in this sub-district require Government aid.	Not required	None of the aborigines or their children receive instruction. (Children of half-castes do receive instruction from Public School teacher.)	Only two supplied with one blanket each, some more would be necessary, as oftentimes they are asked for by others, and not to be got, are not misappropriated.	It would be necessary in the winter-time if each got a strong suit of clothing to keep them warm, as only one blanket each is supplied.	Very much addicted to drink. They get it at public-houses and others. They should not be employed by publicans to cut firewood, or the females act as domestic servants. This would check to a great extent their drinking habits. It is extremely hard for police to detect publicans when supplying them with drink.	No medical attendance. When sick they must get well best way they can.	Half-castes would be considered as useful as Europeans if they got a little training, or apprenticed as mechanics.
Government aid would be most desirable in the shape of boats, gear, &c.	Not provided. The boats used belong to the oystermen. The half-caste own a boat.	None	Yes. Issue very necessary, not aware of any misappropriation. The half-caste and family receive none.	Yes	Usually temperate, but liquor believed to be obtained when circumstances offer (police supervision, particularly with drunks) by whites.	Unattended professionally. Medicine given them by the whites.	
Four males and two females in need of Government aid (as they are very old), by giving them food and clothing.	No	No	Yes. Issue necessary	Yes	Yes. From those they usually work for.	By Dr. Gabriel Kempsey.	
Yes. Would suggest agricultural implements, ploughs, spades, and fishing lines.	Not required	Three attend the Barrington Public School, and others are going to attend. S. H. Forman, Public School Teacher.	Yes. Issue necessary; they are not misappropriated.	Yes. Supplied last year through Mr. Gorrick, no arrangements about any this year.	Fairly temperate, above the average of their race, five convicted for drunkenness during last three years, also two convictions against publicans.	No provision made.	All in good health.
Two of the old people are blind and infirm and need food and clothing.	Not required	No	Yes. Issue necessary, and in no way misappropriated.	Yes	Some are, but now are unable to obtain liquor.	Dr. Park	An old man Jackey has lost the use of his legs for some time, is blind and in a very miserable state.
Two female blacks and one male in need of aid because they are not able to work for their living.	No	No	Yes. Issue necessary. Not misappropriated.	Yes, very much, they would be naked, only for the goodness of the public giving them their cast-off clothes.	Yes. Whenever they can obtain liquor they generally obtained from those who employ them.	By Dr. Gabriel Kempsey.	In consequence of their character and disposition for removing from place to place, no good permanently can be done, they each of them would be better of a suit of clothes yearly.
Not in need of aid	Nil	No	Not necessary	No	Not addicted	Nil	Aboriginal race died out in this district.
No					No		
A few are in want of clothing; those who are infirm.	Not required	No. Except at Town Creek, Upper Macleay River, Mr. Thompson, J.P. instructs the blacks on his station to read and figure.	Yes. Issue necessary, one person arrested by Police and brought before the Bench for purchasing blankets from them.	Yes. The old and infirm.	Yes. Will work more willingly for persons who supply them with liquor. A good reward on conviction would help to check their being supplied with liquor.	Yes. Dr. Gabriel is very attentive and often rides 40 or 50 miles to attend them when sick.	The race is degenerating every year, some of the women are very loose in their morals, and in some cases they are suffering from its consequences.
They are in no need at present, but they possess no homestead of their own.	No	The boy has been receiving instruction from Mr. Cummins, Lake Macquarie. He is able to read and write fairly.	Yes. Need a fresh supply.	Yes. Woman needs under clothing.	The woman drinks to excess occasionally. I cannot ascertain where she obtains it, there appears no practicable means of effectually stopping it. The boy is of sober habits.	By district doctors at expense of employers.	None.
Some provisions such as bread, tea, and sugar required at stated times.	Not required	Have no children. No instruction given.	Yes. Not been misappropriated.	Clothing now necessary.	Yes. Which is generally got at public-houses. Present Act if enforced will check the evil.	At Maitland Hospital	
No	No		No	No	Temperate	Do.	
No	No		No	No	Temperate	Do.	
Yes; clothing for self and children.		No	Yes, three blankets	Yes	No	Was received into Benevolent Asylum	
Not in need	No	Does not attend school.	No blankets issued not necessary.	No	No	Don't know; never heard of sickness in this family.	
Nil	Nil	Nil	Nil	Nil	Nil	F. Nabby, chemist, Morpeth.	
No	No	No	No	Not required	No	Provided by her father.	No.
They are in no further need than blankets and clothing, as they get their own living.	Nil	Nil	Yes. Issue necessary and not misappropriated.	Yes, very much	Yes, when they can get it, but are checked by the Police. They usually obtain the liquor at the public-house and wine-shops. It would also be a check on them if there was a reward offered to persons that would inform on parties supplying them with drink.	When they are sick the Police report the matter.	

If in need of Government aid, why? and in what shape most requisite.	If provided with fishing-boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for, also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent?	If all supplied with Government blankets? If issue necessary, or in any way misappropriated?	If in need of supply of clothing by Government?	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
A fishing-boat and gear would be very useful, as the river teems with fish and there is ready sale for them.	Not provided	No	Yes. Necessary. Aborigines blankets are in possession of whites.	Old aborigines need clothing as the winter here is generally cold.	Yes. From publicans, farmers, and others; by fixing a substantial penalty the practice could be checked.	Dr Gabriel, of Kempsey, appointed by the Government.	The aborigines in this district would barter whatever property they possess for alcohol, and it is desirable to prevent whites from buying the aborigines clothing and blankets. Some of the female aborigines live with white bushmen, their children will become a very undesirable class of people, inheriting as they no doubt will the worst of the white man's vices from their fathers and the aborigines' cunning and low morals from their mother.
Some light American axes would be of great benefit to them.	No	None receiving instruction.	Yes. Not misappropriated.	Yes. Warm clothing.	At times they are given to intemperance. Drink is usually obtained by the lower order of Europeans at the nearest public-house.	Receive no medical attendance.	
Yes. All want blankets. They do not want clothing at all. Their earnings would be sufficient to provide these necessities, but they misappropriate them, with the exception of the one over 60, who is too old to work.	No	None	None this year yet	Yes	It is the general opinion that they are all supplied by publicans on the quiet, or through their servants, but it is difficult to catch them.	No medical attendant appointed for the aborigines of this district. Dr Creed has prescribed gratuitously for them on one or two occasions.	
An occasional supply of bread, tea, and sugar would be a benefit to them.	No	Receive no instruction.	Yes. Issue necessary. Do not appear to misappropriate them.	Yes	As a rule they are moderately temperate in this district.	Not aware of any application for medical attendance.	
Yes. By providing them with proper means of subsistence.	No	No	Issue of blankets necessary.	Yes	Yes. But not rarely supplied with drink, in consequence of being constantly employed in the bush by settlers. The only way to check it is to inflict a much heavier penalty upon persons who supply them.	By doctors; but none are appointed by Government to attend them.	If by any means publicans and others could be prevented from supplying the aborigines with liquor, they would, when supplied with clothing, blankets, &c., be brought back from the vagrant habits they are so accustomed to, and be made comfortable and industrious. In consequence of their character and disposition for roaming from place to place frequently, no good permanently can be done there; they must have their own foothold. The blankets should be issued to them on 1st of April instead of 24th May, because the cold weather sets in about 1st April, and the old blankets are generally worn out before they get the new ones, through their own neglect; also each of them should get a suit of clothes yearly.
Six male blacks in need of aid because of infirmity—one a cripple; one suffering from cancer in face; four unable to find their own living through age and infirmity.	No	No	Yes. Issue necessary. Not misappropriated.	Yes; very much. They would be naked only for the goodness of the public in giving them their cast-off clothes.	Yes; whenever they can get it. Liquor occasionally obtained from those who employ them. To check this a fine of £50 or six months in gaol absolutely necessary, or a reward sufficient to induce civilians to inform on offenders.	By a doctor. No medical man appointed to attend the aborigines in this district.	
They require two more boats with gear, also fishing lines; and a supply of American axes would be very useful to them when employed honey-getting.	They have been supplied with one boat by the Government, which now requires painting, it is in good condition otherwise it is used by them when moving from one part of the district to the other.	None	Yes. Are very necessary. They are not misappropriated. It has been the custom for this to be supplied with blankets at Baulah Delah, a distance of 27 miles from where they are usually. If they could be supplied with them from the Tea Gardens instead, it would be much better.	A supply of warm clothing for the cold weather would be a great benefit to them.	Some of them are very intemperate in their habits. After disposing of the honey they obtain, they sometimes get the Europeans of the lower class to purchase liquor for them from the publicans.	They do not receive any medical attendance whatever when sick.	Some of the half-caste children look very intelligent, and, if taken away from the aborigines and educated, would no doubt become useful members of society.
Nil	Not required	The child receives instruction from Mr Walsh, Public School teacher, Wallisend.	Not necessary	No	No	The adult provides by his savings; the female by her master.	Not known.
Not in need	Nil	Nil	Nil	No	No	Nil	All the aborigines died out in this district.
None except that mentioned in this report.	No	Two half-caste children are going to a Public School.	Yes. Issue necessary, and insufficient. Not known to be misappropriated.	Yes. A suit of clothes each badly required. They would be naked only for the charity of the settlers and others supplying them with cast-off clothing.	Yes. They occasionally get liquor from people who employ them. A heavy fine and long imprisonment would most likely check this offence.	No medical man appointed to attend the aborigines in this district, and no hospital where they can obtain medical treatment. Frequently they receive medical aid free of charge.	In consequence of their instability of character and roving disposition, they will seldom remain long in any one employment or place, preferring short engagements. Any endeavour to promote their spiritual or temporal welfare is next to hopeless, but something might be done to make their lives more comfortable by temporary relief being afforded them when necessary. Blankets should be issued on 1st April instead of 24th May, and a suit of clothing each at the same time.
They do not appear to be in want of Government aid other than blankets.	No	No	Yes. Very necessary. Not misappropriated.	Yes	No	Not attended.	
No	Not required.	No	Yes. Not misappropriated.	No	No	Not known.	
No	Nil	Nil	Nil	No	No	Attend themselves.	
No	No	No	No	No	No	Same as Europeans.	A reserve of 20 acres has been made by Government for this couple.
The three old people are urgently in need of aid, all of them being too old even to move about to beg. The others all are able to get their living. A daily ration for the old people is most requisite.	Nil	Nil	Yes; issue necessary, not misappropriated. A blanket each should be given to the half-caste children.	No	Nearly all the liquor is procured by the intervention of a third party, by which the publican supplying it escapes punishment.	No provision made.	
No	No	No	Yes. Yes. No	No	No	No idea	Nil.

District.	Police Station.	Number of Aborigines in Sub-district.								Number of Half-castes in Sub-district.								How employed, or supported? (Detail as far as practicable)
		Men.—Ages.			Women.—Ages.			Children.	Total.	Men.—Ages.			Women.—Ages.			Children.	Total.	
		Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.	Between 20 & 40 years.	Between 40 & 60 years.	Over 60 years.			
Western.	O'Connell's Plains.	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Marsden	1	....	..	1	....	..	6	8	6	1	..	3	....	..	13	23	Four boundary-riding; two fencing; one police tracker; one labourer.
	Mount M'Donald.	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Molong	7	1	..	2	1	..	7	18	1	1	..	1	....	..	8	11	Shepherding and station work ..
	Miss Magee ..	2	....	..	2	....	..	..	4	1	....	..	1	....	..	1	3	Aborigines unemployed; half-castes on stations.
	Mudgee	1	....	..	....	....	..	..	1	....	....	..	....	....	..	..	..	Police tracker
	Mundoonan....	1	..	1	....	....	2	..	4	1	1	..	1	....	..	9	12	Shepherding, with the exception of the younger children and the two old aboriginal women, who are too old to shepherd.
	Louth	26	3	..	32	1	..	37	69	....	....	..	2	....	..	17	19	Some on stations; others live in their native state in the bush.
	Lithgow.....	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Ilford .....	....	1	..	....	1	..	..	2	....	....	..	....	....	..	..	..	On the charity of the inhabitants.
	Hartley	3	5	..	4	5	..	14	31	2	2	..	6	....	..	8	18	Shepherding, labouring, and honey-solling.
	Hargraves....	....	....	..	....	....	..	..	..	....	....	..	1	....	..	7	8	Married to a Chinaman
	Grenfell	1	1	..	1	....	1	4	8	4	1	..	2	....	..	14	21	Black and half-caste men are employed as shepherds; one black woman, aged over 60, and one child live on charity.
	Gongolgon ..	10	6	2	12	2	..	4	36	2	....	..	1	....	..	3	6	Stockmen and laundresses
	Gulgong.....	2	....	..	1	....	..	7	10	1	....	..	2	....	..	5	8	Men, shepherding; women, domestic duties.
	Forbes	14	13	1	9	2	..	28	62	....	....	..	....	....	..	..	..	1 police tracker, 6 domestic servants, 3 wood-cutters, 3 station hands, 3 killing kangaroos, 1 blind, 5 shepherding, 1 labourer, 10 wild life, 23 children.
	Eugowra.....	1	....	..	....	....	..	1	2	....	1	..	1	....	1	7	10	All are earning wages
	Hill End	2	....	..	1	....	..	..	3	1	....	..	....	....	..	..	1	Boundary-rider; shepherd. Half-caste, domestic servant
	Eringonia	10	4	..	11	4	..	12	41	2	....	..	5	....	..	13	20	On the different stations
	Dumge .....	....	1	..	....	....	..	3	4	....	....	..	....	....	..	3	8	Aboriginal man as tracker, children as servants; half-castes as servants.
	Dubbo	138	81	15	90	41	15	117	497	42	10	2	33	18	..	139	244	On stations in various ways; old men, women, and children live in bush.
	Condobolin ..	25	16	5	30	10	2	20	108	15	....	..	10	....	..	12	37	On stations
	Stoney Creek.	....	....	..	....	....	..	..	..	....	....	..	....	1	..	..	1	Laundress married to European ..
	Canowindra ..	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Cudal .....	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Cowra	1	1	..	....	....	..	..	2	3	1	..	2	....	..	13	19	Males employed on stations as boundary riders, one half-caste woman married to a white man, other living with a white man
	Carcoar .....	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Trunkay Creek	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Cobar	9	1	..	4	....	..	1	15	2	....	..	....	....	..	..	2	1 as tracker, 4 by butchers, others looking after stock.
	Coolah	1	1	..	....	2	..	..	4	4	....	..	4	....	..	6	14	Boundary-riding, shepherding, and general bush work.
	Blayney .....	....	....	..	....	....	..	..	..	....	....	..	....	....	..	..	..	.....
	Bourke	56	20	4	40	8	..	46	174	38	4	..	14	....	..	28	84	The half-castes and young aborigines are employed on stations; the old blacks and children support themselves by fishing and hunting.
	Brewarrina ..	26	17	2	32	23	3	43	151	4	1	..	3	....	..	16	24	On stations mustering stock, cutting firewood, drawing water, &c.; old men and women live on charity.
	Bathurst	1	5	..	2	2	..	2	12	1	....	..	1	....	..	8	5	The men and 1 woman shepherding; one Police tracker; half-caste man fencing; woman married to a white man; children cared for by general people.

If in need of Government aid, why? and in what shape most requisite.	If provided with fishing-boats by Government, or otherwise? If so, condition of boats and gear, and whether properly cared for; also, what subsistence earned thereby.	If any of the Aborigines or their children receive instruction? If so, from whom, and to what extent?	If all supplied with Government blankets? If issue necessary, or in any way misappropriated?	If in need of supply of clothing by Government?	If addicted to habits of intemperance? If so, where liquor usually obtained by them, and suggestions for checking, if practicable.	How medically attended when sick?	Any special information regarding race, likely to be of use and interest in considering their condition.
Some land for married people.	No	No	Yes Yes No	No	Yes. From public-houses and shanties. Heavier penalty on publicans and shanty keepers	Very seldom.	Education.
Nil	Not required	No	Yes	No	Yes; supplied by publicans clandestinely.	Gratuitously	No.
No	Not required	Nil	Yes; not misappropriated.	No	Yes; usually obtained from the local hotels.	No medical attendance.	Government doctor.
No The two old women are in need of aid in the shape of clothing, food, &c., being too old to earn a living.	No Nil	Nil Nil	Yes Some are; some not. Issue necessary.	No Yes	No Yes, when they can get liquor, which is usually supplied from public-houses.	Nil	Nil
Yes; clothing	No	No	No blankets here. Greatly needed.	Most of the blacks in this district are completely naked, and are greatly in need of clothing	Yes; as a rule obtained from swagmen. Police here check it when practicable.	No medical attendance available.	None.
Yes; food	Nil	Nil	Yes	Yes	Yes. Very hard for the police to find out who supplies them.	By themselves.	
No	Not required	None	Yes. Yes. No	No	Mostly temperate	No medical aid	None.
		Three of their children were sent to Biloela, and they have four more at home, two of which attend the Public School at Windeyer.	No	No	She is a most inveterate drunkard.		
Women and child require food and clothing; the rest clothing.	No	No	Yes; issue necessary. Not misappropriated.	Yes	No	Not attended by a medical man.	Nil.
No	No. Much required	No	Yes	No	With rare exceptions all are. The liquor is often obtained for them by low characters for immoral purposes.	By their employer	If the aborigines of this part of New South Wales were supplied with boats and nets, as they are in some parts, it would tend to regulate their intemperate habits.
No	Nil	Nil	Yes; issue necessary.	The aborigines are in need of clothing.	Not so far as is known to the police.	Not known to be sick.	If practicable it would be well to reserve some of the best fishing grounds along the bay and river banks for the aborigines
No	Not	No	Yes. Issue necessary. Not misappropriated.	Yes	Not many cases of intemperance.	From the whites.	
No	No	No	Yes	No	No	Doctor	
No	No	No	None supplied	No	Slightly. At public-houses.	No medical attendance.	
Nil	Nil	Nil	Not all; issue necessary.	Nil	Yes. Liquor obtained at bush public-houses.	Nil.	
No	No	No: Mr. Anderson is educating 2 half-caste children.	No	Yes	No	Never sick	No.
Yes; food and clothing for the old and children.	No	None, except two, one at Gubelton by Mr. Gardner's tutor, the other at the R. C. Deaminational school.	Yes. Issue necessary. Not misappropriated.	Yes; women, children, and the old.	Yes. From public-houses and low whites.	By themselves	Some rough huts should be erected for them.
	Nil	None	Yes. Yes. No	No	Yes. Public-houses and shanties.	Nil	Education.
No	Nil	No	No	No	No	Medical man	None.
No	No	No, the children belonging to the married half-caste woman attend school, the other woman's does not	Yes. Issue necessary.	No	No	By a medical man.	
Not in need	Not required	Nil	Yes	No	Yes	Badly.	
Appear to be very well provided for and not in need of Government aid	Not required	No	Yes. Issue necessary. Not aware of them being misappropriated.	No	Cannot say they are given to drink.	Never knew any to be sick.	
Not in need	No	No	Yes. Issue necessary. Not misappropriated.	No	Yes. Obtain liquor from various persons.	Not.	
Greatly in need of food and clothing.	Not required	No	Yes. Issue necessary. Not misappropriated.	Yes. Clothing	Yes. Procured by women of the lower class of whites. No suggestion.	They receive no medical attendance. A great number are suffering from venereal disease, over which they have no control.	Bathurst Hospital.
No	Not required	No	Yes. Issue very necessary. Not misappropriated. require blankets twice a year.	No	In most cases the women are sober and well behaved.		

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROTECTION OF THE ABORIGINES.

(MINUTE OF COLONIAL SECRETARY, TOGETHER WITH REPORTS.)

Ordered by the Legislative Assembly to be printed, 2 March, 1883.

Minute of Colonial Secretary.

26 February, 1883.

HAVING carefully read the two reports by the Protector, the various letters and articles which have appeared in the newspapers on the La Perouse blacks, and the report of Messrs. King and Fosbery on the Warangesda and Maloga Mission Stations, the opinion which I formerly held is confirmed, viz., that much more must be done than has yet been done for the Aborigines before there can be any national feeling of satisfaction that the Colony has done its duty by the remnant of the aboriginal race. It has been too generally assumed that that duty has been liberally fulfilled by the annual distribution of a certain number of blankets or a few articles of clothing, by giving now and then a boat or some fishing tackle, or by the relief on special occasion to cases of starvation and disease.

A more systematic and enlightened treatment of the Aborigines, however, appears to be necessary if we either desire to extend towards them any of the blessings of civilization or to feel that we have done our duty as a nation in regard to them.

A movement in the right direction was taken by the late Administration when a Protector to the Aborigines was appointed; and a further step in advance was made when the police collected the valuable information published by Mr. Thornton's instructions on 12th September last, showing the number of Aborigines in the Colony (which appears to be about 9,000), in what districts they are situated, and to what extent they are usefully occupied, or in what degree they sustain themselves by work, either regular or occasional.

Praiseworthy as these efforts are, I am constrained to think that they are insufficient for the purpose. To ensure efficiency in itself, and to make it satisfactory to the public, it seems to me that the Protectorate should not be in the hands of one person only, however able and zealous he may be, but should reside in a Board composed partly of officials and partly of gentlemen who have taken an interest in the blacks, have made themselves acquainted with their habits, and are animated by a desire to assist in raising them from their present degraded condition.

Inasmuch as some portion of the work to be done lies beyond the province of the State, and yet must run side by side with aid from the public funds, advantage should, without distinction of creed, be taken of any movement dictated or impelled by the benevolent or religious instincts of individuals or Societies working in the same direction. Such, for instance, as the Society for the Protection of the Aborigines, which should be aided on some recognized scale in proportion to the funds voluntarily raised, as well as by grants of land when necessary on which to locate the blacks. This view was taken by Sir John Robertson when acting for my predecessor, and he then promised to supplement the voluntary efforts of the Society and the missions which are befriended by it. A grant of land was made to certain Trustees for Warangesda, but no amount of money seems to have been proposed to or voted by Parliament for the purpose; the promise made will now be redeemed by the sum on the Estimates for the present year. My predecessor gave £200 for the Maloga Station, which appears on the Supplementary Estimates, and I have now given an equal amount to Warangesda, anticipatory of the above vote.

In districts to which that Society or others of kindred spirit have not as yet directed their attention grants of suitable land might be made, and stations formed to which the blacks might resort, even though their residence may only be fitful, to receive instruction in useful employments; such stations might be made partially self-supporting, the Aborigines taught various branches of useful practical knowledge, the children—especially the half-castes—receive school instruction, and the aged, sick, and infirm find a resting-place with some degree of comfort and attention. While I would not altogether shut out the idea of purely Government stations where necessary, I cannot say that I am very favourable to them. I believe it to be a sounder principle to encourage benevolent effort in this matter; it should, however, be always kept in mind that all aid should be given in such a way as to discourage idleness and promote habits of useful work. It may be difficult to accomplish, but ought ever to be aimed at—the young to be educated, the sick, aged, and infirm to be supported, and the strong, active, and healthy to be engaged in useful work and encouraged in self-sustaining efforts; at the present time, for instance, it is worthy of consideration whether many of them could not be made useful in the extirpation of the rabbit pest.

I do not here enter into the discussion as to the extent of mental or moral culture to which the Aborigines are capable of being trained. It is sufficient that in one or two instances a marked progress has been developed. (See, for instance, the *fac-simile* of an aboriginal female's letter in Brough Smyth's "Aborigines of Victoria," vol. II, page 260; also the Victorian Protector's reports for the past three years, the reports of the Moravian Station in South Australia, and other sources.) It thus appears that the fact has been proved sufficiently to prevent us from sheltering ourselves from our duty under the plea that it is impossible to reclaim them from their nomadic habits, or from their ignorant superstition and degraded condition.

It seems to me therefore to be the duty of the State to assist in any effort which is being made for the elevation of the race, by affording rudimentary instruction, and by aiding in the cost of maintenance or clothing where necessary, as well as by grants of land, gifts of boats, or implements of industrial work.

The mode of doing it, and the extent to which it should be done, are much more difficult problems than to decide in general terms that it should be done. It is for this reason that I strongly advocate a Board of Protection in preference to a single Protector. It should be a special instruction to such Board that, while it aids usefully benevolent efforts and deals liberally in cases of hardship or suffering, it must carefully guard the funds with which it may be entrusted from the abuse which might attend lax management or unwise and unnecessary deportation of blacks from districts where there may be a reasonable prospect of their obtaining work to others where, being strangers, they become either too dependent on charity or lapse into habits of idleness.

After much consideration of the whole question, I submit to my Colleagues that it is desirable—

1. To appoint a Board of Protection to the Aborigines, consisting of from five to seven persons.
2. To place at the disposal of the Board such sum as Parliament may annually vote, to be expended at the discretion of the Board, partly in supplement of funds raised by private benevolence and expended by voluntary Associations, and partly in direct support of Government stations; also the distribution of blankets and clothing, which is now made from the Store Department through the Benches of Magistrates or otherwise, and the administration of any other aid which is given to the Aborigines.
3. That the Board be subject to the control of the Colonial Secretary, and render to him an annual report of their proceedings to be laid before Parliament.
4. That an office and services of a Secretary be placed at the disposal of the Board, and that the expense of visiting the stations or other abodes of the Aborigines, in pursuance of the work hereby entrusted to them, be a charge upon the funds.
5. Police Magistrates or gentlemen who take an interest in the Aborigines may be invited to act as District Agents for the Board, with the view of checking or reporting abuses or of bringing under notice cases which merit relief at the hands of the Board.

I have thus endeavoured to sketch the outlines of a system which, when details are supplied by the experience and observation of the Board, will I think tend to the amelioration of the Aborigines, and in some degree remove the national stigma now resting upon the community for the almost total neglect of the race.

ALEX. STUART.

Approved by Cabinet.—A.S.

REPORT UPON ABORIGINAL MISSION STATION AT MALOGA,
MURRAY RIVER.

The Secretary of the Association for the Protection of Aborigines of New South Wales to The Colonial Secretary.

Sir,

Rosedale, Burwood, 23 February, 1880.

I have the honor, by instruction from the Association for the Protection of Aborigines of New South Wales, to invite your attention to the following statement in reference to the Aboriginal Mission Station at Maloga, on the Murray River.

This mission has now been in operation for five (5) years, having been first started by the voluntary and unassisted action of Mr. and Mrs. D. Matthews, in June, 1874. During this period the Government at various times has expended a total sum of £600 in the maintenance of the blacks in this district, and £1,057 has been remitted to Mr. Matthews by the general public. By the careful use of this money Mr. Matthews has been enabled to gather together, and gain the confidence of, the tribes known as the Moira and Ulupna Blacks, to the number of sixty (60), and to train and educate about forty (40) of them. Many of these are now fully conversant with the ordinary rudiments of an English education, and carry on written correspondence with their friends.

The destruction of fish and game by the settlers has reduced the supply so much that the blacks are unable to procure a sufficient quantity of food, and are at times almost famished for days together. Pulmonary and other diseases, some of them resulting from intercourse with vicious whites, are common, and the old and infirm blacks are in a deplorable state.

It is found that the amount contributed by the Government and by private aid is inadequate to feed and clothe the number who have placed themselves under Mr. Matthews' care; and great difficulty has been found in obtaining suitable work for those who are willing and competent to labour, as, were Mr. Matthews to employ them on his own property his motives would be liable to misconstruction.

The young children also require to be trained to habits of industry, and already eleven marriages have been legally performed amongst those who have reached adult age while connected with the mission. Homes are required for all of these, as it is their desire to settle down to civilized life.

The Association, therefore, feel justified, in view of the success which has attended Mr. Matthews' efforts, in suggesting the urgent need which exists for an area of land to be reserved for these people. It is estimated that at least 5,000 acres will be requisite, of which 1,000 acres should be adapted to agricultural pursuits.

It is also estimated that for the present an annual grant of £500 will be required to supply the people with food and clothing; but Mr. Matthews feels confident that in the course of a few years the Station could be made self-supporting, as many of the young married people are available for labour at once, and the children now being taught will be trained to more regular habits of industry.

It is proposed to require from every adult black a certain minimum of labour as an equivalent for the rations supplied, such labour to be directed to the general improvement of the reserve; the proceeds of labour above this minimum to be applied for the individual benefit of the worker, partly in the cultivation of the plots set apart for each family, and in other ways at the discretion of the Manager.

The old and infirm blacks would need entire support.

Somewhat similar provision has been made for the blacks in Victoria, South Australia, and Queensland; and the Association will have the benefit of the experience of these Colonies to assist in avoiding causes of failure, while their successes will point to the proper courses to be adopted here.

The Association further suggest that the land reserved should be vested in the hands of Trustees, the gentlemen selected being such as have shown an interest in the welfare of the Aborigines; and when the need for such reserve ceases they can again revert to the Crown.

The Appendices afford information on the following points:—

1. Abstract of receipt and expenditure.
2. Schedule containing names of blacks and other personal information.
3. Copy of the roll showing attendance of blacks.
4. Names of blacks whose labour would be at once available.
5. Committee of the Association.

I have, &c.,
ED. G. W. PALMER,
Hon. Secretary, Aborigines Protection Association.

APPENDIX No. 1.

Malaga Aboriginal Mission Station. - Abstract of Income and Expenditure.

1874-75 (ending March 31st)—Receipts, £90. Expenditure, £90
Between 1875 and 1876 we were compelled to give up, as the old blacks and several white people removed the young people.
1876-77 (ending March 31st)—Receipts, £275. Government grant, 1876, £400. Expenditure, £675.
1877-78—Receipts, £250. Expenditure, £404.
1878-79— " £402. " £252.
1879— " £287. " £276. Government grant in 1879, £200. Expenditure, £200.

APPENDIX No. 2.

LIST of names of Aborigines who usually or permanently reside at the Malaga Mission Station.

No.	Date of Admission.	Name.	Colour.	Age.	Remarks.
1874.					
1	26 July	Lizzio Barber	Half-caste	21	Away at present.
2		Franky Barber	Quadroon	6	Attending school.
3		Sarah Walker	Black	21	"
4		Herbert Walker	Half-caste	6	"
5	4 August	Kitty Cooper	Black	45	In camp; absent.
6		Jacky Wilberforce	Half-caste	13	Attending school.
7		Ada Wilberforce		11	"
8		Bobby Wilberforce		15	"
1876.					
9	13 October	Madha Stuckey	Black	21	
10	25 October	Susannah Crow		22	Away at present.
11	29 October	Bagot Morgan	Half-caste	23	Sometimes at work.
12	27 November	Dan Crow	Black	26	Away at present.
13	11 December	Harriet Brown	Half-caste	17	Attending school.
14		Billy Russell		19	Away at present.
15		Willie Atkinson	Quadroon	8	Attending school.
16		Freddy Walker	Black	25	Sometimes at work.
1877.					
17	4 January	Peter Stuckey	Half-caste	27	At school; sick.
18	19 January	Joseph Daylight Darling		12	Attending school.
19	13 February	Aaron Atkinson		23	Sometimes at work.
20		Louisa Atkinson		21	Attending school.
21		Henry Atkinson	Quadroon	5	"
22		Minnie Atkinson	Half-caste	3½	"
23	25 March	Jimmy Turner		21	Sometimes at work.
24	13 June	Lizzie Morgan		18	Attending school.
25	25 July	Sandy	Black	35	In camp; absent.
26		Annie Clareudon Murri	Half-caste	12	Attending school.
27		Maggie Murri		10	"
28		Bertha Murri		8	"
29		Annabella Howard		26	Cooking for Mission.
30		Gertrude Vincent	Quadroon	4	Attending school.
31		George Howard	Black	25	Sometimes at work.
32		Loucy Turner		13	Attending school.
33		Nellie Howard		17	"
1877.					
34	25 July	Dick Westall	Half-caste	12	Away at present.
35	30 July	Ned	Black	40	In camp; absent.
36		Maggie		28	"
37		Edward		40	In camp; present.
38		Matilda		35	"
39		Boney		55	In camp; absent.
40		Johnny		65	"
41		Micky		65	"
42		Charcoal		28	"
43		Eilen		30	"
44	18 September	Nanny		65	"
45		Company Howard		9	Attending school.
46	28 October	Johnny Atkinson	Half-caste	26	Away at present.
47	23 November	Edgar		19	Dismissed for immorality.
1878.					
48	1 August	Samson Barber	Black	23	Away at present.
49		Mande Barber	Quadroon	3	"
1879.					
50	30 May	Eddie Vincent	Quadroon	11	Attending school.
51		Susie	Black	35	"
52		Ronald	Half-caste	14	"
53		Archie		12	"
54		Eddy		10	"
55		Rosie		8	"
56		Alice		5	"
57		Eliza Nelson	Black	21	"
58		Harry Nelson	Half-caste	5	"
59		Robert	Black	18	"
60		Martin Simpson		22	Away at present.
61		Matilda Simpson		30	"
62		Alexander Turner	Half-caste	Inf.	Born, 8/9/78.

APPENDIX No. 2—continued.

No.	Date of Admission.	Name.	Colour.	Age.	Remarks.
63	Florence Atkinson .....	.....	Inf.	Born, 16/9/78.
64	Nanny (2)	Black	48	In camp; absent.
65	Gracey .....	.....	52	"
66	Cocky .....	.....	28	Away at present.
67	Kubbi .....	.....	30	"
68	Tilly .....	.....	48	In camp; absent.
69	Sydney .....	.....	
70	Georgey .....	.....	
71	Anny .....	.....	
72	Alec Hope .....	.....	
78	Andrew .....	.....	
74	Albert .....	.....	

Average attendance for the past four weeks at morning and afternoon day school is as follows:—Males, 18; females, 20; total, 38.

Average attendance at morning and evening prayers for the past four weeks is as follows:—Males, 20; females, 22; total, 42.

Sabbath services:—Males, 20; females, 22; total, 42.

APPENDIX No. 3.

Malaga Aboriginal Mission Station.—Attendance Roll.—Morning and Evening Prayers and Sunday Services, 1879-80.

No.	Names	May	June	July	August	September	October	November	December	January.
1	Aaron Atkinson.....	41	39 W.	33	51 E.	6	29	46	38	10
2	Louisa Atkinson	41 E.	40	21	7, Bondigo Hospital.	16	57	38 2s.	At Bendigo Hospital.	14
3	George Howard	43	39	11 days sick	sick	.....	.....	.....	.....	.....
4	Annabella Howard	44	53	7 days s.	54	42	60	60 s.	30	51
5	Bagot Morgan	36	44	53	48 2s.	34	20 s.s.	11	46	22
6	Lizzie Morgan	44	56	62	55	54	61	59	51	29
7	Johnny Turner	41	43	48	39	36	41	62	62	Moira Lakes.
8	Louey Turner.....	38	30	9	.....	.....	.....	.....	.....	.....
9	Peter Stuckey.....	42	52	39 D.	40	shearing 1	24	55	42	23
10	Martha Stuckey.....	40	53	49 D.	48	37	33	61	48 sick	26
11	Samson Barber	34	.....	3	26	37	6 Wyuna	3 Wyuna	3	5 Moira Lakes.
12	Lizzio Barber.....	27	.....	11	34	48	26	3	3	6
13	Johnny Atkinson	44	40	1	Dismissed for 3 months	.....	5	45	55	campg. 8
14	Bobby Wilberforce	43	56	51	57	.....	15	31	28	8
15	Jackey Wilberforce	44	56	62	61	42	3	53	55	7
16	Joseph Daylight Darling	44	56	62	62	57	17	62	51	25
17	Harriet Brown	44	56	62	62	59	62	56	55	campg. 9
18	Nellie Howard	44	56	62	62	59	61	62	62	29
19	Dora Company Howard	44	56	62	59	36	50 sick	56	51	27
20	Annie Clarendon Murri	44	56	62	.....	.....	61	62	62	29
21	Maggie Murri.....	44	56	62	62	60	62	62	62	29
22	Bertha Murri.....	44	56	62	62	60	62	62	62	29
23	Ada Wilberforce	44	56	62	59	58	60	62	62	17 Lake
24	Willio Atkinson	44	56	62	62	60	62	62	60	29
25	Minnie Atkinson	44	56	62	49	49	49	55	39	21
26	Florence Atkinson.....	41	46	61	43	36	49	37	18	11
27	Gertrude Vincent	36 2 s.	56	51 5 s.	56	55	53	51 s.	62	10 Lakes
28	Franky Barber	44	56	62	53	55	58	62	62	10 "
29	Maudie Barber	44	56	56	52	53	25	46	62	10 "
30	Henry Atkinson	30	2	18	62	59	60	62	59	27
31	Alec Turner	43	44	48	49	54	27 sick	deceased.	.....	.....
32	Herbert Walker.....	42	58	62	42	60	62	57	56	camp. 8
33	Eliza Nelson	3	58	62	62	60	62	62	62	28
34	Henry Nelson.....	3	58	62	62	60	62	62	62	28
35	Susie	3	58	62	61	57	51	58	62	28
36	Ronald	3	58	62	62	3 shearing	38	62	62	29
37	Archie	3	58	62	62	3	38	62	62	29
38	Eddy	3	58	62	62	60	62	62	62	29
39	Rosie	3	58	62	62	60	62	62	62	29
40	Alice	3	58	62	62	60	62	62	62	29
41	Freddy Walker	3	45 sick	46	24	20	37	39	20	camp. 8
42	Sarah Walker.....	3	55	31	27	19	57	52	49 3 s.	8
43	Eddie Vincent	14	58	62 s. 11	62	60	62	62	62	29
44	Robert Kenedy	3	58	62	58	2 shearing	38	48	57	23
45	Susannah Crow .....	.....	.....	51	54	60	41	16	36 gone to	Gerilderie
46	Edward Walker.....	.....	1 campg.	6 campg.	3	camping	camping	camping	at Moira	Lakes
47	Matilda Walker .....	.....	camping	2 campg.	camping	camping	camping	1 campg.	"	"
48	Johnny	camping	.....	camping	3 campg.	.....	.....	.....	.....	.....
49	Micky	camping	.....	.....	4	.....	.....	2	camping	Died at
50	Boney	2	.....	1	8	.....	.....	.....	.....	Moira Lakes,
51	Neil	4	.....	2	4	.....	.....	.....	.....	Dec. 24.

APPENDIX No. 3—continued.

No	Names.	May	June	July	August	September	October	November	December	January
52	Maggie	camping	.....	camping	4	.....	.....	.....	.....	.....
53	Charcoal	4	.....	4 campg.	11	.....	.....	.....	.....	camping
54	Ellen	5	.....	2	3	.....	.....	.....	.....	"
55	Nanny	1	camping	.....	4	.....	.....	.....	.....	.....
56	Nanny Walicha	1	.....	2	7	.....	.....	.....	.....	.....
57	Gracey	1 campg.	.....	1	4	.....	.....	.....	.....	.....
58	Kitty	camping	.....	.....	8	4 campg.	3 campg.	4 campg.	3 campg.	Moira Lks.
59	Martin Simpson	10	.....	1	2 Wyuna	.....	.....	1 Wyuna	1 Wyuna	.....
60	Matilda Simpson	5	camping	.....	2	5 campg.	11 camp.	1	1	.....
61	Cocky	11	.....	.....	.....	.....	.....	3 campg.	8 campg.	Moira Lks.
62	Kubbi	11	camping	1 campg.	.....	.....	.....	5	.....	.....
63	Tilly	5	camping	4	11 camp.	.....	.....	.....	.....	.....
64	James Sydney Valentine .....	.....	.....	35	62	60	62	62	62	15
65	Georgy .....	.....	.....	30	62	60	62	62	62	15
66	Monkey .....	.....	.....	1 camp.	3 camp.	.....	.....	.....	.....	.....
67	Betsy .....	.....	.....	2	4	.....	.....	.....	.....	.....
68	Sandy .....	.....	.....	17	10	25 camp.	15 sick	28 camp.	2 camp.	Died Moira Lakes, Dec. 30. Upper Moira.
69	Jimmy Turner .....	.....	.....	.....	39	36	41	62	62	.....
70	Alex. Turner .....	.....	.....	.....	39	36	54s. deceased	.....	.....	.....
71	Alex. Hope Taylor .....	.....	.....	.....	.....	.....	.....	11	61	24
72	Anny Taylor .....	.....	.....	.....	.....	.....	.....	11	61	24
73	Andrew Kennedy .....	.....	.....	.....	.....	.....	.....	12	38	28
74	Albert Kennedy .....	.....	.....	.....	.....	.....	.....	11	45 harvesting	29
75	Emmie Howard .....	.....	.....	.....	.....	.....	.....	.....	49	.....
76	Freddy (Dutchy) .....	.....	.....	.....	camping deceased.	.....	.....	.....	.....	.....
77	Johnny Phillips .....	.....	.....	.....	.....	.....	5 Sandhurst deceased October 26	.....	.....	.....
78	Jane Phillips .....	.....	.....	.....	.....	.....	.....	.....	.....	.....

APPENDIX No. 4.

Names of Blacks whose labour would be at once available.

Bobby Wilborforce, age, 15 years.	Edward,	age, 40 years.
Bagot Morgan, " 23 "	Johnny,	" 65 "
Dan Crow, " 26 "	Charcoal,	" 23 "
Billy Russell, " 19 "	Johnny Atkinson,	" 26 "
Freddy Walker, " 25 "	Samson Barber,	" 23 "
Peter Stuckey, " 27 "	Ronald,	" 14 "
J. Daylight Darling, " 12 "	Archie,	" 12 "
Aaron Atkinson, " 23 "	Martin Simpson,	" 22 "
Jimmy Turner, " 21 "	Cocky,	" 28 "
Ned, " 40 "		

Total—19 men and boys.

APPENDIX No. 5.

ASSOCIATION FOR PROTECTION OF ABORIGINES IN NEW SOUTH WALES.

Names of Members of Committee.

R. Barbour, Esq., M.L.A.	Joseph Palmer, Esq.
John Roseby, Esq., M.L.A.	G. C. Tuting, Esq., J.P.
John Davies, Esq., M.L.A.	R. Hill, Esq., J.P.
Rev. Canon H. S. King.	Rev. Robt. Steel, D.D.
Rev. Joseph Barnier.	John Lutton, Esq.
Rev. Dr. Galloway.	W. Carpenter, Esq., J.P.
Rev. Thos. J. Curtis.	D. M'Beath, Esq., J.P.

E. G. W. Palmer, Esq., Hon. Secretary.

REPORT OF THE NEW SOUTH WALES ABORIGINES PROTECTION
ASSOCIATION, JUNE 30TH, 1881.

To His Excellency LORD AUGUSTUS LOFTUS, G.C.B., &c., Governor of the Colony
of New South Wales, and Patron of the Association.

YOUR COMMITTEE respectfully submit for your consideration the following report of the progress of efforts on behalf of the native black population of New South Wales, during the year 1880, together with such items of records of similar work undertaken in previous years as they have been able to gather.

The formation of this Association was mainly due to a few gentlemen whose attention had been directed by Mr. Matthews and the Rev. J. B. Gribble to the miserable condition of the blacks, and who felt that until some adequate protection and assistance were guaranteed to them the Christian community in this Colony would be responsible for a grave neglect of their duty.

The objects of the Association are the promotion of the social, moral, religious, and intellectual welfare of the Aboriginal natives of the Colony of New South Wales and their descendants of mixed blood; and as the general condition of the blacks is marked by deep moral degradation and great physical discomfort, to which the drink and vices of the Europeans have largely contributed, it was felt that something ought speedily to be done to alter this state of things.

Two stations had already been organized, one on the Murray River, at Maloga, near Moama, which had been inaugurated six years previously by the individual action of Mr. D. Matthews, and subsequently sustained by private contributions, and occasional aid from Government. The other was just commenced, under the superintendence of the Rev. J. B. Gribble, at Warangesda, near Darlington Point, on the Murrumbidgee River. It was therefore decided to appeal to the public and to the Government on behalf of these two institutions, and to aid the formation of others, should sufficient funds be procurable.

His Excellency Lord Augustus Loftus, G.C.B., having intimated his willingness to be the Patron of the Association, and the Hon. Sir John Robertson, K.C.M.G., Vice-President of the Executive Council, accepting the Presidency, the following gentlemen were elected, viz.:—

VICE-PRESIDENTS.

The Right Rev. F. Barker, D.D., Bishop of Sydney, and
The Hon. W. J. Foster, Esq., M.P.

HONORARY TREASURERS.

The Hon. John Frazer, Esq., M.L.C., and
The Hon. John Marks, Esq., M.L.C.

HONORARY SECRETARY.

Edward G. W. Palmer, Esq.

COUNCIL.

The Hon. G. Thornton, Esq., M.P.,	Rev. T. J. Curtis,
R. Barbour, Esq., M.P.,	„ G. Hurst,
J. Davies, Esq., M.P.,	J. Comrie, Esq.,
J. Rosoby, Esq., M.P.,	R. Jones, Esq.,
Dr. Renwick, M.P.,	G. C. Tuting, Esq.,
Rev. Canon H. S. King,	J. Lutton, Esq.,
„ Dr. Steel,	A. Bulburne, Esq.,
„ J. Jefferies, LL.B.,	J. Palmer, Esq.,
„ J. Barnier,	D. Walker, Esq.,
„ D. Galloway,	J. Paxton, Esq., J.P.,
D. McBeath, Esq., J.P.,	U. W. Carpenter, Esq., J.P.,
	The Hon. R. Hill, Esq., M.P.

A prospectus of the Association was issued and circulated as widely as possible in the city and throughout the Colony, and appeals were made through the public newspapers, and other means used for giving publicity to the matter.

The Rev. J. B. Gribble during a short stay in Sydney lectured at many places in the city and suburbs, and graphically portrayed the abject and deplorable condition of the blacks resulting from habits of drunkenness and revolting immorality between the whites and blacks. Their camp life was described as miserable in the extreme, often verging on starvation. The women, utterly debased, are entirely without protection from the vilest outrage, and often destitute of clothing and food. The children frequently ruined at a tender age, and many nearly white roaming wild, and totally uncared for through their tribal districts.

During the year Mr. Matthews and the Secretary have availed themselves of every opportunity to address Sunday schools and meetings in connection with many churches, and considerable interest has been awakened in the movement. A large number of ladies have afforded most acceptable aid by contributions of clothing, books, and toys for the children at Maloga and Warangesda, and by collecting money which has often arrived to meet a great and urgent need.

As usual in inaugurating an effort of this nature, the Association had some obstacles to surmount through misrepresentation and apathy. It was said that any attempt to better the condition of the blacks was labour in vain; that they were such irreclaimable savages, and so devoid of ordinary human sympathies that no hold could be got over them; and that they were dying out so fast that no good end could be served by trying to civilize and educate them. Reports unfavourable to Mr. Matthews' work were also circulated and accepted in certain quarters, and the sympathy of many was withheld from this cause. It is gratifying to know that these preliminary difficulties have been satisfactorily overcome, and that some who at first stood aloof are now fully persuaded that the results attained sufficiently vindicate the efforts put forth.

MALOGA ABORIGINAL STATION.

The neglected condition of the blacks in the neighbourhood of Echuca was, we understand, the subject of correspondence between Mr. Matthews and the Victorian Board for the Protection of Aborigines as far back as 1864, or seventeen years ago; and although the matter was repeatedly brought under their notice, and it was contemplated to form a station on the Murray River, the idea was never carried out by them. Meanwhile, the blacks gradually came to recognize in Mr. Matthews a friend to whom they could appeal in cases of sickness or want of food and clothing. At that time tribes gathered in hundreds, and among them were men tall, brave, and stalwart. Drink and its attendant evils wrought a desolating change; and disease, the result of the contaminating influence of the white men, swept away a large number of the women. Having removed from Victoria, Mr. Matthews settled at Maloga, on selections the joint property of himself and brothers; and a portion of the land having been a favourite camping-place of the blacks for many generations, he often had opportunities of seeing them as they visited the locality in their periodic journeyings from one hunting-ground to another. After a time he gathered in a few boys and girls from the camp and gave them daily instruction, but not without much opposition at first from the old people of the tribes, who several times made determined efforts to remove the children from his care—threats even being made that they would use their powers as sorcerers or medicine-men if their wishes were not complied with. On one occasion a party of young men were specially sent to take the children away, but by judicious management they relinquished their idea. Though ignorant of the simplest elements of education, these wild children of the bush, by continued acts of kindness and a limited course of training, improved so much in mind and character as to lead Mr. Matthews to direct his attention to the improvement of the remnant of this unfortunate race. In 1874 he, with his wife, devoted themselves to mission work at Maloga, a locality 16 miles from Moama in New South Wales. Without soliciting assistance—monetary or otherwise—from any one, they began in earnest the arduous and difficult task of reclaiming the degraded blacks, in simple dependence upon God. Many conflicting circumstances have marked their seven years' work. Difficulties varied and frequent met them on all sides, but with a noble persistency and faithfulness they have gone on step by step, achieving results the most satisfactory.

From the small number of (4) four with which they began, they now, we are informed, number between seventy and eighty, who have made the station their home, and who look up to Mr. and Mrs. Matthews with almost parental regard; and such is their attachment to them that they voluntarily submit to the discipline imposed, and in no case do they leave the station, except when driven away from force of circumstances, viz., when funds are so low as to compel them to seek a precarious subsistence elsewhere. This contingency has arisen only too often, and has seriously retarded progress, for not only have such occasions been a sore trial to Mr. and Mrs. Matthews, but they are fraught with danger to the blacks themselves, who are exposed in their wanderings to all the villainy and corruption of camp life. Notwithstanding all these drawbacks, it is recorded with much gratitude that a number of the young people of both sexes have not only been reclaimed from lives the most depraved, but several are now leading exemplary Christian lives. These evidences of progress, together with the sober, industrious habit of the men and educational improvement of the school children, are most cheering and encouraging, and should be a strong incentive to those who are in sympathy with this Association to extend their efforts. It should also satisfy those who either passively or contemptuously impede the work of raising the aboriginal Australian in the scale of humanity.

Besides the regular morning and afternoon day-school the blacks are, your Committee is informed, summoned to morning and evening prayers and Sunday services and school. All of these are attended to with a praiseworthy regularity and apparent devotion.

The premises consist of a large weather-board school-house, with four dormitories for children, men's hut, hut for boys, kitchen, store-rooms, tool-house, office, superintendent's residence, and six huts for married couples.

The Institution possesses no property. There is neither live stock nor anything that can prove remunerative. To prevent idleness it is important to have a tract of country well stocked, to provide labour and sustenance for the aborigines of all ages; and it becomes daily more urgent that this should be attended to, as the difficulty of finding employment for the men is a serious drawback and is often made the subject of complaint by themselves. Many of the boys who have been trained in the school are also quite competent and willing to support themselves by agricultural labour. During the past year a system has we are informed been introduced, and has hitherto worked successfully so far as it can be applied, which is called the "cheque system," by which married men and their wives are required to earn their own rations by some kind of work on the Mission. For all kinds of employment they are paid at the rate of 6d. per hour. These payments are made each evening by a small paper cheque, on which the time, nature of, and value of the work is written. When they require rations these cheques must be produced, and the equivalent in flour, tea, sugar, meat, and other articles marked at the back, until the cheque is finished and handed in to be passed to the individual account. In this way every account is balanced continually, and no man or woman, able to work, can receive any substantial benefit from the Mission except he or she perform a corresponding amount of work. Men's work consists of baking bread, chopping and carting firewood, erecting huts and fences, cutting, carting, and preparing timber for building, stripping bark, roofing, killing, salting meat, &c. Women and girls are engaged in sewing, washing clothes, cooking, scrubbing, and general domestic duties, while the boys and younger children all have some little occupation out of school hours.

But the Institution as at present circumstanced does not afford sufficient scope for remunerative labour, and this has been adopted merely as a temporary scheme to prevent the Mission being imposed upon, and to train the people to habits of industry.

Mr. Matthews has been assisted in his work by several friends, who have spent much time at Maloga and laboured most assiduously and disinterestedly in educating and training the blacks, and also by correspondence with religious and secular journals in the colonies and the old country. Chief among these may be mentioned Miss Piram, a young lady from Melbourne, a converted Jewess; Miss Rainey, a young lady from Dublin, who spends the winter generally at Maloga. The hands of the Superintendent have also been strengthened

strengthened by the able assistance of Mrs. S. Edwards, who has acted during the last year as matron, and has fully won the confidence of the blacks by her kind maternal care. Lately two young christian men, Messrs. James and Lewis, have offered their services, and besides these several visitors have lightened the labours of the regular workers by valuable muscular, mental, and monetary assistance.

Referring to the necessity for sending the people away in consequence of shortness of funds, we take the following extract from Mr. Matthews's journal of November, 1878 :—

Our numbers are reduced from forty-two to twenty-eight. The children have a strong aversion to leaving our Institution, as they have learned to prize the comforts of a home and the instructions they receive. The temptations of camp life are too strong for some of the men and women. They have been drinking and quarrelling at Lake Moira, to which they have gone to await our sending for them as soon as we have money in hand. The peaceable ones complain to us, and constantly send messages about getting them all back to Maloga.

In March of the following year a grant of £100 was made from the Government of New South Wales, and Mr. Matthews expresses his gladness in the following terms :—“ We are happy to have the means of relieving the wants, not only of the children but of several old men and women, who lead a miserable existence, being sometimes without food for two or three days.”

It will be seen by the foregoing remarks that the results at Maloga are commensurate with the funds at the disposal of the Institution.

The following is a statement of receipts and expenditure from April, 1873, to present time :—

	£	s.	d.
Cash paid towards cost of School-house and Dormitories	72	14	1
Private subscriptions, from April, 1873, to March, 1875	91	0	10
" " 1875, " 1877	78	15	7
" " 1877, " 1878	141	2	9
" " 1878, " 1879	402	4	11
" " 1879, " 1880	366	18	8
" " 1880, " 1881	510	11	0
	<hr/>		
	£1,663	7	10
Amounts granted by Government :—	£	s.	d.
March, 1877	400	0	0
" 1879	100	0	0
July, 1879	100	0	0
March, 1880	100	0	0
	<hr/>		
	700	0	0
	<hr/>		
Total for a period of eight years... ..	£2,363	7	10

Expenditure.

	£	s.	d.
Cost of erecting School-house and Dormitory	143	19	2
Expenditure to May, 1875	91	0	10
" to March, 1877	171	19	2
" to " 1878	595	11	10
" to " 1879	266	16	3
" to " 1880	644	11	7
" to " 1881	698	1	11½
	<hr/>		
Total for eight years	£2,612	0	9½
say total Expenditure	2,612	0	9½
say total Receipts	2,363	7	10
	<hr/>		
	£248	12	11½
Cash retained by Police Magistrate in 1878 for stamps, &c... ..	1	12	7
	<hr/>		
Deficiency	£250	5	6½

Since the commencement of the Institution there have been—

Connected with Maloga	150	Aborigines.
Births	20	
Deaths	21	
Marriages... ..	8	
Can read and write	25	
Now attending school	49	
Gone to Warangesda	12	

Average

Average School Attendance.

	Boys.	Girls.	Total.
Quarter ending 31 March, 1880	12	13	25
" " 30 June, "	16	15	31
" " 30 Sept., "	15	15	30
" " 31 Dec., "	15	16	31
" " 31 March, 1881	18	20	38

WARANGESDA MISSION.

The Rev. J. B. Gribble, who was, we understand, minister of a church at Jerilderie, being constantly brought into contact with the blacks during his pastoral journeys, and seeing the sad condition especially of the young girls, at first aided as many as he could to go to Maloga, where they were received and tended by Mr. and Mrs. Matthews; but gradually becoming more convincingly impressed with the need for systematic effort in his own district, he resigned his pastorate, and devoted his energies to befriend the aboriginals whose tribes claim the banks of the Murrumbidgee as their hunting-grounds. Correspondence with the Government was rewarded by a grant of land, and the Honorable the Minister for Public Instruction cordially assisted by taking the school under his control, a salary was granted to the teacher, and provision will be made for the erection of a suitable school.

The station was commenced in March, 1880, and so energetically was the work proceeded with that in less than a year a settlement had been formed of a large school-house, a dwelling for Mr. Gribble and his family, a building for office and store, and seven substantial huts for the blacks. A paddock was enclosed for wheat cultivation of 10 acres; another block of land was fenced in and planted with vegetables; a well sunk to a depth of 45 feet, and a dam made to form a reservoir of water. All the labour incidental to these improvements being performed by Mr. Gribble, aided by the regular work of three of Mr. Matthews' trained and christianized blacks, Johnny Atkinson, Jimmy Turner, and Bagot Morgan, with occasional assistance from other blacks. This fact is a sufficient refutation of the assertion that the blacks are incapable of profitable labour and cannot be trained to persistent industry.

The blacks who had been sent to Maloga becoming anxious to return to their own district, Mr. Matthews kindly drove them in his vehicle to Deniliquin, where they were met by Mr. Gribble. The few months' training at Maloga has been of service in preparing them to form a nucleus for the organization of Warangesda Station.

Mr. Gribble states that immediately the news was spread that he was forming a home for the neglected girls they gathered in from all parts, and a heavier strain was at once thrown on his very slender resources than they were equal to, liabilities thus arising that still retard his progress. There was no difficulty in gathering the people together: the question was how to feed and clothe the eager applicants, and that question not being entertained by those whose liberality was necessary, the only course open to the superintendent was to inform the poor creatures that he could no longer support them, and only a few of the young girls were retained. The histories of some of the young women are full of interest, and it is truly surprising how soon the wild untutored wanderers of the bush accommodated themselves to the discipline of school routine and settled down to a quiet domesticated mode of life. The progress of the scholars has been very satisfactory, and all that is requisite to the success of the experiment at Warangesda is more liberal pecuniary aid until the natives can raise food enough to make the place almost if not quite self-supporting.

The financial statement shows that Mr. Gribble has received from all sources, viz., subscriptions, grants in aid from the Association, and salary from Government, the sum of £232 13s. 9½d.

The expenditure has been £400 6s. 10½d., nearly the whole amount being for food for the children at school, and the other blacks connected with the institution.

The estimated value of the improvement is set down as follows:—

Well and tank	£110	0	0
Superintendent's residence, office, and Overseer's quarters	110	0	0
School-house and blacks' huts	100	0	0
Garden and paddock, fencing, &c.	50	0	0
	£370	0	0

There are sixty blacks connected with Warangesda, and the system of training and instruction is similar to that at Maloga, the results for the short time they have been under control being very satisfactory, and the children showing great aptitude at their lessons.

The average attendance is reported to be:—

1880.			
August	...	...	28·8
September	...	...	22·19
October	...	...	25·7
November	...	...	28·6
December	...	...	28·9
1881.			
January	...	...	45·9
February	...	...	25·7
March	...	...	26·8

The reserve granted by the Government at Warangesda is 600 acres, and it is intended in the course of the present year to bring a large area under cultivation, so as to produce, if possible, sufficient wheat in a few years to supply the needs of the station.

The Hon. the Minister for Public Instruction has caused the school to be made a Provisional School, and a certificated teacher, Mr. Carpenter, is in charge. Mr. Gribble has the general superintendence, and Mr. G. Bridle the working management of the station.

The

The efforts of the Association during the past year have been chiefly directed to securing the interest and sympathy of the public in the aborigines, and in collecting and disseminating information as to their condition and needs. The Government has been applied to for grants of money to provide food and other necessaries for the blacks at Maloga and Warangesda, and it is hoped that a reserve similar to that granted for Mr. Gribble's station will shortly be dedicated for the blacks at Maloga, this matter of the reservation of land being of urgent importance in any scheme for benefiting the aborigines. The amount of subscriptions received has been £339 11s.

Of this amount there has been remitted to Mr. Matthews	£	s.	d.
" " " " " " " " to Rev. J. B. Gribble... ..	76	2	8
Paid for advertising, printing, stationery, stamps, and collectors' commission, and other incidentals	118	11	7
Leaving a balance at the credit of the Association of	54	6	6
	90	10	3
Total... ..	£339	11	0

The following is an abstract of present financial condition of each of the stations :—

	Receipts by Subscriptions, &c.	Government aid.	Expenditure.	Liabilities.
Maloga	£1,663 7 10	£700	£2,613 13 4½	£250 5 6½
Warangesda	232 13 9½	...	400 6 10½	167 13 1
Total	£1,896 1 7½	£700	£3,014 0 3	£417 18 7½

From the first settlement of the Colony the interests of the aborigines have always received attention from the Government, but their habits of wandering from place to place in pursuit of game, and constant evasion of all efforts to agricultural or other regular pursuits, have prevented many of the attempts for that purpose succeeding.

In instructions to His Excellency the then Governor, from Her Gracious Majesty Queen Victoria, dated from Osborne House, Isle of Wight, 5th March, 1861, the following paragraph occurs :—“ And it is our further will and pleasure that you do to the utmost of your power promote religion and education among the native inhabitants of our said Colony, and that you do especially care to protect them in their person and in the free enjoyment of their possessions, and that you do by all lawful means prevent and restrain all violence and injustice which may in any manner be practised or attempted against them, and that you take such measures as may appear to be necessary to further their ‘conversion to the Christian faith and their advancement in civilisation,’ ” and the following letter from the Principal Under-Secretary will show that these instructions have not been overlooked :—

Sir,

Colonial Secretary's Office, Sydney, 2 March, 1881.

In reply to your letter of 25th of last month, applying, on the part of the Aborigines' Protection Association of New South Wales, for information regarding the aid afforded by the Government to the blacks throughout the Colony, I am directed by the Colonial Secretary to state, for the information of your Committee, that in various ways, as below indicated, the Government has been mindful of the concerns of the aborigines, for instance—

- (1.) A penalty is imposed on any publican found guilty of selling them intoxicating drinks.
 - (2.) They are supplied annually with blankets, at a cost of about £3,300 (which was the amount expended last year.)
 - (3.) Tribes on the coast are provided with fishing-boats (with all necessary tackle, &c.), which are supervised and repaired at public cost (the amount expended on this service during the past twelve months being £47 for purchase of boats and tackle and £14 for repairs).
 - (4.) At Sydney, and from time to time elsewhere, they are supplied with food and clothing (the cost for which service for the past twelve months has been for rations £214, for clothing £136).
 - (5.) Throughout the Colony they are provided with medical attendance, medicine, and all other things needful for sufferers.
 - (6.) They receive free passages by railway and other modes of conveyance.
 - (7.) Two schools have been established of peculiar arrangement, adopted to their peculiar habits.
 - (8.) Assistance has been given for their benefit to your own Society, and to others.
2. It will thus be seen (as Sir Henry Parkes desires me to observe) that the aborigines, notwithstanding the difficulties with which the work of befriending them is beset, have not been wholly uncared for. While the Government is desirous of doing whatever is prudent and practicable in this direction, yet the liabilities to abuse are so many that the efforts made to afford relief often only aggravate the mischief.

I have, &c.,

CRITCHETT WALKER.

E. G. W. Palmer, &c., Honorary Secretary to the Aborigines' Protection Association,
133, Pitt-street, Sydney.

PREVIOUS EFFORTS TO CIVILIZE THE ABORIGINES.

As early as 1813 an attempt was made by Governor Macquarie to benefit the natives around Port Jackson, and friendly overtures were made to them, but their wandering mode of life and aversion to restraint rendered these attempts in a great majority of cases futile.

In 1834 the Rev. James Gunther and W. Watson were specially sent out by the Church of England Missionary Society to labour among the aborigines, and they had some measure of success, but the Mission was discontinued, according to their own report, in consequence of inadequate means, long continued drought, and interference from settlers.

The Rev. L. E. Threlkeld laboured during the years 1836-37 at Lake Macquarie, and one result of his exertions on their behalf remains in the form of “An Australian Grammar of the Language spoken by the Aborigines in the vicinity of the Hunter River, &c., with a Key to the structure of the Aboriginal Language; Sydney, 1834-50.”

In May, 1853, the Rev. W. Ridley, a gentleman subsequently well known in Sydney for his scholarly attainments, his ability as a minister and his literary labours, first entered on his mission to the blacks in the Namoi and Barwon River districts, and to this day his name is beloved by many of the natives who knew him. He abandoned himself to a life of great privation in order to win the confidence of tribes and to learn their language and become conversant with their peculiar customs, and in the face of many difficulties he prosecuted his work.

On

On the 13th February, 1855, at a public meeting in the Evangelical Church, North Brisbane, an Aborigines Friends Society was founded; and, in pursuance of the design of this Society, he began the study of the languages spoken in Moreton Bay, now the principal port of Queensland, and shortly afterward visited the aborigines at and around Durundurun, residing for a time with the blacks and preaching to them. There is an entry in his journal, on May 13, 1856, to the following effect:—"Resigned the office of missionary in connection with the Moreton Bay Aborigines Friends Society, because through the non-payment of my salary my family were left in want.

Throughout his life he manifested unabated interest in the aborigines, repeatedly lecturing and endeavouring to excite attention to them. On learning of Mr. Matthews's work at Malaga he corresponded with him, and it was mainly through the influence of Mr. Ridley and the Rev. Dr. Steele that the Government were induced to make the first grant in aid of the blacks at Malaga. Mr. Matthews informs our Secretary that the encouragement he received from Mr. Ridley was of great value to him, and that on his arrival in Sydney he learned that he was unwell, death suddenly arresting his labours before the week ended. This occurred on Thursday, 26th, 1878.

The following is a list of the works published by Mr. Ridley on the blacks:—

Gurre Kámilarói or Kámilarói Sayings, with Illustrations	1856
Fragments of Kámilarói Grammar	1856
Links and divergences of the Australian Aborigines	1856
Kámilarói, Dippil, and Turrubul languages, spoken by the Aborigines, illustrated. Published by authority, T. Richards, Government Printer ...	1866
And second edition thereof, with additional dialects, the expenses involved in the collection and preparation of which the Government of New South Wales provided	1875

There have been other public efforts to benefit the blacks in different parts of the Colony, but from various causes they have for the most part been discontinued before any definite results have been attained.

Many instances of a very interesting nature are recorded of individual blacks being christianized, but this has generally resulted from young children being adopted and trained in christian families.

The Committee cannot close their report without referring to the assistance rendered to the blacks by many of the settlers, who have done much to contribute to the support of the tribes who use their stations as camping-places. Employment is also provided for the men as occasional shepherds, stockmen, &c., and especially at shearing-time, when they are often of great service. The labour of the women is also utilized for washing and general domestic work, but neither men nor women can be relied upon to remain for any length of time at any fixed employment.

The Committee would suggest to those persons who have for years befriended the blacks, without being able to render them permanent benefit, that they might perhaps better attain their object by co-operating with the Association, and inducing the aborigines to settle under the charge of the gentlemen recognized by the Association wherever such gentlemen may be placed.

EDWARD G. W. PALMER,
Hon. Sec.

133, Pitt-street,
Sydney, New South Wales.

APPENDICES.

MONEYS received for the Mission to Aborigines.

		£ s. d.			£ s. d.
1879.			1880.		
Feb.	Mrs. Mary Roberts	3 0 0	May ...	Mr. Holme	0 10 0
"	D. M'Beath, Esq.	2 2 0		Hon. John Marks	10 0 0
"	Mr. Ardill	0 10 0		Mr. R. Jones, Darlinghurst	2 2 0
	Mr. R. Jones	2 2 0		"A Friend," Sydney (special, Mr. Gribble)	1 0 0
	Rev. Canon H. S. King	1 1 0		Mr. Dowling (special, Mr. Gribble) ...	2 0 0
	Harris-street Baptist Sunday School ...	2 0 0		Miss Harrison	0 10 0
	Riley-street	0 15 0		Rev. F. Barker, D.D.	5 0 0
	Mr. E. G. W. Palmer	0 10 0		Rev. W. Slatyer	0 10 0
March ...	St. Barnabas' Church of England Sunday-School	10 0 0		"Lady Friend," Parramatta (special, Mr. Gribble)	1 0 0
	Bathurst-street Baptist Sunday School ..	2 12 5		Hon. J. Smith, C.M.G.	1 0 0
	Mrs. Walker	0 10 0		Rev. George Hurst	1 1 0
1880.				Collection at Lecture, Waterloo (special, Mr. Gribble)	1 15 2
May	Mr. E. O'Brien	2 0 0		Mr. G. R. Harrison	2 2 0
	Miss Lester, Burwood	2 2 0		Mr. James Taylor, Moss Vale	1 0 0
	Rev. J. Barnier	1 1 0	June 16	Mrs. Staff, Parramatta (per Rev. A. Lloyd)	1 0 0
	Miss Baker	0 9 0		Rev. F. Hibberd	1 1 0
	G. C. Tuting, Esq.	1 1 0		Mrs. E. G. W. Palmer	1 5 0
	Rev. J. P. Ollis, Sofala	1 2 0		Collection at Temperance Hall	2 7 0
	Mr. W. H. Mitchell, Manly (collected) ..	2 0 0		Rev. Joseph Barnier	1 1 0
	Rev. J. Barnier	1 1 0	July 5	Katie Bevon's Mission Box	0 10 6
	Mrs. M. Roberts	3 0 0		Mrs. S. Rawlings, Parramatta	2 0 0
	Dr. P. S. Jones, Burwood	2 2 0		Pitt-street Congregational Home and Foreign Mission Society	5 0 0
	Miss Minnie Baker's Mission Box	1 1 0		Mr. J. Turner, Newtown	1 0 0
	Rev. T. B. Tress, Balmain	1 1 0		Mr. Sandbrook	0 10 0
	Mr. Morwick, Balmain	1 0 0		Mr. Anderson	0 10 6
	"A Friend," St. Leonards	0 5 0		Rev. W. Davis	0 10 0
	"A Friend," Redfern	0 4 0		Mr. J. Comrie, Kurrajong	2 2 0
	Mr. J. Palmer	1 1 0			
	Mr. W. Wright, Drummoigne Park	1 0 0			
	Mr. J. Murray and family, Balmain	1 10 0			
	St. Michael's Sunday School	5 0 0			

MONEYS received for the Mission to Aborigines—continued.

1880.		£	s.	d.	1880.		£	s.	d.
Aug. 8	U. W. Carpenter, Esq., J.P.	1	1	0	Miss Minnie Baker's Mission Box	0	12	0	
	D. M'Beath, Esq., J.P.	1	1	0	R. G. Higgings, Esq.	1	1	0	
" 10	Mr. Michael	0	2	6	Mrs. Hayden	1	1	0	
" 16	Mr. W. Somerville	1	1	0	Mrs. Chauvel	1	1	0	
" 16	Messrs. Griffiths & Co.	10	0	0	R. A. A. Morehead, Esq.	1	0	0	
	B. Buchanan, Esq.	5	0	0	Congregational Sunday School, Petersham	1	10	0	
	R. Hills, Esq.	1	1	0	Church of England Sunday School, St. Barnabas	10	0	0	
	Hon. J. Frazer	5	5	0	Presbyterian Sunday School, Glebe	6	2	5	
	"Widow's Mite"	1	0	0	Miss Jones, Petersham (collected)	1	0	0	
	Messrs. Lassetter & Co.	1	1	0	Mr. L. Harrison	0	4	0	
	Rev. G. Fullerton	1	0	0	Miss Harrison	0	4	0	
	A. Brown, Esq., Eskbank	10	0	0	Mrs. Bryant	0	3	0	
	Mrs. Mary Roberts	43	15	0	Mrs. Hooper	0	2	0	
	Miss Lester, Burwood	2	2	0	Mrs. Gill	0	1	0	
	St. Stephen's Presbyterian Sabbath School	6	1	0	C. H. M.	1	1	0	
	Mr. M'Pherson, Burwood	1	1	0	W. Maddock	0	10	0	
	Mr. G. M. Pitt	1	1	0	G. E.	0	2	0	
	Dr. W. Moore	1	0	0	C. M.	0	2	6	
	J. Young, Esq. (by his executors)	1	0	0	C. S.	0	5	0	
	Mr. H. Butterworth	2	2	0	J. G. T.	0	5	0	
	Hon. T. Holt, M.L.C.	1	2	0	J. E.	0	5	0	
	"A Friend"	1	1	0	R. E.	0	5	0	
	His Excellency Lord Augustus Loftus, G.C.B.	3	0	0	J. C.	0	5	0	
	Mr. J. Milson, North Shore	1	1	0	H. R. S.	0	5	0	
	Messrs. Gibbs, Shallard, & Co.	1	1	0	W. Bullard	0	5	0	
	Mr. R. Chadwick	1	0	0	F. Hanks	0	2	6	
	A. A. Dangar, Esq.	1	1	0	G. Watts	0	2	6	
	Mrs. G. Allen, Toxteth Park	1	1	0	Mrs. M.	0	10	0	
	Sir George W. Allen	2	2	0	Miss M.	1	0	0	
	H. Bell, Esq.	2	2	0	C. E. L.	0	10	0	
	Messrs. Dixon & Sons	2	2	0	Rev. J. Barnier	1	1	0	
	J. R. Fairfax, Esq.	2	2	0	Mrs. Bevon's children	0	9	0	
	E. R. Fairfax, Esq.	2	2	0	Mr. S. B. Dight	2	2	0	
	Messrs. Farmer & Co.	2	2	0	Pitt-street Congregational Home and Foreign Mission Society	5	0	0	
	V. W. Gablin, Esq.	2	2	0	Mrs. S. Rawlings, Granville	1	10	0	
	J. H. Goodlet, Esq.	2	2	0	Miss Harrison (collected)	1	2	6	
	Hon. S. D. Gordon	1	0	0	Mrs. Gillespie, Woollahra	1	0	0	
	Messrs. R. Gray & Son	2	2	0	Miss Gillespie	0	10	0	
	Messrs. Hardy Bros.	0	10	6	Sir W. Manning	1	0	0	
	J. S. Harrison, Esq.	2	2	0	Miss Ella	0	4	6	
	Messrs. Holdsworth, Gardyne, & Co.	2	2	0	Miss Pratt	0	2	0	
	Messrs. Holdsworth, M'Pherson, & Co.	2	2	0	Mrs. Eldridge	0	4	0	
	Messrs. D. Jones & Co.	2	2	0	Miss F. Burgess	0	7	0	
	Dr. P. S. Jones	2	2	0	Miss Burgess	0	4	0	
	E. Knox, Esq.	5	0	0	Mr. Wait	0	4	0	
	W. Laidley, Esq.	2	2	0	Mr. Eldridge	0	1	0	
	L. W. Levy, Esq.	2	0	0	Mr. Burgess	0	3	6	
	Messrs. M'Arthur & Co.	2	2	0	A Friend	0	5	0	
	R. A. A. Morehead, Esq.	2	0	0	Hon. J. Smith, M.L.C.	1	0	0	
	F. Poolman, Esq.	1	1	0	J. L. Adam, Esq.	1	1	0	
	Messrs. Prince, Ogg, & Co.	3	3	0	H. C. Dangar, Esq.	2	2	0	
	Dr. A. Renwick	2	2	0	Dr. P. S. Jones	1	1	0	
	J. Roberts, Esq.	1	0	0	Mrs. Maurice Alexander	1	1	0	
	Mrs. M. Roberts	5	0	0	Mrs. W. B. Campbell	1	1	0	
	J. Smith, Esq.	2	2	0	Dr. A. Renwick	1	1	0	
	S. H. Smyth, Esq.	1	0	0	Sir W. Manning	1	1	0	
	G. B. Simpson, Esq.	1	1	0	R. Hunt, Esq.	1	1	0	
	M. H. Stephen, Esq.	5	0	0	B. Buchanan, Esq.	5	5	0	
	R. R. Terry, Esq.	2	2	0	Sir John Robertson	3	3	0	
	Messrs. Young & Lark	2	2	0					
	Rev. J. Fullerton	1	0	0					
	Miss Holden	0	5	0	Total	£	342	14	0

WARANGESDA MISSION—Subscription List.

		£	s.	d.			£	s.	d.
	R. Hastie, Esq.	1	0	0	A Friend in Sydney	2	0	0	
	Mr. Elvery	0	10	0	"Christian"	1	0	0	
	A Lady Friend	3	0	0	Mr. G. Currie	0	10	0	
	Miss Harrison	2	0	0	H. G. Douglas, Esq., M.L.A.	3	3	0	
	Rev. J. Barnier	2	2	0	Rev. T. B. Tress	1	1	0	
	Rev. Herbert Taylor	1	0	0	Mr. Oliver	1	0	0	
	C. C. (Melbourne)	5	0	0	Miss Hall	0	10	0	
	A Friend	0	5	0	Shearers, Dubbo Woolshed	3	18	0	
	A Friend (Sandhurst)	1	0	0	H. Paterson, Esq.	2	0	0	
	Dr. Cauvin (ship "Rhin")	1	0	0	D. Johnson, Esq.	2	0	0	
	A Lady Friend (Balmain)	1	0	0	H. Hunter	1	1	0	
	Rev. A. G. Fry	1	0	0	G. Hunter	0	10	0	
	Rev. A. W. Murry	0	10	0	John Thompson	0	10	0	
	Waterloo Congregational Church	1	15	0	Mrs. Sanger (Wongomong)	5	0	0	
	W. Orr, Esq.	5	0	0	Glebe Presbyterian Sunday School	4	2	5	
	Mr. Holmes	0	10	0	Miss Macradie's class	2	0	0	
	Mrs. Rawlings	2	0	0	Mr. Boyes	0	10	0	
	A Lady Friend	1	0	0	Miss Rainey	1	0	0	
	Friend, per S. Cross	1	0	0	A. M'Larty	0	5	0	
	W. Wright, Esq.	1	0	0	A Friend	0	2	0	
	Mr. Dowling	2	0	0	C. C. (Melbourne), second subscription	5	0	0	
	Rev. A. Gardiner	1	15	0	Miss Rosie Spiller's Box	0	11	0	
	Mr. Rainey	1	0	0	A Friend	0	4	0	

WARANGESDA MISSION—Subscription List—continued.

	£	s.	d.		£	s.	d.
Lecture, Deniliquin	3	13	4	Beath & Co.	2	2	0
Police Magistrate, Deniliquin	1	0	0	Theo. K.	3	3	0
Lecture, Urana	1	15	0½	The Misses White	1	0	0
Mr. Currans	0	3	6	Jane Dixon	2	2	0
Tea Meeting, opening Mission School	8	0	0	"Yarra"	1	0	0
Charles Harrison	0	10	0	M. H.	0	5	0
Collection, Narrandora	2	15	3	A Friend	0	5	0
Miss Amy Gribble's box	1	19	3	A Friend	1	0	0
Ronald	2	11	6	A Friend	0	1	0
Archib.	1	1	0	Mrs. R. Launceston, per Miss Rainey	5	0	0
R. Bellington & Co.	5	0	0	R. Carse, Esq.	2	2	0
Mrs. Mary Roberts	4	0	0	Mr. Baylies	1	0	0
Miss Rainey	1	0	0				

MALOGA Aboriginal Mission—Contributions.

1880.		£	s.	d.	1880.		£	s.	d.	
April 2	Bertha, Laura, and Daisy's Mission Box	1	4	11½	June	"Anonymous" (stamps)	0	2	6	
" 2	Mrs. D., Richmond, Victoria	0	10	0	" 12	Miss L., per C.Q., Mornington, Victoria	1	0	0	
" 4	Sandridge Town Hall Collection (Victoria)	3	16	9	" 1	"Young Christian," sale of two brooches, per J.R., Melbourne	1	0	0	
" 4	Service at Assembly Hall, Melbourne	2	10	0	" 19	"Willing Work," Mission Box, per J.R., Melbourne	1	0	0	
" 4	F.D.J., Emerald Hill	0	2	6	" 25	Wesleyan S.S., Mudgoc, N.S.W., per W.K.	2	11	8	
" 5	Miss T., Richmond, Victoria	0	2	6	" 25	Wesleyan S.S., Burrundulla, per W.K.	0	9	0	
" 5	Sandridge School-room—collected at meeting	1	7	9	" 25	Bethel S.S., Sandridge, Victoria, per A.B.J.	2	12	6	
" 5	Children of Richmond State School, Victoria	2	2	6	" 26	Collected by A.B., Sydney	1	0	0	
" 6	Publishers of "Southern Cross," Melbourne	1	0	0			£	10	15	8
"	Meeting, Presbyterian Schoolroom, Richmond (collected)	1	15	5	July 9	C.C., Leven, Tasmania	3	0	0	
" 6	J. M. Mornington, Victoria, per G.G.A.	1	0	0	" 9	R.S., Lisburn, Ireland, per E.S.H.R.	10	0	0	
" 6	Mission Box, Girls' Bible Class, East Melbourne (Miss K.)	1	2	10½	" 9	R.G., Blayney, N.S.W., per T.R.C.C.	1	1	0	
" 6	Meeting, Presbyterian Church, Emerald Hill (collected)	4	4	0	" 9	M.B., Newtown, Sydney (collected)	1	0	0	
" 6	Holly and Ivy's Mission Box	0	10	0	" 12	Aborigines' Protection Association, Sydney, per E.G.W.P.	5	0	0	
" 12	Wesleyan Sunday School, Deniliquin, N.S.W.	1	0	0	" 16	State School, Richmond, Victoria, per R.G.	2	3	6	
" 28	M.H.	1	0	0	" 24	B.R.R., Sydney	0	10	0	
" 28	E.R.C. } Per W.D.M., Sydney	1	0	0	" 24	Miss D., per M.B., Newtown, Sydney	1	0	0	
" 28	S.H., South Yarra, Victoria (stamps)	0	5	0	" 24	H.D.R., South Yarra, Melbourne	1	0	0	
" 28	C.P., Balmain, Sydney	0	10	0	" 31	A Friend } per	1	0	0	
" 28	A Friend, per H.D.R.	1	0	0	" 31	A Friend } J.R.,	1	0	0	
" 28	Board, per J.N.	1	0	0	" 31	Gospel Hall, S.S., } Russell-street, Melbourne	1	0	0	
		£	27	5	3		£	27	14	6
May 7	Hobart Christian Workers' Association, per H.L.G.	3	0	0	Aug. 6	Presbyterian S.S., Carisbrook, Victoria, per L.C.	1	0	0	
" 7	C.D.	0	5	0	" 13	"From one who loves Jesus," Sofala, N.S.W.	1	0	0	
" 7	R.E.	0	3	6	" 14	Christian Workers' Association, Hobart, Tasmania	3	0	0	
" 7	J.J.	0	1	0	" 14	T.K., Melbourne, per J.N.	1	0	0	
" 7	Mrs. L.	0	0	6	" 21	M.B., Newtown, Sydney (collected)	1	0	0	
" 7	P.R. (a little Girl) } Per M.E.B., Newtown Sydney.	0	2	0	" 21	Congregational S.S., East Melbourne, per C.W.E.	2	0	0	
" 7	Do. do.	0	0	6			£	9	0	0
" 7	A little Boy	0	0	3	Sept. 3	Aborigines' Protection Association, Sydney, per E.G.W.P.	10	0	0	
" 7	A Family	0	7	3	" 4	Presbyterian S.S., Mornington, Victoria, per D.G.G.	2	10	0	
" 7	Two Ladies	0	6	0	" 11	Bible Class, East Melbourne } per J.R.,	1	2	0	
" 7	Mr. H.	1	0	0	" 11	"Willing work," Mission-box } Mel-	0	2	6	
" 7	Mr. R.	3	0	0	" 11	E.K.D. } bourne.	0	5	0	
" 7	Private School, Walhalla, Gippsland, per H.C.	0	7	0	" 21	Congregational S.S., Hawthorn, Victoria, per W.C.	1	5	2	
" 7	Miss S., Melbourne, per E.S.H.R.	3	0	0	" 21	F.N., Morpeth, N.S.W.	1	0	0	
" 7	Mrs. H.	0	4	0	" 21	A.T., do. do.	1	0	0	
" 7	A Friend } Per G.M.W., Russell-street, Melbourne.	0	10	0	" 24	"A well-wisher" (stamps), Melbourne	0	5	0	
" 7	Two Sisters	2	0	0	" 24	State School, Richmond, Victoria, per Mrs. G.	2	0	4	
" 7	Box at Bible Depot	0	6	0	" 27	M.B., Newtown, Sydney (collected)	1	0	0	
" 7	J.H.J., Mornington, Victoria	5	0	0			£	20	10	0
" 15	G.F.M., London, per E.S.H.R.	1	0	0	Oct. 1	Aborigines' Protection Association, Sydney, per E.G.W.P.	6	0	0	
" 21	Church of England S.S., Bimberang, N.S.W., per R.J.R.	1	1	0	" 5	Do. do.	15	0	0	
" 21	E.H., Petersham, Sydney	1	0	0	" 9	"For Jesus' sake," from the Editor, "The Christian," London, per E.S.H.R.	10	0	0	
" 21	Presbyterian S.S., Jamberoo, N.S.W., per D.L.D.	3	9	2	" 9	Miss L., per T.Q., Mornington, Victoria	1	0	0	
" 28	E.B., Mittagong, N.S.W.	1	0	0						
" 28	Church of England S.S., Orange, N.S.W., per J.H.G.	6	0	0						
" 28	Congregational S.S., Hawthorn, Victoria, per W.C.	1	9	0						
" 28	Richmond State School, Victoria, per Mr. W.	3	11	4						
		£	38	3	6					
June 4	M.P., Balmain, Sydney	0	10	0						
" 4	C.P., " "	0	10	0						

MALOGA Aboriginal Mission—Contributions—continued.

		£	s.	d.			£	s.	d.	
1880.					1880.					
Oct. 15	Bethel S.S., Sandridge, Victoria, per A.B.J.	1	10	0	Dec. 30	"A Friend," Mornington, Victoria, T.Q.	0	8	0	
" 15	Mrs. M'E., per A.B.J.	1	4	4	" 30	Miss L., Green Islands, Victoria, per do.	0	17	0	
" 15	Town Hall S.S., St. Kilda, Victoria, per E.C.	2	12	6	" 30	Church of England S.S., Mornington (collected)	0	17	3	
" 20	Christian Workers' Association, Hobart, Tasmania, per H.L.G.	3	0	0	" 30	" " Mission Funds	0	17	9	
" 23	Mrs. M., Sandhurst, Victoria	0	10	0	" 30	Congregational S.S., El Dorado, Victoria, per J.G.	0	4	0	
" 23	Mrs. M. and Miss B., Sandhurst (collected)	1	10	0	" 30	F.A.B., Emerald Hill, Melbourne (stamps)	0	7	0	
" 30	Presbyterian S.S., Muswellbrook, N.S.W., per J.S.L.	1	0	0	" 30	Mission-box at Darcy, Hay	1	10	2½	
" 30	T.B. (Aboriginal native), Armidale, N.S.W.	0	10	0	" 30	Sunday School, Baulkham Hills	0	12	10½	
" 30	D.E., Terang, Victoria	0	17	0	" 30	U.B., Parramatta, N.S.W.	0	7	8	
" 30	E.S. O'B., Sydney	3	0	0	" 30	Miss A., Baulkham Hills	0	3	3	
" 30	Baptist S.S., Parramatta, N.S.W., per J.A.	2	0	0	" 30	Board, J.N.	2	0	0	
" 30	"A Friend" per J.R.	0	10	0	" 31	Presbyterian S.S., Emerald Hill, Melbourne, per J.S.A.	6	0	0	
" 30	"Faith" Russell-st., Melbourne.	0	5	0			£	79	1	5
" 30	"A Friend" Russell-st., Melbourne.	0	5	0						
" 30	"E.M." Melbourne.	0	5	0						
" 30	Miss G., "for my Mother," Melbourne	1	0	0						
" 30	R.W.E., Echuca, Victoria	0	5	0						
" 30	"In memory of a departed babe," Mrs. B., Echuca	0	4	6	1881.					
		£	54	3	4	Jan. 1	Collected at Maloga (Steamer Excursion)	1	15	0
Nov. 6	Sunday School, Taradale, Victoria, per E.A.	2	3	0	" 5	Miss S., Melbourne	1	0	0	
" 6	"A Friend," J.T., Colac, Victoria	1	10	0	" 5	Mr. & Mrs. E. G., Brighton, Melbourne	2	0	0	
" 6	"From promise made to the late Rev. Wm. Ridley," Lady in West Maitland	5	0	0	" 10	A Friend	0	2	6	
" 6	Miss J. M.'s evening class, Glebe, Sydney	2	0	0	" 10	Miss T., Brighton, Melbourne	0	10	0	
" 6	Presbyterian S.S., Pyrmont, Sydney	8	0	0	" 10	Mrs. M'K., do.	0	10	0	
" 6	Miss V., Pyrmont, Sydney	1	0	0	" 10	A Friend do.	0	9	6	
" 6	Presbyterian S.S., Glebe, Sydney	4	2	5	" 10	A Friend do.	0	1	0	
" 6	Presbyterian S.S., Goulburn, N.S.W.	2	0	0	" 10	S.H., South Yarra, do.	0	10	0	
" 10	Miss B. (visitor)	2	0	0	" 10	Mrs. W., Brighton, do.	0	5	0	
" 10	"An occasional contributor," Kyneton, Victoria	5	0	0	" 10	Miss H., Georak, do.	2	2	0	
" 10	Free Presbyterian S.S., Hobart, Tasmania, per T.L.H.	6	0	0	" 10	Mrs. H., Brighton, do.	0	10	0	
" 20	S.H., S. Yarra, Melbourne (stamps)	0	5	0	" 10	Miss S., Melbourne	1	0	0	
" 20	"A Friend," B.D., Sandhurst, Victoria	1	0	0	" 13	C.C., do.	5	0	0	
" 29	H.D.R., South Yarra, Melbourne	1	0	0	" 13	Mr. and Mrs. L., Brighton, Melbourne	2	0	0	
" 29	M.D., Barmah, Victoria	1	1	0	" 13	A Friend, do.	0	2	0	
" 29	Aborigines' Protection Association, Sydney, per E.G.W.P.	10	0	0	" 16	Collection at S.S., Brighton	1	4	4	
" 29	W.P., Melbourne	5	0	0	" 17	H.C., Brighton	0	10	0	
" 29	J.K. Bono, "	3	3	0	" 17	A Friend, do.	1	0	0	
" 29	B.S. & Co., "	2	2	0	" 18	Mrs. C., do.	0	10	0	
" 29	J.B., " Per G.G.A., Melbourne.	2	0	0	" 18	A Friend, do.	0	4	0	
" 29	R.H., "	1	1	0	" 19	J.B.S., do.	1	0	0	
" 29	C.J.H., "	1	0	0	" 19	Mr. O., Aboriginal Mission, S. Australia	1	0	0	
" 29	G.S., "	1	0	0	" 19	Collected at St. Kilda	1	6	0	
" 29	G.G.A., "	2	2	0	" 20	Mr. S., Picnic Point, near Melbourne	0	5	0	
" 30	R.S., Lisburn, Ireland, per C.B.C., Melbourne	10	0	0	" 20	R.G., Brighton	0	2	0	
		£	79	9	5	" 24	C.C., Levan, Tasmania	3	0	0
Dec. 1	Mr. S. and Mr. L. (visitors)	1	0	0	" 24	S.E.W., Richmond, N.S.W.	1	0	0	
" 1	J.D., West Maitland, N.S.W. (Christmas presents)	1	1	0	" 24	Presbyterian S.S., Bombala, N.S.W., per J.S.R.	0	16	3	
" 1	O.J.N., Barraba, N.S.W.	1	0	0	" 24	E.J., Huntingdon, Hastings River, N.S.W. (collected)	2	2	0	
" 1	Christ Church S.S., Newcastle, N.S.W.	2	2	0	" 24	G.M., Geelong, Victoria	0	5	0	
" 1	A Friend New-castle, N.S.W.	0	5	0	" 24	Congregational S.S., Hawthorne, Victoria	1	3	10	
" 1	Scripture-class — Young Women	0	3	8	" 24	Collection at Public Meeting	3	6	8	
" 1	Working-class of children	0	3	9	" 24	W.C., Hawthorne	1	0	0	
" 15	Board, Mr. N. (thirty-five weeks)	43	15	0	" 24	A.R., Sydney	3	0	0	
" 15	M.B., Newtown, Sydney (collected)	2	0	0	" 29	E.F., Sandhurst, Victoria	1	0	0	
" 15	"A Sympathiser with your work," Yass, N.S.W.	2	0	0	" 29	Mrs. W., do.	0	3	7	
" 30	M.B., Newtown, Sydney (collected)	1	0	0	" 29	Mr. W., St. Kilda, Victoria, per T.D.	1	0	0	
" 30	Presbyterian S.S., Carisbrook, Victoria, (Small "New Year's Gift," per L.C.)	1	0	0	" 29	Collected Public Meeting, Baptist Church, West Melbourne	7	18	0	
" 30	J.K., for "Henry"	6	0	0			£	50	13	8
" 30	"A Friend"	1	0	0	Feb. 3	Christian Workers' Association, Hobart, Tasmania	3	0	0	
" 30	" " Per J.R., Russell-street, Melbourne.	0	10	0	" 12	P.L., Beaufort, Victoria	3	3	0	
" 30	" " "	0	10	0	" 12	Collected by Publishers, "Southern Cross," Melbourne	2	10	0	
" 30	" " "	1	0	0	" 12	K.S., Melbourne, "from my Bible-class and self"	2	0	0	
" 30	" " "	0	5	0	" 12	E.N., Kingston-on-Thames, England	2	0	0	
" 30	Frank	0	1	0	" 14	M.A.B., Newtown, Sydney (collected)	1	0	0	
					" 14	Church of England S.S., Jerry's Plains, N.S.W.	1	0	0	
					" 19	A Friend	0	2	0	
					" 19	Girls' Bible Class	1	5	2	
					" 19	Miss A.	0	10	0	
					" 19	M.	0	5	0	
					" 19	Reports	0	3	0	
					" 19	M.H.	0	5	0	
					" 19	Mission-box, "Willing Work"	0	4	0	

MALOGA Aboriginal Mission—Contributions—*continued.*

1881.		£	s.	d.	1881.		£	s.	d.	
Feb. 19	Bethel S.S., Sandridge, Victoria, per A.B.J.	2	7	6	Mar. 12	Government School Salary (contributed)	7	10	0	
" 25	Mrs. B., Mickleham, Victoria	3	0	0	" 18	J.D., West Maitland	3	3	0	
" 25	Congregational S.S., Brunswick, Victoria, per J.B.C.	6	11	10	" 19	Board J. N.	1	0	0	
" 25	Hythe Mission Box, Tasmania, per E.S.H.R.	1	12	5	" 24	School Salary (contributed) ...	7	10	0	
" 26	Miss H., Petersham, Sydney	0	10	0	" 24	M.A.B., Newtown, Sydney (collected)...	1	0	0	
		£	31	8	11	" 29	Board J. N.	2	0	0
Mar. 3	Congregational S.S., Hawthorn, Victoria, per W.C.	1	12	4	" 29	Gospel Hall S.S., St. Kilda, Melbourne	1	10	0	
" 5	Board J. N.	1	0	0	" 29	Proceeds from knitting ... Per J.R.,	0	10	0	
" 9	Mission Box, family C.C., Melbourne ...	1	0	0	" 29	M. Mel-	0	5	0	
" 9	G.T.J., Hobart, Tasmania ..	6	0	0	" 29	E.A.C. bourne.	1	0	0	
" 9	M.A.B., Newtown, Sydney (collected)...	1	0	0	" 29	Proceeds—Sale of gold chain	1	17	6	
" 12	Missionary Collections at Assembly Hall, Melbourne	4	0	0	" 31	State School, Richmond, Victoria, per Miss G.	2	12	9	
" 12	Christmas Collections, St. John's Church of England, Hartley, N.S.W.	1	13	3	" 31	Contributed from Maloga Farm	14	7	8	
					" 31	Contributed School Fees	0	17	5	
					" 31	Contributed for Rations	13	0	0	
							£	74	8	11

[1s. 3d.]

Sydney: Thomas Richards, Government Printer.—1883.

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1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ABORIGINAL MISSION STATIONS AT WARANGESDA AND MALOGA.
(REPORT ON WORKING OF.)

Ordered by the Legislative Assembly to be printed, 18 January, 1883.

SCHEDULE.

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No. 1.

The Principal Under-Secretary to The Honorable Philip Gidley King, M.L.C.

Sir,

Colonial Secretary's Office, Sydney, 23 June, 1882.

It being considered desirable to have an inquiry into and to be furnished with a full and comprehensive report of the working of the stations for aborigines in the Murrumbidgee District, which are under Mr. Matthews and the Reverend Mr. Gribble respectively, I am directed to inform you that the Colonial Secretary approves of the duties of such inquiry being performed by yourself and Edmund Fosbery, Esquire, Inspector-General of Police, in place of the Honorable Messrs. Thornton and Marks.

2. I am desired to state that the Protector of the Aborigines has been requested to aid in every way the holding of the inquiry, and that the Minister of Public Instruction and the Minister of Justice have been invited to cause to be supplied any information that can be furnished by their respective Departments.

3. I am to add that the services of Mr. E. Palmer, as Secretary, will be placed at the disposal of yourself and your colleague, and that the necessary expenses will be paid by the Government.

I have, &c.,
CRITCHETT WALKER.

No. 2.

The Principal Under-Secretary to The Inspector-General of Police.

[Similar to and of same date as No. 1, substituting "The Honorable Philip Gidley King" for "Edmund Fosbery, Esquire, Inspector-General of Police."]

No. 3.

Messrs. P. G. King and E. Fosbery to The Colonial Secretary.

Sir,

Sydney, 8 August, 1882.

In compliance with the commission entrusted to us, conveyed by letter from the Principal Under-Secretary, dated the 23rd of June last, we do ourselves the honor to report, for your information, that we have visited, inspected, and carefully inquired into the working of the Aboriginal Mission Stations at Warangesda and Maloga.

The former is situated on the Murrumbidgee River, about 12 miles from the Darlington railway station; and since its formation, two years ago, it has been under the charge of the Rev. J. B. Gribble, an ordained minister of the Church of England; Mr. Carpenter being the teacher of the Public School established by the Government.

The station is built on a reserved area of about 1,600 acres, of which 600 acres have been specially appropriated for the mission, and we are informed that application has been made for an additional 400 acres.

The site of the station is not in all respects well chosen. There is a township only 3 miles distant. This we think objectionable, as the public-house thereat must be a demoralising attraction to the blacks. The township should be far enough away to prevent frequent running to and fro, yet not too remote for convenient communication.

In Appendix A. we give a statement in detail of the number of persons we found at the Warangesda station—aborigines, half-castes, and quadroons—together with a statement of their ages and sexes.

The huts have been erected, as we were informed, by the aborigines (by which term we intend to include, here and elsewhere, also half-castes and quadroons). The dwellings were tidy, weatherproof, apparently cleanly, and suitable for the accommodation of the married people. Some additional huts were in course of erection when we visited the station.

The schoolroom, which, in common with all the other buildings, had only an earthen floor, was in an indifferent state of repair, inadequate in space for teaching purposes, and deficient in school requisites. We learnt that a school tent for temporary use had been supplied by the Department of Public Instruction, and its arrival was daily expected. Also, that a brick schoolhouse was to be built upon a site already selected, but we venture to suggest that before this expenditure is finally decided upon, further consideration should be given to the subject.

We examined some of the children in reading, but the results were not satisfactory, owing probably to some extent to the timidity of the scholars in the presence of strangers. We saw also some copy-books in which the writing was fairly good, but the proportion of children who can read or write is small. They all heartily joined in singing to the accompaniment of a harmonium played by the teacher.

A chapel is being built of pine saplings and other bush materials. Mr. Gribble resides in an indifferent cottage inadequate for the accommodation of his family, and the Public School teacher has erected a small two-roomed bush hut, which certainly is not suitable for a teacher's residence.

There is also a house for the single women and children to sleep in, one part of it being partitioned off for meals; but the whole building is quite insufficient for its intended use, apart from the strong objection to it on the ground of deficiency in the means of classification at night; or rather separation between the elder females and the children.

Mr. and Mrs. Von Hagen were also residing at Warangesda, and assisting Mr. Gribble in the general management of the mission; we were informed that they had received some training at Dr. Bernardo's Missionary College.

The aborigines at the station, both children and adult, were sufficiently clothed, and as far as we could judge they were also fairly fed.

There was only a small garden imperfectly cultivated; the drought had destroyed the last crop. 100 acres have been enclosed for a cultivation paddock, 10 acres of which had been sown with wheat. Water is obtained from a well which had been sunk by Mr. Gribble, with some assistance from the blacks.

We now proceed to describe the Maloga station.

Maloga is situated about 15 miles from Moama, on the banks of the Murray River, and on the edge of an extensive forest reserve. The station improvements are on a freehold of 121 acres, charted in the names of W. and D. Matthews, adjoining a section of 320 acres in the name of W. Matthews, and another selection of like size in the name of Mr. D. Matthews, who is now in charge of the mission. The freehold and selections are well chosen, being on pine sand-hills of fairly fertile character, and forming a cheerful contrast to the adjacent forest reserve, which is heavily covered in great measure with comparatively useless timber. This, if cleared away, would add greatly to the value of the good timber to be left standing, and the grazing quality of the land would be also much improved. On the whole, we consider the situation a very eligible one.

Mr. Matthews has a small and indifferently cultivated garden; also a cleared paddock, with a few head of live stock.

The buildings on the station are somewhat similar to those at Warangesda, but in some respects inferior and older—the station having been formed some eight years ago. They were certainly not in such good order. The schoolroom is large enough; it is also used for meals.

Mr. Matthews is a duly-appointed Public School teacher, with a salary of £168 per annum, but he was almost without school requisites; indeed, when asked for them, he could not find two primary reading-lesson books alike. However, the result of the examination conducted by us (the pupils being selected indiscriminately) was more satisfactory than at Warangesda, owing probably to the school having been so much longer in action.

Appendix B affords information as to the population at the mission, distinguishing adults, children, full blacks, half-castes, &c.

We caused notices to be inserted in the newspapers of both districts, notifying the object of our visit, the days on which we proposed to be at each station, and inviting any persons who had evidence to tender, or information to give, to be in attendance; there was, however, no response. We had, therefore, to content ourselves with questioning persons at the stations, and reliable neighbouring residents in an unofficial manner.

We

We have no hesitation in expressing our opinion that some further aid ought to be extended the aborigines generally, and we will endeavour to lay down lines within which we consider such assistance should be afforded, and which it may be found necessary and proper to extend to other districts of the Colony.

We strongly deprecate the practice which has obtained at both the mission stations of keeping thereat children beyond the age of infancy, chiefly half-castes or quadroons, some of whom are so fair as to be indistinguishable from Europeans. Some of the children referred to are with their half-caste mothers, who would, we believe, willingly part with them, if assured that it would be for their benefit. Others, however, of the children have no such ties. It is only necessary for us to state, in connection with this subject, that some of the women have been of depraved habits, and though hopes were expressed of their reformation, it is painfully obvious that they should not be the constant companions of the younger half-caste and quadroon girls to whom we have made reference.

We disapprove of the system adopted at both stations of expelling inmates for any contravention of the rules of the establishment. It would seem that to expel anyone would only be to force them back to and within the reach of those vices from which it is the object of the supporters of the missions to withdraw them. Doubtless some discipline is necessary, but it should be in the nature of curtailment of indulgences and privileges, expulsion being reserved for persons guilty of wilful misconduct of a serious nature.

We endeavoured to elicit from Mr. Gribble and Mr. Matthews what might be the ulterior benefit they were devoting themselves to achieve on behalf of the children; but beyond the prospective result of their present moral training and education, neither of these gentlemen was able to explain his views satisfactorily to us as to any future advantages to be derived by the children by retaining them in an aboriginal asylum. We fail to see any. On the contrary, we think they should be so further trained as to fit them to take their places as domestic servants, or amongst the industrial classes; and this, we conceive, would be best attained by "boarding out" the young of both sexes, chiefly the half-castes, but including even those also of full aboriginal blood, when practicable.

The indisposition of the aborigines to manual labour is well known; but as they can obtain work of various kinds in the country they should not only be induced to take it, but they should be discouraged from remaining in comparative idleness at mission stations, where they will certainly abide so long as they are provided with food and clothing, without some corresponding demand being made upon their labour.

Many of the men, however, do at certain seasons leave the mission stations to earn wages at shearing-sheds, kangaroo-hunting, &c., and they generally bring back their wages to assist in the support of their families. At Maloga they complain that the horses they use on these journeys are not allowed to graze on Mr. Matthews' selections, and they have therefore to turn them adrift on the adjoining runs; neither are they allowed to keep poultry.

With reference to the present management of the mission stations, we should do injustice to Messrs. Gribble and Matthews were we to discredit their devotion to the work to which they have applied themselves, apparently to the impoverishment of their families; nor have we any desire to detract from the measure of success which has attended their labours, or to question the personal influence they have gained over the blacks. We think, however, it will be advisable, if aboriginal stations are to be formed and conducted under the control of the Government, that the services of persons should be obtained with such qualifications as will in all respects ensure the goodwill and co-operation of the neighbouring population and the confidence of the public.

It would be an advantage if a synopsis of the result of the information recently collected for the protection of aborigines, respecting the race throughout the Colony, could be appended to this Report for consideration in connection therewith.

We now desire to recapitulate some of the recommendations contained in the preceding pages, and to add some further suggestions for your consideration, and we do so because we are under the impression that our report of the working of these stations would be incomplete unless accompanied by some such additional recommendations relative to them specially, and generally to the protection of the aborigines throughout the Colony.

Our inquiry naturally divided itself into two objects. First, to enable us to judge of the necessity for such establishments at all; and secondly, to qualify us to give an opinion to the Government, whether or not the principles of the present management were so sound and efficient as to warrant the grant of substantial aid from the public purse.

1. Although Maloga and Warangesda are not in all respects what homes for the aborigines could and ought to be, we are by no means in favour of their abandonment. We think if our suggestions are generally carried out at these places, and if new stations are formed on the principles on which these suggestions are based, the condition of the race would be very materially ameliorated.

2. We recommend that at Maloga about 2,000 acres of the forest reserve be appropriated, to comprise also the two selections of the Messrs. Matthews, long since liable to forfeiture by non-payment of interest; the Government would no doubt deal liberally by paying them for their improvements on the selections; and further, to purchase from them the 121 acres which they hold in fee-simple, and on which are erected all the buildings now used by the mission, with a view to consolidating the station reserve.

3. That at Warangesda the present reserve be extended in respect to the 400 acres applied for; and that in other parts of the Colony reserves be made for future aboriginal stations, as necessity may arise.

We have made these recommendations as to reserves not without some doubt whether the two stations referred to are not too near to each other in view of the small number of blacks in the district.

4. That Maloga, Warangesda, and all such other stations as may be formed, be under the control of a public officer acting in the capacity of schoolmaster, storkeeper, and overseer, with an assistant if necessary.

5. That the Government erect (with aboriginal labour as far as practicable) suitable buildings; the dwelling-houses to be sufficiently separated to prevent confusion of interests, yet near enough to afford mutual protection, each family being permitted to have an enclosure of reasonable dimensions to afford room for gardening, poultry-rearing, &c. The allotments to be marked out and the occupants placed in possession, so that they may feel a reasonable security in their holdings.

6. We do not think it necessary that lands reserved for aboriginal stations should be vested in trustees, so long as the Government, acting through the protectorate of aborigines, undertakes their management.

7. That aid from the public funds be afforded in the shape of food and clothing for the infirm, and such women and children as cannot be provided for by husbands or fathers; for tools for the men for building, gardening, and field work; and for medical attendance for the stations generally. Blankets would of course be issued in accordance with the usual practice; also on coast stations fishing-boats would be provided as heretofore. The men and boys over twelve years of age should be expected to maintain themselves by labour on the station, or at neighbouring homesteads. It is assumed that at shearing time, and under the provisions of the Pastures and Stock Protection Act, they will earn enough to keep themselves and their families whilst out of other employment. During sickness, or unforeseen difficulties, it would be reasonable that they should be supplied with food at the discretion of the overseer.

8. That the overseer be expected to interest himself in training the aborigines in habits of industry, such as bush carpentering, gardening, farming, cutting firewood, &c., and in disposing of the products of their industry to the best advantage for their benefit. It would be unnecessary to point out to any intelligent person acting in the capacity of overseer the numerous ways in which their industry could be turned to account.

9. In view of the possible temporary failure of the funds of the New South Wales Aborigines Protection Association and of other contributions towards the support of the missions at Maloga and Warangesda, and also of the paucity of stores now in hand, we recommend that the Government shall at once supply these stations with assistance in the shape of food and clothing. The purchase of a few sheep should also be authorized. The expenditure of the necessary funds to be under the direction of the nearest responsible Government official, subject to the control of the Protector of the Aborigines.

10. With a few stations in the country for the location of the adult aborigines and their young children, under the charge of properly qualified persons, and supported to a reasonable extent by the Government, we think the unsatisfactory condition of the race may be greatly improved. It is only reasonable that the aborigines should be allowed to remain on their native soil and in their tribal districts in due security and comfort; but it appears to be equally reasonable and important that the younger half-castes should be withdrawn from their midst and gradually absorbed into the general community, young quadroon and half-caste children who are without parents being first removed, with a view to being placed in an institution or boarded out. Subsequently, other children might be withdrawn with the consent of their parents, and others of useful ages may be selected from time to time by persons who, after due inquiry, may be found eligible and willing to avail themselves of their services—the girls for domestic work, and the lads for farm or station employment. Regard will, doubtless, be paid to the feelings of the parents or other adults interested in the children's welfare.

11. We would recommend that rules be framed for administration and discipline of the proposed establishments and for the protection of the rights and property of aborigines thereat, as well as for their general care. That instructions be given to the police generally to afford prompt and practical assistance when required for the furtherance of the above objects.

12. The present system of allowing blacks free passages in the railways should be discontinued, so as to restrict them from idly wandering about from place to place. Special passes might be granted on the authority of the officer in charge of their respective stations, or such other officer as may be authorized in that behalf by the Government.

We do not desire to undervalue, but rather to express our full appreciation of the work which has so far been performed by the New South Wales Aborigines Protection Association. We think, however, that the time has arrived when the Government should take upon itself the responsibilities and duties which the society may not always be able, and possibly cannot be expected adequately to meet and provide for. The philanthropic intentions of its members will no doubt find full scope in the furtherance of the amelioration of the present condition of the original native race, especially in objects relative thereto which may be beyond the province of the Government to deal with.

We have, &c.,

PHILIP GIDLEY KING, M.L.C.

EDMUND FOSBERY,

Inspector-General of Police.

APPENDIX A.

Number of blacks receiving supplies and instruction at Warangesda for the year 1882, as per return furnished by the Rev. J. B. Gribble:—Blacks: Adults, 45; children, 10. Half-castes: Adults, 15; children, 30. Quadroons: Adults, 2; children, 8. Total: Adults, 62; children, 48. Of these only 40 adults and 40 children were at Warangesda at the time of inspection.

APPENDIX B.

Number of blacks receiving supplies and instruction at Maloga for the year 1882, as per return furnished by Mr. D. Matthews:—Blacks: Adults, 28; children, 14. Half-castes: Adults, 31; children, 31. Quadroons: Children, 6. Total: Adults, 59; children, 51. Of these only 51 children and 17 adults were at Maloga at time of inspection.

APPENDIX C.

Government aid has been afforded to the Aboriginal Mission Stations at Maloga and Warangesda, as under:—

The salaries of the teachers at both missions have been paid by the Department of Public Instruction, and school requisites have been supplied.

Blankets have been issued to all aborigines on the stations.

A reserve of 600 acres of land has been made at Warangesda.

The sum of £828 7s. has been expended for rations at Maloga from March, 1877, to July 4, 1882.

The police have afforded constant practical assistance and protection to both stations.

Facilities have been afforded for the carriage of supplies by the Railway Department.

Minute

Minute of the Colonial Secretary.

Send to the Departments to which allusion is herein made for consideration of its Minister.—
 JOHN R., 12/8/82.

No. 4.

The Principal Under-Secretary to The Protector of the Aborigines.

Sir,

Colonial Secretary's Office, Sydney, 16 August, 1882.

I am directed by the Colonial Secretary to transmit herewith, for your information, a copy of the Report of Messrs. P. G. King, M.L.C., and Edmund Fosbery, Inspector-General of Police, on the 8 August, 1882, Aboriginal Mission Stations at Warangesda and Malaga.

I have, &c.,

CRITCHETT WALKER.

No. 5.

The Principal Under-Secretary to The Under-Secretary for Lands.

Sir,

Colonial Secretary's Office, Sydney, 16 August, 1882.

I am directed by the Colonial Secretary to transmit herewith, for the consideration of the Secretary for Lands, a copy of the Report of Messrs. P. G. King, M.L.C., and Edmund Fosbery, 8 August, 1882, Inspector-General of Police, on the Aboriginal Missions Stations at Warangesda and Malaga.

I have, &c.,

CRITCHETT WALKER.

No. 6.

The Principal Under-Secretary to The Under-Secretary for Public Works.

[Similar to and of same date as No. 5.]

No. 7.

The Principal Under-Secretary to The Under-Secretary, Public Instruction.

[Similar to and of same date as No. 5.]

No. 8.

The Principal Under-Secretary to The Under-Secretary for Mines.

[Similar to and of same date as No. 5.]

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DAWES' POINT.

(CORRESPONDENCE RELATIVE TO THE HANDING OVER OF, TO IMPERIAL NAVAL AUTHORITIES.)

Ordered by the Legislative Assembly to be printed, 6 April, 1883.

RETURN to an *Address* made by the Honorable the Legislative Assembly of New South Wales, dated 29 March, 1883, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

“Copies of all letters, telegrams, and correspondence between the Imperial Government and the Government of New South Wales, and all other documents, papers, and minutes, &c., relative to the handing over of Dawes' Point to the Imperial Naval Authorities.”

(*Mr. Merriman.*)

DAWES' POINT.

Minute by Colonial Secretary.

Colonial Secretary's Office, Sydney, 29 October, 1875.

THE question of the exchange of Garden Island and the stores near the Circular Quay, now in the hands of the naval authorities of Her Majesty, for Fort Macquarie, was delayed for the purpose of obtaining a plan of the land asked for by the late and much lamented Commodore Goodenough. While the preparation of the plan was going on, the late Commodore intimated that he would prefer having a portion of land near Campbell's Wharf and between that and Dawes' Battery. The negotiations in the matter of these exchanges respectively were postponed in consequence of the absence from the Colony of the late Commodore.

A communication should, I think, be made to Captain Chapman, the present Commodore, calling his attention to the matter, and intimating the willingness of this Government to make the exchange in accord with the last-mentioned views of Commodore Goodenough.

It will be as well, as a matter of courtesy to Captain Chapman, to send him the plan of Fort Macquarie, retaining a copy, but by no means communicating the willingness of this Government to give up Fort Macquarie without further consideration.

His Excellency.—JOHN R., 29/10/75.

JOHN ROBERTSON.

* Appendix A.

Copy this memo., and send it with accompanying plan* to Commodore Chapman. Then return all the papers to C.S. office.—H.R., 31/10/75. The Principal Under-Secretary.—W.H.H., B.C., 1/11/75.

The Secretary of State for the Colonies to His Excellency the Governor.

New South Wales, No. 43.

Sir,

Downing-street, 17 July, 1878.

With reference to the concluding paragraph of your despatch No. 19, of the 6th February,* in which you state that you presume that there will not be any objection to the general surrender of all Ordnance Reserves into the hands of the Colonial Government, with the exception only of such portions as may be desired by the Admiralty for naval purposes, I request that you will furnish me with a Schedule of the reserves to which reference is made. This subject was inadvertently overlooked in my former reply to your despatch.

I have, &c.,

M. E. FICKS-BEACH.

Colonial Secretary.—Will you be so good as to call for the Schedule desired.—H.R., 3/9/78. Secretary for Lands.—M.F., 5/9. Under-Secretary for Lands, 9th Oct., 1878.

The Principal Under-Secretary to The Under-Secretary for Lands.

Sir,

Colonial Secretary's Office, Sydney, 5 September, 1878.

In transmitting to you the accompanying copy of a despatch from the Principal Secretary of State for the Colonies, I am directed by the Colonial Secretary, by command of His Excellency the Governor, to request that you will invite the Secretary for Lands to have the goodness to cause me to be furnished with a Schedule of all the Ordnance Reserves therein referred to.

I have, &c.,

M. R. ALLAN.

17 July, 1878

The Principal Under-Secretary to The Under-Secretary for Lands.

Sir,

Colonial Secretary's Office, Sydney, 9 October, 1878.

Referring to my letter of the 5th ultimo, I am directed by the Colonial Secretary to request that you will invite the Secretary for Lands to have the goodness to cause me to be furnished with the Schedule of the Ordnance Reserves therein asked for.

I have, &c.,

M. R. ALLAN.

The Under-Secretary for Lands to The Principal Under-Secretary.

Sir,

Department of Lands, Sydney, 9 October, 1878.

With reference to your letter of to-day's date, and previous one*, on the subject of the proposed general surrender of all Ordnance Reserves in this Colony into the hands of the Colonial Government, with the exception only of such portions as may be desired by the Admiralty for naval purposes, I am directed to inform you, that as the Colonial Architect is the Trustee of the Ordnance Lands leased by the Government, that officer has been asked to furnish a Schedule of the reserves in question, as it is not known in this office whether all the Ordnance Lands are so held under lease by the Government.

I have, &c.,

W. W. STEPHEN.

* 5 September, 1878.

The Under-Secretary for Lands to The Principal Under-Secretary.

Sir,

Department of Lands, Sydney, 29 October, 1878.

With reference to my letter of the 9th instant, in reply to yours of same date, on the subject of the proposed general surrender of Ordnance Reserves into the hands of the Colonial Government, I am directed to enclose, for the information of the Colonial Secretary, a Schedule of those reserves, as requested in your letter under reply.

I have, &c.,

W. W. STEPHEN.

Will

Will the Ordnance Storekeeper please complete the Schedule, which is, it is believed, defective as regards the omission therefrom of the Victoria Barracks, &c., &c. B.C., 1/11/78.—M.R.A. The Schedule has been completed so far as I know of.—J.B., 6/11/78. His Excellency.—M.F., 7/11. Send Schedule to Secretary of State with covering despatch, by to-day's mail.—H.R., 7/11/78. Schedule forwarded in despatch of 7th Nov., 1878, No. 126.—H.S.L., Pri. Sec., 7/11/78.

His Excellency the Governor to The Secretary of State for the Colonies.
Schedule of Ordnance Reserves.

Sir, Government House, 7 November, 1878.
In compliance with the request contained in your despatch No. 43, of 17 July last, I have the honor to forward a Schedule* of the Ordnance Reserves at present leased to the Government of the Colony by the Imperial Government, at a nominal rent.
I have, &c.,
HERCULES ROBINSON.

The Secretary of State for the Colonies to The Officer Administering the Government of New South Wales.

New South Wales, No. 65.

Sir, Downing-street, 8 May, 1879.
With reference to Sir Hercules Robinson's despatch No. 19,* of 6th February, and No. 126 of 7th November, 1878, and to my despatch No. 43 of 17 July last, respecting the proposed surrender to the Government of New South Wales of certain Ordnance Reserves now leased to the Colony by the Imperial Government, I have the honor to transmit to you, for your own information and for that of your Government, the accompanying copies of a correspondence which has passed on the subject between the War Office, the Board of Admiralty, and this department.
You will observe that the Secretary of State for War has no objection to the transfer to the Colonial Government, under the provisions of the Colonial Fortifications Act of 1877, of the reserves as detailed in the Schedule which accompanied Sir Hercules Robinson's despatch No. 126, of 7th November, 1878, as soon as the exchange proposed by the Lords Commissioners of the Admiralty in their letter of 25th February shall have been effected.

I shall be glad to be informed by you of the settlement of the exchange. Meanwhile I shall invite the concurrence of the Lords Commissioners of the Treasury, and on hearing from you that the exchange is arranged, I shall be prepared to make the requisite representation to Her Majesty and to obtain an Order in Council for affecting the general transfer.

I have, &c.,
M. E. HICKS-BEACH.

[Enclosures.]

The Colonial Office to The Admiralty.

Sir, Downing-street, 10 January, 1879.
A question is under the consideration of the Secretary of State respecting the proposed transfer, under the Colonial Fortifications Act 1877, to New South Wales, of certain Ordnance Reserves now leased to the Colony by the Imperial Government.

I am desired to enclose a Schedule of the reserves in question, and to state that Sir Michael Hicks-Beach would be glad to be informed, before communicating with the War Office in regard to the transfer, whether the Lords Commissioners of the Admiralty would wish any, and if so, what portions of the lands scheduled to be retained for Admiralty purposes.

I am, &c.,
R. W. HERBERT.

The Admiralty to The Colonial Office.

Sir, Admiralty, 3 February, 1879.
In reply to your letter of the 10th instant, enclosing a Schedule of Ordnance Reserves in New South Wales, now leased to the Colony by the Imperial Government, I am commanded by the Lords Commissioners of the Admiralty to state that, by arrangement with the Colonial Government, a portion of the store-house on Circular Quay, Sydney, has for some years past been used as a Depot for Naval Stores. My Lords are, however, informed that the Government of New South Wales would be glad to resume possession of the building, and to give in exchange a suitable site elsewhere. If this is the case, my Lords will be prepared to negotiate a transfer on equitable terms; and they consider that, with a view to this, it would be desirable that the interest of the Secretary of State for War in the property in question should be transferred to them.

None of the other reserves comprised in the Schedule are required for the Naval Service.

I am, &c.,
ROBERT HALL.

The Colonial Office to The Admiralty.

Sir, Downing-street, 12 February, 1879.
In reply to your letter of the 3rd instant, on the subject of the surrender to the Colony of New South Wales of certain Ordnance Reserves now held by lease from the Imperial Government, I am directed by the Secretary of State for the Colonies to point out to you, for the information of the Lords Commissioners of the Admiralty, that, by the Colonial Fortifications Act of 1877, machinery is provided only for a transfer from the War Department to the Colonial Government, and that the making over to their Lordships of the single parcel of land on Circular Quay, Sydney, might be attended with some difficulty.

I am however to request that you will state to their Lordships that, if it meets with their concurrence, Sir Michael Hicks-Beach will be prepared to suggest to the War Office that the transfer of the other reserves should be deferred until the exchange proposed in your letter has been effected, and will inform the Governor to the same effect.

I am, &c.,
J. BRAMSTON.

The Admiralty to The Colonial Office.

Sir, Admiralty, 25 February, 1879.
With reference to your letter of the 12th instant, I am commanded by the Lords Commissioners of the Admiralty to inform you that they consider it of great importance that the reserves referred to should not be finally handed over to the Government of New South Wales until suitable provision has been made for the accommodation of the Naval Stores, either at Fort Macquarie or at some other spot to be agreed upon; and I am to request that you will move Sir Michael Hicks-Beach to suggest to the War Office that this transfer should be delayed accordingly.

I am, &c.,
ROBERT HALL.

The

The Colonial Office to The War Office.

Sir,

Downing-street, 18 March, 1879.

With reference to the letter from this department of the 26th of April last, and to your reply of the 30th of May, respecting the surrender to the Colony of New South Wales of a small portion of the Victoria Barracks Square, Sydney, I am directed by the Secretary of State for the Colonies to transmit to you, to be laid before Secretary Colonel Stanley, the accompanying copy of a correspondence with the Governor of New South Wales, together with copies of communications which have passed between this Office and the Admiralty, arising out of the request contained in the concluding paragraph of the Governor's Despatch No. 19, of 6th of February, 1878, of which a copy was transmitted to you in my letter of the 26th of April above referred to.

I am desired to inquire whether, in the opinion of the Secretary of State for War, there would be any objection to the transfer to the Colonial Government, under the provisions of the Colonial Fortifications Act of 1877, of the whole of the Ordnance Reserves detailed in the Schedule sent home by the Governor, as soon as the exchange proposed by the Lords Commissioners of the Admiralty shall have been effected.

I am, &c.,
J. BRAMSTON.

The War Office to The Colonial Office.

Sir,

War Office, 19 April, 1879.

With reference to your letter dated 18th March, 1879, on the subject of the proposed transfer to the Government of New South Wales of the Ordnance Reserves detailed in the Schedule sent home by the Governor, I am directed by the Secretary of State for War to acquaint you, for the information of Sir Michael Hicks-Beach, that there will be no objection to the transfer to the Colonial Government, under the provisions of the Colonial Fortifications Act of 1877 of the War Department Lands named in the Schedule, subject to the completion of the exchange of land proposed by the Lords Commissioners of the Admiralty referred to in the last paragraph of your letter under reply.

I have, &c.,
EUSTACE CECIL.

The Colonial Office to The Admiralty.

Sir,

Downing-street, 30 April, 1879.

With respect to your letter of the 25th of February, respecting the proposed surrender to the Colony of New South Wales of certain Ordnance Reserves now held by lease from the Imperial Government, I am directed by the Secretary of State for the Colonies to transmit to you, to be laid before the Lords Commissioners of the Admiralty, the accompanying copy of a letter from the War Office, in reply to the reference which was made on the subject to that department.

Sir Michael Hicks-Beach desires me to say that he will forward copies of the correspondence to the Governor of the Colony, and will inform him that when the matter is finally arranged, which it is presumed will be effected by negotiations between the Commodore on the station and the local Government, the Treasury will be invited to join in the requisite representation to the Privy Council to give final effect to the general transfer.

I am, &c.,
J. BRAMSTON.

Col. Sec.—A.L., 10/7/79.

The Secretary of State for the Colonies to His Excellency the Governor.

New South Wales, No. 6.

My Lord,

Downing-street, 20 May, 1880.

With reference to my predecessor's despatch, No. 65, of the 8th May, 1879, respecting the proposed surrender to the Government of New South Wales of certain Ordnance Reserves now leased to the Colony by the Imperial Government, I have the honor to request that you will inform me whether the preliminary negotiation with the Commodore for an exchange of land between the Lords Commissioners of the Admiralty and your Government is completed.

The Lords Commissioners of the Treasury have already signified that they will be prepared, as soon as the proposed exchange is concluded, to join with me in making the necessary representation to Her Majesty with the view of effecting the general transfer.

I have, &c.,
KIMBERLEY.

Col. Sec., for the information desired.—A.L., 2/7/80.

Commodore Wilson to His Excellency the Governor.

My Lord,

H.M.S. "Wolverene, in Hobson's Bay, 14 October, 1880.

With reference to previous correspondence on the subject of a site for the Naval Depot at Sydney, I have the honor to acquaint you that the Lords Commissioners of the Admiralty have informed me that they consider a site for a permanent Depot should be set apart as soon as possible, and they suggest either Dawes' Point or Fort Macquarie as the most suitable.

I am also in receipt of instructions as to the transfer of property and the conditions, but refrain from touching on that part of the subject until the question of the site where the Naval Yard is to be situated has been definitely settled.

Their Lordships desire that best endeavours may be used to obtain a settlement of this question.

I have, &c.,
J. C. WILSON,
Commodore.

Commodore Wilson to His Excellency the Governor.

My Lord,

H.M.S. "Wolverene," at Hobart, 22 January, 1881.

The subject of removal of a stone house in the possession of the Imperial Government having again been brought to my notice by your Lordship's minute of the 18th instant,* by which it appears that the Colonial Government is anxious that such removal should be effected as soon as possible, I have no objection to such taking place, provided a house suitable to the requirements of the present occupant of

C.O. to Govr.
No. 43, 17 July,
78.
Govr. No. 126,
7 Nov., 1878.
C.O. to Admy.,
10 Jan., 1879.
Admy. 3 Feb.,
1879.
C.O. to Admy.,
12 Feb., 1879.
Admy. 25.

9 April, 1879.

No record
appears to have
been kept of this
minute.

of the one in question, and on a site approved by the Paymaster in charge of the Royal Naval Depot, Sydney, be erected at the expense of the Colonial authorities. At the same time, I would take this opportunity of again impressing upon your Lordship the desirability of at once bringing the subject of erecting a new Royal Naval Depot at Sydney to an issue.

I have, &c.,
J. C. WILSON,
Commodore.

Minute by Colonial Secretary.

At the Cabinet the other day the question was raised as to whether the old Imperial Stores and land at Queen's Wharf were not the property of the local Government. I wish to know how the matter stands. I suppose the papers relating to the property must be in this office.—H.P., 16/6/81.

Ordnance Reserves.—Short statement of the facts of the case.

It appears that the premises at* Queen's Wharf were, on the 2nd of September, 1859, under instructions from the War Office, formally surrendered (with "all" other "military buildings in the Colony") by the Assistant Military Storekeeper, on the one part, to the Acting Colonial Architect on the other.

Apparently this is the "single parcel of land on Circular Quay" mentioned in enclosures to Despatches M. ²⁶⁶⁰/₃₀₁ B,* which it is desired to have transferred to the Admiralty, with a view to the subsequent transfer of all Ordnance Reserves, for a consideration, to the Colonial Government.

* See despatches numbered 65 and 6, preceding pages.

Memo. by Colonial Secretary to The Crown Solicitor.

The Crown Solicitor,—

Colonial Secretary's Office, Sydney, 22 June, 1881.

A question is before the Government of granting to the Imperial Government a suitable site for a Naval Dock Yard, in exchange for the land and buildings between the Queen's Wharf and George-street. I should be glad if Mr. Williams will look into these papers, and inform me as to whether the land and buildings in question have not already been surrendered to the Colony. The matter is pressing.

H.P.

B.C., 22/6/81.—C.W.

The Crown Solicitor to The Principal Under-Secretary.

Sir,

Crown Solicitor's Office, Sydney, 15 July, 1881.

I have the honor to return the papers relating to the surrender to the Colonial Government of the Commissariat Stores, Circular Quay; and, with reference to the printed papers of 1857*, headed "Commissariat Stores," and the letter from the War Office, of date the 11th March, 1859†, under which possession of these buildings was given to the Colonial Government, forwarded with your minute of 7th July instant, to state I think they do not remove the doubt as to whether these buildings were handed over to the Colonial Government unconditionally, or upon the understanding that provision should be made for the stores required to be kept at the Naval Depot.

* Volume 3, Session 1856-7.

2. The building in question is erected upon land set apart as a Military Reserve when the Colony was a Crown Colony. Upon the surrender of Military Reserves, in 1851 and 1853, this store and the Powder Magazine at Goat Island were retained by the Imperial Government, and, in September, 1859, were handed over by the Ordnance Department to the Colonial Government.

3. From the memorandum of Mr. Wilkinson upon delivering possession to Mr. Cole, who received same on account of the Colonial Government, and the letter from the War Office to the Officer Commanding the Troops at Sydney, directing the surrender, it would appear as if the surrender was intended to be a final relinquishment of the buildings to the Colonial Government. This letter, however, refers to an extract of a Colonial Office Despatch to the Governor of New South Wales, dated 11 March, 1858†, which may possibly have stated condition upon which the surrender would be made.

These letters cannot be traced

4. It will be noticed that the land upon which the buildings stand was not like other lands set apart for Military purposes granted to the Ordnance Department, but always remained a reserve vested in the Crown. A list of the land granted to the Board of Ordnance is sent herewith. (See Schedule, page 7.)

5. The correspondence subsequent to the letter of the Admiralty of 3rd February, 1879, it may be said, also seems to assume that these buildings had been absolutely surrendered. The letter from the Colonial Office to the Admiralty, dated 12th February, 1879, states that Sir M. H.-Beach is prepared to suggest to the War Office that the transfers of the other reserves should be deferred until the exchange proposed by the Admiralty has been effected: a form of expression which would hardly be used if it was considered that the Imperial Government retained the same right of reserving possession of this land which it undoubtedly possesses with respect to the other Military Reserves now in the possession of the Colonial Government.

6. On the other hand, it appears that Sir William Denison's letter of 3 March, 1866†, suggests that the arrangement which applied to the Barracks and other buildings under the charge of the Ordnance Department should be made applicable to these buildings, with the further condition that sufficient accommodation should be made for stores for the Naval and Military Service; and I should not omit to state that, as mentioned in my former letter, Mr. Cole's recollection of the terms upon which he understood possession was given to him, appears to be in exact accordance with the suggestion in Sir William Denison's letter. There is also the fact that, upon the buildings being handed over to the Colonial Government, provision was made—and has continued to the present time—for the accommodation of Naval Stores. The letters from the Admiralty of 3rd February, 1879, however, refer to the building being used for this purpose, under an arrangement with the Colonial Government, which, it may be urged, is opposed to the supposition that the right of the Admiralty to use same was reserved by the Imperial Government at the time the buildings were surrendered.

7. From the correspondence with the Home Government respecting the widening of Green's Road and the setting back of the Barrack wall at Paddington, it is clear that the Imperial Government still considers, and the Colonial Government has admitted, that the Colony has only the possession of the Military Reserves of which leases have been granted by the Ordnance Department, and that a final and complete surrender of these lands has still to be made.

8. Whether the Commissariat Buildings were handed over upon condition that provision should be made for the stores required at the Naval Depot, or were handed over without condition, but upon the understanding that such provision should be made, cannot, I think, be determined by reference to these papers. It is quite consistent with anything appearing by the correspondence that possession of the Commissariat Store was given to the Colonial Government as a final relinquishment by the War Department of all right to it, and that the arrangement as to the accommodation to be provided for naval stores was made as stated, between the Admiralty and the Colonial Government. If this was the case, there is nothing to prevent the Colonial Government terminating that arrangement and resuming possession; but if this is done, it would seem, from the later portion of the correspondence, that the Imperial Government will not make an absolute surrender to the Colony of the other Military Reserves which, under the leases, are really only held by the Colonial Government as tenants at will, until provision is made for the naval stores.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

The Colonial Secretary to The Commodore.

My dear Commodore,

15 July, 1881.

Respecting the matter in which you feel so much interest, the site for a Naval Depot at Sydney, I will shortly communicate with you officially. In the meantime you may consider the question settled to your entire satisfaction. Supposing then there should be no consideration of exchange of properties, we should still be anxious to meet the wishes of the Imperial Government, not only consenting to a suitable site, and doing whatever is reasonable in the matter, but in setting apart in a liberal spirit the most eligible site, having a due regard to the maritime and commercial interests of Sydney as the capital of the Colony.

There are some points of inquiry to clear up in respect to the Commissariat Stores, but so soon as these points are decided I will submit, through His Excellency the Governor, the proposal of the Government. In the final settlement we would much like to have Garden Island restored to us.

As you must be aware, this island, from its close proximity to the Domain and Botanic Gardens, is required to complete what may be called the Public Pleasure Grounds of our Metropolis.

The purposes of the Government arising out of the late inquiry into our Defences have not yet taken definite shape, but we shall undoubtedly adopt the recommendations for giving to the Naval Brigade some training afloat. In view of this important change, we intend applying to the Imperial Government to make over to us, as a royal gift, your good ship the "Wolverene." I think you will agree with us that our Naval Brigade men would soon be able to handle the "Wolverene" without discredit to the naval fame of the Empire.

I remain, &c.,

HENRY PARKES.

Minute for His Excellency by The Colonial Secretary.

THE troublesome matters respectively of a suitable Naval Depot in Port Jackson and the claims of the Imperial authorities to certain lands in New South Wales having been for many years unsettled, they were again re-opened by the letters of Admiral Wilson, of date respectively 14th October, 1880, and 22nd January, 1881.

Almost throughout the whole period of office of the present Government, and indeed for many years before its existence, the present Acting Colonial Secretary has been kept familiar with every particular of importance involved; and as he had the advantage of several conversations with regard to them with Sir Henry Parkes before he left the Colony, inconvenience from the absence of certain of the papers is not so great as it would have been otherwise.

Sir Henry Parkes expressed a wish that the present Acting Colonial Secretary should deal with them before the departure of Admiral Wilson; and having consulted the Cabinet, he is authorized by his Colleagues to make the following communication to your Lordship for the Admiral's information.

Ministers are willing to seek the authority of Parliament to enable them to resume a portion of land in Lower George-street (bounded southerly from the line of Lower George-street by the A.S.N. Co.'s Wharf, &c., property to the waters of Port Jackson, easterly by the waters of Port Jackson to Dawes' Battery Reserve, northerly by that reserve to Lower George-street, and westerly by Lower George-street to the point of commencement); and to give up all right to the adjoining land (commencing at the south-western corner of the Dawes' Battery Reserve, at a point abutting on Lower George-street and adjoining land the resumption of which is in contemplation, extending thence easterly to the waters of Port Jackson by a line separating the same from the last-mentioned land; thence by the waters of Port Jackson to Lower George-street, and by the easterly side of that street to the point of commencement, as shown on the accompanying plan*); also to ask Parliament to authorize the erection of a suitable Admiral's residence, and stores and other buildings suitable for a Naval Yard, on condition that the Imperial Government surrender to this Government all lands in New South Wales which have at any time been granted to Her Majesty's Board of Ordnance; also, the old Commissariat Stores, bounded by Lower George-street, Argyle-street, and the Circular Quay; and also Garden Island and all other lands in the Colony, whether granted or not, and upon which the Imperial Government possesses any claim.

JOHN ROBERTSON.

Colonial Secretary's Office,
Sydney, 17 January, 1882.

Memorandum as to proposed surrender of Ordnance lands and buildings by the Imperial to the Colonial Government, and the creation by the Colonial Government of a new naval establishment, &c., at Dawes' Point.

Of these lands and buildings the greater part is vested (by grants from the Crown anterior to the passing of the Constitution Act) in the Board of Ordnance in England, and is held by the Colonial Government on lease at a nominal rent. A Schedule of these is appended.

There are also certain lands which have never been so granted, but to which the Imperial Government lays claim. These are Garden Island and the old Commissariat Store on Circular Quay.

The Commissariat Store became the property of the Colony under the Constitution Act, not having been (as were those first abovementioned) alienated by the Crown in any way before the passing of that Act. The Colonial Government has not, however, up to this time disturbed the Imperial authorities in the free use of it.

Garden Island also became the property of the Colony under the Constitution Act, not having been alienated at any time anterior to that Act. The island was, however (it is understood) handed over to the Imperial authorities by the first responsible Government for a Naval Yard. For that purpose it has unquestionably been a complete failure.

Successive Governments of New South Wales have during many years been desirous of obtaining the surrender of these lands to the Colony; while on the part of the Imperial Government a desire has been expressed to have a suitable site set apart and arrangements made for a Naval Depot in Port Jackson. During the time of Commodore Stirling it was intimated by him that provision had been made by the Imperial Government with a view to the building of a Naval Store on Garden Island, and the Colonial Architect was instructed to confer with the Commodore and prepare plans. His successor, however (Commodore Goodenough) wrote (23rd November, 1874) to say that he had been instructed to report on the various points at which a permanent Naval Depot might be formed; and he asked to be informed whether the Government of New South Wales "would be prepared to consider the possibility of giving a site on Macquarie Point for Imperial Naval purposes in lieu of the Depot now occupied on Circular Quay," Fort Macquarie being for certain reasons preferable to Garden Island. In consideration of this, he was prepared (as he explained in private correspondence) to give up both the Circular Quay Store and Garden Island. Hereupon Sir John Robertson (then Colonial Secretary) ordered the preparation of a plan of the site indicated by the Commodore. The matter was then referred to the Cabinet. On the 29th October, 1875, Sir John Robertson sent to the Governor (Sir Hercules Robinson) his Cabinet minute on the subject. This minute further shows that, while the plan above-mentioned was in preparation, Commodore Goodenough had "intimated that he would prefer having a portion of land near Campbell's Wharf, and between that and Dawes' Battery," but that the negotiations were postponed on account of the Commodore's absence. Sir John Robertson went on to suggest that a communication should be made to Captain Chapman (the new Commodore) "calling his attention to the matter, and intimating the willingness of the Government to make the exchange in accord with the last-mentioned views of Commodore Goodenough." This minute was accordingly communicated to the Commodore by the Governor, 1 November, 1875.

There is no record of any further action till the beginning of 1878, when Sir Hercules Robinson (in connection with the surrender of a portion of the Victoria Barrack enclosure for the forming of Green's Road) took occasion to suggest to the Secretary of State the general surrender of all the Ordnance Reserves to the Colony, with the exception of such portions as might be desired by the Admiralty for Naval purposes. After asking for and obtaining a Schedule of the reserves in question, the Secretary of State, in his despatch of 8th May, 1879, forwarded copies of correspondence showing that the Secretary of State for War was willing to assent to the proposed transfer, as soon as provision should be made of a suitable site for a Naval Yard in accordance with the wishes of the Lords of the Admiralty.

Some time last year the matter was taken up by Sir Henry Parkes (Colonial Secretary), and was more particularly investigated by Sir John Robertson (then Vice-President of the Executive Council), who more recently, after conferring with the late Commodore (Admiral Wilson), has brought the matter into a convenient shape for final settlement, by his minute of 17th January, 1882. This minute was forwarded by His Excellency to Commodore Wilson, for his information, on the 20th instant. 24th January, 1882.

SCHEDULE.

Lands granted to the Principal Officers of Ordnance.

	Area.	Date of grant.
Parramatta—	a. r. p.	
Military Barracks	1 0 13	Aug. 4, 1843.
Do. do.	7 1 18	Jan. 30, 1846.
Windsor	0 3 39	Aug. 4, 1843.
Liverpool	0 1 9	Aug. 4, 1843.
Bathurst	14 3 24	Dec. 18, 1844.
Newcastle	16 1 15	June 5, 1847.
Pinchgut Island	.....	Jan. 30, 1841.
Dawes' Battery	7 2 11	July 31, 1844.
Victoria Barracks	29 2 17	July 31, 1850.
Brigade-Major's quarters	0 0 16	Jan. 30, 1844.
Part of Goat Island, Magazine, &c.	.....	Jan. 30, 1844.

N.B.—This Schedule is from an enclosure in the Crown Solicitor's (Mr. Williams's) letter of 15th July, 1881; 81-4983.

Telegram from Secretary of State for the Colonies to His Excellency the Governor.

London, 15 June, 1882.

DAWES' POINT accepted. Will transfer reserves, Garden Island, &c., subject building satisfying Admiralty.

KIMBERLEY.

The Secretary of State for the Colonies to His Excellency the Governor.

My Lord,

Downing-street, 26 June, 1882.

With reference to my telegram of the 15th instant, and to your despatch No. 33 of the 20th of February, 1882, and to the memorandum by Sir John Robertson in regard to the proposed surrender to the Government of New South Wales of certain lands and buildings by the Imperial Government, and the erection by the Colonial Government of a new naval establishment at Dawes' Point, I have the honor to transmit to you a copy of a telegram which was addressed by the Lords Commissioners of the Admiralty to Commodore Erskine on the 30th ultimo, together with a copy of a letter from the Admiralty upon this subject, dated the 14th of June.

Telegram to
Commodore
Erskine.

Admiralty,
14 June, 1882.

I have expressed my concurrence in the views of the Lords Commissioners of the Admiralty to the effect that the transfer of the reserves should not be finally made until the conditions referred to in the Admiralty letter have been fulfilled.

The preparation of the Order in Council under the Colonial Fortifications Act will not, therefore, be proceeded with until the arrangements agreed upon have been completed. In the meantime I shall be glad to receive from you the exact description of the several portions of land to be transferred in the shape in which your Government would wish it to appear in the Schedule to the Order in Council when eventually issued.

It is understood that the ground which it is proposed to resume, and which is shown on the plan enclosed in your despatch No. 15 of the 26th of January, 1882, as adjoining Dawes' Point Reserve on the south, will be included in the site to be appropriated for the naval establishment.

I have, &c.,

KIMBERLEY.

Colonial Secretary,—For the information and decision of the Government, and with the request to be furnished with an exact description of the lands to be transferred.—A.L., 25/8/82.

[Enclosure.]

Telegram to Commodore.

Sydney, 30/5/82.

ACCEPT offer of Dawes' Point. Military Reserves and Garden Island will be surrendered subject to satisfactory buildings for naval purposes being erected.

The Admiralty to The Colonial Office.

Sir,

Admiralty, 14 June, 1882.

With reference to the Treasury decision of the 31st ultimo, with regard to the reserves in New South Wales, which is referred to in your communication of the 6th instant, I am commanded by the Lords Commissioners of the Admiralty to state that they hope that steps will be at once taken for carrying out the arrangement which has been sanctioned, and which is that proposed in Sir John Robertson's memorandum to the Governor, dated the 17th January last, by which the Ordnance Reserves and Garden Island will be finally transferred to the Colony, subject to no other condition than the construction to the satisfaction of the Admiralty of the requisite Naval buildings at Dawes' Point, and the transfer to the Imperial Government of the Naval Establishment so to be formed.

My Lords think it would be desirable that the final transfer of the reserves to the Colony should not take place until these conditions have been fulfilled and the new buildings are ready for occupation.

I am, &c.,

The Under Secretary of State, Colonial Office.

E. N. SWAINSON.

Commodore Erskine to His Excellency the Governor.

Buildings for Naval purposes at Dawes' Point.

My Lord,

"Nelson," at Sydney, 7 March, 1883.

In obedience to orders which I have received from the Lords Commissioners of the Admiralty, I have now the honor to request that your Government will be pleased to permit the Colonial Architect to place himself in communication with me, and to design the buildings and other works requisite at Dawes' Point for Naval purposes, in accordance with the agreement made by the Colonial Government and accepted by the Lords Commissioners of the Admiralty by their telegram of 31st May, 1882, copy enclosed.

I have, &c.,

JAMES E. ERSKINE,

Commodore.

The Colonial Secretary—A.L., 8/3/83.

[Enclosure.]

Telegram from Admiralty to Commodore, Sydney.

31 May, 1882.

ACCEPT offer of Dawes' Point. Military reserves and Garden Island will be surrendered subject to satisfactory buildings for Naval purposes being erected.

The

The Colonial Secretary to His Excellency the Governor.

My dear Lord Augustus,

Sydney, Colonial Secretary's Office, 22 March, 1883.

I have given much anxious consideration to the very important subject of the communication you had received from Commodore Erskine expressive of anxiety on the part of the Lords of the Admiralty, as well as of himself, that some steps should be taken towards carrying into effect the agreement made by our predecessors in respect of a Naval Depôt and residence for the Commodore.

You express a desire to know the views of the present Government on the matter.

I cannot better lay before you these views than by enclosing for your perusal, as an official document, a minute upon the subject which I addressed to my Colleagues, and in which they entirely concurred.

If you will kindly forward a copy to the Commodore, and suggest that he place himself in communication with me, I will instruct the Colonial Architect to consult him in reference to such plans as will carry out his views and keep the expenditure within the votes of Parliament.

I have caused £50,000 to be placed on the Additional Estimates, and it will materially help me in getting Parliamentary sanction for it if the Commodore can agree with us upon some solution of the difficulty as laid down in the minute I enclose.

I have, &c.,
ALEX. STUART.

[Enclosure.]

Minute of the Colonial Secretary, for submission to Cabinet, on buildings for Naval purposes at Dawes' Point.

It has become necessary to take into immediate consideration the whole of the circumstances surrounding the abandonment of that portion of the Dawes' Battery Reserve which lies east of Lower George-street, and which is bounded by the waters of Port Jackson, and which, according to an arrangement made by our predecessors with the Imperial Government, was, together with a small strip to be purchased, to form the site of a residence for the Commodore, and to be used as a Naval Depôt. It is unnecessary to go through the voluminous correspondence which has taken place on the subject between the various Governments of the Colony and the several Naval Officers who have from time to time held chief command in these waters. The result of this correspondence was the arrangement made by our predecessors that, in consideration of the cession by the Imperial Government of all lands retained under grants to the Board of Ordnance, and upon which the Imperial Government possessed any claim, this Government undertook to abandon the temporary holding of Dawes' Battery, and to invite Parliament to grant sufficient funds to provide for the residence and depôt in question. I should have preferred larger opportunities of considering this most important question than I now possess; for owing to our very recent acceptance of office, and to the engrossing demands upon our time and attention by Parliamentary business, it has become difficult to consider with due deliberation matters such as this in which such important public interests are involved. But a communication from His Excellency urging speedy attention to this business, and a letter forwarded to the Governor by the Commodore, requesting, in obedience to orders which he has received from the Lords Commissioners to the Admiralty, that the Government place the Colonial Architect in communication with the Commodore, to design the buildings and other works requisite at Dawes' Point for naval purposes, render it impossible to postpone the whole consideration of this case to a more convenient opportunity. I wish at once to place on record my conviction of the desirableness of making this port the head quarters of the British Navy in these seas, and of making all suitable provision which may be required at the hands of the Colonial Government to effect this purpose. I am convinced that no mere consideration of economy should be permitted to interfere with the attainment of so desirable an object; and I have reason to believe that this sentiment would meet with the immediate recognition and hearty sympathy of the Legislature in making the necessary provision for the service. It is only in connection with the site which has been selected and approved of that I feel unable to see my way to carry into immediate execution the arrangements made by our predecessors. I am strongly impressed with the conviction that the selection of the Dawes' Battery Reserve for the public purposes contemplated was, on various grounds, an undesirable proceeding. It appears to me that, in the first place, the site is unsuitable both as a private residence for the Commodore and as a great Naval Depôt for the ships of war in these seas. Its unsuitableness for the first purpose arises from its neighbourhood to some of the largest wharfs and business places of the city. The various lines of mail steamers, foreign and intercolonial, are constantly arriving at and departing from the adjoining wharf. It is a site which would not, I think, be regarded as a desirable one for purposes of private residence by any one who considered retirement and repose as indispensable conditions for comfort. Such a site as that on which a temporary place of residence has been obtained for the Commodore appears to me to be one infinitely more suitable for such a purpose. It is removed from the busiest portions of the city, is surrounded by ample grounds in the neighbourhood of some of the best private residences of citizens, and yet easily accessible both from the city and the harbour. These advantages do not belong to the Dawes' Battery Reserve. It seems to me that it is equally unsuitable for a great Naval Depôt, that it would be a matter of great cost and difficulty to render it in any way fitted for such a purpose, if it could under any circumstances be accomplished; and that the space is altogether too limited for the accommodation which will be absolutely required. If I had been called upon to consider the question simply in the personal interests of the Commodore and in the suitableness of the site for naval purposes, I should, as may be gathered from this Minute, have regarded the arrangement with disfavour; but when I consider it in the interests of the people of this country, I am convinced that it is open to very grave objections. The first of these is unquestionably that it interposes a serious difficulty in the way of the commercial progress of this port. It is only a question of time (and in my judgment of a comparatively short time) when the resumption of the entire water frontage of the harbour will be forced upon the Government, and the dedication to other than commercial purposes would materially interfere with and injuriously affect the necessary development of that progress. This con-

sideration alone would be sufficient to justify the Government in regarding this arrangement with disapproval. But it is not on grounds of commercial convenience alone that I regard this arrangement with disfavour. Though this Dawes' Battery Reserve has been occupied to a limited extent from the earliest period for certain Ordnance purposes, it has been equally used for the enjoyment and recreation of the citizens in the densely populated quarters of West Sydney, where, with the exception of this reserve and the small one on Flagstaff Hill, there are no public recreation grounds whatever. It is not, in my opinion, a light thing to disregard so important a consideration as this. Upon these grounds, I have arrived at the conclusion that the arrangement entered into by our predecessors is open to grave objection, and demands serious reconsideration at our hands. There are on the northern shores of the harbour many suitable sites for purpose of a Naval Depôt, to which no objections can be offered. I may mention, by way of illustration, such places as Berry's Bay and Robertson's Point, both being perfectly sheltered, with deep water to the shores, with abundance of land which might be easily obtained, and which are near to the city, though removed from its active business life. Or, if it be deemed desirable, there could be no difficulty in handing over Goat Island, with all the buildings, magazines, and improvements now upon it, for the purposes of a Naval Depôt. It might be considered that the isolation of this position would give a greater control over the men engaged at the depôt, and the improvements already in existence might be deemed of value for purposes of immediate occupation; nor do I think the objections to giving up Garden Island so great as those which attach to Dawes' Point, indeed, there appear to me, many and powerful arguments in favour of its being one of the best sites, and there does not appear now to be the same force in the argument against giving it up which was so strongly urged thirty years ago, by reason of its being necessary for the recreation of the people. As far as the Commodore's residence is concerned, even if the present temporary one were unattainable, some of the most beautiful and convenient situations of the harbour may be obtained without difficulty.

I deem it my duty to place all these considerations before my Colleagues, with the view of obtaining a definite expression of opinion on this very important subject.

From the above it will be seen that, in dissenting from the arrangement made by our predecessors, we limit our difference to the adoption of the site which has been selected. On all other points I feel sure that my Colleagues will be prepared to recommend the carrying out with the greatest liberality any arrangement that may secure to the port the advantages of having the head-quarters of the Naval Forces in these seas, and conduce both to the efficiency of the Service, by providing a suitable Naval Depôt, and to the personal convenience of the Commodore, or whoever may represent Her Majesty's Navy in these seas.

ALEX. STUART.
19/3/83.

Approved by Cabinet,
20/3/83.

Telegram from Colonial Secretary, Sydney, to The Agent-General, London.

28 March, 1883.

Sir Admiralty at once subject Commodore's telegram. Assure them this Government extremely anxious liberally provide Naval Depôt and suitable residence, differing only from late Ministers as to locality. Consider several other places better adapted, while Dawes' Point would materially interfere with increasing shipping demands and North Shore steam bridge. Proving soon inconvenient and distasteful to British Naval officers. Garden Island much more useful for Imperial interests for depôt, while house like McQuade's or other at Potts' Point more convenient for residence. £50,000 on Estimates. Work will be vigorously carried out if Admiralty send Commodore discretionary power approve site.

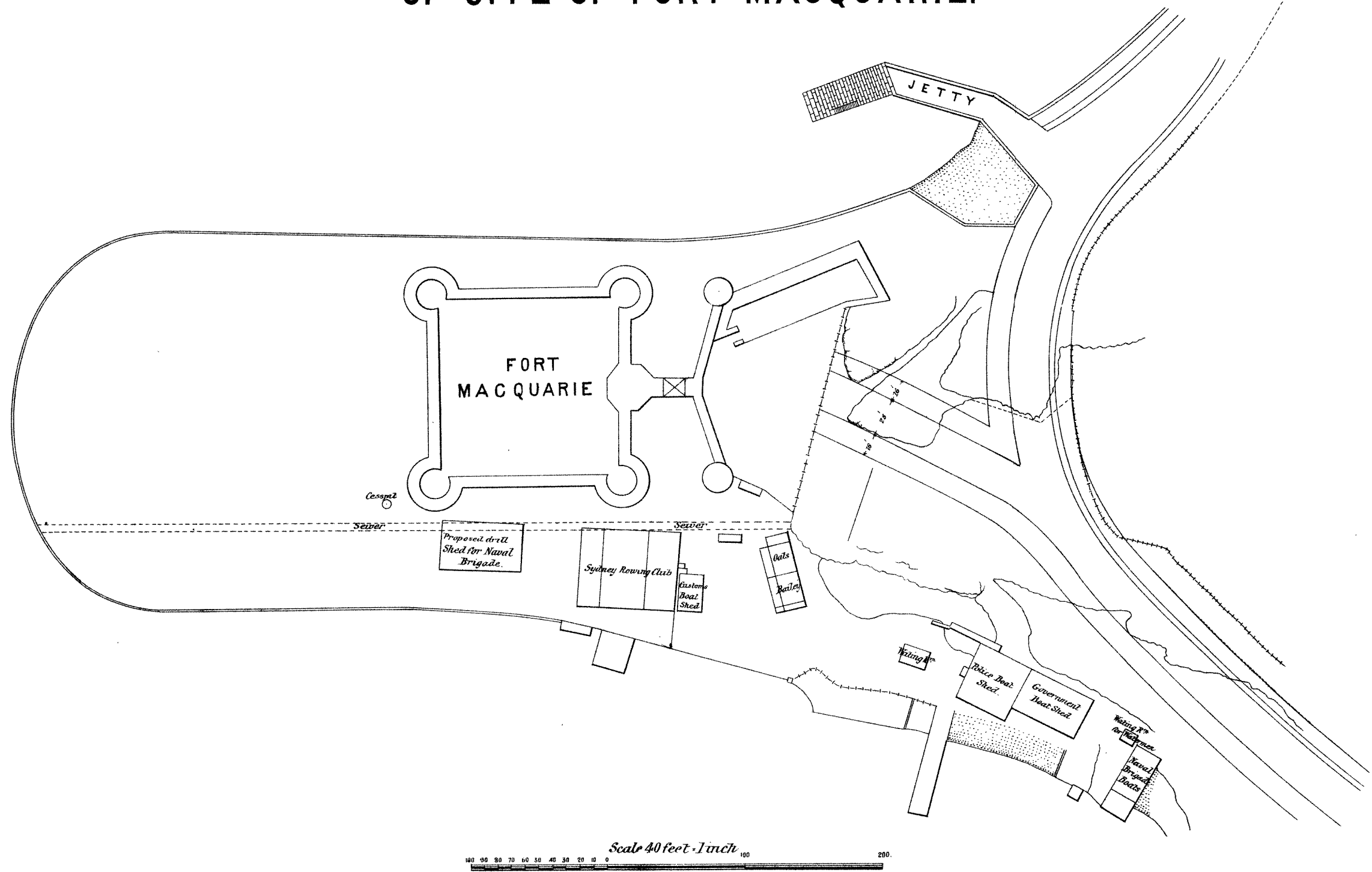
Telegram from The Agent-General, London, to Colonial Secretary, Sydney.

30 March, 1883.

ADMIRALTY telegraphed to Commodore directing him to use own discretion in negotiation, and state do not insist upon retaining Dawes' Point, but wish to retain Garden Island and Depôt on mainland. Wire suitable site can be obtained, buildings and wharves to be constructed as previously arranged. Commodore's house not to form part of negotiation; this left to Government.

[Two plans—Appendices A and B.]

PLAN OF SITE OF FORT MACQUARIE.



SKE TCH
showing portions of land proposed to be appropriated
for

ADMIRAL'S RESIDENCE AND NAVAL YARD

SCALE OF CHAINS.

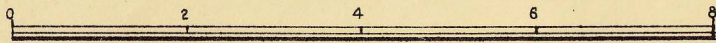
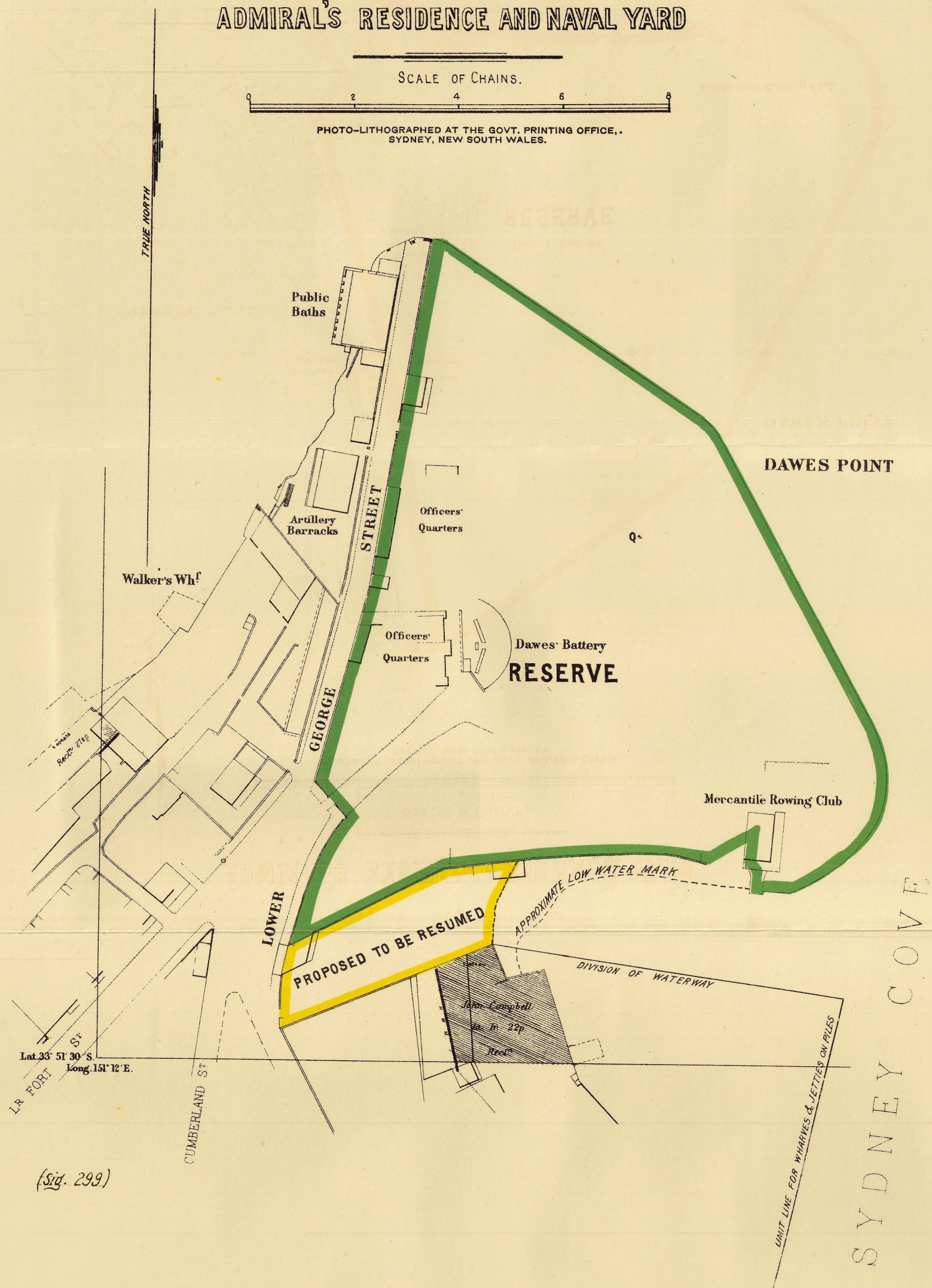


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



(Sig. 299)

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DAWES' POINT.

(CORRESPONDENCE RELATIVE TO THE HANDING OVER OF, TO IMPERIAL NAVAL AUTHORITIES.)

Ordered by the Legislative Assembly to be printed, 17 April, 1883.

FURTHER RETURN to an *Address* made by the Honorable the Legislative Assembly of New South Wales, dated 29 March, 1883, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

“Copies of all letters, telegrams, and correspondence between the Imperial Government and the Government of New South Wales, and all other documents, papers, and minutes, &c., relative to the handing over of Dawes' Point to the Imperial Naval Authorities.”

(*Mr. Merriman.*)

DAWES' POINT.

Commodore Erskine to His Excellency Lord Augustus Loftus.

"Nelson," at Sydney, 1 February, 1882.

Additional storehouse room necessary for stores required for Her Majesty's Ship "Nelson."

My Lord,

I have the honor to represent to your Excellency that, owing to the arrival of H. M. S. "Nelson" on the Australian Station, increased space will shortly be required for the reception of naval and ordnance stores at Sydney, and that this additional space is not available in the portion of the old Commissariat buildings now in occupation by the Royal Navy as a dépôt.

2. It seems likely that a considerable period, probably two years or more, will elapse before the new Naval Establishment, proposed to be erected on Dawes' Point, will be ready for occupation, and in the meantime it is necessary to devise some plan of meeting our requirements for additional storehouse room, the present stores being already overcrowded.

3. I am therefore under the necessity of calling your Excellency's attention to the terms on which the Colonial authorities hold a portion of the Commissariat buildings, as laid down in the despatch from the Colonial Office of the 2nd September, 1856 (a copy of which is enclosed), viz., "That sufficient accommodation shall always be provided, at the expense of the Colony of New South Wales, for such stores as the Commissariat may require to keep in hand for the Naval or Military Services, the remaining space only to be available for Colonial purposes."

4. I have therefore to request you will be pleased to call the attention of the Colonial Government to this question, and to propose that that portion of the above building fronting Circular Quay, and now in occupation by the Colonial authorities, should be vacated for naval purposes; the other part of the building, facing George-street, being unsuitable for our requirements.

I have, &c.,

JAMES F. ERSKINE,

Commodore

The Colonial Secretary. An early answer is requested.—A L., 3/2/82.

[Enclosure.]

The Secretary of State for the Colonies to Governor Sir W. Denison.

Sir,

Downing-street, 2 September, 1856.

I referred, for the consideration of the Secretary for War, a copy of your despatch No. 44, of the 3rd March last; and I have to acquaint you that Lord Panmure has informed me, in reply, that he has authorized the transfer of the Commissariat buildings in Lower George-street, Sydney, to the Colonial Government, on the conditions proposed in your despatch above-mentioned, viz., that sufficient accommodation shall always be provided, at the expense of the Colony of New South Wales, for such stores as the Commissariat may require to keep in hand for the Naval or Military Services, the remaining space only to be available for Colonial purposes.

I am, &c.,

H. LABOUCHERE.

Minute for His Excellency.

In acknowledging your Excellency's minute on Commodore Erskine's letter of the 1st instant, I have the honor to state to your Excellency that I am authorized by my Colleagues to inform you that the Commodore may rely upon the cordial co-operation of Ministers with regard to the necessary accommodation in the way of storage, &c., referred to in that letter for the fleet under his command, and that arrangements will be speedily made to surrender the temporary use of the increased share in the old Commissariat Stores asked for by him, pending the erection of the contemplated new Naval Establishment at Dawes' Point.

With regard to that portion of the Commodore's letter in which, on the authority of a despatch from the Colonial Office in Downing-street, of the 2nd September, 1856, he describes the terms on which the Colonial authorities hold the Commissariat buildings, I desire to call your Lordship's attention, for the Commodore's information, to a memorandum herewith, showing the Colonial Government's rights in the matter, by which it will be seen that the stores, in common with all other Crown Lands of New South Wales, became the property of the Colony, under the New South Wales Constitution Act of the Imperial Parliament, excepting of course those granted to the Board of Ordnance in England, which in common with all other alienated lands were exempted from that position by that law.

Your Excellency will be aware that all Colonial Governors and Ministers have throughout the period of responsible Government here worked as cordially with the Imperial Naval Authorities as did the Governments which preceded them; and no occasion has ever arisen to call seriously into question the matter of title, nor indeed would it now, had it not been for the desire of the Naval Authorities that the Colony should make large expenditure to facilitate naval operations; and the willingness of Ministers to act in the matter rather with a view to the attainment of that which will be most beneficial to Her Majesty's Naval Service and to the character of our Colony, than to drive a hard bargain on the subject. At the same time, it is unquestionably convenient that these old matters should be set at rest, and it is hoped that the arrangement under my minute to your Lordship of the 17th ultimo* on the subject will effect that object, approved as it is has been by the views of Admiral Wilson, who was specially empowered by the Admiralty to negotiate arrangements with your Excellency's Government.

Colonial Secretary's Office,

Sydney, 14 February, 1882.

JOHN ROBERTSON.

Commodore

* See papers relating to Dawes' Point, laid upon Table on the 6th April, 1883.

Commodore Erskine to His Excellency Lord Augustus Loftus.

Increased storage room for naval stores.

My Lord,

"Nelson," at Hobart, 27 February 1882.

I have the honor to acknowledge the receipt of your Excellency's letter of the 16th instant, and enclosures, with reference to my application for increased accommodation for storage at Circular Quay, required by the squadron under my command on this station.

2. I desire to thank your Ministers for the assurance of their cordial co-operation with regard to the necessary accommodation in the way of storage referred to in my letter; and, having in view the liberal terms which they have offered, and pending the erection of the contemplated new Naval Establishment at Daves' Point, I am pleased to find that necessary provision will be so readily afforded for the temporary requirements of Her Majesty's ships under my command.

I have, &c.,

JAMES ERSKINE,

Commodore.

Col. Secy.—A.L., 4/3/82.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ANTHRAX (CUMBERLAND DISEASE.)

(REPORT BY MR. ANTHONY WILLOWS, M.R.C.V.S.L., ON PREVALENCE OF ANTHRAX IN LACHLAN DISTRICT.)

Ordered by the Legislative Assembly to be printed, 13 April, 1883.

[Laid upon the Table of the Honorable the Legislative Assembly, by the Honorable the Minister for Mines.]

ANTHRAX (CUMBERLAND DISEASE).

REPORT ON ANTHRAX, or Cumberland Disease, by Mr. Anthony Willows, M.R.C.V.S.L., to The Honorable the Minister for Mines.

Sir,

166, Princes-street, Sydney, 23 February, 1883.

I have the honor to submit the following report of my investigation of a very fatal enzootic disease raging amongst sheep in the Lachlan district, county Bourke, made at the request of the Honorable the Minister for Mines, and extending over a period of nine days, from February 9 to February 18 inclusive.

The stockowners whose runs I visited rendered me every assistance in my inquiry, and from their very considerable experience in this disease I gleaned from them the following facts as to its general nature and history:—

1. That the disease is only prevalent from September to the March rains, and that a heavy fall of rain between these dates is at all times likely to temporarily arrest disease, or certainly to check it.
2. That sheep generally die on the camp, and are generally attacked during the early digestion of a full meal of food and water.
3. That the disease has more particularly raged in connection with one particular water-course, and under one particular watershed, for the last four years; and there is every reason to believe that the disease has been similarly influenced for the past twelve or thirteen years.
4. That in some paddocks disease is tolerably certain to appear in from three to four days after a mob of healthy sheep have been placed in them; whereas in other paddocks disease has not been known to appear, excepting for the first three or four days after a mob of sheep, amongst which disease prevails, have been removed from contaminated paddocks; and in this case only such sheep succumb as have in all probability brought germs of disease from contaminated paddocks, for disease usually disappears about four or five days after this change of paddocks.
5. That the disease has been much more prevalent since the trees in the country where sheep are pastured have been rung.
6. That the disease is not materially influenced either by the system of management to which sheep are subjected nor by the amount of exercise which they receive.
7. That the disease is not influenced in any marked degree by the condition of sheep; but if there is any difference, those in best condition are most frequently the subjects.
8. That the disease is not influenced either by the age of sheep or variety of sex.
9. That no animal undoubtedly affected has ever been known to recover.
10. That from their personal observation and experience they thought the only means of arresting spread of disease was the complete burning of the carcasses of all sheep which have died of the disease, as well as the careful destruction by fire of all cover or produce upon the surface of the land which could possibly have become contaminated by carcasses of sheep which had died.

The disease, so far as this more or less continuous outbreak is concerned, made its appearance in the district in October, 1877, when 500 ewes died in about a month; they were pastured in a sandy high-lying paddock watered by the Murrumbidgee. Next outbreak was in 1879, also in a sandy high-lying paddock, and watered directly or indirectly by the Murrumbidgee, situated about a quarter of a mile further up country than the paddock in which disease had previously appeared. Shortly after this there was a comparatively unimportant outbreak of disease about 7 miles from here, in a kangaroo-grass country, and watered principally by surface drainage. About this time the disease made its appearance in four paddocks in another part of this district, and it has since generally so much increased that it is now very doubtful if any large tract of country in this district is entirely free from it.

PARTICULARS OF CASES DIRECTLY UNDER MY OWN OBSERVATION DURING INVESTIGATION.

No. 1. Made *post-mortem* examination of sheep which had died previous day. Spleen was very much enlarged and engorged with dark impure blood; there was also extensive internal spontaneous extravasation of blood.

No. 2. Very large fat ram had been dead about three hours. His eyes had been picked out by crows, and when his head was moved there was an escape from the eye sockets of about a quart of dark impure blood, entirely broken up in structure and non-coagulable, spleen much enlarged and engorged with dark impure blood. Mucous lining membrane of omasum ulcerated from muscular coat and adherent to ingesta ecchymosis, and serous infiltration in the mucous and submucous tissue of abomasum, and in the fixed or duodenal portion of small intestines. Substance of heart, lungs, liver, and kidneys saturated with dark impure blood. Cavity of heart contained a quantity of a similar fluid, with which fluid also bladder was filled. This ram's blood, when microscopically examined under a high power, was found to be entirely broken up in structure, and crowded with well-developed bacteria.

No. 3. Ewe, just taken, was standing in a listless manner, ears drooping, eyes bright, conjunctival membrane highly injected, fluttering irregular action of heart, great difficulty of respiration, with heaving of the flanks and loud gurgling bronchial sounds and gurgling noise in trachea. When first observed, power of locomotion was weak and uncertain, and in quarter of an hour was entirely lost. I bled ewe freely at angular vein to extent of three-quarters of a pint. This blood would not coagulate at all, and when microscopically examined was found to contain but few red cells, a proportionately excessive number of white cells, and was crowded with bacteria. Ewe died about half an hour after being observed ill. *Post-mortem* examination:—Spleen much enlarged and engorged with dark impure blood, which, when microscopically examined, was found to contain large quantities of bacteria. Extensive ecchymosis and serous infiltration in mucous and submucous tissue of abomasum and the fixed portion of small intestines, also ecchymosis in structure of lungs.

No. 4. Wether had been dead about an hour. Had a free discharge of dark impure blood from urethra, also from nostrils and eyes, which had just been picked out by crows. *Post-mortem* examination:—Spleen enlarged and so engorged with dark impure blood that its texture was in places ruptured. Abomasum and fixed portion of small intestines presented both bloody and serous infiltration on mucous membrane and in submucous tissue. Substance of lungs engorged with dark impure blood, and marked by petechial spots. Blood, as usual, non-coagulable.

No. 5. Wether in third or last stage of disease, was unable to stand, and in frequent convulsions from the great difficulty of respiration; at once cut his throat and made an immediate *post-mortem* examination:—Spleen very much enlarged and engorged with dark impure blood. Rumens reticulum and omasum well replenished with natural ingesta; all presented numerous petechial spots. Abomasum and fixed portion of small intestines also contained very numerous petechial spots, amounting to blood extravasation and infiltration. Substance of heart, liver, and kidneys full of dark impure blood, lungs entirely relieved by bleeding; cavity of heart contained a quantity of blood in same condition, with which fluid bladder was also filled; brain and its membranes healthy, with only a normal quantity of ventricular arachnoid fluid. Microscopical examination of blood of this wether showed it to be crowded with bacteria.

No. 6. Wether seen in first stage of disease, stood with head down and ears drooping. When approached hurried away for about fifty yards, was then easily caught, and at the request of his owners I bled him freely at the angular vein. For ten minutes he stood with head down, respiration hurried and difficult, then he lay down and laid quite quietly for five minutes, taking no notice of my approach; respiration had gradually become more difficult. I then aroused him by lifting him up, and drove him before me for about forty yards, when he began to stagger, and after reeling about in a standing position with twitching of muscles and increased difficulty of respiration for ten minutes, he fell down in a semi-comatose condition, breathing became more difficult, heart palpitated weakly, temperature of blood 107 deg. He then stretched himself out full length and lay quietly, excepting his difficulty in respiration, which had now become jerking with heaving at flanks, until he gasped for breath, and died in mild convulsions fifty minutes after showing first symptoms of the disease. *Post-mortem* examination:—Spleen enlarged and engorged with dark impure blood. Rumens reticulum and omasum did not present any marked pathognomonic conditions, but abomasum presented extensive blood extravasation and infiltration, also several marked ulcers in mucous lining membrane. Small intestines were nearly filled by infiltration in their cavity of dark impure blood. Substance of heart, lungs, liver, and kidneys did not present any pathognomonic conditions, but gall bladder was filled with dark coloured blood, and cavity of heart contained a small quantity of a similar fluid.

No. 7. Lamb not a week old died in my presence in thirty minutes after being taken ill. Symptoms as previously detailed, but more violent. *Post-mortem* examination presented the appearances of blood striking under lower jaw and down lower part of neck. The thyroid and thymus glands and spleen were much enlarged and engorged with dark impure blood. Rumens reticulum and omasum were quite empty, for lamb had never eaten food. Abomasum contained a quantity of milk and many particles of dirt and debris, which were easily distinguishable; there was also extensive serous exudation on mucous membrane and serous infiltration into the submucous tissue of this stomach. The abomasum, substance of heart, lungs, and liver engorged with dark broken-up fluid blood. Microscopic examination showed this lamb's blood to be crowded with bacteria, I think the largest I ever saw. This lamb died on the 11th instant, and five days afterwards (on the 16th instant) I saw the ewe alive and apparently well.

No.

No. 8. Wether about eight months old, found in second stage of disease, was suffering very much from great difficulty in respiration. Internal temperature, 108°1. Immediately afterwards cut his throat and forced all blood from body possible. *Post-mortem* examination:—Spleen contained quantity of dark impure blood nearly as broad as long, but not nearly so enlarged as previous cases had been. There was effusion of clear serum into ventricular arachnoid cavity, as there also was into the abdominal cavity. Blood extravasations into the abomasum, and free exudations of serum into the small intestines. Substance of heart, liver, and kidneys engorged with dark impure blood. Bladder full of blood in a similar condition. Microscopical examination showed the blood of this wether to contain innumerable quantities of well-developed bacteria. This was the only case in which blood had any tendency to coagulate.

No. 9. Ewe about eight months old, found ill, standing quietly, with head depressed. In a few minutes she died. *Post-mortem* examination:—Spleen much enlarged and engorged with dark impure blood. Rumen and reticulum fairly filled with natural ingesta (as every *post-mortem* has demonstrated). Omasum impacted with ingesta in a dry condition. Abomasum presented yellow serous exudation and infiltration, and also ecchymosis. Small intestines contained a large quantity of chocolate-coloured fluid as well as this serous exudation. Substance of heart, liver, and kidneys saturated with dark impure broken-up blood. Bladder contained a quantity of this fluid in a similar condition.

No. 10. Wether, of which *post-mortem* examination was made immediately after death. Spleen very much enlarged and very much engorged with dark impure blood. Rumen and reticulum fairly filled with ingesta, apparently in a natural condition. Omasum impacted with ingesta in a very dry state. Abomasum presented extensive ecchymosis with ulceration in numerous parts of mucous lining membrane. There was also considerable extravasation of a dark grumous fluid on mucous surface, and infiltrated into submucous tissue of small intestines, which were throughout their entire structure very much discoloured and disintegrated. Substance of heart, liver, and kidneys saturated with very dark impure blood. Cavity of heart contained a quantity of fluid blood in a similar condition. Bladder filled with dark impure blood. Gall bladder distended with a black fluid, which did not possess either the characteristics of blood or bile. Neither lungs nor pleura presented any pathognomonic condition.

No. 11. Wether found in last stage of disease and unable to rise, lay upon his side in a semi-comatose condition. Did not show any distinct symptoms of pain, although respiration was only accomplished with great difficulty. He struggled feebly. His heart palpitated irregularly or fluttered in its action. Internal temperature, 107°8. Made an immediate *post-mortem* examination. Spleen soft, distended, and engorged with dark impure blood. Rumen full of food in a naturally rough state, not having been ruminated. Reticulum and omasum filled to repletion, the ingesta in the latter stomach being rather hard. Abomasum presented subserous infiltration and blood extravasation, with slight ulceration of mucous lining membrane. This condition extended to the entire fixed portion of the small intestines. Substance of liver and kidneys saturated with dark impure blood. Cavity of heart also contained a quantity of dark impure blood in a fluid condition, as also did bladder. Gall bladder filled with a dark-looking bile. Lungs and chest showed no pathognomonic conditions.

No. 12. Wether, immediately after death made *post-mortem* examination. Spleen much enlarged and engorged with dark impure blood. Rumen well filled with natural ingesta, lining membrane ulcerated and easily detached from muscular coat. Reticulum and omasum contained lots of ingesta, that of latter dry and hard. Abomasum mucous membrane and submucous tissue infiltrated with serous exudation, showed much ecchymosis and extensive ulceration of mucous lining membrane. Fixed portion of small intestines present similar pathognomonic conditions, and in their free or posterior portion there was considerable infiltration of a dark chocolate-coloured fluid. Substance of heart, liver, and kidneys saturated with dark impure blood. Cavity of heart contained similar blood in a fluid condition. Pericardial sac showed much infiltration of a dark serous fluid, and bladder was much distended with a similar fluid, but blacker in colour, as also were gall bladder, mesentery, and pancreas much infiltrated by a dark serous fluid.

No. 13. Wether which had just died. *Post-mortem* examination:—Spleen much enlarged and engorged with dark impure blood. Rumen and reticulum full of rough ingesta, lining membrane ulcerated and easily detached from muscular coats. Omasum impacted with dry food, lining membrane of leaves also ulcerated. Abomasum presented submucous infiltration of a thick serous nature, also ecchymosis and detached ulcers, and a similar condition existed in the fixed portion of small intestines. Effusion of serum into pericardial sac. Substance of heart, lungs, liver, and kidneys saturated with dark impure blood. Cavity of heart contained impure blood in a fluid condition. Gall bladder filled with dark-coloured bile. Omentum presented dark serous infiltration.

No. 14. Wether found dead but quite warm. *Post-mortem* examination:—Spleen much enlarged and engorged with dark impure blood. Rumen and reticulum full of ingesta in natural condition, but omasum impacted with dry ingesta; the lining membrane of each of these was easily detached from the muscular coat. Abomasum presented extensive ecchymosis and serous infiltration, and exactly similar pathognomonic condition pertained to fixed portion of small intestines. Pericardial cavity showed much serous infiltration. Substance of heart, lungs, liver, and kidneys full of dark impure blood. Cavity of heart contained a similar fluid. Bladder distended with dark impure blood, and gall bladder filled with dark dirty-looking bile.

No. 15. Wether found dead, but quite warm. *Post-mortem* examination:—Spleen much distended and engorged with dark impure blood. Rumen and reticulum filled to repletion with natural ingesta; mucous lining membrane of both of these easily detached from muscular coat. Omasum impacted, lining membrane of its leaves also detached from muscular coat by serous infiltration, and adherent to food. Abomasum and fixed portion of small intestines showed extensive serous infiltration, ecchymosis, and many small ulcers; there was also effusion of serum into the pericardial sac. Substance of heart, liver, and kidneys saturated with dark impure blood; cavity of heart contained a similar fluid. Bladder had bursted. Gall bladder distended with chocolate-coloured bile.

No. 16. Wether found in last stage of disease; could not be made to stand, lay upon his side in half comatose condition, excepting difficult and rapid breathing. Internal temperature, 108 deg. He quickly expired. *Post-mortem* examination:—Spleen much enlarged, and engorged with dark impure blood. Rumen and reticulum well filled with ingesta in a natural condition. Omasum impacted with hard ingesta. Abomasum and small intestines adjacent to this stomach presented much serous infiltration, ecchymosis, and

and many small ulcers. Intestines were throughout of a more or less dark-red or black colour. Substance and cavity of heart, substance of liver and kidneys, saturated with dark impure blood. Bladder contained a large quantity of a similar fluid. Gall bladder filled with a fluid black in colour. Considerable quantity of serous exudation into pericardial sac.

No. 17. Wether found dead, but quite warm. *Post-mortem* examination:—Spleen much enlarged and engorged with dark impure blood. Rumen and reticulum contained a full quantity of natural ingesta, much serous infiltration, and ecchymosis in mucous and submucous tissue of rumen. Omasum impacted and distended with dry ingesta; mucous lining membrane detached from leaves and adhered to food. Abomasum and fixed portion of small intestines presented extensive serous infiltration and ecchymosis. Small intestines were of a dark colour throughout their entire length: exudation of serous fluid into pericardial cavity. Substance of heart, lungs, liver, and kidneys (and pancreas, to less extent) filled with dark impure blood. Cavity of heart contained a similar fluid blood, as also did bladder. Gall bladder filled with dark-coloured bile.

No. 18. Wether found dead and warm. *Post-mortem* examination:—Spleen much enlarged and engorged with dark impure blood. Rumen and reticulum well filled with natural ingesta; lining membrane of these easily rubbed off. Omasum contained but very little ingesta, but lining membrane of leaves was discoloured and easily detached. Abomasum and small intestines contained a fair amount of moist ingesta, and the lining membrane of these showed serous exudations and extensive ecchymosis. Substance and cavity of heart, and substance of lungs, liver, and kidneys, contained a quantity of dark impure blood.

No. 19. Wether found in second stage of disease, was standing, with a dull appearance, ears drooping, and hurried respiration. He did not attempt to escape when I approached and handled him. I opened right jugular vein with a lancet, took an ounce of blood from sheep, which I caught in a bottle; and immediately afterwards I injected into vein fifteen minims of carbolic acid, suitably prepared and diluted. After this, I closed wound in skin with pin suture, and laid sheep quietly down upon his left side, with head to right flank. Internal temperature 45 min. after injection, 106.2; temperature 75 min. after injection, 106. Sheep had throughout laid very quietly in same position, but has just had a slight attack of spasmodic twitching of his hind feet. No tympanitis nor difficulty of breathing yet. Eighty minutes after injection sheep lay stretched out upon his left side, and slight convulsions and difficulty of respiration, spasmodic jerking of each limb and of heart. These convulsions only came on fitfully—sometimes with increased, sometimes with diminished intensity, until sheep died quietly, 95 min. after the carbolic acid injection. *Post-mortem*:—Spleen much enlarged, and engorged with dark impure blood. Sheep had a wound on lower gum, apparently resulting from violence to one of his incisor teeth. Rumen and reticulum contained a full quantity of natural ingesta; in each of these mucous lining membranes were very dark in colour; omasum impacted with dry food, lining membrane of leaves nearly black in colour. Abomasum and fixed portion of small intestines presented very extensive serous infiltration and blood extravasation of mucous and submucous tissue; this condition became less marked in bowels further from stomach. Substance of heart, lungs, liver, and kidneys saturated with dark impure blood; cavity of heart contained a small quantity of similar blood in a fluid condition, urine bladder filled with dark impure blood, gall bladder much extended with black-looking bile. Blood taken from jugular vein of sheep prior to injection of carbolic, when microscopically examined, showed commencing disintegration of the blood cells, comparatively few indistinct bacteria, and numbers of bacteria in process of development. These appeared as translucent, indistinct, very minute, chain-like bodies, exceedingly flexible in their movements, and having many characteristics of vibrines. Blood examined microscopically from spleen taken from sheep after death was found to be crowded with well-developed bacteria and entirely broken up in structure.

No. 23. Ewe found in second stage of disease. She fell down when approached. Internal temperature, 108 deg. She had a dull listless look, ears drooping, discharge of dark impure blood from vagina, laboured and difficult breathing, mouth nearly cold. Ewe lay partly upon her side and partly upon her chest, with head towards flank, for twenty minutes, when she died without a struggle; but during her last few minutes of life breathing was only accomplished by great heaving of flanks and jerky respiration. *Post-mortem* examination:—Spleen engorged with dark impure blood. Each stomach fairly filled with natural ingesta. Lining membrane of rumen and reticulum dark in colour. Mucous lining of leaves of omasum very dark in colour. Mucous and submucous tissue of abomasum and fixed portion of small intestines presented marked appearances of serous exudations and ecchymosis. Substance of heart, liver, and kidneys full of dark impure blood. Cavity of heart contained similar blood in fluid condition. Gall bladder full of a similar fluid. Left lung adherent to pleura lining internal wall of chest, but substance of lungs generally full of similar dark impure blood. There was also effusion of serum into abdominal subcutaneous tissue. This ewe was fat, and in lamb about two months gone. Lamb was healthy in appearance, and there were no pathognomonic appearances of womb, excepting an enlarged and engorged condition of cotyledons, and extensive gelatinous exudation into the pelvic region of abdominal cavity.

Explanation of the mode of experimentally producing in healthy sheep the same disease as that under investigation:—The following experiments were carried out upon three nearly toothless and worthless old ewes, which from their history, surroundings, and appearance were undoubtedly entirely free from any taint or suspicion of this disease; further than this, I made a careful microscopical examination of the blood of each of these ewes, and in each case it presented all the features of healthy blood. First ewe, which I shall distinguish as

No. 21, was marked by her fore knot of wool being entirely cut off her forehead, and also by a longitudinal mark of purple ochre on the right side of her spine. This ewe was drenched with a small portion of the spleen and its blood (taken from No. 19 after death), mixed with oatmeal gruel, at 2 p.m. on 16th instant. This ewe was found dead at 7 a.m. on 18th instant. She had probably been dead about an hour, having died about forty hours after the germs of the disease had been administered to her in gruel.

Post-mortem examination:—Spleen much enlarged and engorged with dark impure blood. Rumen, reticulum, omasum, and abomasum contained a full quantity of natural ingesta. Mucous lining membrane of rumen and reticulum ulcerated and easily detached from muscular coat, as also was the lining membrane of leaves of omasum, the said leaves being very dark in colour. Abomasum and fixed portion of small intestines presented extensive serous infiltration and blood extravasation; the abdominal cavity contained a quantity of serous exudation. Substance of heart, lungs, liver, and kidneys full of dark impure

impure blood, also the cavity of heart. Serous exudation into cavity of chest and pericardium. Gall bladder filled with black-looking bile. Microscopic examination showed blood of this ewe to be crowded with bacteria.

Second ewe, which I shall distinguish as

No. 22, was marked by wool being cut off the top of shoulders and by transverse marks of purple ochre across spine. Inoculated this ewe about 2 p.m. on February 16 with blood taken from the jugular vein of No. 19 before injection of carbolic acid. This ewe was found dead and cold at 7 a.m., Sunday, February 18. She had in all probability died about 36 hours after being inoculated with blood containing the germs of disease in process of development. There was a discharge of dark impure blood from vagina of ewe; wound of inoculation was also slightly bleeding. In region of wound of inoculation there was extensive gelatinous exudation. *Post-mortem*:—Spleen much enlarged and engorged with dark impure blood. Rumen and reticulum contained abundance of ingesta in a natural state; lining membrane of these was slightly ulcerated. Omasum was not impacted; lining membrane of leaves of this was very dark in colour. Mucous tissue of abomasum and of fixed portion of small intestine presented serous exudation and many examples of ecchymosis. Substance of heart, liver, lungs, and kidneys saturated with dark impure blood in a fluid condition. Bladder contained a small quantity of a similar fluid; gall bladder was filled with a dark-coloured bile. Mesenteric glands presented gelatinous infiltration. Microscopic examination showed blood of this ewe to be crowded with [well-developed bacteria. Third ewe, which I shall distinguish as

No. 23, was marked by wool being clipped off somewhat posterior to and between ears, and also by three transverse marks of purple ochre over spine; tips of both her ears had also been cut off. This ewe was inoculated with blood taken from the spleen of No. 19 after death, about 2 p.m. on the 16th instant. I saw this ewe at 7 a.m. the following morning, the 17th instant, when she appeared all right; but between 9 and 10 a.m. this morning she was found down, unable to rise, and in slight convulsions; wound of inoculation was then bleeding a little dark impure blood, and the lymphatic glands in this region were very much enlarged and indurated. Ewe lay upon her side with stertorous, difficult breathing, and spasmodic twitchings of extremities and head—hind extremities affected much more frequently than fore ones—for 37 minutes, when she died; convulsions had become less marked prior to death. Internal temperature taken just before death, 107.2. Death resulted in 20 hours 15 minutes after inoculation of ewe. *Post-mortem* examination—Spleen much enlarged and engorged with dark impure blood; rumen, reticulum, and omasum contained a fair amount of ingesta in a natural condition. Mucous lining membrane of these stomachs was easily detached from muscular coat, which was dark in colour. Abomasum and fixed portion of small intestines presented both serous infiltration and blood extravasation. Substance of heart, lungs, liver, and kidneys full of dark impure blood. Cavity of heart also contained a quantity of a similar fluid, with which fluid bladder was also filled. Gall bladder filled with dark-coloured bile. Microscopic examination showed this ewe's blood to be crowded with bacteria.

In every case which came under my observation during this investigation the sheep undoubtedly died of anthrax fever. This disease is caused by the presence in the blood of a microscopic infusoria, the bacillus anthracis, commonly called bacteria. When placed upon the field of the microscope in that condition in which they can be best viewed and examined with a high magnifying power, they appear, when well developed, as minute, jointed filaments, and are seen in the interstices of the blood cells; but when in process of development, as I before remarked, as exceedingly minute translucent chain-like bodies; in both instances they possess great facility of motion. Outside the body they may retain their vitality for a very long period; if they are so situated as to obtain a little moisture and a little warmth in this altered condition they probably break up into minute spheroid bodies.

When they exist in the blood of any animal which is spilled upon the ground, unless they are destroyed by very dry or very cold weather, by bush or grass fires, or by chemical agents, they sink into the earth or adhere to the grass or other vegetation, or are washed by rain or flooding to lower lying districts, and under these circumstances they may exist for years, powerful to destroy life if they can reach the circulation either by direct access to the blood through a minute external wound, or by adhering to the food upon which the animal feeds, or by passing in with the water which the animal drinks, and then entering the circulation by an abrasion in the alimentary tract, or, as in my case, previously recorded, through the process of natural digestion or assimilation. It is probable that at certain periods of the year "bacilli" in the soil have their power of generating disease roused into activity.

Much of the grass in the Lachlan district I found to be very penetrating, hard, and fine in its fibre, and the terminal extremities of the seeds of this grass were quite prickly in many instances. I also observed that many sheep were in the habit of feeding upon thistle seeds. Food of this nature would be likely to cause abrasion of alimentary tract, and so act as an exciting cause to the disease if the predisposing causes were in operation.

I observed, too, that numberless carcasses of sheep were either entirely or partially devoured by large black crows: these are probably mediums of the spread and extension of this disease.

Prophylactic measures: I think with the assistance of so dry and healthy a climate as that with which we are blessed in this country that this disease can be at once checked and ultimately entirely stamped out, if only the obvious preventive measures are thoroughly enforced.

The entire body of every animal dying from this disease should be entirely destroyed by burning, as also should each and every surrounding object which can possibly be contaminated by either the secretions, excretions, organs, or appendages of the animal which has so died, after which procedure every possibly contaminated medium should be thoroughly disinfected with chloride of lime.

The black crows which utilize this animal virus, so poisonous to all mammalia, should be destroyed as far as practicable. It appears exceedingly doubtful if these crows perform any useful duty in the economy of nature in this district, where they so abound and flourish. The wild dogs, where prevalent, must also be considered as probable mediums for the spread of this disease in all districts where the latter prevails and the former exist.

I have every reason to believe that some gentlemen deny the existence of this disease amongst their flocks even at the very time they are sustaining great losses from its ravages. Although it is certainly not desirable that private business should become matter for public report, yet I fear in this instance that the desire to hide the real nature of the disease is too often associated with such mismanagement of the contaminated carcasses as renders these cases of mysterious deaths centres for propagation of disease.

Mode of conferring immunity from this disease by inoculating animals with a cultivated virus:— By a series of inoculations, chiefly on guinea-pigs and rabbits, and by other experiments, the bacteria may be cultivated for several generations. By these processes it becomes so modified that if introduced into the system of a healthy animal it is only capable of inducing the disease in a mild form, and so confers immunity from contagion to the animal so inoculated, for this cultivated virus can be used to protect the system against this disease much in the same way as vaccine is used to protect against small-pox; for anthrax fever does not recur. But I must mention that this cultivated virus is only surely and safely protective when in one special condition, and that if it is not in just the right state:—

1. It may cause the death of animal from the very disease which its introduction into the system was designed to prevent.
2. It may have become inert, and so have no protective power.
3. It may have become purulent and cause septic fever in inoculated subject.

Remarks as to either the individual or collective treatment of this disease in case of an active outbreak:—I must candidly admit that I have never known any animal which has been undoubtedly affected with anthrax fever to recover. But in blood striking, a condition resulting from disease and disintegration of constituents of blood, and in many particulars analogous to anthrax fever, I have had two recoveries.

In the treatment of an individual sheep, I advise the immediate administration of a full dose of purgative medicine with carbonate of ammonia, followed at a short interval by as much good alcohol as patient can possibly stand—as to this action of heart is only reliable guide; also apply to animal's head, face, nostrils, and mouth plenty of the purest and coldest water available, and if the weather is warm saturate the whole surface of body with such water, and when practicable smartly exercise animal. From the rapidity with which death follows first signs of illness treatment by direct injection of powerful antiseptic agents into a large blood vessel or hypodermically seems called for; my experience only extends to the injection of carbolic acid and chloride of sodium. After the antiseptic agent has been injected into blood about fifteen minutes, sheep should be freely bled to extent of about one pint. Immediately after this a similar quantity of blood to that abstracted should be restored directly to circulation of patient by transfusion from a healthy sheep. Failing this, highly nutritious nourishment in a fluid condition must be administered to patient immediately after bleeding. Much remains to be learned as to the curative treatment of this disease.

In the case of an active outbreak the whole mob of sheep must be removed from the locality in which they are dying to a bare dry paddock, which, from its associations, surroundings, history, and general characteristics, is not likely to be contaminated by such causes as I have tried to make plain in the foregoing remarks.

I have, &c.,

ANTHONY WILLOWS, M.R.C.V.S.L.

EXTRACT from the *Sydney Morning Herald*, 3rd April, 1883.

Anthrax Diseases, &c.

TO THE EDITOR OF THE HERALD.

Sir,—I have only just read Mr. Willows' report on the cases of anthrax in the Lachlan district. I suppose this disease must have been imported in the wool of some sheep brought to the country within the last four or five years, as we have, I believe, been free from it hitherto; and seeing that it is very prevalent in many parts of France, it would be worth while to inquire where did the lot of French sheep imported and exhibited about the date of our International Exhibition go. Were they sent to the Lachlan district?

The disease known as anthrax is extremely fatal to sheep—more so, I think, than any which we have yet had in the Australian Colonies; and the fact that we have now got it, and most probably must keep it for all time to come (as it is not possible to stamp it out by destroying all infected flocks, seeing that the germs may remain in the ground for many years) shows what insane folly we have been guilty of in allowing the importation of stock from anywhere under any circumstances. I did my best some years ago, through the columns of the Press, to have all importations of stock prevented so that we might work up from what was already in the country without any danger from the many diseases prevalent in the old world; but unfortunately I failed to get other stockowners to see things from my point of view, and now the thing which I then predicted has come upon us, and it only remains to face the evil the best way we can. The eminent French chemist, M. Pasteur, has been for many years engaged in experimenting on anthrax, and he it was who first isolated and traced out the life history of this particular bacteria, and proved that the disease was in every case the result of bacterial infection. The difficulty of dealing with it is strikingly illustrated by some of the facts brought out by M. Pasteur's researches. In one case, where some diseased animals had been buried six feet deep, the bacteria were found at or just under the surface, with sufficient vitality many years afterwards to destroy all infected or inoculated animals. These bacteria were brought up in the casts of earth worms. M. Pasteur has worked out a method of preventing the disease by means of inoculation with cultivated bacteria, but there are many difficulties in the way of cultivation, and the worst part of it is that though the sheep on any particular run may be made proof against the disease the bacteria will remain in the ground for a great many years, and may be carried about in the wool of the inoculated sheep so as to infect other stock in all parts of the colony, and also to infect the ground. It only remains for us now to make the best of a bad job. We may shut the door when the steed is gone, or rather lock the door when the burglar is inside, but that won't do much good. I believe the first step should be to declare the districts where the disease has appeared infected and stop the exit of all sheep, so as to save the rest of the country, if possible; and all sheep inspectors should be instructed as to the symptoms of anthrax, and ordered to report whether or not it has appeared in their districts. In this way we will soon find out how far the evil has gone, and be in a position to judge of the probable cost of dealing with it. In the meantime, it would be suicidal folly for any grazier to buy or bring on to sound country any sheep from the infected districts. It is the land itself which becomes infected.

I have, &c.,

W. E. ABBOTT.

Wingen, 30th March, 1883.

1883.

NEW SOUTH WALES.

DISEASES IN SHEEP ACTS AMENDMENT ACT OF 1878.
(REGULATIONS UNDER.)

Presented to Parliament, pursuant to Act 41 Vict. No. 19, sec. 21.

Department of Mines, Sydney, 22 December, 1882.

DISEASES IN SHEEP ACTS AMENDMENT ACT OF 1882.

THE following Regulations, made by His Excellency the Governor, with the advice of the Executive Council, in accordance with the provisions of the abovenamed Act, are hereby published for general information :—

Duration of Quarantine and number of dressings.

1. The duration of quarantine for imported sheep arriving by sea from any of the Australian Colonies shall be not less than ten days.

Medicaments for dressing.

2. The medicaments to be used in the dressing of sheep shall be any of the following :—
- (I.) Tobacco and sulphur, 1lb. each to 5 gallons of water.
 - (II.) Lime and sulphur in the proportion of 4 ozs. sulphur to 2 ozs. lime, and 1 gallon water to 6 ozs. of the mixture.
 - (III.) Little's chemical fluid at a strength of one part of the fluid to fifty of water.
 - (IV.) Each dressing shall be administered at the temperature and in the manner directed by the Chief Inspector of Sheep.

Quarantine charges.

3. The rates to be charged for the keeping and dressing of imported sheep whilst in quarantine shall be as follows :—

		s.	d.
Sustenance and attendance for every day or part of a day, each sheep ...	...	0	6
Administering three dressings, each sheep ...	...	2	6

ARTHUR RENWICK.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RABBIT NUISANCE ABATEMENT BILL.

(MESSAGE No. 9.)

Ordered by the Legislative Assembly to be printed, 25 January, 1883.

AUGUSTUS LOFTUS,
Governor.

Message No. 9.

In accordance with the provisions contained in the 5th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to provide for the abatement of the Rabbit Nuisance.

*Government House,
Sydney, 24th January, 1883.*

1883.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.
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GLEBE ISLAND ABATTOIRS.
 (REVENUE FOR 1882.)

—
Ordered by the Legislative Assembly to be printed, 8 March, 1883.
 —

RETURN of Amount of Revenue derived from the Glebe Island Abattoirs during the year 1882.

	£	s.	d.
Slaughtering fees	2,849	8	7
Rent of Abattoirs	3,161	18	4
Sale of manure, &c.	1,193	12	3
	7,204	19	2

W. PEARSON,
 Accountant.

The Treasury, New South Wales,
 Sydney, 5 March, 1883.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SLAUGHTER-HOUSES AT GLEBE ISLAND.

(NAMES OF LESSEES AND RENT FOR 1882 AND 1883.)

Ordered by the Legislative Assembly to be printed, 8 March, 1883.

RETURN to an *Order* of the Legislative Assembly, dated 7th February, 1883, showing,—

“The names of the Lessees of Slaughter-houses, with the Annual Rent
“of each, at the Glebe Island Abattoirs, for the years 1882 and 1883.”

(*Mr. Hutchinson.*)

RETURN showing the names of the Lessees of Slaughter-houses, with the Annual Rent of each, at the Glebe Island Abattoirs, for the years 1882 and 1883.

Name of Lessee.	Number of Slaughter-house.	Annual Rent.	Year.
Walsh John	1	£ s. d. 395 0 0	1882.
Turner George	2	410 0 0	"
Gear Edwin	3	410 0 0	"
Macnamara Henry	4	410 0 0	"
Walsh John	5	400 0 0	"
Walsh John	6	365 0 0	"
Walsh John	13	145 0 0	"
Walsh John	14	125 0 0	"
Elliott Thomas	15	125 0 0	"
Macnamara Henry	16	145 0 0	"
O'Brien & Roberts	18	139 0 0	"
O'Connor Daniel	20	135 0 0	"
Total for the year 1882		£3,204 0 0	
Walsh John	1	585 0 0	1883.
Walsh John	2	565 0 0	"
Turner George	3	535 0 0	"
Macnamara Henry	4	520 0 0	"
O'Brien John	5	535 0 0	"
Walsh John	6	530 0 0	"
Walsh John	13	201 0 0	"
Walsh John	14	166 0 0	"
Walsh John	15	156 0 0	"
Macnamara Henry	16	150 0 0	"
Macnamara Henry	17	150 0 0	"
O'Brien John	18	150 0 0	"
O'Connor Daniel	20	100 0 0	"
Woolfe Henry	21	100 0 0	"
Total for the year 1883		£4,443 0 0	

The Treasury, New South Wales,
2nd March, 1883.

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1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

TALLOW-MELTING ESTABLISHMENT AT GLEBE ISLAND
ABATTOIR.

(CORRESPONDENCE RESPECTING.)

Ordered by the Legislative Assembly to be printed, 13 February, 1883.

SCHEDULE.

NO.	PAGE.
1. The Mayor of Balmain to the Under-Secretary for Finance and Trade	1
2. The Inspector, Glebe Island Abattoir, to the Under-Secretary for Finance and Trade	1
3. Mr. A. G. Kenway, Acting Clerk of Works, Glebe Island, to the Under-Secretary for Finance and Trade	2
4. Minute of the Colonial Treasurer on the preceding Report	2
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No. 1.

The Mayor of Balmain to The Under-Secretary for Finance and Trade.

Sir,

Town Hall, Balmain, 22 July, 1882.

I have the honor, by direction of the Council of the Borough of Balmain, to call your attention to the nuisance arising from the boiling-down at present allowed on the northern side of Glebe Island. I need scarcely point out to you that this is a nuisance that has been long complained of, and could be removed without in any way interfering with the efficiency of the works carried on at the Abattoirs at Glebe Island. The Council has expressed a hope that you may see your way to having the nuisance abated before the summer months.

I have, &c.,

W. A. HUTCHINSON,

Mayor.

The Inspector, Glebe Island, for report.—J.W., 29/7/82. G.E., 29/7/82, B.C. Report herewith attached.—F.O., 5/8/82. The Under-Secretary for Finance and Trade, &c., &c.

No. 2.

The Inspector, Glebe Island Abattoir, to The Under-Secretary for Finance and Trade.

Sir,

Glebe Island Abattoir, 4 August, 1882.

I do myself the honor to acknowledge receipt of letter addressed to you from the Municipal Council of Balmain, respecting an alleged nuisance arising from the boiling-down establishment on the Island, and beg respectfully to report that I have on various occasions visited the premises, and could detect no cause for complaint. I again inspected the establishment yesterday, in company with Mr. Kenway, and found it in a very clean condition, and free from all kind of filth. The only thing that could be detected was a soupy smell, which came from the chimney. This Mr. Kenway informed me might be got rid of by a separate furnace being used through which the steam, &c., from the digesters might pass. I would therefore propose that Mr. Kenway be requested to make some suggestions on the matter, with a view to remedying this objection.

I have, &c.,

FRED. OATLEY,

Inspector.

Mr. Kenway, for report.—J.W., 8/8/82. G.E., 11/8/82., B.C. Report herewith.—A.G.K., 15/8/82.

No. 3.

Mr. A. G. Kenway, Acting Clerk of Works, Glebe Island, to The Under-Secretary for Finance and Trade.

Sir,

Glebe Island, 15 August, 1882.

I beg to enclose and return letter from the Balmain Council (Treasury No. 464 Misc. 24-7-82), complaining of the smell from the tallow works on Glebe Island, and Mr. Oatley's report thereon, dated August 4th, 1882, and have the honor to report that I accompanied Mr. Oatley on his last visit of inspection of the establishment, and that I fully endorse all that he reports relative to its cleanliness and management, which I have always found to be the same on the occasion of numerous incidental visits.

The smell complained of is due to the incomplete combustion of such waste steam and gases as are conveyed into the steam-boiler furnace, and the occasional escape of the same from sundry small leaks in the apparatus, which would be largely increased when the digesters are discharged.

The smell, although quite innocuous, and almost unnoticeable to some people, is peculiarly objectionable to others, especially those in ill health, being a penetrating fatty smell.

I should imagine (although I have never detected it myself) that there are times in the hot weather when the killing has been greater than usual, and the consequent supply of fat has suddenly increased, when the fat lies spread on the floor of the fat house till it smells very strongly, or may even be in such condition when delivered.

I am of opinion that all smells from whatever cause arising can be entirely consumed in a properly constructed furnace with the necessary brick chimney.

The sources of smell should be securely closed in (the digesters as well as the fat room), and so connected with the furnace that no vent can occur except after having passed through the fire, which should be kept entirely independent from the rest of the plant, in order that the heat may be raised to any desired extent without risk to the apparatus employed.

I am aware that this would entail the consumption of fuel from which no power would be utilized, but the abolishing of what to some people is a nuisance would I think justify the expense, which would probably be about £400 for the erection of the necessary additions and alterations, and the consumption of about three-quarters of a ton of fuel per day.

I have, &c.,

ARTHUR G. KENWAY.

No. 4.

Minute of the Colonial Treasurer.

I AM strongly opposed to the interference with any industry established, yet the public health of the residents of the locality must be considered, and unless the lessees are willing to abate the nuisance as suggested by Mr. Kenway, and under his supervision, the right to occupy must be cancelled, and the lessees must be informed at same time that even the improvements suggested will not give any right to permanent occupation, but only on permission, and until required.

J. W., 19/8/82.

Mr. Ross.—Letter to Mr. Walsh, embodying the terms of the Treasurer's Minute.—G.E., 21/8/82.
Done.—R.M.R., 19/10/82.

No. 5.

The Under-Secretary for Finance and Trade to Mr. J. Walsh.

Sir,

The Treasury, New South Wales, Sydney, 19 October, 1882.

I am directed by the Colonial Treasurer to inform you that a communication has been received from the Mayor of the Borough of Balmain, calling attention to the nuisance arising from your boiling-down establishment, on the northern side of Glebe Island.

Mr. Watson desires me to state that while he is opposed to unnecessary interference with any established industry, he cannot on the other hand disregard the representations which have been made to him upon the subject; I am therefore to inform you that unless you are willing to abate the nuisance by the erection—under the supervision of a Government officer—of certain alterations and additions (to be hereafter specified) at an estimated cost of about £400 and a consumption of (say) three-quarters of a ton of fuel per day, the permission to occupy will be at once withdrawn.

It must be clearly understood by you, however, that the erection of the alterations and additions mentioned will give you no claim to a permanent occupancy, and that you will continue in possession only on sufferance, as heretofore.

The Treasurer will be glad to have an early intimation of your intentions.

I have, &c.,

G. EAGAR.

No. 6.

Mr. J. Walsh to The Under-Secretary for Finance and Trade.

Sir,

Sydney, 30 October, 1882.

I have the honor to acknowledge the receipt of yours of 19th instant, M. 1,533-9,259, informing me that the Mayor of the Borough of Balmain complained of a nuisance arising from the boiling-down on the north side of Glebe Island, and that unless I abated the said nuisance the permission to carry on the tallow-making business would be withdrawn.

In reply I wish to inform you that about six weeks or two months ago one of the digesters used there became defective and no doubt allowed steam and gases to escape, and this would be the only thing that I know to cause a nuisance to any one.

I had the said digester taken out, and at once contracted for two new ones at an outlay of over £300, in order that the fat might go at once whilst fresh into them and be rendered into tallow the same day.

day. The new digesters were nearly completed when the strike in the iron trade occurred; I was therefore unable to get them completed until this present week, which I now have done, or at least one of them; the other will be finished and at work next week, when I invite your inspection or any one you may appoint, and feel sure you will say I have removed any reasonable grounds of complaint from the Mayor or people of Balmain. Should you think otherwise, and see the necessity of further improvements, I will if possible try to meet your views.

I have, &c.,

JOHN WALSH.

Mr. Kenway, for report.—J.W., 2/11/82. G.E., 3/11/82. Report herewith.—A.G.K., B.C., 6/11/82.

No. 7.

Mr. A. G. Kenway, Acting Clerk of Works, Glebe Island, to The Under-Secretary for Finance and Trade.

Sir,

Glebe Island, 6 November, 1882.

In reference to Mr. Walsh's letter (No. 2,170, 31/10/82, Misc.) detailing the improvements made at his tallow-house at Glebe Island, complaints against which have been made by the Balmain Council (No. 464 Misc. 24/7/82), I have the honor to report that I visited the establishment this morning, and found the digesters mentioned by Mr. Walsh properly fixed in their places, and the whole premises clean and tidy.

The general management of the works is admirable, and repeated visits of Mr. Oatley and myself have merely confirmed the fact that no improvement can be made as far as cleanliness and tidiness are concerned; but I am of opinion that the smells which chiefly reach Balmain arise from the imperfect combustion of the gases from the digesters, and unless such alterations to the premises as are recommended in my report of August 15th, 1882, are properly effected, complaints will still be made of the smell.

I am informed that the plant is now used at night only, with the view of avoiding the nuisance as much as is possible.

I have, &c.,

ARTHUR G. KENWAY.

Mr. Walsh may be allowed time to give his improvements a fair trial before any further action is taken.—J.W., 11/11/82. Mr. Ross.—G.E., 14/11/82. Informed.—R.M.R., 14.

No. 8.

The Under Secretary for Finance and Trade to Mr. J. Walsh.

Sir,

The Treasury, New South Wales, Sydney, 14 November, 1882.

I am directed by the Colonial Treasurer to acknowledge receipt of your letter of 30th ultimo, and to inform you, in reply, that further action in connection with your sufferance occupation at Glebe Island for boiling-down purposes will for the present be suspended pending a trial of the improvements which are stated in your communication to have been effected.

I have, &c.,

G. EAGAR.

1883.

NEW SOUTH WALES.

PUBLIC ABATTOIRS, GLEBE ISLAND.
(REGULATIONS.)

Presented to Parliament by Command.

The Treasury, New South Wales,
21st November, 1882.

PUBLIC ABATTOIRS, GLEBE ISLAND.

HIS Excellency the Governor having been pleased, with the advice of the Executive Council, further to amend the "Orders and Regulations" concerning the Public Abattoirs at Glebe Island, as published in Treasury notice of 25th November, 1879, it is hereby notified that in lieu thereof the following shall be enforced, from and after the first day of January, 1883.

JAMES WATSON.

ORDERS AND REGULATIONS.

1. The Abattoir shall be opened daily (Sundays excepted) for the despatch of business, from the 1st October to the 30th April, from the hours of 6 o'clock a.m. to 7 o'clock p.m. (except on Mondays and Saturdays, on which days the Abattoir will be opened from 2 o'clock a.m. to 7 o'clock p.m.), and from the 1st May to the 30th September, from 6 o'clock a.m. to 6 o'clock p.m. (Fridays excepted, on which day the Abattoir will be open from 6 o'clock a.m. to 7 o'clock p.m.); and no slaughtering of cattle will be permitted during any other hour or day than the days and hours above mentioned, nor shall any person be allowed to come within or remain in the enclosures of the Abattoirs at such times as they are not open for business. Pigs, however, may be slaughtered and dressed at the Abattoir during the whole of Thursday and Friday nights, between the 1st October and the 30th April in any year. During Sunday it will be permitted to drive in and yard cattle.

2. The slaughter-houses shall, with the exception of six beef and six mutton slaughter-houses, be retained in the hands of the Government for the use of the public.

3. Six beef and six mutton slaughter-houses shall be submitted to public competition, by lease, at an upset price of £300 per annum for the beef, and £150 per annum for the mutton, slaughter-houses.

4. A fee of threepence for inspecting brands shall be charged upon every head of horned cattle slaughtered in the leased houses.

5. Parties desirous of using the slaughter-houses reserved by the Government shall be permitted to do so on payment of the following fees:—

	s.	d.
For every ox, cow, bull, or heifer, or steer (including inspection fee of 3d.)	1	0
For every calf not exceeding six months old (including an inspection fee)	0	6
For every sheep or lamb	0	1½
For every head of swine	0	6

6. All fees shall be paid to the Inspector or Assistant Inspector of Abattoirs on demand, who shall pay the same into the Colonial Treasury under such directions as he or they shall from time to time receive from the Secretary for Finance and Trade.

7. Printed receipts shall be given to all parties paying fees.

8. No person shall slaughter or yard any animal at the reserved Abattoirs without the sanction of the Inspector or Assistant Inspector.

9. The hours during which cattle may be driven in and yarded for slaughter shall be from 5 a.m. to 8 a.m. between the 1st October and 30th April, and from 6 a.m. to 8 a.m. between the 1st May and 30th September, in each year; and cattle shall in all cases be inspected before slaughter. Milch cows and stall-fed cattle may be driven in between the hours of 2 and 4 p.m.

10. In all cases where carcasses are brought to the Abattoirs dressed or to be dressed, notice shall be given to the Inspector or Assistant Inspector on the arrival of such carcass or carcasses, and the hours for dressing or receiving same shall be from 9 a.m. to 4 p.m.

11. Any cattle brought to the Abattoir for slaughter which appear to the Inspector or Assistant Inspector to be diseased, shall not be slaughtered without either of their sanction, and at such times only as either of them may direct. In all such cases the owner of the same or the occupier of the slaughter-house shall be held liable for any such offence.

12. No person or persons shall slaughter, or cause to be slaughtered, any cattle in any of the pens connected with the Abattoir, without the sanction of the Inspector or Assistant Inspector. In all such cases the owner thereof or persons occupying the slaughter-house, shall be held liable for any such offence.

13. Should any animal die while in the cattle-pens connected with the Abattoir, the owner of the same, or person occupying the cattle-pen at such time, shall immediately remove the whole carcass from the island, and destroy the same forthwith.

14. All animals on which fees are charged shall be reported to the Inspector or Assistant Inspector without delay and the fees paid forthwith, failing such payment each or either of the said officers may close and lock the doors leading from the pens to the pithing or slaughtering floors, until the said fees are paid.

15. Sheep and cattle will not be permitted to remain in the Abattoir-pens for more than forty-eight hours from the time of being brought in.

16. No lessee or occupier of any slaughter-house connected with the Abattoir shall expose for sale diseased meat or any other which the Inspector or Assistant Inspector may have condemned, and any such lessee or occupier shall, when ordered to do so by the Inspectors aforesaid, immediately remove such meat from the Abattoir and cause the same to be destroyed by fire or boiled down for the purpose only of extracting tallow. Any such lessee or occupier failing to comply with any of these conditions shall forfeit and pay a sum not exceeding five pounds. The Inspector or Assistant Inspector is hereby empowered, in the event of non-compliance with the removal of the said meat, to destroy the same at the cost of such lessee or occupier.

17. The lessee or occupier of any slaughter-house shall thoroughly cleanse the same, to the satisfaction of the Inspector or Assistant Inspector, immediately after slaughtering has been carried on, and with respect to the offal and blood, may select and shall immediately remove each day, at such time during the day as may be appointed by the Inspector or Assistant Inspector for the purpose, such portions, not being the whole of such offal and blood, as the said lessee or occupier may require for disposal for human food, and failing such removal, at the time so appointed, the whole of such offal and blood may be removed by the Government.

18. The premises attached to, and the roadways in front and rear of each slaughter-house shall be kept clean by the lessee or person occupying or using the same, to the satisfaction of the Inspector or Assistant Inspector of Abattoirs.

19. The lessee of Abattoirs in which sheep or pigs may be slaughtered shall furnish to the Inspector or Assistant Inspector, at their respective offices, a monthly return of all such animals as shall have been slaughtered at such Abattoirs, on or before the 4th day of each month.

20. No hide, carcass, or spleen of any horned cattle (not having been previously inspected), shall be removed from any slaughter-house until after the same has been inspected by the Inspector or Assistant Inspector of Abattoirs.

21. Any meat found blown at the Abattoirs may be condemned by the Inspector or Assistant Inspector, and the owner or person found blowing the same will be held liable.

22. The lessee or occupier of any slaughter-house shall cause the vessels and water used in dressing carcasses therein, to be kept clean to the satisfaction of the Inspector or Assistant Inspector.

23. Cattle as they are brought in for slaughter shall be kept separate from those already in the yards, until the brands of those so brought in shall have been inspected.

24. All hides, skins, heads, feet, and offal shall be removed from the Abattoirs, only by way of the road at the rear of the buildings.

25. The hours fixed for driving animals into the pens of the reserved mutton slaughter-houses shall be from 6 a.m. to 6 p.m. between the 1st October and 30th April in each year; and between the 1st May and 30th September the hours shall be from 7 a.m. to 4 p.m. in each year.

26. It is strictly prohibited to place candles or lights of any description upon or against the walls, or upon or against any portion of the woodwork of the Abattoirs or stables, or any

other building or buildings in connection therewith; and the lessee or person occupying the Abattoir or stable where such prohibited candle or light is found will be held responsible for the same.

27. In cases where water is found running to waste in any Abattoir, the lessee or occupant will be held responsible for such waste.

28. Gaming is prohibited at the Abattoirs, also the tossing up or pitching of coin, throwing of dice, or playing of cards, under any pretext whatever.

29. Any person wilfully or negligently causing injury to any Government property of any description whatever at the Abattoirs will be held responsible for the same.

30. The use of obscene or offensive language, the throwing of missiles, filth, or muck of any kind, is strictly prohibited within the enclosure of the Abattoir.

31. The lessee or occupier of any slaughter-house is prohibited from using, or causing to be used, any instrument for driving in cattle to the Abattoirs, other than such as may be approved of by the Inspector or Assistant Inspector.

32. The Inspector or Assistant Inspector, or any other officer connected with the Glebe Island Abattoir, may at any time enter to view any of the slaughter-houses connected with the Abattoir, whether leased or otherwise; and no person or persons shall obstruct, molest, or assail with abusive or offensive language either the Inspector, Assistant Inspector, or any other officer connected with the Abattoir while in the execution of his official duties.

33. It shall be competent for the Inspector of the Abattoir at any time, should any person or persons occupying any of the slaughter-houses reserved by the Government be found breaking or continuing to break any one or more of the Regulations made concerning the Public Abattoirs at Glebe Island, to refuse to allow such person or persons to use any of the slaughter-houses reserved by the Government.

34. The owner or driver of any vehicle used for the transmission of meat from the Abattoir, shall keep the same and the awnings used therewith in clean and proper condition to the satisfaction of the Inspector or Assistant Inspector of the Abattoir; and further the driver of any such vehicle during the transmission of such meat shall keep himself and clothing in clean and proper condition to the satisfaction of the Inspector or Assistant Inspector.

35. The lessee or occupier of any beef slaughter-house shall cause the contents of the paunches and intestines to be deposited on the manure pit at the rear of the Abattoir; and the lessee or occupier of any sheep or pig slaughter-house shall cause the contents of the paunches and intestines to be deposited in the shoot erected for that purpose.

36. The lessee of any beef slaughter-house or houses shall not slaughter, or cause to be slaughtered therein, any sheep, lambs, or pigs.

37. Persons are prohibited from bringing and depositing offal or other offensive matter at the Abattoirs.

38. Any person or persons offending against any of the orders and regulations contained in paragraphs 1, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, and 37, shall for each and every offence forfeit and pay a sum not exceeding five pounds nor less than twenty shillings.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE DOG ACT.

(PETITION AGAINST OPERATION OF—RESIDENTS OF COORANBONG.)

Received by the Legislative Assembly, 8 February, 1883.

To the Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned residents in the Police District of Cooranbong, in the county of Northumberland,—

HUMBLY SHOWETH :—

1. That many of your Petitioners and a very large proportion of residents within the Police District of Cooranbong follow farming pursuits, and depend almost entirely for their livelihoods upon the produce that is obtained from the soil they cultivate.

2. That the land used for agricultural purposes is at a considerable distance from any market, and there being neither natural or artificial means of conveying produce except by the agency of difficult, tedious, and ill-formed roads, many obstacles exist to render cultivation of the soil unprofitable.

3. That the farmers above-mentioned, besides suffering under the disadvantages described, are now being harassed, and in some cases absolutely ruined, through the destruction of their crops by various animals of the marsupial tribe, which are largely on the increase, and agricultural pursuits are consequently crippled in no small degree.

4. That such increase of marsupials is clearly traceable to the decrease of domesticated dogs in the district of Cooranbong, which were employed to hunt and destroy such marsupials.

5. That what is commonly known as the "Dog Act" has been extended to the Police District of Cooranbong, and the farmers and others in that district find they cannot, without inconvenience, afford to pay two shillings and sixpence per head annually for the number of dogs previously kept, and such as would be necessary to keep down the increase of different kinds of destructive vermin.

6. That whilst a premium is granted for the extermination of wild animals in some places in this Colony, facilities are inadvertently afforded for the spread of grass- and crop-destroying pests at Cooranbong.

7. That whilst in municipalities and centres of population the presence of dogs is a nuisance, and their possession a luxury, in many country districts they are a necessity, for the reasons above shown, and because they protect property and are useful in work relating to the care and control of stock.

8. That dogs would assist in suppressing the rabbit nuisance which now exists or threatens in various portions of this Colony.

Your Petitioners therefore humbly pray that reason has been shown, and occasion will be seen, for the withdrawal of all pecuniary fees chargeable annually for the keeping of a dog or dogs by persons residing in the Police District of Cooranbong, and pray that appropriate steps may be taken in that behalf.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 92 signatures.]

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

EATING-HOUSES.

(PETITION OF PROPRIETORS OF.)

Received by the Legislative Assembly, 6 February, 1883.

To the Honorable the Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned Keepers of Eating-houses, in the City of Sydney,—

SHOWETH:—

That your Petitioners keep eating-houses in the City of Sydney, for the supply of victuals and refreshment to the public.

That frequently your Petitioners are victimized by persons coming into their houses, obtaining food and refreshment, and then going away and refusing to pay for them.

That in such cases your Petitioners are powerless to do anything but sue for the amount, and that the smallness of the amount payable, and the trouble and often impossibility of recovering it, make it useless to try and get the sum payable by action at law.

That your Petitioners desire to have a remedy (similar to that given to publicans by the 57th section of the Act 45 Victoria number 14) whereby any person who, at the time of being supplied with food or refreshment at any eating-house, shall on demand of payment, made by the proprietor of any such eating-house or by his servant or agent, refuse to pay a reasonable sum therefor, shall be deemed a rogue and vagabond and be liable to be dealt with as such under the Acts relating to vagrancy.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to sanction the passing of an Act making persons punishable for not paying for food and refreshment supplied by keepers of eating-houses, as provided by the last preceding clause of this Petition.

And your Petitioners will ever pray.

[Here follow 42 signatures.]

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CLOSING BUTCHERS' SHOPS ON SUNDAY.

(PETITION IN FAVOUR OF—MASTER BUTCHERS AND OTHERS.)

Received by the Legislative Assembly, 21 March, 1883.

To the Honorable the Speaker and Gentlemen of the Legislative Assembly.

We, the undersigned masters and journeymen butchers, and the public in general of New South Wales, hereby respectfully petition the Honorable Legislature to take the necessary steps to provide for the better working of the butchering trade, viz., to make it compulsory for the butchers of New South Wales to keep closed their several places of business, and not sell or deliver, or allow to be sold or delivered, from any of his or their premises, meat on or during the Sabbath day.

Your Petitioners would most humbly point out in support of this their prayer that most of the journeymen butchers are compelled to commence work on Monday, Tuesday, Wednesday, and Thursday at 5 a.m., and continue work till 8 p.m.; on Friday two hours longer; on Saturday from 4 a.m. till 12 midnight; and on Sunday from 6 a.m. till 11 a.m., this making the total number of hours worked during the week 102, leaving only sixty-six hours, or nine hours per day, for improvement of the mind and rest for the body, which is totally inadequate for the health of the butcher, whose work is laborious in the extreme.

In conclusion, your Petitioners most humbly pray you will give this our Petition your most favourable consideration at your earliest convenience.

And your Petitioners will ever pray.

(Here follow 12,735 signatures.)

1883.

NEW SOUTH WALES.

LANDS FOR PUBLIC PURPOSES ACQUISITION ACT.

(LANDS RESUMED FOR WATER SUPPLY, GOULBURN; IMPROVEMENTS, LAKE MACQUARIE; WATER SUPPLY, SYDNEY; GENERAL POST OFFICE, SYDNEY.)

Presented to Parliament, pursuant to Act 44 Vic. No. 16, sec. 6.

NOTIFICATION OF RESUMPTION OF LAND UNDER
44 VICTORIA, No. 16.

NEW SOUTH WALES, } By His Excellency The Right Honor-
to wit. } able Sir AUGUSTUS WILLIAM FREDERICK
SPENCER LOFTUS (commonly called Lord
(L.S.) AUGUSTUS LOFTUS, Knight Grand
Cross of the Most Honorable Order
of the Bath, a Member of Her Majesty's
Governor. Most Honorable Privy Council, Govern-
nor and Commander-in-Chief of the
Colony of New South Wales and its
Dependencies.

WHEREAS I, the Governor aforesaid, with the advice of the Executive Council of the said Colony, have duly sanctioned the carrying out of certain works for and in connection with the supply of water to the City of Goulburn, for and towards the completion of which said works public funds are available under the provisions of the "Appropriation Act of 1879;" and whereas the lands hereinafter described are required for the construction of the said works: Now I, the Governor of the said Colony, with the advice of the Executive Council of the said Colony, in pursuance of the powers in this behalf given to or vested in me by the "Lands for Public Purposes Acquisition Act," do by this notification, published in the Gazette and in a newspaper, that is to say, in the "Goulburn Herald," circulated in the Police District wherein the said lands are situated, declare that the lands hereinafter described, have been resumed for the public purposes hereinafter mentioned, that is to say, for and in connection with the supply of water to the said City of Goulburn, to the intent that, upon the publication of this notification in the Gazette, the legal estate in the said lands shall forthwith be vested in the Minister for Public Works and his successors, on behalf of Her Majesty for the purpose of the said last-mentioned Act, for an estate of inheritance in fee simple in possession, freed and discharged from all trusts, obligations, estate, interests, contracts, charges, rates, rights-of-way, or other easements whatsoever; and to the intent, further, that the legal estate therein, together with all powers, incident thereto or conferred by the said Act, shall be vested in the said Minister as a trustee with the powers stated in the said last-mentioned Act. And I declare, that the following is the description of the lands hereinbefore referred to, that is to say:—

All that piece or parcel of land situate in the parish of Goulburn, at Goulburn, county of Argyle, and Colony of New South Wales, part of portions 143, 142, and 141: Commencing at the intersection of the eastern boundary of a reserved road 1 chain wide with the northern boundary of the road from Goulburn to Wheo, being the south-western corner of the said portion 143, and bounded thence by the said eastern boundary of reserved

road north 24 minutes west 7 chains 72 links; thence by a line north 89 degrees 36 minutes east 6 chains 82 links; thence south 31 degrees 1 minute east 12 chains 63 links to the said northern boundary of the Wheo and Goulburn Road; thence by that boundary north 77 degrees west 13 chains 63 links to the point of commencement,—containing 8 acres 3 roods 18 perches, and said to be in the possession and occupation of the Bishop of Goulburn.

In witness whereof I have hereunto set my Hand and caused the Great Seal of the Colony to be hereto affixed, at Government House, Sydney, this third day of November, in the year of our Lord one thousand eight hundred and eighty-two, and in the forty-sixth year of Her Majesty's Reign.

By His Excellency's Command,

JOHN LACKEY.

GOD SAVE THE QUEEN!

NOTIFICATION OF RESUMPTION OF LAND UNDER
44 VICTORIA, No. 16.

NEW SOUTH WALES, } By His Excellency The Right Honorable
to wit. } Sir AUGUSTUS WILLIAM FREDERICK
SPENCER LOFTUS (commonly called Lord
(L.S.) AUGUSTUS LOFTUS, Knight Grand
Cross of the Most Honorable Order
of the Bath, a Member of Her Majesty's
Governor. Most Honorable Privy Council, Govern-
nor and Commander-in-Chief of the
Colony of New South Wales and its
Dependencies.

WHEREAS I, the Governor aforesaid, with the advice of the Executive Council of the said Colony, have duly sanctioned the carrying out of certain works for and in connection with improvements to the harbour of Lake Macquarie, in the said Colony, for and towards the completion of which said works public funds are available under the provisions of the "Public Works Loan Act of 1881," and whereas the lands hereinafter described are required for the construction of the said works: Now I, the Governor of the said Colony, with the advice of the Executive Council of the said Colony, in pursuance of the powers in this behalf given to or vested in me by the "Lands for Public Purposes Acquisition Act," do, by this notification published in the Gazette and in a newspaper, that is to say, in the "Newcastle Morning Herald and Miners' Advocate," circulated in the Police District wherein the said lands are situated, declare that the lands hereinafter described

have been resumed for the public purposes hereinafter mentioned, that is to say, for and in connection with the improvements to the said harbour of Lake Macquarie, to the intent that, upon the publication of this notification in the Gazette, the legal estate in the said lands shall forthwith be vested in the Minister for Public Works and his successors, on behalf of Her Majesty, for the purpose of the said last-mentioned Act, for an estate of inheritance in fee simple in possession, freed and discharged from all trusts, obligations, estate, interests, contracts, charges, rates, rights-of-way, or other easements whatsoever; and to the intent further that the legal estate therein, together with all powers incident thereto or conferred by the said Act, shall be vested in the said Minister as a trustee with the powers stated in the said last-mentioned Act: And I declare that the following are the descriptions of the lands hereinbefore referred to, that is to say:—

All that allotment or parcel of land in the Colony of New South Wales, containing by admeasurement 35 perches, be the same more or less, situated in the county of Northumberland, parish of Kahiba, and village of Kahiba, being allotment No. 4 of section No. 3: Commencing on the south-eastern side of Victoria-street, at the northern corner of allotment 3, and bounded thence on the north-west by that street north-easterly one chain six links; on the north-east by the south-western boundary-line of allotment 5 south-easterly at right angles to Victoria-street two chains and thirty links to the inlet to Lake Macquarie; on the south by that inlet westerly to the eastern corner of allotment 3 aforesaid; and on the south-west by the north-eastern boundary-line, of that allotment north-westerly at right angles to Victoria-street 1 chain eighty links, to the point of commencement,—and said to be in the possession and occupation of J. Thorne.

NOTE.—The description in the above notification is in correction of the description contained in the notification which was published in the Government Gazette, No. 118, of the 17th March, 1882, the correction being as to the area and the length of the last bearing.

In witness whereof I have hereunto set my Hand and caused the Great Seal of the Colony to be hereto affixed at Government House, Sydney, this twentieth day of November, in the year of our Lord one thousand eight hundred and eighty-two, and in the forty-sixth year of Her Majesty's Reign.

By His Excellency's Command,

JOHN LACKEY.

GOD SAVE THE QUEEN!

NOTIFICATION OF RESUMPTION OF LAND UNDER 44 VICTORIA, No. 16.

NEW SOUTH WALES, } By His Excellency the Right Honorable
to wit. } Sir AUGUSTUS WILLIAM FREDERICK
SPENCER LOFTUS (commonly called
(L.S.) Lord AUGUSTUS LOFTUS), Knight Grand
AUGUSTUS LOFTUS, Bath, a Member of Her Majesty's Most
Governor. Honorable Privy Council, Governor and
Commander-in-Chief of the Colony of
New South Wales and its Dependencies.

WHEREAS I, the Governor aforesaid, with the advice of the Executive Council of the said Colony, have duly sanctioned the carrying out of certain works for and in connection with the supply of water to the City of Sydney and its suburbs in the said Colony, for and towards the completion of which said works public funds are available under the provisions of the "Public Works Loan Act of 1879," and whereas the land hereinbefore described is required for the construction of the said works: Now I, the Governor of the said Colony, with the advice of the Executive Council of the said Colony, in pursuance of the powers in this behalf given to or vested in me by the "Lands for Public Purposes Acquisition Act," do, by this notification published in the Gazette and in a newspaper, that is to say in the "Sydney Morning Herald," circulated in the police district wherein the said land is situated, declare that the land hereinbefore described has been appropriated or resumed for the public purposes hereinafter mentioned, that is to say, for and in connection with the supply of water to the said City of Sydney and its suburbs, to the intent that, upon the publication of this notification in the Gazette, the legal estate in the said land shall forthwith be vested in the Minister for Public Works and his successors, on behalf of Her Majesty, for the purpose of the said last-mentioned Act, for an estate of inheritance in fee simple in possession, freed and discharged from all trusts, obligations, estate, interests, contracts, charges, rates, rights-of-way, or other easements whatsoever, and to the intent, further, that the legal estate therein, together with all

powers incident thereto or conferred by the said Act, shall be vested in the said Minister as a trustee with the powers stated in the said last-mentioned Act: And I declare that the following is the description of the land hereinbefore referred to, that is to say:—

All that piece or parcel of land situate in the parish of Alexandria, county of Cumberland, and Colony of New South Wales, near the City of Sydney, and in the Municipal Borough of Waverley, being part of the 27 acres 2 roods 10 perches, known as Waverley Park: Commencing at a point on the southern boundary of Waverley-street, distant easterly 1 chain 75 links from its intersection with the eastern boundary of Paul-street (being the north-western corner of the said Waverley Park), and bounded thence by a line southerly 6 chains 6½ links; thence westerly at right angles to the last described line, 1 chain 75 links to the western boundary of the said Waverley Park; thence by that boundary southerly 4 chains; thence by a line at right angles, to the last described boundary easterly 4 chains; thence again at right angles northerly, 4 chains; thence again at right angles westerly 1 chain 75 links; thence at right angles to the last described line and parallel to the first described line northerly 6 chains 6½ links to the southern boundary of Waverley-street aforesaid; thence by that boundary westerly 50 links to the point of commencement,—containing 1 acre 3 roods 24½ perches, and said to be held in trust by the Borough Council of Waverley for public purposes, in pursuance of notification which appeared in the Government Gazette, dated the 18th June, 1880.

In witness whereof I have hereunto set my Hand and caused the Great Seal of the Colony to be hereto affixed, at Government House, Sydney, this third day of January, in the year of our Lord one thousand eight hundred and eighty-three, and in the forty-sixth year of Her Majesty's Reign.

By His Excellency's Command,

JOHN LACKEY.

GOD SAVE THE QUEEN!

NOTIFICATION OF RESUMPTION OF LAND UNDER 44 VICTORIA, No. 16.

NEW SOUTH WALES, } By His Excellency The Right Honorable
to wit. } Sir AUGUSTUS WILLIAM FREDERICK
SPENCER LOFTUS (commonly called Lord
(L.S.) AUGUSTUS LOFTUS, Bath, a Member of Her Majesty's Most
Governor. Honorable Privy Council, Governor and
Commander-in-Chief of the Colony of
New South Wales and its Dependencies.

WHEREAS I, the Governor aforesaid, with the advice of the Executive Council of the said Colony have duly sanctioned the carrying out of certain works for and in connection with the building and erection of the General Post Office in Sydney in the said Colony, for and towards the completion of which said works public funds are available: And whereas the land hereinafter described is required for the construction of the said works: Now I, the Governor of the said Colony, with the advice of the Executive Council of the said Colony, in pursuance of the powers in this behalf given to or vested in me by the "Lands for Public Purposes Acquisition Act," do, by this notification published in the Gazette and in a newspaper that is to say, in the "Sydney Morning Herald" circulated in the Police District wherein the said land is situated, declare that the land hereinafter described has been resumed for the public purposes hereinafter mentioned, that is to say, for and in connection with the building and erection of the General Post Office in Sydney in the said Colony, to the intent that upon the publication of this notification in the Gazette, the legal estate in the said land shall forthwith be vested in the Minister for Public Works and his successors, on behalf of Her Majesty, for the purpose of the said last-mentioned Act, for an estate of inheritance in fee simple in possession, freed and discharged from all trusts, obligations, estate, interests, contracts, charges, rates, rights-of-way, or other easements whatsoever, and to the intent further that the legal estate therein, together with all powers incident thereto, or conferred by the said Act, shall be vested in the said Minister as a Trustee with the powers stated in the said last-mentioned Act: And I declare that the following is the description of the land hereinbefore referred to that is to say:—

All that piece or parcel of land situated in the county of Cumberland, parish of St. James, City of Sydney, area 20⁰/₁₀₀ perches: Commencing on the eastern building-line of George-street, at the south-western corner of the General Post Office, and bounded thence on the west by part of the said building-line bearing south 4 degrees 17 minutes east (magnetic) 49⁰/₁₀₀

links; thence on part of the south by a line bearing north 85 degrees 44 minutes east (magnetic) $20\frac{14}{100}$ links; thence on part of the east by a line bearing north 4 degrees 16 minutes west (magnetic) $\frac{7}{100}$ of a link; again on the south by a line bearing north 85 degrees 44 minutes east (magnetic) $53\frac{9}{100}$ links; again on the east by a line bearing north 4 degrees 16 minutes west (magnetic) $\frac{2}{100}$ of a link; again on the south by a line bearing north 85 degrees 42 minutes east (magnetic) $81\frac{88}{100}$ links; again on the east by a line bearing north 2 degrees 15 minutes west (magnetic) $\frac{3}{100}$ of a link; again on the south by a line bearing north 87 degrees 45 minutes east (magnetic) $89\frac{4}{100}$ links; thence on the south-west by a line bearing south 88 degrees 9 minutes east (magnetic) $2\frac{12}{100}$ links; thence on the south-east by a line bearing north 73 degrees 3 minutes east (magnetic) $23\frac{4}{100}$ links; thence on the north-east by lines bearing north 36 degrees 25½ minutes west (magnetic) $8\frac{5}{100}$ links, and north 39 degrees 5½ minutes west (magnetic) $12\frac{3}{100}$

links; thence on the remainder of the east by a line bearing north 3 degrees 49 minutes west (magnetic) $29\frac{3}{100}$ links, to the southern side of the General Post Office aforesaid; thence on the north by part of that side of the General Post Office, being lines bearing south 87 degrees 53 minutes west (magnetic) $165\frac{1}{100}$ links, and south 85 degrees 26 minutes west (magnetic) $93\frac{1}{100}$ links to the point of commencement.

In witness whereof I have hereunto set my Hand and caused the Great Seal of the Colony to be hereto affixed, at Government House, Sydney, this twenty-eighth day of February, in the year of our Lord one thousand eight hundred and eighty-three, and in the forty-sixth year of Her Majesty's Reign.

By His Excellency's Command,
HENRY COPELAND.

GOD SAVE THE QUEEN!

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

NEWINGTON ESTATE, PARRAMATTA RIVER.

(LAND RESUMED AT, FOR ERECTION OF GUNPOWDER MAGAZINE.)

Ordered by the Legislative Assembly to be printed, 15 February, 1883.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 23rd January, 1883, That there be laid upon the Table of this House,—

- “ (1.) Copies of notification of resumption of land, part of the Newington Estate, Parramatta River, as published by command in the *Gazette* of “ 22nd August, 1882.
- “ (2.) Copies of all applications for compensation for land resumed under “ notification of date referred to.
- “ (3.) Copies of all letters or memorandums of valuations by the Govern- “ ment Valuator.
- “ (4.) Copies of all letters or memorandums of any Minister having “ reference to any claims for land taken by the aforesaid notification.”

(*Mr. Sutherland.*)

SCHEDULE.

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NEWINGTON ESTATE, PARRAMATTA RIVER.

Notification of Resumption of Land under 44 Victoria, No. 16.

NEW SOUTH WALES, } By His Excellency the Right Honorable Sir AUGUSTUS WILLIAM FREDERICK SPENCER
to wit. } LOFTUS (commonly called Lord AUGUSTUS LOFTUS), Knight Grand Cross of the
(L.S.) } Most Honorable Order of the Bath, a Member of Her Majesty's Most Honorable
AUGUSTUS LOFTUS, } Privy Council, Governor and Commander-in-Chief of the Colony of New South
Governor. } Wales and its Dependencies.

WHEREAS I, the Governor aforesaid, with the advice of the Executive Council of the said Colony, have duly sanctioned the carrying out of certain works for and in connection with the erection of a Magazine for the Storage of Gunpowder and other explosives and certain buildings in connection therewith, for and towards the completion of which said works public funds are available under the provisions of the "Appropriation Act of 1882": And whereas the lands hereinafter described are required for the construction of the said works: Now I, the Governor of the said Colony, with the advice of the Executive Council of the said Colony, in pursuance of the powers in this behalf given to or vested in me by the "Lands for Public Purposes Acquisition Act," do by this notification published in the *Gazette* and in a newspaper, that is to say, in the *Sydney Morning Herald*, circulated in the Police District wherein the said lands are situated, declare that the lands hereinafter described have been resumed for the public purposes hereinafter mentioned, that is to say, for and in connection with the erection of the said magazine for the storage of gunpowder and other explosives, and the erection of other buildings in connection therewith, to the intent that upon the publication of this notification in the *Gazette* the legal estate in the said lands shall forthwith be vested in the Minister for Public Works and his successors, on behalf of Her Majesty, for the purpose of the said last-mentioned Act, for an estate of inheritance in fee simple in possession, freed and discharged from all trusts, obligations, estate, interests, contracts, charges, rates, rights-of-way, or other encumbrances whatsoever, and to the intent further that the legal estate therein, together with all powers incident thereto or conferred by the said Act, shall be vested in the said Minister as a trustee with the powers stated in the said last-mentioned Act: And I declare that the following is a description of the lands hereinbefore referred to, that is to say:—

All that piece or parcel of land situated in the county of Cumberland, parish of St. John, area about 217 acres: Commencing at a stake on the high-water-mark of Homebush Bay, at the east extremity of the northern side of Blaxland-street, in the private sub-division of the Newington Estate; and bounded thence by part of the northern side of that street being a line bearing north 73 degrees 32 minutes 10 seconds west 21 chains 50 links to the eastern side of Salisbury-street; thence by part of that side of Salisbury-street, being a line bearing north 16 degrees 21 minutes 40 seconds east 13 chains to the northern side of Newington-street; thence by part of that side of Newington-street, being a line bearing north 73 degrees 37 minutes 10 seconds west 22 chains to the eastern side of Jamieson-street; thence by part of that side of Jamieson-street, being a line bearing north 16 degrees 23 minutes 20 seconds east 19 chains 24 links to the high-water-mark of Parramatta River; thence by that high-water-mark easterly to the north extremity of the western side of Northcote-street; thence by part of that side of Northcote-street southerly till it meets a line parallel to the high-water-mark of Parramatta River aforesaid and 1 chain distant therefrom; thence by that line easterly to the northern side of Lennox-street; thence by part of that side of Lennox-street easterly to the western side of Abercorn-street; thence by part of that side of Abercorn-street northerly till it meets a line parallel to high-water-mark aforesaid and 1 chain distant therefrom; thence by that line parallel to and 1 chain distant from high-water-mark easterly, southerly, and south-westerly to the southern side of Newington-street aforesaid; thence by part of that side of Newington-street easterly to high-water-mark aforesaid; and thence by high-water-mark southerly to the point of commencement.

In witness whereof I have hereunto set my hand, and caused the Great Seal of the Colony to be hereto affixed, at Government House, Sydney, this twenty-first day of August, in the year of our Lord one thousand eight hundred and eighty-two, and in the forty-sixth year of Her Majesty's Reign.

By His Excellency's Command,
JAMES WATSON.

GOD SAVE THE QUEEN!

No. 2.

Messrs. Holdsworth & Evans (Solicitors for Mr. John Wetherill), to The Secretary for Public Works.

Sir,

Referring to our application of the 7th ultimo, on behalf of Mr. John Wetherill, for compensation in respect of land resumed therein described, we shall feel obliged if you will give the matter your early attention, as our client is anxious to get it settled.

75, Pitt-street, Sydney, 11 December, 1882.
We have, &c.,
HOLDSWORTH & EVANS,
(Solicitors for the said JOHN WETHERILL),
per A. PARRY LONG.

B.C., 12/12/82, Powder Magazine.—J.R. Papers with Treasury.—8/1/83. To await their return.

No. 3.

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No. 3.

Messrs. Holdsworth & Evans (Solicitors for Mr. John Sutherland), to The Secretary
for Public Works.

Sir,

75, Pitt-street, Sydney, 11 December, 1882.

Referring to our application of the 7th ultimo, on behalf of the Hon. John Sutherland, for compensation in respect of land resumed therein described, we shall feel obliged if you will give the matter your early attention, as our client is anxious to get it settled.

We have, &c.,

HOLDSWORTH & EVANS,
(Solicitors for the said JOHN SUTHERLAND),
per A. PARRY LONG.

B.C., 12/12/82, Powder Magazine.—J.R. Papers with Treasury. To await their return.—8/1/83

No. 4.

The Crown Solicitor to The Under Secretary for Public Works.

Land at Newington—Claim of John Wetherill.

Sir,

Crown Solicitor's Office, Sydney, 14 December, 1882.

I have the honor to forward herewith notice of claim and abstract of Mr. John Wetherill in respect of land resumed at Newington.

The claim is made in respect of 26 acres 2 roods and 16 perches, in the parish of St. John and county of Cumberland, said to be part of the following Crown grants:—To Jno. Blaxland, 1,290 acres, dated 24th April, 1807; to Hy. Waterhouse, 25 acres, 1st May, 1797; to J. Shortland, 25 acres, dated 1st May, 1797; 80 acres, to J. Archer, dated 20th August, 1800.

By various deeds, and lastly by indenture, dated 10th January, 1877, and made between C. Newton and D. J. McEwen of the first part, J. Broomfield of the second part, and J. Wetherill of the third part, the land became vested in J. Wetherill.

I am unable to say whether the land above described forms part of the land resumed, that being a matter for a surveyor to decide, but assuming such to be the case, I think that Mr. Wetherill may be dealt with as to the amount of compensation to be paid.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

[Enclosure.]

[Enclosure.]

Lands for Public Purposes Acquisition Act, 44 Vic. No. 16.

First Schedule.

Notice of Claim and Abstract.

To the Crown Solicitor,—

In pursuance of the "Lands for Public Purposes Acquisition Act," and of the enactments therewith incorporated, I hereby give you notice that I claim compensation in respect of the land hereunder described, which has been resumed under the said Act. The amount of such claim, and other the particulars required by the said Act, are stated in the subjoined Abstract.

ABSTRACT.

Names and descriptions of parties claiming and nature of their interests, whether tenants for life, in tail, or otherwise.	Situation and description of property.	Quit rents payable if leasehold, name of landlord, term of lease, and rent reserved.	Names of occupiers, distinguishing whether tenants at will or under lease, rent reserved, terms, &c.	Particulars of claim, specifying separately the amount claimed for value of property and for compensation.	Dates and other short particulars of documents of title.	Names of persons having the custody of documents, and place or places where the same may be inspected, and name of claimant's solicitor or agent.
John Wetherill, of Sydney, draper, seized in fee simple, in possession.	All that piece or parcel of land situated in the county of Cumberland parish of St. John, area about 26 acres 2 roods 16 perches: Commencing at a stake on the high-water-mark of Homebush Bay, at the eastern extremity of the northern side of Blaxland-street in the private subdivision of the Newington Estate; and bounded thence by part of the northern side of that street being a line bearing about north 73 degrees 32 minutes west 150 links to the eastern side of Salisbury-street; thence by part of that side of Salisbury-street, being a line bearing about north 16 degrees 22 minutes east 1,200 links to the southern side of Newington-street at the north-western corner of section 84 of the Newington Estate, subdivision aforesaid, thence by the southern side of Newington-street, being a line bearing about south 73 degrees 32 minutes east about 2,420 links till it meets the high-water-mark of Homebush Bay aforesaid; thence by that high-water-mark southerly to the point of commencement, exclusively of that part of Abercorn-street shown on the plan of the subdivision of the Newington Estate as dividing section 83 from section 84. Also, all that piece or parcel of land situated as above, area about 40 acres: Commencing at the northern extremity of the eastern side of Jamison-street, in the private subdivision of the Newington Estate, at its intersection with the high-water-mark of the Parramatta River; and bounded thence by part of that side of Jamison-street aforesaid, being a line bearing about south 16 degrees 23 minutes west 1,924½ links to the northern side of Newington-street; thence by part of that side being a line bearing about south 78 degrees 37 minutes east 2,100 links to the western side of Salisbury-street at the south-eastern corner of section 98 of the Newington sub-division; then by part of the western side of Salisbury-street aforesaid, being a line bearing about north 16 degrees 22 minutes east 2,100 links to the southern side of Lennox-street; thence by part of that side, being a line bearing about north 78 degrees 37 minutes west 1,100 links to the western side of Northcote-street, thence by part of that side northerly till it meets the high-water-mark of the Parramatta River aforesaid; thence by that high-water-mark line westerly, to the point of commencement: Exclusively of that part of King-street and that part of Northcote-street shown on the plan of Newington Estate as dividing sections 98, 97, and 104 from each other.	Nil.	Owner.	The amount claimed for value of property is £5,300.	The documents of title are set forth in a certain indenture dated 29th August, 1879, between John Wetherill of one part, and Her Most Gracious Majesty Queen Victoria of other part, registered 16th September, 1879, No. 801, book 194.	Holdsworth & Evans, Solicitors, 75 Pitt-st., Sydney.

6th November, 1882.

JOHN WETHERILL,
Pitt-street, Sydney.

Received 8th November, /82.

The Crown Solicitor to The Under-Secretary for Public Works.

Land at Newington—Claim of John Sutherland.

Sir,

Crown Solicitor's Office, Sydney, 14 December, 1882.

I have the honor to forward herewith notice of claim and abstract of Mr. John Sutherland, in respect of land resumed at Newington.

The claim is made in respect of 130 acres of land in the county of Cumberland and parish of St. John, said to be part of the following Crown grants, viz., to John Blaxland of 1,290 acres, dated 24th April, 1807; to Hy. Waterhouse, of 25 acres, dated 1st May, 1797; to J. Shortland, 25 acres, dated 1st May, 1797; 80 acres, to J. Archer, dated 20th August, 1800. By various deeds, and lastly by indenture dated the 10th January, 1877, made between C. Newton and D. J. McIlwen of the first part, J. Broomfield of the second part, and John Wetherill of the third part, the land became vested in J. Wetherill, who, by indenture, dated the 8th November, 1881, made between J. Wetherill of one part, and J. Sutherland of other part, registered 14th November, 1881, No. 577, Book 233, conveyed lots 99, 100, 120, 102, 101, 111, and 109, of the Newington estate to J. Sutherland.

I am unable to say whether the land above-described forms part of the land resumed, that being a matter for a Surveyor to determine, but assuming such to be the case, I think that Mr. Sutherland may be dealt with as to the amount of compensation to be paid.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

Mr. Mills, B.C., 16/12/82.—J.R.

[Enclosure.]

Lands for Public Purposes Acquisition Act, 44 Vic. No. 16.

First Schedule.

Notice of Claim and Abstract.

To the Crown Solicitor,—

In pursuance of the "Lands for Public Purposes Acquisition Act," and of the enactments therewith incorporated, I hereby give you notice that I claim compensation in respect of the land hereunder described, which has been resumed under the said Act. The amount of such claim, and other the particulars required by the said Act, are stated in the subjoined Abstract.

ABSTRACT.

Names and descriptions of parties claiming and nature of their interests, whether tenants for life, in tail, or otherwise.	Situation and description of property.	Quit rents payable if leasehold, name of landlord, term of lease, and rent reserved.	Names of occupiers, distinguishing whether tenants at will or under lease, rent reserved, terms, &c.	Particulars of claim, specifying separately the amount claimed for value of property and for compensation.	Dates and other short particulars of documents of title.	Names of persons having the custody of documents, and place or places where the same may be inspected, and name of claimant's solicitor or agent.
John Sutherland, of Sydney, a Member of the Legislative Council, seized in fee simple, in possession.	All that piece or parcel of land situated in the county of Cumberland, parish of St. John, area about 130 acres, more or less: Commencing at the intersection of the eastern side of Abercorn-street, in the private subdivision of the Newington Estate, with a line parallel to the high-water-mark of the Parramatta River, and 100 links distant therefrom, thence by that line parallel to and 100 links distant from high-water-mark easterly, southerly, and south-westerly to the northern side of Newington-street, in the subdivision aforesaid; thence by part of that side, being a line bearing about north 73 degrees 37 minutes, about 2,460 links to the eastern side of Salisbury-street, at the south-western corner of portion 99 of the Newington subdivision; thence by part of the eastern side of Salisbury-street aforesaid, being a line bearing about north 16 degrees 22 minutes east 2,100 links to the southern side of Lennox-street; thence by part of that side, being a line bearing about south 73 degrees 37 minutes east 1,180 links to the eastern side of Abercorn-street aforesaid; thence by that side, northerly, to the point of commencement: Exclusively of such parts of Abercorn-street, Homebush-street, -street, and Lennox-street, shown on plan of Newington Estate, as intersecting the land included within the boundaries aforesaid.	Nil.	Unoccupied.	The amount claimed for value of property is £6,500.	The documents of title set forth in a certain indenture dated 29 August, 1879, between John Wetherill, of one part, and Her Most Gracious Majesty Queen Victoria, of other part, registered 14th September, 1879, No. 801, book 194; conveyance dated 8th November, 1881, the said John Wetherill to John Sutherland, registered 14th November, 1881, No. 577, book 233.	Holdsworth & Evans, solicitors, 75 Pitt-st., Sydney.

JOHN SUTHERLAND,
76, Abercrombie-street, Sydney.

6th November, 1882.

Received 8th Nov., /82.—J.W.

No. 6.

J. Y. Mills, Esq., to The Under-Secretary for Public Works.

Sir

Land Sale Rooms, 114, Pitt-st., Sydney, 4 January, 1883.

I have the honor to report that I have inspected the portion of the land resumed at Newington for which Mr. Wetherill has sent in a claim of £5,360, being sections 83, 84, 97, 98, 103, and 104 of the subdivision of the Newington Estate, Parramatta River, comprising 66 acres 2 roods 16 perches.

I consider the claim a fair and reasonable one, and recommend that the sum of £5,360 be paid to Mr. Wetherill as compensation for the land taken.

I have, &c.

J. Y. MILLS.

No. 7.

J. Y. Mills, Esq., to The Under-Secretary for Public Works.

Sir,

Land Sale Rooms, 114, Pitt-street, Sydney, 3 January, 1882.

I have the honor to report that I have gone over and inspected the property comprised in Mr. John Sutherland's claim for compensation for the following lands, at the junction of the Parramatta River and Haslem's Creek, resumed by the Government, viz. :—Sections 99, 100, 101, 102, 109, 110, 111, and 120, of the subdivision of the Newington Estate with the intersecting streets, comprising about 130 acres, and estimate that the amount claimed is fair and reasonable, and recommend that the sum of £6,500 be paid to Mr. John Sutherland.

I have, &c.,

J. Y. MILLS.

I understand this land was resumed for a powder magazine, and the papers may be forwarded to the Treasury.—J.R., 4/1/83, B.C. The Under-Secretary for Finance and Trade.

No. 8.

Minute of the Colonial Treasurer on the preceding Valuation.

This claim appears to me, notwithstanding Mr. Mills' statement to the contrary, simply absurd. Recently I could have purchased this land for £25 per acre, but declined it, as I did not consider it worth anything like this. This claim, and also that of Mr. Sutherland's, to which these remarks also apply, should be resisted.—J.W., 4/1/83.

The Under-Secretary for Public Works.—G.E., 5/1/83, B.C.

No. 9.

Minute of the Colonial Treasurer.

In view of the strong protest of my predecessor, I submit these papers to the Cabinet for advice.—G.R.D., 15/1/83.

The Cabinet recommends that a further valuation by two persons be taken.—A.S., 15/1/83.

Request Messrs. Wrench (of Richardson & Wrench) and Gorman (of Hardie & Gorman) to make a valuation and to send in joint report.—G.R.D., 18/1/83.

Mr. Ross,—Write the necessary letters to-day.—J.T., 18/1/83. Done.—M.R., 18.

No. 10.

The Under-Secretary for Finance and Trade to E. Wrench, Esq.

Sir,

The Treasury, New South Wales, Sydney, 18 January, 1883.

I am directed by the Colonial Treasurer to request that, in association with Mr. Henry Gorman, of Messrs. Hardie & Gorman, you will make valuations of the following lands, namely :—

- (1.) 66 acres 2 roods 16 perches of land at Newington, Parramatta, being sections 83, 84, 97, 98, 103, and 104 of the subdivision of the Newington Estate.
- (2.) About 130 acres of land at the junction of the Parramatta River and Haslem's Creek, being section 99, 100, 101, 102, 109, 110, 111, and 120 of the subdivision of the Newington Estate with the intersecting streets.

It will of course be understood by you that a separate valuation is required for each of the lands.

A joint report is required.

A resumption proclamation will be found herewith.

I have, &c.,

JAMES THOMSON,

(For the Under-Secretary).

No. 11.

The Under-Secretary for Finance and Trade to H. Gorman, Esq.

Sir,

The Treasury, New South Wales, Sydney, 18 January, 1883.
I am directed by the Colonial Treasurer to request that, in association with Mr. Edward Wrench, of Messrs. Richardson & Wrench, you will make valuations of the following lands, namely:—

- (1.) 66 acres 2 roods 16 perches of land, at Newington, Parramatta, being sections 83, 84, 97, 98, 103, and 104 of the subdivision of the Newington Estate.
- (2.) About 130 acres of land at the junction of the Parramatta River and Haslem's Creek, being sections 99, 100, 101, 102, 109, 110, 111, and 120 of the subdivision of the Newington Estate, with the intersecting streets.

It will of course be understood by you that a separate valuation is required for each of the lands. A joint report is required.

A resumption proclamation will be found herewith.

I have, &c.,

JAMES THOMSON,

(For the Under-Secretary).

No. 12.

Messrs. Holdsworth & Evans to The Secretary for Public Works.

Re John Wetherill's claim—Land resumed at Newington.

Sir,

75, Pitt-street, Sydney, 10 January, 1883.

Referring to our letters of the 7th November and the 11th December last, in respect of our application on behalf of Mr. John Wetherill for compensation for land resumed, we have the honor to request that you will be good enough to inform us what has been done in the matter, and when we may expect a settlement.

We have, &c.,

HOLDSWORTH & EVANS,

(Solicitors for the said JOHN WETHERILL),

Per A. PARRY LONG.

The Under Secretary, &c., &c., &c.

For Finance and Trade, B.C., 12/1/83.—J.R.

No. 13.

Messrs. Holdsworth & Evans to The Secretary for Public Works.

Re John Sutherland, M.P.'s claim—Land resumed at Newington.

Sir,

75, Pitt-street, Sydney, January 10, 1883.

Referring to our letters of the 7th November and the 11th December last, in respect of our application for compensation on behalf of the Hon. John Sutherland for land resumed, we have the honor to request that you will be good enough to inform us what has been done in the matter, and when we may expect a settlement.

We have, &c.,

HOLDSWORTH & EVANS,

(Solicitors for the said JOHN SUTHERLAND),

Per A. PARRY LONG.

The Under-Secretary, &c., &c., &c.

For Finance and Trade, B.C.—J.R., 12/1/83.

No. 14.

Messrs. E. Wrench and H. Gorman to The Colonial Treasurer.

Sir,

98, Pitt-street, Sydney, 27 January, 1883.

In accordance with your instructions, we have the honor to enclose herewith valuation of two parcels of land situate on the Parramatta River, resumed by the Government for the purpose of carrying out certain works for, and in connection with, the erection of a magazine for the storage of gunpowder and other explosives, our fee for which is fifty guineas (£52 10s.).

We have, &c.,

E. WRENCH.

H. GORMAN.

[Enclosure.]

98, Pitt-street, Sydney, 27 January, 1883.

VALUATION of two parcels of freehold land resumed by the Government for the purpose of carrying out certain works for, and in connection with, the erection of a magazine for the storage of gunpowder and other explosives, containing respectively 66 acres 2 roods and 16 perches, and about 130 acres, being portions of the Newington Estate, Parramatta River, made for and by order of the Honorable the Colonial Treasurer,—

Area, 66 acres 2 roods and 16 perches.—This portion of land comprises sections 83, 84, 97, 98, 103, and 104 of the sub-division of the Newington Estate, as well as the roads, 1 chain wide, separating each section from the other. We estimate the present market value of this land at the sum of three thousand four hundred and forty pounds	£3,440 0 0
Area, about 130 acres.—This land lies at and about the junction of the Parramatta River with Haslam's Creek, and has an extensive river frontage. It comprises sections 99, 100, 101, 102, 109, 110, 111, and 120 of the sub-division of the Newington Estate, and the roads, about 16 acres additional, separating the several sections. We estimate the present market value of this land at the sum of four thousand eight hundred and seventy pounds.....	4,870 0 0

Together making a total of..... £8,310 0 0

E. WRENCH,
H. GORMAN.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

COLONIAL WINES.

(PETITION FOR REDUCTION OF LICENSE FEE, &c.—WINEGROWERS OF THE NORTHERN DISTRICT.)

Received by the Legislative Assembly, 4 April, 1883.

The Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The Petition of the undersigned, resident Winegrowers and others in the Northern District, —

HUMBLY SHOWETH:—

That at a meeting of Winegrowers, held at Cohen's Hotel, West Maitland, on the 22nd March, 1883, a number of resolutions were agreed to, which are embodied in the following Petition:—

Winegrowers have expended much capital and time in the culture of the vine in this Colony, having been directly encouraged and instigated to do so from time to time by the Government and leading men. They have had great difficulties to contend with, hardships to encounter; and although they have succeeded in producing wines which rival any in the Old World in excellence they have failed until very lately in getting remunerative returns.

To do this it is above all things necessary for them to have a free home-market for their produce. Experience has repeatedly shown them that they cannot dispose of it through the public-houses, probably because the tastes of those who frequent those places are in favour of beer and ardent spirits. If they cannot sell on their vineyards, and through the wine-shops, they cannot sell at all.

The Licensing Act of 1881 does not permit winegrowers dwelling more than 100 yards from a public road to hold a license, but at the same time it renders a winegrower selling less than two gallons liable to all the fines and penalties of a sly grog-seller. The cost of a wine license under the existing Act has thrown many poor men who gained a livelihood under the "Colonial Wine Act of 1876," with a license fee of one pound, out of that employment.

Your Petitioners therefore pray that winegrowers may be permitted to sell the produce of their own vineyards in quantity of not less than a reputed quart bottle, not to be drunk on the premises, without a license; and further, that the license fee may be reduced to an annual fee of one pound, as heretofore.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 336 signatures.]

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BORDEAUX WINE EXHIBITION.

(TWO REPORTS UPON REPRESENTATION OF THE COLONY AT.)

Ordered by the Legislative Assembly to be printed, 10 April, 1883.

The Representative Commissioner for New South Wales at the Bordeaux Wine
Exhibition to The Colonial Secretary.

My dear Mr. Stuart,

Chambers, Wentworth Court, 8 February, 1883.

I beg to enclose you a Progress Report handed to me by Mr. Bonnard when I was at Bordeaux in November. I think it may prove of some interest, and possibly you may think right to lay it on the Table of the House for public information; at any rate I now place it at your disposal, to do with it what you deem fit.

Believe me, &c.,

FREDK. M. DARLEY.

Report to the Honorable F. M. Darley, Q.C., M.L.C., Representative Commissioner.

Sir,

Bordeaux, 4 November, 1882.

I have the honor to submit to you the following summary report and account of expenditure which I have deemed my duty to prepare for your information, on the occasion of the distribution of awards, before the closing of the Bordeaux Exhibition.

I arrived in Bordeaux, in accordance with instructions, on the 1st May, 1882. I put myself at once in communication with the Managing Committee of the Société Philomathique, giving them notice of your Commission and of my appointment to act here respectively on behalf of New South Wales.

The building intended for the exhibition of wines was ready for the distribution of space towards the end of May, and the ground allowed to New South Wales was definitively handed to me on the 1st of June. I called for tenders for the erection of our Court, and in due course made the necessary contracts, dealing always with people on the respectability of whom no doubts were to be had.

Not having been provided with any instructions as to the amount at the credit of the Commission, nor as to the way in which such credit should be spent, I had to act according to my own judgment; and I endeavoured to carry out my mission with credit to the leading Colony of Australia, taking care that its prestige should not suffer, and its importance made to appear otherwise than as great as it is; at the same time acting as economically as circumstances would allow.

The various exhibits sent from our Colony reached Bordeaux in good time, and generally in very good condition, with the exception of a few cases, for which the Department of the Agent-General in London was so good as to take the initiative of reserving the rights of the exhibitors, and prefer claims which have been since successfully sustained.

The wines in casks received every necessary care, a cellar being provided by the Société Philomathique for its reception. The samples in bottles were also properly looked after, carefully numbered, and stored systematically in the same cellar.

After being postponed several times, the opening of the Exhibition did finally take place with great *éclat*, on the 20th of June, 1882, under the presidency of Mons. Léon Say, member of the then Government of the Republic, in presence of a very great concourse of high French and foreign officials, and of the inhabitants of the city of Bordeaux and its surrounding districts. Great and numerous official receptions and other festivities took place on that occasion.

The New South Wales Court was on that day quite completed, and since then no alteration of any importance has been made to its general appearance, whilst additions have been constantly going on in the surrounding Courts. We had every reason to be satisfied with the extent and situation of the ground allowed to the Colony.

I hope, as you were present at the time of the opening of the Exhibition, you will concur with me when saying that the Court of New South Wales in particular, and the whole of the British Sections in general, have produced a very good impression in our favour on the people of this part of France, and on the numerous visitors who came from Spain and Portugal. The Minister and the most distinguished personages of his suite were received by you, and they paid special attention to our Court.

Since the opening day, I am proud to say, the Australian Courts—and amongst the whole of the wine building, the Victorian Court in particular being one of the most attractive—have been very much admired, and always well frequented by the general public, whilst great interest has been at all times evinced towards the progresses so rapidly made by each Colony, and more especially by New South Wales: descriptive maps, statistical tables, photographic views of which were exposed to the public, every useful information on the Colony, its vineyards and wines, and other industries, being also provided to the public by books, newspapers, personal explanations, and in every other way which appeared to me likely to be most effective, either in or out of the Exhibition.

I did avail myself as much as possible of my presence in Bordeaux to gather every information required by the Government of the Colony on behalf of the colonists and exhibitors. I regret to have to say that the weather this year has been very unpropitious, the vintage very poor and inferior, and the state of the vineyards very discouraging to the owners, the phylloxera, the mildew, the autrachine, the rainy and cold weather rendering wine-growers very shy of inviting strangers; further, I was very seldom at liberty to absent myself from Bordeaux or from the Exhibition for any length of time.

I had to attend to numerous daily interviews every day either to give or receive communications, and several times every week I was busy at the cellar, either superintending the care given to the wines in bulk, or offering samples to the tasting of every person in a situation to appreciate them.

I am glad to say that, in spite of often much unwillingness to express an opinion, the general impression made by our produce has on the whole been very favourable, and I feel fully convinced that so far as quality goes, some of our colonial wines are almost equal, and have in fact been valued to the same price as those of the southern part of France, and above those of Spain and Portugal. A market for colonial *new wines* will be very easily secured at the present time in Bordeaux; it is a mere question of quantity, of price, of sufficient casks and *matériel*, of direct steam communications, and of active and practical business management. The example of Hungary should always be retained before our colonists. I am pleased to say that, as a matter of fact, an important order for new wines has already been sent to New South Wales, a satisfaction which no other Colony, so far as I know, has yet obtained. As to other wines of some more age, I am satisfied from information received from various quarters that we have at this very moment a very good opening in the North of Europe, whilst for various kinds of somewhat peculiar and different types, markets would be at once found at Paris, and at Celtes, near Marseilles, for what is called "*opérations*."

I have had a number of our exhibited wines chemically analysed, and I will be in a position, on my return to the Colony, to point out to each exhibitor, in a very precise manner, important particulars with reference to the value and suitability of each wine exhibited here.

Although it has been really impossible to me to visit as often as I wished as many vineyards and other establishments which should be presented as models to our wine-growing and industrial colonists, I have taken many notes referring to the various paragraphs of the instructions from the Sydney Committee, as approved by the Honorable the Colonial Secretary; but I must say that I am not personally satisfied as yet with the results obtained so far; and it is my duty to state that, unless I am allowed to remain here for pursuing my studies for at least two or three months after the closing of the Exhibition, and when I will have nothing else to do, I will not have had the opportunity nor the time to see as much as is expected from me, and as is necessary for the successful and useful carrying out of the wishes of the Government, of the Committee and of the exhibitors. For instance, I have introductions to no less a scientific leader than Mons. Pasteur himself; and although I am expected at any time I shall choose to go, I have not found the opportunity to interview that great man, of whose discoveries it is my duty to make a special study. I may perhaps be allowed to state here, that the Government of Victoria has recently advised the Executive Secretary for that Colony to remain in France until the latter part of January, 1883, on full salary; and I should be glad, for the sake of my mission, to be allowed the same facilities, even on less favourable terms. Perhaps will you, sir, be good enough to consider whether it is well or necessary for the interests of New South Wales that an extension of time be granted to me.

The various officers of the Société Philomathique, presided over by Mons. Daney, have been at all times very courteous and kindly disposed towards this Office. The Vice-President, Mr. Larroude, Chairman of the International Section, has often proved and expressed the very best feelings for us; and if any reserve as to the appreciation of the services rendered by these gentlemen is to be made, it must also be taken into account that they had each of them to attend at the same time to their private business, and that an Exhibition conducted by a private Society cannot be managed on the same broad basis as one conducted by a Government, nor with such prompt and perfect attention.

The Jury appointed by the Société Philomathique for lasting wines began its operations early in September. It was an International Jury, but we had considerable difficulty to obtain a proper recognition and the privilege of being represented on it. A letter sent by you personally to the Chairman of the Société Philomathique had an undoubted influence on the subsequent resolutions of the Wine Committee, and we have also to thank the Imperial Government for its timely assistance through Her Majesty's Consulate in Bordeaux. In consequence of these energetic interventions, the Colony of New South Wales and the sister Colonies secured the right of nominating each a member of the Jury. The Honorable the Agent-General, Sir Saul Samuel, K.C.M.G., supported also very firmly in London the representations made by your Executive Secretary, to secure such a result on behalf of the colonial exhibitors. The International Jury was presided over by the Honorable Señor Don Soriano Plasent, Delegate of His Majesty the King of Spain. The Colony of New South Wales was represented and well served by Mr. Maurice Tandonnet, one of the leading shipowners and merchants of Bordeaux. We had thirty-one exhibitors and 189 exhibits, some of these being in duplicate (wood and bottles), and also in addition a few samples of new wines, vintage of March, 1882. The highest awards to be granted are gold medals. I have asked for a diploma of honor, special, to the most successful exhibitor of Australia (and who belongs to New South Wales), but I cannot say yet whether it will be granted or not. Nothing is yet at this very time definitely settled or positively known as to the awards made, nor even as to what the nature of the awards is to be; I am however led to believe that we have obtained five gold medals, nine silver, eleven bronze, and two mentions, four only of our exhibitors being altogether unsuccessful. I regret I am not in a position to give you officially the names of the successful exhibitors, but they will be publicly proclaimed on the 6th November instant.

The

The Melbourne *Argus* has offered a prize of 100 guineas to the exhibitor of the best Australian wine, exhibited at Bordeaux, and arrangements are now being made for the constitution of the special Jury to be appointed by the several Agents-General in London. Sir Saul having asked me to nominate such jurymen to him, I intend, should you approve of them, to submit to the Honorable the Agent-General the names of Messrs. Dubos Brothers as members of that Jury on behalf of New South Wales.

As instructed by the Honorable Sir John Robertson, K.C.M.G., I have had, during my stay in Bordeaux, printed in French, after translation of same from English into French by me, 1,000 copies of the colonial book, "New South Wales in 1881," with the statistical diagrams and tables, and also the coloured description map of the Colony included in the Australian edition. I added to it such information special to the Bordeaux Exhibition of colonial Wines, and to our vineyards and wines, as I thought would possibly increase the already great value of the work, for it is likely some long time will elapse before such another opportunity is found to publish anything officially in French, with respect to the Colony, or to the colonial wine industry and cultivation of the vine.

I have also thought proper to have a small pamphlet on the Colony printed to the extent of 400 copies in Spanish, a great number of distinguished and leading Spanish people having visited our Exhibition, and evinced the greatest ignorance concerning our country, with the most sincere desire to receive information on the same. I believed, further, that the Colony would certainly derive great benefit by the immigration of a number of Spanish people, who do not actually come to us, for want of information and for not knowing where to obtain it.

The general complete want of information and absolute ignorance of the people about Australia generally has been most surprising and vexatious to me, as a continental man; at the same time I found every one anxious to be made aware of our existence and of our progresses. Several Heads of Departments and of Governmental leading Schools have applied to me for numbers of copies of the book referred to, and I have thought right to grant the same in proper but limited quantities.

This book, "New South Wales in 1881," has been discriminately distributed all over France, on behalf of the Government of New South Wales, and in the name of the Honorable the Representative Commissioner, and I have received many letters of acknowledgment and of thanks for same.

The Société de Géographie Commerciale of Bordeaux has decided to publish with the report of the sittings of the recent National Congress of Geography the two lectures I have delivered here on Australia and New South Wales, and has asked permission to reproduce the map of the Colony from the official book, a permission which I have granted very willingly. This report is to be printed to the extent of 2,500 copies.

I may perhaps be allowed to mention here that a number of the Sociétés de Géographie de France have asked me to repeat my lectures for them, especially in Marseilles, where the attention of every one is now turned on the Australian Colonies, on account of the line of steamers about to connect this port direct with Sydney at the end of the year 1882.

I have yet in hand about 100 French copies of the map of the Colony, and 500 French copies of statistical and comparative tables of the Australian Colonies; and I now propose to your approval, to offer the first to the Minister of Public Instruction of France, on behalf of the Government of the Colony, and to distribute the others to every Chamber of Commerce in France, Belgium, and other French-speaking countries.

I have had also two sets of photographic views of the Colony, coming from the Sydney Government Printing Office, handsomely bound, for presentation to such distinguished personages as you may think proper; and I intend to continue distributing our colonial book, copies of which should be properly bound for presentation, amongst such learned Societies of France, from which we may expect in return reports and information of interest to the Colony.

The work of this office has of late taken so much extension that I have been compelled to secure permanent clerical assistance, for which I have given preference to a young English gentleman, of good repute, and actually in want of employment in Bordeaux.

I have been advised that it was the intention of the Wine Trade Syndicate Chamber of Bordeaux to interview you on the question of Customs Duties on Bordeaux wines in the Colony, or should your stay in Bordeaux be too limited, the Chamber will then send its address to the Government through this office.

The distribution of awards is to take place on Monday next, 6th of November, with great ceremony, under the presidency of Mons. Pierre Legrand, the present Minister of Commerce of the Republic of France, but the Exhibition itself will not close until the end of November, if not later.

The exhibits will then have to be removed or disposed of in some way. With the exception of one or two exhibitors, who have communicated their wishes to me, through the Colonial Secretary's Office, I have as yet no instructions on the subject, but I hope to receive some by one of the next incoming mail steamers; should I however not sell our exhibits, I should propose to reserve them for the forthcoming International Exhibition at Amsterdam, where our wines of a few years old will certainly receive great appreciation.

I shall be happy to complete this part of this Report, should you require more particulars on any special point.

EXPENDITURE.

The accounts herewith will be found a correct statement of all sums of money spent by me in connection with the Exhibition of Colonial Wines on behalf of the Colony of New South Wales.

I found myself in the absolute necessity to slightly exceed the estimates originally submitted by me to you; I have however kept as much as possible within the same limits, and as no instructions were ever given to me on that subject, I presumed I was justified for acting according to my own judgment, as long as I was conciliating the dignity of the Colony with its financial and all other interests. I was anxious the New South Wales Court should be the best of the Australian Colonies and Foreign Countries, as I am satisfied it has been; and I hope that on this ground you will kindly approve of the expenditure made, under the several paragraphs of the account annexed herewith.

I must state, however, that some provision must be made for the payment of the rent of the grounds allowed by the Société Philomathique in the wine building, and for the use of the cellar provided by the Committee, as mentioned in previous estimates.

Provision

Provision will also have to be made for the expenses of removing exhibits, Customs dues on the samples, and such other charges, if any, in the event no sale should be effected here; for if the exhibits are sold, as I believe they will be, the cost of their removing and the duties will be supported by the buyers.

I hope to recover part of the money spent for the decoration of our Court, by reselling some portion of the ornaments, otherwise I propose to send the same to the Honorable the Agent-General, for being utilized, if possible, at the Fisheries Congress in London, or at the Amsterdam Exhibition.

The heaviest items of expenditure under the Bordeaux special estimates will be found in reference to paragraph 3; and also for publicity, which had not been provided for. I refer now to the expenses of printing the book, "New South Wales in 1881," in French; the pamphlet on the Colony in Spanish, and published with a map, also the postage on both, and the purchase for distribution of large numbers of copies of French newspapers having favourably spoken of our Colony and its exhibition of wines.

I hope I have been acting according to the views of the Minister, and that the Colonial Government will find no fault with me for such expenditure, which, besides entailing very heavy work upon me, has been calculated to be of service to the Colony, as I believe and trust the ultimate result will prove before long.

On the whole, I venture to say that the expenditure of this office has been reasonable, and that, with no more and perhaps less expenses than others, much more effective, satisfactory, and lasting results have been obtained, for the benefit of Australia.

Should however the Government reject any one of the items of the accounts as now submitted, I will refund these amounts to the Public Treasury, but I should however beg that the advance of said sums be made to me provisionally, until my return to Sydney, at the completion of my mission, when fuller and more detailed accounts will be submitted to the Honorable the Colonial Secretary.

I will now have the honor to refer you to the annexed special accounts, from which you will see that the expenditure made in Bordeaux on behalf of the Colony of New South Wales, up to the end of October, 1882, has reached the total amount of £760, the whole of which is actually paid, whilst I have only received £750 beyond exchange. The original estimates, which I have had the honor to submit to you on the 4th of July last, amounted *in toto* to £1,264. I see no reason for increasing that amount, which still appears to me quite sufficient, even with the slight increase which would result by my staying longer in Europe than was at first contemplated, provided you would approve of such increase.

With reference again to the expenditure incurred for the printing and publishing, as explained under the head of chapter 3, and the total amount of which is £214 in addition to the Exhibition estimates, I may perhaps suggest that, as the wine exhibitors must be the first to derive some benefit by the same, they should be called upon to contribute to the payment of these expenses, in proportion to the number of exhibits sent by each of them. I am desirous to know whether a small number of copies of "New South Wales in 1881" (French edition) should not be properly bound or half-bound for presentation to certain high personages in France and elsewhere, on behalf of the Colonial Government. As yet I have never been made aware of the intentions of the Honorable Colonial Secretary with respect to the book referred, further than to have it published, but I presume yourself or the Honorable the Agent-General may be able to direct me as to the use to be made of same in any special way.

I have also been provided from Sydney with a number of English Catalogues of our exhibits, and I intend to have these distributed in England, with a short list of the awards granted to New South Wales.

I have, &c.,

HENRY BONNARD,

Executive Secretary for the Colony of New South Wales at the Wines Exhibition, Bordeaux.

NEW SOUTH WALES.

General Accounts presented to the Hon. the Representative Commissioner for the Colony at the Bordeaux Exhibition, by the Executive Secretary.

CHAPTER 1.

Expenditure made from 1st May to 31st October, 1882, in accordance with Estimates dated July 4, 1882.

Paragraph 1.	Enclosing and building New South Wales Court—	f.
	Carde, contractor	625·00
„	2. Decorating, &c.—	
	H. J. Jouffre	210·00
	Arthus G. Lauriol	257·00
	Minguini	35·00
	Sainmartin	140·00
	Sanzé	300·35
		<hr/> 942·35
„	3. Printing, Stationery, &c.—	
	Augé Déville	817·25
	Sourand Valette	10·20
	L. Bossange	330·00
		<hr/> 1,157·45
„	4 & 5. Furniture for inner and outer rooms—	
	E. Cornette	360·00
	A. Vitton	6·00
	Paney	150·00
	Labelle	265·75
	Pascal Bonnard	136·00
		<hr/> 917·75
„	6. Cellar Furniture, Implements, &c.—	
	H. Kehrig	182·85
	Bacquez	47·00
	L. Pujol	32·25
		<hr/> 262·10
„	7. Analysis of Colonial Wines—	
	X. Servantie	250·00
„	8 & 9. Cellar-men, skilled labour, &c.—	
	Dugas and Dubosq	182·20
	Maisan and Blanchard	9·60
		<hr/> 191·80
„	10. Sundry accounts—	
	London steamer landing charges	239·48
	Cartage of exhibits, agency	93·00
	Customs entry, J. H. Tandomet Frères	13·15
	Fire insurance... .. .	58·65
		<hr/> 404·28
„	11. Petty cash expenses, 1st May to 30th June—	
	Manual labour and sundry	375·00
„	12. Petty cash expenses, 1st July to 31st October—	
	Clerical assistance and sundry	750·00
		<hr/>
	Total of expenditure in connection with the Wine Exhibition at Bordeaux up to the 31st of October, 1882, by the Executive Secretary	£235 0 6 = 5,875·73

CHAPTER 2.

Executive Secretary—	
Balance due on homeward passage	300·00
Railway fare to Bordeaux from Naples	125·00
Salary from 10th February to 30th April	1,416·65
Salary from 1st May to 31st October, 1882	6,000·00
Total	£815 0 0
	<hr/> 7,841·65

CHAPTER 3.

Publications, Printing, &c.—	
1st. "New South Wales in 1881": 1,000 copies, French... .. .	3,527·00
2nd. Notice on New South Wales: 400 copies in Spanish	550·00
3rd. 100 Maps and 500 Diagrams and Statistics, in addition to 1st and 2nd	100·00
Purchase of 2,000 copies of <i>Panthéon</i>	630·00
Purchase of 100 copies of <i>La Nature</i> , with engraving blocks of Exhibition Views	110·00
Postage stamps for distribution of French and Spanish pamphlets up to 31st October, 1882	400·00
Advertising for tenders in the <i>Exhibition Illustrated Official Journal</i>	25·00
Total	£214 0 0
	<hr/> 5,342·00

CHAPTER 4.

f.

Estimates of Expenditure, if approved, from 1st of November, 1882—	
1. Rent of ground and cellar from the Société Philomathique	1,250 00
2. Removing and clearing exhibits	1,250 00
3. Balance of p. 12, petty cash	500 00
4. Paragraph 13. Purchase of books, &c.	1,875 00
5. Paragraph 14. Visiting vineyards, &c.	2,500 00
6. Salary of Executive Secretary as proposed, from 1st of November, 1882, to 31st January, 1883	3,000 00
7. Salary of Executive Secretary for three months after starting on return journey, £20	1,500 00
8. Executive Secretary, passage money from Europe to Australia	2,000 00
Total... ..	£555 0 0
	<u>13,875 00</u>

CHAPTER 5.

1. General expenses of Sydney Committee as per report of <i>Sydney Mail</i>	2,520 00
2. Freight and insurance on exhibits from Sydney to Bordeaux <i>via</i> London (estimated)	1,250 00
3. Agent-General's expenditure in London (estimated)	1,250 00
Total... ..	£200 0 0
	<u>5,020 00</u>

RECAPITULATION of Total Expenditure proposed in connection with the Bordeaux Exhibition.

Chapter 1st—	£235 0 0	...	...	...	...	...	...	...	5,875 73
" 2nd—	315 0 0	...	...	...	...	...	...	...	7,841 65
" 3rd—	214 0 0	...	...	...	...	...	...	...	5,342 00
" 4th—	555 0 0	...	...	...	...	...	...	...	13,875 00
" 5th—	200 0 0	...	...	...	...	...	...	...	5,020 00
	<u>£1,519 0 0</u>	...	...	...	...	...	...	...	= <u>37,954 38</u>

BALANCE OF ACCOUNTS up to the 31st of October, 1882.

The Executive Secretary, in account with the Hon. the Agent-General.

Expenditure.

Accounts paid to 31st October, 1882—

Chapter 1st—	£235 0 0	...	...	...	...	...	...	...	5,875 73
" 2nd—	315 0 0	...	...	...	...	...	...	...	7,841 65
" 3rd—	214 0 0	...	...	...	...	...	...	...	5,342 00
Total ...	£764 0 0	...	...	...	...	...	...	...	= 19,059 38

Receipts.

By Draft on Paris—	£50 0 0	...	...	...	...	...	...	...	1,254 20
" Bordeaux—	100 0 0	...	...	...	...	...	...	...	2,515 00
" "	—300 0 0	...	...	...	...	...	...	...	7,530 00
" "	—300 0 0	...	...	...	...	...	...	...	7,560 00
Difference—	14 0 0 (less exchange)	...	...	...	...	...	...	...	...
Total received from Agent-General		...	...	...	...	...	...	...	18,859 20
Balance due to Executive Secretary		...	...	...	...	...	...	...	200 18
Total		...	...	...	...	...	...	...	= <u>19,059 38</u>

Bordeaux, November 4th, 1882.

HENRY BONNARD,
Executive Secretary for New South Wales.

The Agent-General to The Colonial Secretary.

Sir, 5, Westminster Chambers, Victoria-street, S.W., 23 February, 1883.

I have the honor to forward herewith copy of a Report that I have just received from Mr. Bonnard, the Secretary for New South Wales at the Bordeaux Wine Exhibition.

I regret that I have not time by this opportunity to make any comment in regard thereto, and send it to you at once.

I have, &c.,
SAUL SAMUEL.

Report presented by the Executive Secretary at the Bordeaux Exhibition.

To the Honorable F. M. Darley, Q.C., M.L.C., Representative Commissioner of the Government at the Bordeaux Exhibition, 1882, and to the Honorable Sir Saul Samuel, K.C.M.G., Agent-General for the Colony of New South Wales in London.

Honorable Sirs, 18 February, 1883.

I do myself the honor to report as follows, for your information, with reference to the clearing out of the exhibits connected with the recent Bordeaux Exhibition, sending herewith a statement of the expenditure up to this day, as well as of the sums received by this office.

I am now engaged preparing carefully a complete and extensive Report on the Bordeaux Exhibition, in its respects to our colonial wine industry, and I will also deliver shortly to each exhibitor a brief but qualitative report on each exhibit sent.

I, however, beg to be allowed to say at once that the conclusion I am arriving at is that the generous initiative taken by the Government of the Colony and the exhibitors in submitting the colonial wines to the Bordeaux Jury has had, to my mind, and to all those who have closely and intelligently watched the Exhibition, a result such as should give a great impulse to the cultivation of the vine in Australia. In a very few years it will prove a great benefit to the Colonies at large, and a certain source of very great profits to the colonists who will start at once extensive plantations; and if the Governments, the Agricultural Societies, and the colonists will join together in properly organizing and favouring the creation and cultivation of vineyards, either small or large, of nurseries in charge of well-selected men, in two or three parts of the territory, and by keeping well spread the knowledge and progress of all that refers to vine-culture, I humbly but firmly believe that in twenty years hence the vine-growing and wine-making industries of Australia must rivalize successfully in importance with wool-growing, however prosperous, even without necessarily producing superior fine wines, but simply good ordinary wines for general use, the demand for such being constantly and importantly increasing.

As it is, at this present time some of our colonial wines can hold their own very successfully against most of the exotic wines, and many of the European and even French wines. No doubt the great majority of our exhibits were not first-class wines, but the opinions I have been able to collect generally acknowledge a certain superiority in the New South Wales wines on those of neighbouring Colonies, more especially for business purposes.

The results obtained individually by our colonists have already been communicated to your honorable selves, and also telegraphed to Sydney by the care of the Colonial Press. I will therefore simply mention here that the general results to the Colony are, that out of 188 samples, of which 91 were of red wines and 97 of white wines, we have obtained—

	9 first classifications, all for red wines.	
20 second	“	of which 16 for red.
		4 “ white.
42 third	“	23 “ red.
		19 “ white.
60 fourth	“	24 “ red.
		36 “ white.
36 fifth	“	14 “ red.
		22 “ white.
20 sixth	“	4 “ red.
		16 “ white.
—		
187		

The members of the Jury were as careful, and perhaps more severe, than circumstances might have allowed, but it will be seen that the verdicts of the Jury have generally been confirmed by opinions obtained from other persons.

It is perhaps a matter of regret that the Société Philomathique did not think proper to provide more facilities than they did for comparing wines foreign to each other: and also, that that Société did not publish the valuable and numerous informations given by the exhibitors from many distant parts, in reply to the questions asked from them, at the time of their sending their exhibits.

The exhibits received from Sydney *via* London were, as per the records of the Bordeaux Customs House, 2,563 bottles of various samples, and 59 qr. casks and 4 barrels, equal to 6,804 litres, the whole of which is accounted for in the annexed Schedule, together with accounts of sales. 24 bottles, selected from the wines which obtained Gold Medals, have been reserved for the competition for the prize offered by the *Argus* proprietors: 436 bottles, including 112 bottles of foreign wines exchanged for ours, besides duplicate samples of the exhibits, are returned to Sydney at the request of the exhibitors: a quantity of (say) 500 bottles has been tasted by the general public, distributed by me amongst wine-merchants, sent in various parts of France, submitted to analysis, or offered at several public dinners. A number of bottles happened to be broken in the collar, and the contents of others were found unsound. In accordance with special instructions from J. Wyndham, Esq., a quantity of bottles and a few qr. casks were shipped to London, to his Agents, Messrs. Collyns & Co., of 5, East India Avenue, and I have also sent to the same firm thirteen dozens of Mr. G. Francis' wine, to be sold for the best of their owners' interests, and the proceeds of such sale to be paid over to the Hon. the Agent-General's Department, to be remitted to Mr. Francis by the Government.

I may well mention here that the exhibits, as a whole, remained sound and unaltered in casks, with two exceptions: one of these being white wines sent in small barrels.

The establishment of the Colony in Bordeaux in connection with the late Exhibition was definitely suppressed on the 31st of January, 1883, at which time the expenditure amounted to 26,189 f. 68, viz., £1,047 19s. 6d. stg.

The Bordeaux Office has received since the end of April, 1882, to the end of January, 1883, a total sum of 29,303 f. 10, viz., with proceeds of exchange, £1,172 10s. 6d. stg., including 25,155 f., or £1,006 4s. stg., from the Agent-General's Department, the balance being for refunds and proceeds of sales, &c., leaving therefore in my hands a sum of 3,113 f. 42, = £124 11s., which I am prepared to remit to the Hon. the Agent-General, should I be so instructed.

I consider that the exhibited wines in casks were sold at a very fair price, all things being considered, as they fetched the same value as many good wines of France. The samples sold in bottles were rather given away as so many advertisements of our wines than sold as a speculation, and it has not been possible to keep a precise record of each particular sample thus sold, the number of bottles being 300, and the sum about £16 stg., which should go towards the general expenses of the Exhibition.

The prices at which the wines in casks were sold were mostly those asked for by the owners, although in some cases they were under, and will I fear seem unsatisfactory to the proprietors: but it must be remembered that of all the wine markets in the world, Bordeaux is the best provided for in quantity, and the most difficult to please; and personally I thought it was much better for the colonists that their wines sent here for exhibition should be sold at a low rate than returned to the Colony or sent to England, as it must help to cause them to get more generally known in this country, without any sensible loss.

It should be mentioned here that, should any colonial wine merchant send his wines for sale to France, the shipment should be made direct, the Customs duty on entering in France being then 4 f. 50, about 3s. 6d. per hectolitre of 22 gallons, on wines of not over 15° French, viz., 26° Sykes, but in case of a simple transshipment in London or elsewhere, the wines on reaching France pay a duty of 80 f. 60, and such a trade should be started under some sort of Syndicate.

I have faithfully endeavoured, and believe I succeeded, to keep the general expenditure as low as was practicable, so that the original credit should not be exceeded. I trust the accounts I will have the honor to submit will be found in every way correct and reasonable. The money spent in publishing books must ultimately largely benefit the community, for it was judiciously spent.

I have sent to the Amsterdam Exhibition, for the N. S. Wales Court, two cases, one bag, and one parcel, containing a quantity of flags, coats of arms, framed maps, &c., the value of which I have fixed at £10, should be recovered from the Amsterdam's funds hereafter. A list of the several objects sent there is annexed.

I have not as yet made use, to its full extent, of the special credit granted for the purchase of books and for visiting vineyards.

With reference to this last part of my mission, I am very thankful for the official letter of recommendation the Hon. Sir Saul Samuel, K.C.M.G., was so kind as to provide me with, introducing me to Her Majesty's Consuls in France, Spain, and Portugal; however, I have been prevented from travelling as much as I desired, for several reasons, the most important of these being the very unfavourable weather. I had to delay starting on my journey to Spain until the season be a little more advanced, to be more certain of finding on their vineyards the classes of people from whom useful and complete information were desirable. Nevertheless I made the best of my time in the several districts of France round Bordeaux, and am now doing so in the districts of Champagne and Burgundy. I am desirous to proceed as far south as the Ermitage's vineyards, and to inspect the much spoken of plantations of American vines (intended to reconstitute the French vineyards) between Lyon and Marseille. I wish I could go round the Rhenish vineyards also; and I intend to take back with me seeds of every known variety of European and other vines, the importation of cuttings being prohibited. I would like circumstances to permit me to postpone my visit to Spain, and to return once more round the Bordeaux district, until the middle of the year; at the same time I have no desire to make my appointment last any longer than is reasonable or that is intended by the Sydney Committee. I am quite satisfied to abide by the decision to be given after delivery of my final report, as well as to conform myself to all the instructions I may be favoured with from the Government.

I shall be thankful to be informed whether I will be in order in spending the credit now remaining in my hands for the purpose of pursuing my travels, which amount could be deducted from the balance now in the hands of the Hon. the Agent-General.

With respect to inducements being offered to capitalists and working-men, acquainted and interested in vine-culture and wine-making, I am in a position to say that the generality of the people with whom I came in contact have always asked and learned with satisfaction, and that many newspapers have looked for with eagerness every information on the vine-producing capabilities of the Australian Colonies generally; at the same time I have been assured that numbers of people, especially from Burgundy, are contemplating bringing over eventually their capital and their industry to the Colonies; and I know also that numbers of small proprietors (wine-growers) could be induced to emigrate. But such decisions are not quickly taken by the people of this country, especially to go to parts far away, from which nothing is known, not always the very name itself; and I venture to take the liberty to say that the appointment of some Colonial Agent, residing on the Continent, under the supervision of the Hon. the Agent-General, would soon be productive to the Colony, in the way of immigration of people as well as of capital, of the same good results as the same is to the Dominion of Canada since the recent appointment of such a Colonial Representative in Paris by that Government. Facilities should also be provided for immigrants from the Continent being enabled to start for Australia without having first to put up with the expenses and the annoyances of a preliminary journey to London or Liverpool.

Before leaving Bordeaux I received from the Société Philomathique the Diplôme d'Honneur granted to the Colonial Government, also the several diplomas for gold, silver, and bronze medals of our successful exhibitors. I have not, however, received the medals, which will not be ready for some time.

I have also obtained delivery of the Diplôme d'Honneur granted to the Colonial Government for the map, photographic views of the Colony, statistical returns, official reports, and other publications issued from the Sydney Government Printing Office, and which were exhibited in the New South Wales Court at the Bordeaux Exhibition.

In

In return for several official documents relative to the Colony, offered to the Bordeaux Chamber of Commerce, I have been requested to receive and transmit a collection of its Reports since 1870 to the Library of the Chamber of Commerce of Sydney.

The Syndical Chamber of the Bordeaux Wine-growers and Merchants has adopted a resolution complaining of the high Customs duties charged on French wines entering in New South Wales, and requested Mons. Maurice Candonet and your Executive Secretary to call the attention of the Hon. the Representative Commissioner on the subject, so that he might represent the matter fully to the Colonial Government, with a view to obtain a reduction of those Customs duties—if not upon all wines, at least upon those introduced in casks, as being generally wines inferior in quality to those imported in bottles, and therefore more likely to become in general use, as of first necessity, amongst the most numerous parts of the population.

The Academy of Fine Arts, Sciences, and Literature, of Bordeaux, has entrusted me with a valuable and voluminous collection of its scientific and learned reports, to be presented to the Royal Society of New South Wales; and the Archivist (Professor Raulin) was good enough to add a few fossils from the surroundings of Bordeaux, for the Sydney Museum.

The National Museum of Natural History, in Paris, has, in response to an application from me, especially prepared a collection of 200 specimens of reptiles, batrachians, and fishes, to be presented also to the Sydney Museum.

I have been promised, by a learned gentleman at the head of a scientific Society of Reims, taking great interest in the progress of viticulture, a collection of specimens of the diseases of the vines known about the district, and of insects destructive of same; such collection to be offered to the Agricultural Society of New South Wales, so as to better enable information to be gained, or comparisons to be made, *de visu*, by all interested parties.

I shall feel very happy, if before my departure from Europe, on my return journey to the Colonies, circumstances will allow me to secure other collections of interest for the benefit of the public and other institutions of New South Wales.

I have not yet had the honor to present the two large photographic albums of Colonial Views which the Hon. F. M. Darley intended to be offered to the President and to the Prime Minister of the Republic. I am very anxious to do so at an early date, but I should like to be provided first with letters from the Hon. the Agent-General of the Colony at the time of remitting these albums. I have reasons to believe Mr. L. Sentis, late Consul-General of France, many years residing in Sydney, would kindly assist me in the presentation of the volumes referred to. I will deem it a special favour to be honored with an early reply on this particular point.

I respectfully beg to state here, with reference to the Amsterdam Exhibition, that I am informed the Commission in Sydney has recommended me for appointment by the Government as Executive Secretary at Amsterdam. This information causes me to hesitate to travel far away from my present residence, for fear some news should reach me, either direct or through the Department of the Hon. the Agent-General, by every incoming mail steamer, with reference to the said Exhibition, in consequence of which I should be expected to proceed at once to Amsterdam. Should not, however, the Government deem proper to act upon the above recommendation in my favour, I would like to make the necessary arrangements for starting back to Sydney during March next; and, as I have to conclude several business matters, which I am willing to postpone if I am to go for the Colony at Amsterdam, provided I receive due notice in good time, may I be permitted to suggest that, should not any information be received by the mail due from Sydney on the 27th of February, a cablegram be sent by the Hon. the Agent-General's Department.

I have, &c.,

HENRY BONNARD,

N.S. Wales Executive Secretary at the Bordeaux Exhibition, 1882.

Poste Restante, Reims, France.

EXHIBITS AT BORDEAUX.

Quantities received—Samples in Bottles (2,563 bottles).

Disposed of as follows:—

Quantities for the Jury	...	...	...	...	...	600
Samples returned to Sydney	...	...	...	...	...	300
" claimed by Mr. Fallon	...	...	...	...	...	24
" " Mr. Terrier and Mr. Kay	...	...	...	...	...	50
" " Mr. J. Wyndham	...	...	...	...	...	240
" offered to the Lottery of Exhibition	...	...	...	...	...	86
" " Representat of Spain	...	...	...	...	...	140
" exchanged and taken to Sydney	...	...	...	...	...	112
" reserved for <i>Argus</i> prize...	...	...	...	...	...	24
" sent to Agent-General	...	...	...	...	...	36
" Wyndham, used for new wines	...	...	...	...	...	96
" " sold	...	...	...	...	...	24
" general, sold to the public	...	...	...	...	...	300
" tasted by general public, &c.	...	...	...	...	...	531
						2,563 bottles

Quantity received in Casks, as per Bordeaux Customs records (6,804 litres).

How disposed of:—

		litres	litres
J. Wyndham, 2,640 litres of which sold 24 qr. casks	...	1,709	} 2,640
returned	...	840	
ullage	...	91	
J. Kelman, 1,650 litres, of which sold 15 qr. casks	...	1,544	} 1,650
ullage	...	106	
J. Davies, 1,080 litres, of which sold 9 qr. casks	...	1,017	} 1,080
ullage	...	63	
A. Munro, 480 litres, of which sold 4 qr. casks	...	446	} 480
ullage	...	34	
2 qr. casks Stephen, 240 litres, of which sold	...	240	} 504
Fallon, 504 litres, of which sold 4 qr. casks	...	493	
ullage	...	11	
4 barrels ... Murray, 100 litres, of which lost	...	100	100
1 qr. cask G. Francis, 110 litres, of which returned	...	110	110
Total	...		6,804 litres.

I certify this to be a correct statement,—

HENRY BONNARD,
N. S. Wales Executive Secretary.

LIST of Goods sent from Bordeaux to the Amsterdam Exhibition.

Case A.....	1 Coat of Arms of England.
	1 large size, 4 small size, Colonial Coats of Arms, 2 Colonial Shields.
	2 framed lists of exhibitors, 2 framed posters, New South Wales Wines.
	2 maps—maps of New South Wales (French), 150 posters New South Wales Wines.
	12 copies of "New South Wales in 1881"—French edition.
	25 " " English "
	25 " " Spanish pamphlet.
	50 copies of <i>Panthéon de l'Industrie</i> .
	12 " <i>La Nature</i> .
	18 boards with painted names of Wine Exhibitors.
Case B.....	3 framed Statistical Reports of New South Wales in French.
	3 " diagrams of Population.
	A quantity of Blue Books, 1880.
	" Statistical Register, 1880.
	" Reports on Sydney Drainage.
	" Reports on Country Towns Drainage.
	" Registry of Letters Patent of Inventions, 1880.
	" Reports on Railways and Tramways, 1880.
	" Reports from Department of Mines, 1880.
	" Mammifères (illustrated) of Australia.
	" of small Colonial official publications (Government Printer).
	" copies of <i>La Nature</i> —and <i>Panthéon de l'Industrie</i> .
	" "New South Wales in 1881"—French and English.
	" Spanish pamphlet on New South Wales.
Canvas bag....	1 English and 2 Colonial large size Flags.
	3 Colonial small Flags.
Parcel	— Photographic Views of Sydney Town Hall—Colonial Secretary's Office.

HENRY BONNARD,
New South Wales Execut. Secretary,
Bordeaux Exhibition, 1882.

18th February, 1883.

5. Wines sold on account of Al. Munro, Esq. :—		f.	c.	f.	c.
120 litres red wine, at 80f. l'hectolitre ...	...	96	00		
120 „ red wine.	...				
174 „ white wine.	...				
294 „ of wine, at 56f. 40 l'hectolitre ...	...	165	81		
82 „ of deposit—dregs ...	...	6	00		
Total creditor	...			267	81
6. Wines sold on account of — Stephen, Esq. :—					
120 litres vin rouge, at 80f. l'hectolitre...	...	96	00		
120 „ vin blanc, at 56f. 40 l'hectolitre	...	67	68		
Total creditor	...			163	68
7. Wines sold on account of J. T. Fallon, Esq. :—					
126 litres red wine, at 50f. l'hectolitre ...	...	63	00		
367 „ „ „ at 41f. 40 l'hectolitre	...	151	93		
Total creditor	...			214	93

RECAPITULATION of Accounts of Sales of Wines exhibited at Bordeaux, 1882, by the Executive Secretary for New South Wales.

Accounts Creditor.	French Money.		English Money.		
	f.	c.	£	s.	d.
1. John Wyndham, Esq. ...	1,143	02	45	14	6
2. J. Kelman, Esq. ...	826	52	33	1	0
3. G. Francis, Esq. (<i>pro forma</i>) ...	.....		0	1	0
4. J. Davies, Esq. ...	579	76	23	3	10
5. A. Munro, Esq. ...	267	81	10	14	0
6. — Stephen, Esq. ...	163	68	6	11	0
7. — Fallon, Esq. ...	214	93	8	12	0
8. A quantity of samples, 300 bottles	390	40	15	11	0
E. & O. E. Total	3,586f.	12	£143	8	4

I hereby certify the above to be a correct statement.

18 February, 1883.

HENRY BONNARD,
N. S. Wales Executive Secretary at the Bordeaux Exhibition, 1882.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REDFERN ESTATE.

(COPY OF GRANT, AND TRACING.)

Ordered by the Legislative Assembly to be printed, 6 March, 1883.

[Laid upon the Table in accordance with promise made in answer to Question 13, Votes No. 24, Tuesday, 6 March, 1883.]

COPY of Grant of 100 acres of Land in the parish of Alexandria, county of Cumberland, together with Tracing.

100 acres.

Memo.—This Grant includes one originally granted to Wm. Roberts, which is hereby cancelled.

UNTO William Redfern, Esq., his heirs and assigns, to have and to hold for ever, one hundred acres of land, lying and situate in the district of Sydney, bounded on the north by a west line of thirty chains, commencing at the south-west corner of the Surry Hill farm; on the west by a south line of thirty-four chains; on the south by an east line of thirty chains; and on the east by a north line of thirty-four chains, passing through the Swamp; to be called _____, conditioned not to sell or alienate the same for the space of five years from the date hereof, and to cultivate twenty acres within the said period; and reserving to Government the right of making a public road through the same; and also reserving for the use of the Crown such timber as may be deemed fit for naval purposes. Quit rent, two shillings.

In testimony, &c., this 8th day of October, 1816.

(Signed) L. MACQUARIE. (L.S.)

Witnessed by—

H. C. ANTILL.
JOSEPH COWGILL.

Registered in Secretary's Office, Sydney, 20th June, 1817.

JNO. THOS. CAMPBELL,
Secretary and Registrar.

I CERTIFY the foregoing to be a true copy of the entry or copy of the original Deed of Grant from the Crown, kept as of record or for public or official purposes in the office of the Registrar-General of the Colony of New South Wales.

E. G. WARD,
Registrar-General.

Registrar-General's Office,
Sydney, 5th March, 1883.

[Tracing.]

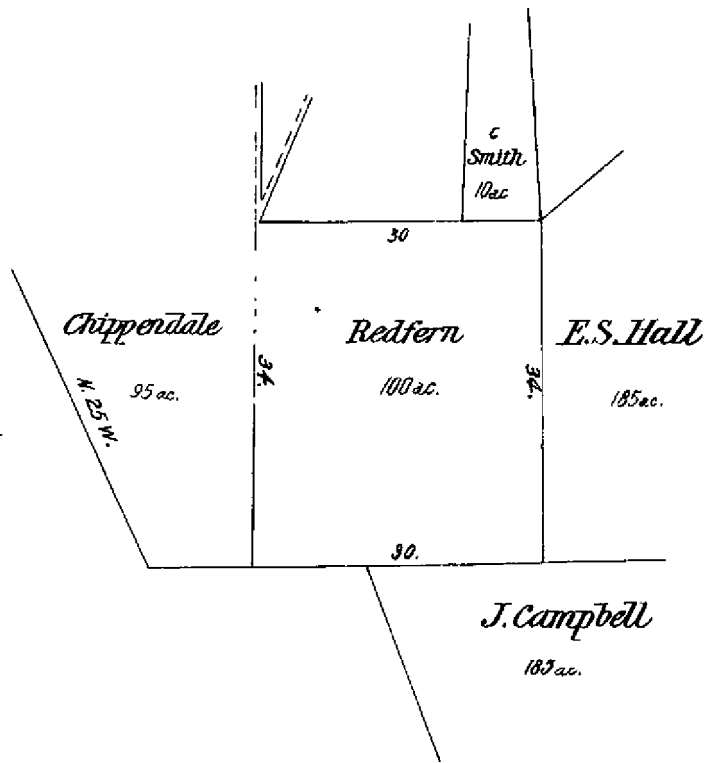
PLAN

showing the boundaries of Redfern's 100ac grant

Parish of Alexandria,

C^o Cumberland.

Scale of Chains.



(Sig 206-)

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REAL PROPERTY INDEX.

(AMOUNT EXPENDED IN REMODELLING.)

Ordered by the Legislative Assembly to be printed, 10 April, 1883.

[Statement in answer to Questions asked by *Mr. Abigail, M.P.*, in the Legislative Assembly, on the 5th April, 1883.]

(3.) Real Property Index :—Mr. Abigail asked the Colonial Secretary,—

- (1.) The amount expended during the last five years in remodelling the Real Property Index?
- (2.) By whom was the work performed?
- (3.) What position do they hold in the Government Service?

Mr. Stuart answered,—I have given instructions for the preparation of this information; but as it will take some days to prepare, I must ask the Honorable Member to wait until next week, when I shall be able to lay a Return upon the Table giving the desired information.

Year.	Amount of Vote.	Names and positions of those employed.
1878	£ s. d. 300 0 0	J. B. Duff, Deputy Registrar-General; Messrs. Gillam, J. Duff, and Yarnton, Clerks.
1879	400 0 0	J. B. Duff, Deputy Registrar-General; Messrs. Gillam, J. Duff, Yarnton, and Abbott.
1880	400 0 0	J. B. Duff, Deputy Registrar-General; Messrs. Gillam, J. Duff, Yarnton, and Abbott.
1881	400 0 0	J. B. Duff, Deputy Registrar-General; Messrs. Gillam, J. Duff, and Yarnton.
1882	400 0 0	J. B. Duff, Deputy Registrar-General; Messrs. Gillam, J. Duff, Yarnton, and Cooper.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GLASS-WORKS, CAMPERDOWN.

(COPY OF PETITION CALLING ATTENTION TO NUISANCE FROM.)

Ordered by the Legislative Assembly to be printed, 8 March, 1883.

Kingston, Camperdown, 1 January, 1883.

To Edmund Fosbery, Esq., Inspector-General of Police,—

Sir,

We, the undersigned residents, property and householders, desire to respectfully bring under your notice the existence of a nuisance in Australia-st., in Kingston ward, Borough of Camperdown. Such nuisance consists in the emission of large and dense volumes of smoke from a glass-works (the proprietor of which is named Joseph Ross), to the injury of the health as also the comfort of the residents of the said borough.

Your Petitioners would respectfully draw your attention to the fact that the Municipal Council of Camperdown took legal steps against the said Joseph Ross, and that on the 6th day of September last he was fined the sum of 40s. at the Newtown Police Court by the Stipendiary Magistrate (W. Crane, Esq.), and allowed till the 1st day of November, 1882, to abate the nuisance complained of, and from that time to the present the nuisance has if anything increased; and further, this state of things is the same on the Sabbath Day. And your Petitioners, in duty bound, would ever pray that as this has been proved to be a nuisance, and for the good and dutiful obedience of the laws of our beloved and respected Queen, Her Gracious Majesty Victoria, we her dutiful subjects respectfully submit that ourselves and families should be, as well as the laws of the land of our adoption, protected; and we your Petitioners respectfully pray that you will be pleased to take such steps as may cause an abatement of the hereinbefore mentioned nuisance:

P. F. Jentsch, freeholder, St. Mary-st.
S. T. Burcher, freeholder, Denison-st.
Joseph N. Gannon, freeholder, Regent-st.
F. H. Briggs, freeholder, St. Mary-st.
G. T. Miinster, St. Mary-st.
Geo. Bran, Wellington-st.
John Robertson, Bishopgate-st.
W. Le Bromt, St. Mary-st.
E. Sanbrook, freeholder, Ross-st.
W. J. Knight, resident, Ross-st.
John Sanbrook, freeholder, Ross-st.
George Wade, freeholder, Denison-st.
Henry H. Sanbrook, Denison-st.
George Foster, Denison-st.
Thomas Upton, Australia-st.
Thomas B. Boyce, Australia-st.
Charles Wheeler, freehold, Denison-st.
Frederic Wheeler, freeholder, Denison-st.

T. A. Sheeley, freeholder, Denison-st.
Fred. J. Sanbrook.
Augustus Jentsch, freeholder, St. Mary-st.
J. W. Symons, freeholder, Australia-st.
Joseph Howarth, freeholder, Australia-st.
Robt. Jones, St. Mary-st.
John Sargeant, freeholder, St. Mary-st.
Chas. Mayes, C.E., freeholder, St. Mary-st.
E. A. Mayes, St. Mary-st.
J. R. Yorke, householder, St. Mary-st.
C. W. Schwenk, freeholder, St. Mary-st.
J. G. Browne, freeholder, St. Mary-st.
R. Formby, Wellington-st.
F. W. Johnson, household, Denison-st.
Joseph Smith, freeholder, Regent-st.
Eppo Janssen, householder, Denison-st.
Shran Cleland, householder, Denison-st.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND BOILERS' INSPECTION BILL.

(MESSAGE No. 13.)

Ordered by the Legislative Assembly to be printed, 20 February, 1883.

AUGUSTUS LOFTUS,
Governor.

Message No. 13.

In accordance with the provisions contained in the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a "Bill for the Inspection and Regulation of Steam Boilers employed on Land and for other purposes in connection therewith."

*Government House,
Sydney, 20 February, 1883.*

1883.

NEW SOUTH WALES.

SYDNEY BRANCH ROYAL MINT.

(DESPATCH.)

Presented to Parliament by Command

The Treasury, New South Wales, 5 February, 1883.

His Excellency the Governor directs the publication, for general information, of the following Despatch from the Secretary of State for the Colonies, transmitting a copy of a Report in connection with the Sydney Branch of the Royal Mint.

GEORGE R. DIBBS.

The Secretary of State for the Colonies to The Officer administering the Government of New South Wales.

(New South Wales, No. 108.)

My Lord,

Downing-street, 8 November, 1882.

I have the honor to submit to you, for the information of your Government, the document specified in the annexed Schedule.

I have, &c.,

KIMBERLEY.

Sydney Mint.

FORTY-NINTH Report, addressed to the Lords Commissioners of Her Majesty's Treasury, on the weight and fineness of gold coins struck at the Sydney Branch of the Royal Mint, and transmitted by the Deputy Master for examination, in accordance with the provisions of Her Majesty's Order in Council of 19th August, 1853.

PIECES taken without preference by the Colonial Treasurer at the deliveries of the Sydney Mint :—

Half-year ending--	Denomination of Coin.	Number of pieces.	Total weight.	Average weight of a piece.	Average proportion of gold in 1,000 parts.
31 December, 1881	Sovereigns.....	134	oz. 34·413	oz. ·2568	916·635
	Half-sovereigns	14	1·797	·1283	916·65
30 June, 1882	Sovereigns	149	38·261	·2567	916·652
	Half-sovereigns	12	1·541	·1284	916·658

The standard weight of the Sovereign is oz. 0·25682, and of the half-sovereign oz. 0·12841, and the standard fineness (in 1,000 parts) is 916·666.

Royal Mint, 31st October, 1882.

C. W. FREEMANTLE,
Deputy Master and Comptroller.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

FEEES UNDER THE COMPANIES ACT.

(DISTRIBUTION OF, &c.)

Ordered by the Legislative Assembly to be printed, 14 February, 1883.

STATEMENT of Fees under the Companies Act, 37 Vic. No. 19, assented to 18 June, 1874, and of the distribution of the same.

Years.	Fees. Total amount.	Paid to Consolidated Revenue.	Paid to E. G. Ward, Esq., Reg.-Genl.	Paid to J. B. Duff, Esq., Dep. Reg.-Genl.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1874	10 5 0	3 8 4	3 8 4	3 8 4
1875	158 5 0	52 15 0	52 15 0	52 15 0
1876	82 0 0	27 6 8	27 6 8	27 6 8
1877	208 5 0	69 8 4	69 8 4	69 8 4
1878	293 0 0	97 13 4	97 13 4	97 13 4
1879	199 0 0	66 6 8	66 6 8	66 6 8
1880	309 10 0	103 3 4	103 3 4	103 3 4
1881	401 5 0	133 15 0	133 15 0	133 15 0
1882	939 15 0	313 5 0	313 5 0	313 5 0

NOTE.—This gives a yearly average of £96 6s. 10d. to each of the above-named officers for the nine years that the Companies Act has been in force (1874–1882).

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

FIRE BRIGADES BILL.

(MESSAGE No. 12.)

Ordered by the Legislative Assembly to be printed, 6 February, 1883.

AUGUSTUS LOFTUS,
Governor.

Message No. 12.

In accordance with the provisions contained in the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision to meet the requisite expenses in connection with a Bill to make better provision for the protection of Life and Property from Fire.

*Government House,
Sydney, 31st January, 1883.*

1883.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

THE EGYPTIAN WAR.

(DESPATCH RESPECTING TERMINATION OF.)

—
Ordered by the Legislative Assembly to be printed 17 January, 1883.
 —

The Secretary of State for the Colonies to His Excellency the Governor.

(New South Wales, No. 97.)

My Lord,

Downing-street, 29 September, 1882.

I have laid before the Queen your telegram of the 21st instant, conveying the congratulations offered to Her Majesty by the Legislative Houses of New South Wales on the successful termination of the War in Egypt.

I am commanded to inform you that the Queen is much gratified at receiving these loyal and kind congratulations, and to request that you will convey to the Legislative Houses of New South Wales an expression of Her Majesty's thanks.

I have, &c.,

KIMBERLEY.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE LATE DR. LEICHHARDT.

(ACKNOWLEDGMENT OF £500, AND FURTHER APPLICATION FOR ASSISTANCE FROM THE SISTER OF.)

Ordered by the Legislative Assembly to be printed, 6 February, 1883.

Widow H. Schmalfuss to Sir Henry Parkes, K.C.M.G.

(Translation.)

Much Honored Sir,

Landow, near Cottbus, 7 December, 1882.

My letter of thanks of April you will probably have received, and seen from it how happy your kind present has made a family which was in danger of losing house and home [court-yard]. The good God will bless the noble givers for it. This present gave me double pleasure, for I saw by it that the sacrifice, trouble, and dangers of my not-to-be-forgotten brother were recognized, and if even the darkness about him has not yet been made light, he has sacrificed his life and work for the benefit of the land; and that people there having reached that conviction, have resolved to hand to his old sister living in poverty, as a recognition of his services, a support which makes her old age free from care.

With confidence I address myself to-day to you, noble sir, to beg for further help, for the £500 sent to me a year ago only just sufficed to save from sale our ground property [real estate]. As I now lived firmly in the hope that this sum was only paid for the greatest necessity, and I should receive more, I put myself under an obligation [pledged myself] to the creditors until April 1st, 1883, to give a payment on account; with our daily hard work, and high interest [rent], we can have nothing over; therefore forgive me, an old woman much worn from grief and care, when I beg for your kind mediation with regard to a second assistance. I recall, at the same time, the high worth [deserts] of my beloved brother, who certainly, if he had returned from his journey, would have been richly rewarded [presented]. He praised in each of his letters the generosity and liberality of the Government there, as also of the people. If you, in your high position, speak for me, and depict my sad condition, then may I hope that my Petition will not have been sent over the ocean in vain.

May I also add the request to let me have news of the discovery of the effects of my brother—his diary, &c., also letters, and his sad end—in case you should already know anything further about it. I should much wish to get to know of his last work and sad end.

I take leave [sign myself] with all respect and submission,—

WIDOW HENRIETTA SCHMALFUSS,

Born Leichhardt.

1883.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—
STEPHEN MURPHY.

(PETITION OF.)

—
Received by the Legislative Assembly, 12 April, 1883.
 —

To the Honorable the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of Stephen Murphy, of No. 20, George-street, Waterloo, near Sydney, in the Colony of New South Wales, railway employé,—

SHOWETH :—

1. That your Petitioner was arbitrarily expelled from the Loyal United Brothers Lodge, No. 3,592, Independent Order of Oddfellows, Manchester Unity, contrary to the registered rules of said Society, for standing up for the good and welfare of the Lodge and inquiring, by notice of motion in open Lodge, what became of the amount of £9 19s. 6d., Lodge funds, paid over by himself and succeeding Noble Grand of the Lodge for the year 1879.

2. That such arbitrary expulsion was sanctioned by the District and Board of Directors (the Courts of the Order), contrary to the registered rules of said Society and 14th section Friendly Societies Act.

3. That your Petitioner, through said arbitrary expulsion, was deprived of his interest in said Lodge of £200, fifteen years' contributions, and all benefits of Society for self and family in case of sickness, accident, or death—he being at the time a past officer holding the highest degrees of merit from said Lodge.

4. That your Petitioner took his case to the Sydney District Court, on Sir G. Long Innes's written opinion that, if the dispute in the Lodge in reference to the funds was not decided in the manner directed by the rules of the Society, he could successfully apply for redress, and to compel the officers of the Lodge to allow him to use it as before for its benefits.

5. That your Petitioner's case was heard on 23rd June, 1881. The Lodge Minute-book, to prove that the dispute was not settled in the manner directed by the rules of the Society, was not produced in Court. The presiding Judge gave a verdict for a sum of money in lieu of the order, which verdict is recorded in the District Court Judgment Book, under date of 23th of June, 1881,—your Petitioner being registered as defendant instead of plaintiff.

6. That your Petitioner's case is also entered as a *nonsuit*, under date of 2nd of June, 1881, twenty-two days before it was heard.

7. That through such tampering with the records, your Petitioner has been persecuted, vilified, and slandered, and denied natural justice and the benefit of the genuine verdict in his favour. The costs of the cause *Murphy v. Loyal United Brothers Lodge the Manchester Unity* has already paid, as the Court books, which your Petitioner's wife can identify upon oath, will prove, but which the Court officials refuse to produce, as also do the Minister of Justice and the Government, to each of whom your Petitioner has complained.

8. That your Petitioner's papers are before the House, No. 392A, by the late William Forster, Esq., M.L.A., and your Petitioner has filed affidavit in the Supreme Court that he was arbitrarily turned out of said Society contrary to the rules, and that the verdict is recorded in his favour as defendant, which fact the Registrar of the District Court has substantiated by affidavit, filed in the Supreme Court on 2nd of March, 1883.

Your Petitioner, therefore, most humbly and respectfully prays your Honorable House to take his case into your favourable consideration, and grant to your Petitioner the justice which the nature of your Petitioner's case may demand.

And your Petitioner will ever pray, &c.

Dated at Sydney, this 10th day of April, A.D. 1883.

STEPHEN MURPHY.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

JAMES GARDNER.
(PETITION OF.)

Received by the Legislative Assembly, 1 March, 1883.

To the Honorable the Speaker and Members of the Legislative Assembly, in Parliament assembled.
The humble Petition of James Gardner, of Wentworth Wharf, Darling Harbour,—

HUMBLY SHOWETH:—

That about the end of October, 1878, your Petitioner, being the lessee of the said wharf and adjacent lands, upon which he had erected five lime-kilns, at an outlay of nearly one thousand pounds (£1,000), for the carrying on of his lime business; and your Petitioner begs to make known that the Government dredge, at the time above-mentioned, came and made fast their anchors and chains on my wharf, tearing and destroying my kilns, and further, kept taking away the land in front of my sea-wall. Though I cautioned and stopped them they again resumed their work against my will during my absence, and undermined the foundation of the sea-wall and kilns, so that the wharf in front of said sea-wall and kilns burst in front and allowed the tide to flow in and out of the kilns, and destroyed the whole of my lime and burst the kilns, leaving them perfectly useless.

Your Petitioner was at the time the principal lime merchant in the city, having some of the best contracts in hand, and had proved so by having five prizes and medals from our Colonial Exhibitions. I repeatedly cautioned the men not to come nearer than 20 feet. When I saw the damage that was done—the wall and wharf cracking before their feet—I called the captain's attention to it. He told me he would see and get something done to prevent it from falling. A week transpired and nothing done, and then down fell the wall and the wharf. I then saw the captain again and pointed out the damage done. He asked me to go with him to the Harbours Department. I went with him; he reported the circumstances. They asked me to sign a requisition and they would give me stone, a punt, and steamer to tow it round, if I would find labour to make it good. I replied that I was not in a position to do so, as it would take four or five hundred pounds to make it good. I had exhausted all my means in erecting the kilns and a home for myself at Woollahra. Through having to borrow money to complete my buildings at the above place. My profits were, at the time my kilns were destroyed, £30, which was amply sufficient to carry on my buildings without being obliged to borrow; and, worse than all this, my family was driven on the streets and my own constitution undermined, which is well known to my public friends and many Members of your Honorable House. I have now no means of subsistence, and applied repeatedly for occupation from the Government to enable me to get an honest living without success. All this trouble has been brought upon me through my political zeal some five or six years since.

Your humble Petitioner trusts that your Honorable House will, in consideration of my heavy losses, grant me a fair and sufficient compensation, and while this is under consideration grant me some employ to enable me to maintain my remaining family, consisting of myself, wife, and three young girls.

I have waited sixteen times, by appointment, on Sir Henry Parkes without avail; this shows the feeling that existed against me in the past Government.

As regards my correspondence on this subject the answers have invariably been, "Bring your action; we will defend it," which I declined to do, not being in a position, and considering the proper place of appeal was your Honorable House.

Your humble Petitioner prays for your favourable consideration of this case, and will ever pray.

JS. GARDNER,
Jones-street, Ultimo.

1883.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WALKA RESERVOIR.
(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 12 April, 1883, A.M.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 14th March, 1883, That there be laid upon the Table of this House,—

- “ (1.) Copies of all correspondence between the Minister for Public Works and the Department of Harbours and Rivers, respecting tenders received on or about 23rd January, 1883, for the Walka Reservoir, filtering-tanks, &c., in connection with the Hunter River water supply.
- “ (2.) The names of the parties who, in compliance with the conditions of the Department, deposited the sum of £200 with their tenders.
- “ (3.) The names of the parties, if any, tendering who failed to pay the said sum of £200 as required by the conditions.
- “ (4.) Copies of all communications which have taken place between the Minister for Public Works and the Harbours and Rivers Department, and the parties who have tendered for the said reservoir, filtering-tanks, &c., in compliance with the usual conditions or otherwise.”

(Mr. Olliffe, for Mr. Brunker.)

SCHEDULE.

(These documents comply with Orders 1 and 4.)

NO.	PAGE.
1. Engineer-in-Chief for Harbours and Rivers to Under-Secretary for Works, recommending that tenders be invited for Walka Reservoir and works. 12 December, 1882	3
2. Under-Secretary for Works to Engineer-in-Chief for Harbours and Rivers, enclosing eight tenders received for above, and calling for report thereon. 23 January, 1883.....	3
3. Greig & Monday, Armidale, to Under-Secretary for Works, sent deposit on tender by A.J.S. Bank. 23 January, 1883	16
4. Greig & Monday, Armidale, to Under-Secretary for Works, wire result of tender. 27 January, 1883.....	16
5. Engineer-in-Chief for Harbours and Rivers to Under-Secretary for Works, returning tenders and schedule, with report thereon. 29 January, 1883.....	16
6. Greig & Monday, Armidale, to Under-Secretary for Works, reply who is successful tenderer. 31 January, 1883.	16
7. Under-Secretary for Works to Greig & Monday, matter of tenders has not yet been decided upon. 6 February, 1883	16
8. Secretary for Works—Clarke Wylie & Co.'s tender, to be accepted conditional on their paying deposit. 7 February, 1883	16

NO.	PAGE.
9. Under-Secretary for Works to J. Clarke Wylie & Co., as tender did not contain preliminary deposit of £200, this should be done at once, in order that offer may be taken into consideration. 9 February, 1883.....	17
10. T. A. Bourke, Wallsend, to Engineer-in-Chief for Harbours and Rivers, to return cash deposit of £200 if he is not successful tenderer. 15 February, 1883	17
11. J. Clarke Wylie & Co., to Under-Secretary for Works, that matter of deposit stand over for three or four days. 16 February, 1883	17
12. J. Clarke Wylie & Co., to Under-Secretary for Works, enclosing Treasury receipt for £200, being deposit on tender. 20 February, 1883	17
13. Mason Bros. to Under-Secretary for Works, stopped payment of cheque for £200, that J. Clarke Wylie & Co. received from them to deposit in Treasury. 21 February, 1883	17
14. Accountant, Bank of New South Wales, to Paymaster, Treasury—cheque for £200 drawn by Mason Bros. on Oriental Bank, presented for payment and returned, is now charged to Treasury Account. 21 February, 1883.	18
15. Under-Secretary for Finance and Trade to Under-Secretary for Works, informing Mason Bros' cheque for £200 has been returned, payment having been stopped—Clarke Wylie & Co. informed. 23 February, 1883.	18
16. Secretary for Works—as Clarke Wylie & Co. have not complied with terms of advertisement <i>re</i> deposit accept next lowest tender. 24 February, 1883	18
17. Secretary for Works—memo. for Mr. Moriarty and other heads of Branches, unless a Bank deposit accompanies each tender such tender should not be accepted or dealt with. 24 February, 1883	18
18. J. Clarke Wylie & Co. to Under-Secretary for Finance and Trade, will deposit £200 as requested. 26 February, 1883	18
19. Secretary for Works, to get rid of complications in this case think it desirable to call for fresh tenders. 5 March, 1883.....	18
20. W. Wakeford—memo. received by Colonial Secretary complaining of injustice done to <i>bond-fide</i> contractors by reason of Government having considered a tender which was informal, through not complying with terms of conditions as to deposit. 9 March, 1883	19
21. Crown Solicitor to Under-Secretary for Works, memo. in reference to Clarke Wylie & Co.'s tender. 13 March, 1883	19
22. Under-Secretary for Works to John Robb—as fresh tenders have been invited, amount of deposit will be paid upon application at Treasury. 16 March, 1883	19
23. Under-Secretary for Works to George Blunt—as fresh tenders have been invited, amount of deposit will be paid upon application at Treasury. 16 March, 1883	19
24. Under-Secretary for Works to J. Brooks & Co.—as fresh tenders have been invited, amount of deposit will be paid upon application at Treasury. 16 March, 1883	20
25. Thos. Brooks & Co. to Under-Secretary for Works, for a refund of £200 deposit which accompanied his tender. 16 March, 1883	20
26. T. A. Bourke to Secretary, Harbours and Rivers Department, again requesting repayment of £200 deposited with tender. 17 March, 1883	20
27. T. A. Bourke to Engineer-in-Chief for Harbours and Rivers, to give orders for payment of his cash deposit of £200. 20 March, 1883	20
28. Assistant-Secretary, Bank of New South Wales, to Colonial Treasurer—Mason Bros' cheque for £200 still remains unpaid, and at debit of Government Account. 21 March, 1883.....	21
29. Under-Secretary for Works to Under-Secretary for Finance and Trade, forwarding deposit receipt for £200, to be refunded to Bank of New South Wales for dishonored cheque. 31 March, 1883.....	21
30. Thomas Brooks to Under-Secretary for Works, amount of deposit with his tender to be placed to his credit without further delay. 3 April, 1883	21
31. Under-Secretary for Finance and Trade to Engineer-in-Chief for Harbours and Rivers, returning papers in reference to Mason Bros' cheque for £200 for which payment was stopped. 9 April, 1883	21

WALKA RESERVOIR.

No. 1.

The Engineer-in-Chief for Harbours and Rivers to The Under-Secretary for Works.

Department of Public Works, Harbour and Rivers Branch, Sydney, 12 December, 1882.

PLANS and specifications having been prepared for the above work, I beg to recommend that tenders be invited for the work, to be opened on the 23rd of January, 1883.

E. O. MORIARTY,
12/12/82.

Approved.—J.L., 12/12/82. Hrs. & Rivers.—J.R., B.C., 13-14/12/82.

No. 2.

The Under-Secretary for Works to The Engineer-in-Chief for Harbours and Rivers.

Sir,

Department of Public Works, Sydney, 23 January, 1883.

The tenders, eight in number, for the work specified in the margin, are referred to you for report, and you will have the goodness, as early as possible, to return them to me direct, for submission to the Minister.

I have, &c.,

Amount voted, £250,000. Amount of tender, Schedule rates. Construction of reservoir and works at Walka, Hunter River water supply.

No. 1.

FORM OF TENDER.

HUNTER RIVER DISTRICT WATER SUPPLY.

Walka Reservoir, Tanks and Filter-beds.

Contract No. 5.

22 January, 1883.

I, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and other works, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

I also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1885.

Signature—THOMAS BROOKS & CO.
Address in full—Scott-street, Newcastle.

I enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which, in the event of my Tender being accepted, and I failing thereafter to make the necessary cash deposit within fourteen days and complete the Bond, I am prepared to absolutely forfeit to Her Majesty the Queen.

Signature—THOMAS BROOKS.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item.	Rate.
108 acres	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified.....	} Lump sum 500 0 0
	2	Extra clearing, if required .....		@ per acre ..... 10 0 0
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon	} Lump sum 8000 0 0
14,416 cubic yards ...	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified...		@ per cubic yard ..... 0 3 0
11,043 cubic yards ...	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650	@ per cubic yard 0 4 0
1,782 cubic yards ...	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to go with the puddle	@ per cubic yard 0 10 0
3,137 cubic yards ...	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil	@ per cubic yard 0 10 0
83,474 cubic yards ...	8	Filling in embankment, including both selected materials and all other sound filling, rammed in place as specified	@ per cubic yard 0 4 6
4,919 cubic yards ...	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment	@ per cubic yard 1 10 0
14,802 cubic yards ...	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract	@ per cubic yard 1 0 0
9,697 super. yards ..	11	Soiling and sowing slopes of embankment 9 inches thick	@ per super. yard ... 0 1 6
6,037 super. yards ...	12	Soiling 6 inches thick and sodding 3 inches thick on slopes, &c., where required	@ per super. yard ... 0 3 0
100 cubic yards ...	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required	@ per cubic yard 1 10 0
190 cubic yards ...	14	Loose stone broken to 4 inches gauge deposited along toe of embankment.....	@ per cubic yard 0 9 0
9,995 super. yards ..	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive.....	@ per super. yard ... 0 16 0

Approximate Quantities	Schedule No.	Item.	Rate.
300 super. yards ..	16	Hand-pitching, same as above, but 8 inches thick, and without broken stone underneath for sides of roads, on slopes or other places required	@ per super. yard ... £ s. d. 0 10 0
611 lineal yards ..	17	Footing courses under fence wall, two courses complete	@ per lineal yard 0 15 0
611 lineal yards ..	18	Curb alongside road under fence	@ per lineal yard 0 10 0
611 lineal yards ..	19	Fence wall coped complete	@ per lineal yard 5 0 0
611 lineal yards ..	20	Handrailing along road, finished and painted complete	@ per lineal yard 1 0 0
2,845 lineal feet ..	21	Forming surface of approach roads ready for gravelling, including cutting water-tables or side-drains, where necessary	@ per 100 lineal feet.. 5 0 0
1,765 lineal feet	22	Repairing and maintaining Scooby's-lane, including gravelling, &c., as specified	@ per 100 lineal feet.. 20 0 0
2,300 lineal feet	23	Cutting open intercepting drains where necessary, as specified	@ per 100 lineal feet.. 2 10 0
813 cubic yards ..	24	Metalling on all roadways where required, 2½" gauge (measured in heap)	@ per cubic yard 0 12 0
1,524 cubic yards ..	25	Ridge gravel on roadways (measured in heap)	@ per cubic yard 0 6 0
409 cubic yards ..	26	Concrete 6 to 1, as specified	@ per cubic yard 2 0 0
1,994 cubic yards ..	27	Concrete 9 to 1, as specified	@ per cubic yard 1 10 0
137 cubic yards ..	28	Dressed stone masonry	@ per cubic yard 4 0 0
5 cubic yards ..	29	Rubble masonry in cement	@ per cubic yard 2 0 0
2,785 cubic yards ..	30	Brickwork in walls, floors, piers, &c.	@ per cubic yard 3 0 0
904 lineal yards ..	31	Moulded brick copings	@ per lineal yard 0 10 0
1,284 super. yards ..	32	Rendering ¾-inch thick	@ per super. yard... 0 4 6
298 cubic feet	33	Hardwood in girders, corbels, beams, &c.	@ per cubic foot 0 5 0
1,450 super. feet ..	34	" planking	@ per 100 of 1" thick 2 0 0
400 super. feet	35	" small scantling	@ per 100 of 1" thick 2 0 0
1,902 lbs.	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain	@ per lb. 0 1 0
20 cwt.	37	Cast iron in brackets, covers, frames, &c.	@ per cwt. 2 0 0
28,812 super. feet	38	Dry-laid brick drain flooring in filter-beds, complete as specified	@ per 100 feet super. 1 10 0
3,228 cubic yards ..	39	Providing and laying washed gravel and sand in filter-beds	@ per cubic yard 0 10 0
80,374 super. feet ..	40	Gravelling surface of ground round filter-beds and tanks	@ per 100 feet square 0 11 0
1,016 lineal yards ..	41	Providing, laying, and jointing 18" earthenware drain-pipes, including opening and closing trenches	@ per lineal yard 0 16 0
110 lineal yards ..	42	Providing, laying, and jointing 12" earthenware drain-pipes, including opening and closing trenches	@ per lineal yard..... 0 13 0
.....	43	Providing, laying, and jointing 9" earthenware drain-pipes, including opening and closing trenches	@ per lineal yard. 0 9 0
18 lineal yards ..	44	Providing, laying, and jointing 6" earthenware drain-pipes, including opening and closing trenches	@ per lineal yard 0 6 6
6 lineal yards ..	45	Providing, laying, and jointing 4" earthenware drain-pipes, including opening and closing trenches	@ per lineal yard.... 0 5 0
150 lineal yards ..	46	Laying, jointing, and testing 24" cast-iron pipes, both flanged and socket joints, finding lead, gaskets, &c.	@ per lineal yard..... 3 0 0
595 lineal yards ..	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard..... 2 10 0
290 lineal yards ..	48	Laying, jointing, and testing 15" cast-iron pipes, including finding leads, gaskets, &c.	@ per lineal yard.. .. 2 0 0
38 lineal yards ..	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard..... 1 10 0
30 super. yards ..	50	Painting three coats, exclusive of priming	@ per super. yard.... 0 4 0
2,250 super. feet ..	51	Stockholm tarring, two coats	@ per 100 feet super. 0 4 0
4,800 super. feet ..	52	Coal-tar varnish on pipes, valves, &c., where exposed ..	@ per 100 feet super. 0 3 0

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in any way guaranteed by the Government.
The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

To the Secretary for Public Works.

Name—THOMAS BROOKS & CO.
Address—Newcastle.

Should the foregoing tender be accepted, I, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—THOMAS BROOKS.

No. 2.

FORM OF TENDER.

HUNTER RIVER DISTRICT WATER SUPPLY.

Walka Reservoir, Tanks and Filter-beds.

Contract No. 5.

23 January, 1883.

I, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and other works, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

I also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1885.

Signature—G. BLUNT.

Address in full—Metropolitan Hotel, Sydney.

I enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which, in the event of this tender being accepted, and I failing thereafter to make the necessary cash deposit within fourteen days and complete the Bond, I am prepared to absolutely forfeit to Her Majesty the Queen.

Signature—G. BLUNT.

SCHEDULE.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item.	Rate.
108 acres	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified	Lump sum
	2	Extra clearing, if required	£ s. d. 435 0 0
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon	@ per acre
			Lump sum
14,416 cubic yards	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified	2200 0 0
11,043 cubic yards	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650	@ per cubic yard
1,782 cubic yards	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to go with the puddle	0 1 9
3,137 cubic yards	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil	@ per cubic yard
83,474 cubic yards	8	Filling in embankment, including both selected materials and all other sound filling, rammed in place as specified	0 2 8
4,919 cubic yards	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment	@ per cubic yard
14,802 cubic yards	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract	0 2 7
9,697 super. yards	11	Soiling and sowing slopes of embankment 9 inches thick	@ per cubic yard
6,037 super. yards	12	Soiling 6 inches thick and sodding 3 inches thick on slopes, &c., where required	0 3 0
100 cubic yards	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required	@ per cubic yard
190 cubic yards	14	Loose stone broken to 4 inches gauge deposited along toe of embankment	0 2 8
9,995 super. yards	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive	@ per cubic yard
300 super. yards	16	Hand-pitching, same as above, but 8 inches thick and without broken stone underneath for sides of roads, on slopes or other places required	0 6 6
611 lineal yards	17	Footing courses under fence wall, two courses complete	@ per super. yard
611 lineal yards	18	Curb alongside road under fence	0 7 4
611 lineal yards	19	Fence wall coped complete	@ per lineal yard
611 lineal yards	20	Handrailing along road, finished and painted complete	0 14 6
2,845 lineal feet	21	Forming surface of approach roads ready for gravelling including cutting water tables or side drains, where necessary	@ per lineal yard
1,765 lineal feet	22	Repairing and maintaining Scooby's lane, including gravelling, &c., as specified	0 8 9
2,300 lineal feet	23	Cutting open intercepting drains where necessary, as specified	@ per lineal yard
813 cubic yards	24	Metalling on all roadways where required, 2 1/2" gauge (measured in heap)	1 0 0
1,524 cubic yards	25	Ridge gravel on roadways (measured in heap)	@ per lineal yard
409 cubic yards	26	Concrete 6 to 1, as specified	3 10 0
1,994 cubic yards	27	Concrete 9 to 1, as specified	@ per 100 lineal feet
137 cubic yards	28	Dressed stone masonry	0 10 0
5 cubic yards	29	Rubble masonry in cement	@ per cubic yard
2,785 cubic yards	30	Brickwork in walls, floors, piers, &c.	0 9 9
904 lineal yards	31	Moulded brick copings	@ per cubic yard
1,284 super. yards	32	Rendering 3/4-inch thick	0 4 6
298 cubic feet	33	Hardwood in girders, corbels, beams, &c.	@ per cubic yard
1,450 super. feet	34	" planking	1 15 0
400 super. feet	35	" small scantling	@ per cubic yard
1,902 lbs.	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain	1 10 0
20 cwt.	37	Cast iron in brackets, covers, frames, &c.	@ per lb.
28,812 super. feet	38	Dry-laid brick drain flooring in filter-beds, complete as specified	0 0 6
3,228 cubic yards	39	Providing and laying washed gravel and sand in filter-beds	@ per cwt.
80,374 super feet	40	Gravelling surface of ground round filter-beds and tanks	1 15 0
1,016 lineal yards	41	Providing, laying, and jointing 18" earthenware drain pipes, including opening and closing trenches	@ per 100 ft. super.
110 lineal yards	42	Providing, laying, and jointing 12" earthenware drain pipes, including opening and closing trenches	0 8 6
.....	43	Providing, laying, and jointing 9" earthenware drain pipes, including opening and closing trenches	@ per cubic yard
18 lineal yards	44	Providing, laying, and jointing 6" earthenware drain pipes, including opening and closing trenches	0 3 6
6 lineal yards	45	Providing, laying, and jointing 4" earthenware drain pipes, including opening and closing trenches	@ per lineal yard
150 lineal yards	46	Laying, jointing, and testing 24" cast-iron pipes, both flanged and socket joints, finding lead, gaskets, &c.	0 12 0
595 lineal yards	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard
290 lineal yards	48	Laying, jointing, and testing 15" cast-iron pipes, including finding lead, gaskets, &c.	0 9 6
38 lineal yards	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard
30 super. yards	50	Painting three coats, exclusive of priming	0 8 9
2,250 super. feet	51	Stockholm tarring, two coats	@ per lineal yard
4,800 super. feet	52	Coal-tar varnish on pipes, valves, &c., where exposed	0 7 6
			@ per super. yard
			0 2 6
			@ per 100 feet sup.
			1 0 0
			@ per 100 feet sup.
			1 5 0

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in anyway guaranteed by the Government.

The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

To the Secretary for Public Works.

Name—GEORGE BLUNT.

Address—Metropolitan Hotel, King-street, Sydney.

Should the foregoing tender be accepted, I, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—G. BLUNT.

No. 3.

FORM OF TENDER.

HUNTER RIVER DISTRICT WATER SUPPLY.

Walka Reservoir, Tanks and Filter-beds.

Contract No. 5.

23 January, 1883.

We, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and other works, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

We also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1885.

Signature—ROSS & DUNBAR.

Address in full—Alpine House, 233, Macquarie-street, Sydney.

We enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which, in the event of our tender being accepted, and we failing thereafter to make the necessary cash deposit within fourteen days and complete the Bond, we are prepared to absolutely forfeit to Her Majesty the Queen.

Signature—ROSS & DUNBAR.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item.	Rate.
108 acres	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified	£ s. d. Lump sum
	2	Extra clearing, if required	@ at per acre
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon	Lump sum
14,416 cubic yards ...	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified	@ per cubic yard
11,043 cubic yards ...	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650	@ per cubic yard
1,782 cubic yards ...	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to go with the puddle	@ per cubic yard
3,137 cubic yards ...	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil	@ per cubic yard
83,474 cubic yards ...	8	Filling in embankment, including both selected materials and all other sound filling, rammed in places as specified	@ per cubic yard
4,919 cubic yards ...	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment	@ per cubic yard
14,802 cubic yards ...	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract	@ per cubic yard
9,697 super. yards ...	11	Soiling and sowing slopes of embankment 9 inches thick	@ per cubic yard
6,037 super. yards ...	12	Soiling 6 inches thick and sodding 3 inches thick on slopes, &c., where required	@ per cubic yard
100 cubic yards ...	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required	@ per cubic yard
190 cubic yards ...	14	Loose stone broken to 4 inches gauge deposited along toe of embankment	@ per cubic yard
9,995 super. yards ...	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive	@ per super. yard
300 super. yards ...	16	Hand-pitching, same as above, but 8 inches thick and without broken stone underneath for sides of roads, on slopes or other places required	@ per super. yard
611 lineal yards ...	17	Footing courses under fence wall, two courses complete	@ per lineal yard
611 lineal yards ...	18	Curb alongside road under fence	@ per lineal yard
611 lineal yards ...	19	Fence wall coped complete	@ per lineal yard
611 lineal yards ...	20	Handrailing along road, finished and painted complete	@ per lineal yard
2,845 lineal feet	21	Forming surface of approach roads ready for gravelling, including cutting water tables or side drains, where necessary	@ per 100 lineal feet
1,765 lineal feet	22	Repairing and maintaining Scoby's lane, including gravelling, &c., as specified	@ per 100 lineal feet
2,300 lineal feet	23	Cutting open intercepting drains where necessary, as specified	@ per 100 lineal feet
813 cubic yards ...	24	Metalling on all roadways where required, 2½" gauge (measured in heap)	@ per cubic yard
1,524 cubic yards ...	25	Ridge gravel on roadways (measured in heap)	@ per cubic yard
409 cubic yards ...	26	Concrete 6 to 1, as specified	@ per cubic yard
1,994 cubic yards ...	27	Concrete 9 to 1 as specified	@ per cubic yard
137 cubic yards ...	28	Dressed stone masonry	@ per cubic yard
5 cubic yards ...	29	Rubble masonry in cement	@ per cubic yard
2,785 cubic yards ...	30	Brickwork in walls, floors, piers, &c.	@ per cubic yard
904 lineal yards ...	31	Moulded brick copings	@ per lineal yard

Approximate Quantities.	Schedule No.	Item.	Rate.
1,284 super. yards ..	32	Rendering $\frac{3}{4}$ -inch thick	@ per super. yard..... £ s. d. 0 2 6
298 cubic feet ..	33	Hardwood in girders, corbels, beams, &c.	@ per cubic foot 0 4 6
1,450 super. feet ..	34	„ planking	@ per 100 of 1" thick.. 1 10 0
400 super. feet ..	35	„ small scantling	@ per 100 of 1" thick.. 1 10 0
1,902 lbs.	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain	@ per lb. 0 0 6
20 cwt.	37	Cast iron in brackets, covers, frames, &c.	@ per cwt. 0 0 4
28,812 super. feet.....	38	Dry-laid brick drain flooring in filter-beds, complete as specified	@ per 100 ft. super. ... 2 5 0
3,228 cubic yards ..	39	Providing and laying washed gravel and sand in filter-beds.....	@ per cubic yard 0 7 0
80,374 super. feet ..	40	Gravelling surface of ground round filter-beds and tanks	@ per 100 ft. square, =100,000 square ft. } 4 0 0
1,016 lineal yards ..	41	Providing, laying, and jointing 18" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 1 5 0
110 lineal yards ..	42	Providing, laying, and jointing 12" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 10 0
.....	43	Providing, laying, and jointing 9" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 4 0
18 lineal yards ..	44	Providing, laying, and jointing 6" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 2 0
6 lineal yards ..	45	Providing, laying, and jointing 4" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 2 0
150 lineal yards ..	46	Laying, jointing, and testing 24" cast-iron pipes, both flanged and socket joints, finding lead, gaskets, &c.	@ per lineal yard 1 2 0
595 lineal yards ..	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard 0 16 5
290 lineal yards ..	48	Laying, jointing, and testing 15" cast-iron pipes, including finding lead, gaskets, &c.	@ per lineal yard 0 10 0
38 lineal yards ..	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard 0 11 2
30 super. yards ..	50	Painting three coats, exclusive of priming	@ per super. yard..... 0 1 4
2,250 super. feet ..	51	Stockholm tarring, two coats	@ per 100 feet sup. ... 0 3 8
4,800 super. feet ..	52	Coal-tar varnish on pipes, valves, &c., where exposed ...	@ per 100 feet sup. ... 0 3 8

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in any way guaranteed by the Government.

The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

To the Secretary for Public Works.

Name—ROSS & DUNBAR,
Address—233, Macquarie-street, Sydney.

Should the foregoing tender be accepted, we, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—ROSS & DUNBAR.

No. 4.

FORM OF TENDER.

HUNTER RIVER DISTRICT WATER SUPPLY.
Walka Reservoir, Tanks and Filter-beds.

Contract No. 5.

19 January, 1883.

I, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and other works, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

I also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1885.

Signature—JOHN ROBB.

Address in full—123, Collins-street West, Melbourne, Victoria.

I enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which, in the event of my tender being accepted, and I failing thereafter to make the necessary cash deposit within fourteen days and complete the Bond, I am prepared to absolutely forfeit to Her Majesty the Queen.

Signature—JOHN BOBB.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item.	Rate.
108 acres	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified	Lump sum £ s. d. 756 0 0
	2	Extra clearing, if required	@ per acre 12 0 0
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon	Lump sum 1,300 0 0
14,416 cubic yards ...	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified	@ per cubic yard 0 2 6
11,043 cubic yards ...	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650	@ per cubic yard 0 3 0
1,782 cubic yards ...	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to go with the puddle.....	@ per cubic yard 0 6 0

Approximate Quantities.	Schedule No.	Item.	Rate.
3,137 cubic yards	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil.....	£ s. d. 0 8 0
83,474 cubic yards	8	Filling in embankment, including both selected materials and all other sound filling, rammed in place as specified.....	@ per cubic yard 0 2 4
4,919 cubic yards	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment.....	@ per cubic yard 0 7 0
14,802 cubic yards	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract.....	@ per cubic yard 0 7 0
9,697 super. yards	11	Soiling and sowing slopes of embankment 9 inches thick.....	@ per super. yard ... 0 0 6
6,037 super. yards	12	Soiling 6 inches thick and sodding 3 inches thick on slopes, &c., where required.....	@ per super. yard ... 0 1 6
100 cubic yards	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required.....	@ per cubic yard 0 6 0
190 cubic yards	14	Loose stone broken to 4 inches gauge deposited along toe of embankment.....	@ per cubic yard 0 7 0
9,995 super. yards	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive.....	@ per super. yard ... 0 12 0
300 super yards	16	Hand-pitching same as above, but 8 inches thick and without broken stone underneath for sides of roads, on slopes or other places required.....	@ per super. yard ... 0 9 0
611 lineal yards	17	Footing courses under fence wall, two courses complete.....	@ per lineal yard 1 12 0
611 lineal yards	18	Curb alongside road under fence.....	@ per lineal yard 0 15 9
611 lineal yards	19	Fence wall coped complete.....	@ per lineal yard 1 0 0
611 lineal yards	20	Handrailing along road, finished and painted complete.....	@ per lineal yard 1 10 0
2,845 lineal feet	21	Forming surface of approach roads ready for gravelling, including cutting water tables or side drains, where necessary.....	@ per 100 lineal feet 9 6 0
1,765 lineal feet	22	Repairing and maintaining Scoby's lane, including gravelling, &c., as specified.....	@ per 100 lineal feet 9 6 0
2,300 lineal feet	23	Cutting open intercepting drains where necessary, as specified.....	@ per 100 lineal feet 0 7 6
813 cubic yards	24	Metalling on all roadways where required, 2½" gauge (measured in heap).....	@ per cubic yard 0 8 0
1,524 cubic yards	25	Ridge gravel on roadways (measured in heap).....	@ per cubic yard 0 6 0
409 cubic yards	26	Concrete 6 to 1, as specified.....	@ per cubic yard 2 12 0
1,994 cubic yards	27	Concrete 9 to 1, as specified.....	@ per cubic yard 2 2 0
137 cubic yards	28	Dressed stone masonry.....	@ per cubic yard 5 0 0
5 cubic yards	29	Rubble masonry in cement.....	@ per cubic yard 2 10 0
2,785 cubic yards	30	Brickwork in walls, floors, piers, &c.....	@ per cubic yard 2 12 0
904 lineal yards	31	Moulded brick copings.....	@ per lineal yard ... 0 7 0
1,284 super. yards	32	Rendering ¾-inch thick.....	@ per super. yard ... 0 4 0
298 cubic feet	33	Hardwood in girders, corbels, beams, &c.....	@ per cubic foot ... 0 6 6
1,450 super. feet	34	" planking.....	@ per 100 of 1" thick 2 0 0
400 super. feet	35	" small scantling.....	@ per 100 of 1" thick 3 0 0
1,902 lbs.	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain.....	@ per lb. 0 1 0
20 cwt.	37	Cast iron in brackets, covers, frames, &c.....	@ per cwt. 2 0 0
28,812 super. feet	38	Dry-laid brick drain flooring in filter-beds, complete as specified.....	@ per 100 ft. super... 3 12 0
3,228 cubic yards	39	Providing and laying washed gravel and sand in filter-beds.....	@ per cubic yard ... 0 12 0
80,374 super. feet	40	Gravelling surface of ground round filter-beds and tanks.....	@ per 100 ft. square 0 10 0
1,016 lineal yards	41	Providing, laying, and jointing 18" earthenware drain pipes, including opening and closing trenches.....	@ per lineal yard 1 10 0
110 lineal yards	42	Providing, laying, and jointing 12" earthenware drain pipes, including opening and closing trenches.....	@ per lineal yard 1 0 0
	43	Providing, laying, and jointing 9" earthenware drain pipes, including opening and closing trenches.....	@ per lineal yard 0 15 0
18 lineal yards	44	Providing, laying, and jointing 6" earthenware drain pipes, including opening and closing trenches.....	@ per lineal yard ... 0 10 0
6 lineal yards	45	Providing, laying, and jointing 4" earthenware drain pipes, including opening and closing trenches.....	@ per lineal yard 0 8 0
150 lineal yards	46	Laying, jointing, and testing 24" cast-iron pipes, both flanged and socket joints, finding lead, gaskets, &c.....	@ per lineal yard 1 0 0
595 lineal yards	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.....	@ per lineal yard 0 16 0
290 lineal yards	48	Laying, jointing, and testing 15" cast-iron pipes, including finding lead, gaskets, &c.....	@ per lineal yard 0 15 0
38 lineal yards	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.....	@ per lineal yard 0 10 0
30 super. yards	50	Painting three coats, exclusive of priming.....	@ per super. yard 0 2 0
2,250 super. feet	51	Stockholm tarring, two coats.....	@ per 100 feet sup. ... 0 5 0
4,800 super. feet	52	Coal-tar varnish on pipes, valves, &c., where exposed.....	@ per 100 feet sup. ... 0 10 0

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in any way guaranteed by the Government.

The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

To the Secretary for Public Works.

Name—JOHN ROBB.

Address—123, Collins-st. West, Melbourne.

Should the foregoing tender be accepted, I, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—JOHN ROBB.

No. 5.
FORM OF TENDER.
HUNTER RIVER DISTRICT WATER SUPPLY.
Walka Reservoir, Tanks and Filter-beds.
Contract No. 5.

19 January, 1883.

I, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and wother orks, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

I also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1883.

Signature—JAMES RUSSELL.
Address in full—Contractor, Newcastle, N.S.W.

I enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which, in the event of my tender being accepted, and my failing thereafter to make the necessary cash deposit within fourteen days and complete the Bond, I am prepared to absolutely forfeit to Her Majesty the Queen.

Signature—JAMES RUSSELL.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item.	Rate.
			£ s. d.
108 acres	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified	Lump sum 540 0 0
	2	Extra clearing, if required	@ per acre 20 0 0
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon	Lump sum 1000 0 0
14,416 cubic yards ..	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified	@ per cubic yard 0 2 0
11,043 cubic yards ..	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650	@ per cubic yard 0 3 0
1,782 cubic yards ...	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to go with the puddle	@ per cubic yard 0 3 9
3,137 cubic yards ...	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil	@ per cubic yard 0 4 6
83,474 cubic yards ...	8	Filling in embankment, including both selected materials and all other sound filling, rammed in place as specified	@ per cubic yard 0 3 0
4,919 cubic yards ...	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment	@ per cubic yard 0 7 6
14,802 cubic yards ...	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract	@ per cubic yard 0 6 6
9,697 super yards ...	11	Soiling and sowing slopes of embankment 9 inches thick	@ per super. yard 0 1 3
6,037 super yards ...	12	Soiling 6 inches thick and sodding 3 inches thick on slopes, &c., where required	@ per super. yard 0 1 9
100 cubic yards ...	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required	@ per cubic yard 0 8 0
190 cubic yards ...	14	Loose stone broken to 4 inches gauge deposited along toe of embankment	@ per cubic yard 0 8 0
9,995 super. yards ...	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive	@ per super. yard 0 12 0
300 super. yards ...	16	Hand-pitching, same as above, but 8 inches thick and without broken stone underneath for sides of roads, on slopes or other places required	@ per super. yard 0 9 0
611 lineal yards ...	17	Footing courses under fence wall, two courses complete	@ per lineal yard 0 18 0
611 lineal yards ...	18	Curb alongside road under fence	@ per lineal yard 0 8 0
611 lineal yards ...	19	Fence wall coped complete	@ per lineal yard 2 10 0
611 lineal yards ...	20	Handrailing along road, finished and painted complete	@ per lineal yard 0 12 6
2,845 lineal feet ...	21	Forming surface of approach roads ready for gravelling including cutting water tables or side drains, where necessary	@ per 100 lineal feet ... 5 0 0
1,765 lineal feet	22	Repairing and maintaining Scoby's lane, including gravelling, &c., as specified	@ per 100 lineal feet... 15 0 0
2,300 lineal feet	23	Cutting open intercepting drains where necessary, as specified	@ per 100 lineal feet... 0 15 0
813 cubic yards ...	24	Metalling on all roadways where required, 2½" gauge (measured in heap)	@ per cubic yard 0 8 6
1,524 cubic yards ...	25	Ridge gravel on roadways (measured in heap)	@ per cubic yard 0 5 6
409 cubic yards ...	26	Concrete 6 to 1, as specified	@ per cubic yard 2 2 6
1,994 cubic yards ...	27	Concrete 9 to 1, as specified	@ per cubic yard 1 18 6
137 cubic yards ...	28	Dressed stone masonry	@ per cubic yard 5 8 0
5 cubic yards ...	29	Rubble masonry in cement	@ per cubic yard 3 0 0
2,785 cubic yards ...	30	Brickwork in walls, floors, piers, &c.	@ per cubic yard 2 10 0
904 lineal yards ...	31	Moulded brick copings	@ per lineal yard 0 7 0
1,284 super. yards ...	32	Rendering ½-inch thick	@ per super. yard 0 3 9
298 cubic feet	33	Hardwood in girders, corbels, beams, &c.	@ per cubic foot 0 3 0
1,450 super. feet	34	,, planking	@ per 100 of 1" thick... 1 10 0
400 super. feet	35	,, small scantling	@ per 100 of 1" thick... 1 10 0
1,902 lbs.	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain	@ per lb. 0 0 8
20 cwt.	37	Cast iron in brackets, covers, frames, &c.	@ per cwt. 1 3 0
28,812 super. feet	38	Dry-laid brick drain flooring in filter-beds, complete as specified	@ per 100 feet super... 5 0 0

Approximate Quantities	Schedule No.	Item.	Rate.
3,228 cubic yards ..	39	Providing and laying washed gravel and sand in filter-beds.	£ s. d. 0 6 6
80,374 super. feet.	40	Gravelling surface of ground round filter-beds and tanks	@ per 100 feet square 0 6 6
1,016 lineal yards ...	41	Providing, laying, and jointing 18" earthenware drain pipes, including opening and closing trenches	@ per lineal yard.... 0 17 6
110 lineal yards ...	42	Providing, laying, and jointing 12" earthenware drain pipes, including opening and closing trenches	@ per lineal yard..... 0 9 0
.....	43	Providing, laying, and jointing 9" earthenware drain pipes, including opening and closing trenches	@ per lineal yard..... 0 8 0
18 lineal yards ...	44	Providing, laying, and jointing 6" earthenware drain pipes, including opening and closing trenches	@ per lineal yard..... 0 4 0
6 lineal yards ...	45	Providing, laying, and jointing 4" earthenware drain pipes, including opening and closing trenches	@ per lineal yard... .. 0 3 6
150 lineal yards ..	46	Laying, jointing, and testing 24" cast-iron pipes, both flanged and socket joints, finding lead, gaskets, &c.	@ per lineal yard..... 0 17 6
595 lineal yards ...	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard. 0 14 6
290 lineal yards ...	48	Laying, jointing, and testing 15" cast-iron pipes, including finding lead, gaskets, &c.	@ per lineal yard..... 0 11 0
38 lineal yards ...	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard ... 0 8 9
30 super yards ..	50	Painting three coats, exclusive of priming	@ per super. yard... 0 1 8
2,250 super. feet.	51	Stockholm tarring, two coats	@ per 100 feet super.. 0 7 0
4,800 super. feet. ...	52	Coal-tar varnish on pipes, valves, &c., where exposed.	@ per 100 feet super .. 0 7 0

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in any way guaranteed by the Government.

The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

To the Secretary for Public Works.

Name—JAMES RUSSELL,
Address—Contractor, Newcastle.

Should the foregoing tender be accepted, I, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—JAMES RUSSELL.

No. 6.

FORM OF TENDER.

HUNTER RIVER DISTRICT WATER SUPPLY.

Walka Reservoir, Tanks and Filter-beds.

Contract No. 5.

23 January, 1883.

WE, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and other works, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

We also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1885.

Signature—J. CLARKE WYLLIE & Co.

Address in full—C/o Hon. J. M. Thompson, 98, Elizabeth-street, Sydney.

We enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which, in the event of our tender being accepted, and our failing thereafter to make the necessary cash deposit within fourteen days and complete the Bond, we are prepared to absolutely forfeit to Her Majesty the Queen.

Signature—J. CLARKE WYLLIE & CO.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item.	Rate.
108 acres.....	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified	Lump sum..... £ s. d. 620 0 0
	2	Extra clearing, if required	@ per acre..... 7 0 0
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon.....	Lump sum. 2000 0 0
14,416 cubic yards ...	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified.	@ per cubic yard. ... 0 1 2
11,043 cubic yards ...	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650.....	@ per cubic yard..... 0 1 3
1,782 cubic yards ...	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to go with the puddle	@ per cubic yard.... 0 3 0
3,137 cubic yards ...	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil	@ per cubic yard 0 4 0
83,474 cubic yards ..	8	Filling in embankment, including both selected materials and all other sound filling, rammed in place as specified	@ per cubic yard 0 2 0
4,010 cubic yards	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment	@ per cubic yard 0 8 0
14,802 cubic yards ...	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract	@ per cubic yard 0 7 0

Approximate Quantities.	Schedule No.	Item.	Rate.
9,697 super. yards...	11	Soiling and sowing slopes of embankment 9 inches thick	@ per super. yard... 0 0 6
6,037 super. yards...	12	Soiling 6 inches thick and sodding 3 inches thick on slopes &c., where required	@ per super. yard... 0 1 0
100 cubic yards ...	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required	@ per cubic yard ... 0 1 0
190 cubic yards ...	14	Loose stone broken to 4 inches gauge deposited along toe of embankment	@ per cubic yard ... 0 7 0
9,995 super. yards...	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive	@ per super. yard... 0 1 5
300 super. yards...	16	Hand-pitching, same as above, but 8 inches thick and without broken stone underneath for sides of roads on slopes or other places required	@ per super. yard ... 0 1 0
611 lineal yards ...	17	Footing courses under fence wall, two courses complete	@ per lineal yard ... 0 16 0
611 lineal yards ...	18	Curb alongside road under fence	@ per lineal yard ... 0 19 6
611 lineal yards ...	19	Fence wall coped complete	@ per lineal yard ... 0 17 6
611 lineal yards ...	20	Handrailing along road, finished and painted complete	@ per lineal yard... 0 3 0
2,845 lineal feet ...	21	Forming surface of approach roads ready for gravelling, including cutting water tables or side drains, where necessary	@ per 100 lineal feet.. 6 0 0
1,765 lineal feet ...	22	Repairing and maintaining Scoby's lane, including gravelling, &c., as specified	@ per 100 lineal feet.. 14 0 0
2,300 lineal feet ...	23	Cutting open intercepting drains where necessary, as specified	@ per 100 lineal feet.. 0 10 0
813 cubic yards ...	24	Metalling on all roadways where required, 21" gauge (measured in heap)	@ per cubic yard ... 0 7 0
1,524 cubic yards ...	25	Ridge gravel on roadways (measured in heap)	@ per cubic yard ... 0 5 6
409 cubic yards ...	26	Concrete 6 to 1, as specified	@ per cubic yard ... 2 15 0
1,994 cubic yards ...	27	Concrete 9 to 1, as specified	@ per cubic yard ... 2 12 0
137 cubic yards ...	28	Dressed stone masonry	@ per cubic yard ... 10 0 0
5 cubic yards ...	29	Rubble masonry in cement	@ per cubic yard ... 1 15 0
2,785 cubic yards ...	30	Brickwork in walls, floors, piers, &c.	@ per cubic yard ... 2 15 0
904 lineal yards ...	31	Moulded brick copings	@ per lineal yard ... 0 3 0
1,284 super. yards ...	32	Rendering 3/4-inch thick	@ per super. yard... 0 3 9
298 cubic feet ...	33	Hardwood in girders, corbels, beams, &c.	@ per cubic foot ... 0 6 0
1,450 super. feet ...	34	" planking	@ per 100 of 1" thick ... 1 10 0
400 super. feet ...	35	" small scabbling	@ per 100 of 1" thick ... 1 5 0
1,902 lbs.	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain	@ per lb. 0 0 9
20 cwt.	37	Cast iron in brackets, covers, frames, &c.	@ per cwt. 1 15 0
28,812 super. feet....	38	Dry-laid brick drain flooring in filter-beds, complete as specified	@ per 100 feet super.. 2 10 0
3,228 cubic yards ...	39	Providing and laying washed gravel and sand in filter-beds	@ per cubic yard ... 0 10 0
80,374 super. feet....	40	Gravelling surface of ground round filter-beds and tanks	@ per 100 feet square. 0 15 0
1,016 lineal yards ...	41	Providing, laying, and jointing 18" earthenware drain pipes, including opening and closing trenches	@ per lineal yard ... 1 10 0
110 lineal yards ...	42	Providing, laying, and jointing 12" earthenware drain pipes, including opening and closing trenches	@ per lineal yard ... 1 0 0
.....	43	Providing, laying, and jointing 9" earthenware drain pipes, including opening and closing trenches	@ per lineal yard ... 0 15 0
18 lineal yards ...	44	Providing, laying, and jointing 6" earthenware drain pipes, including opening and closing trenches	@ per lineal yard ... 0 10 0
6 lineal yards ...	45	Providing, laying, and jointing 4" earthenware drain pipes, including opening and closing trenches	@ per lineal yard ... 0 7 0
150 lineal yards ...	46	Laying, jointing, and testing 24" cast-iron pipes, both flanged and socket joints, finding lead, gaskets, &c.	@ per lineal yard ... 1 5 0
595 lineal yards ...	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard ... 1 0 0
290 lineal yards ...	48	Laying, jointing, and testing 15" cast-iron pipes, including finding lead, gaskets, &c.	@ per lineal yard ... 0 18 0
38 lineal yards ...	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard ... 0 17 0
30 super. yards ...	50	Painting three coats, exclusive of priming	@ per super. yard ... 0 3 0
2,250 super. feet....	51	Stockholm tarring, two coats	@ per 100 feet super.. 0 4 0
4,800 super. feet...	52	Coal-tar varnish on pipes, valves, &c., where exposed	@ per 100 feet super.. 0 2 0

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in any way guaranteed by the Government.

The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

Name—J. CLARKE WYLIE & CO.

Address—Care of Hon. J. M. Thompson,

To the Secretary for Public Works.

98 Elizabeth-street, Sydney.

Should the foregoing tender be accepted, we, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—J. CLARKE WYLIE & Co.

In consequence of fixed deposit in N. Z. Bank, Sydney, we cannot withdraw, but on application to Manager full information is available.

J. S. WHITLOCK.

No. 7.
FORM OF TENDER.
HUNTER RIVER DISTRICT WATER SUPPLY.
Walka Reservoir, Tanks and Filter-beds.
Contract No. 5.

20 January, 1883.

We, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and other works, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

We also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1885.

Signature—GREIG & MONDY,

Per ROBERT HAY.

Address in full—Railway Camp, Armidale.

We enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which in the event of our tender being accepted, and our failing thereafter to make the necessary cash deposit within fourteen days and complete the Bond, we are prepared to absolutely forfeit to Her Majesty the Queen.

Signature—GREIG & MONDY,

Per ROBT. HAY.

Armidale, 20 January, 1883.

Sir,
As we are unable, on account of the shortness of time between now and the time for receiving tenders for the Walka Reservoir, to enclose a Treasury receipt for the deposit, we will arrange for the A. J. S. Bank to lodge said receipt on the morning of Tuesday next before the tenders close.

GREIG & MONDY,

Per ROBT. HAY.

The Under Secretary for Public Works.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item.	Rate.
108 acres	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified	£ s. d. Lump sum .. 1500 0 0
	2	Extra clearing, if required	@ per acre .. 50 0 0
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon	Lump sum .. 3000 0 0
14,416 cubic yards ...	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified	@ per cubic yard .. 0 6 0
11,043 cubic yards ..	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650	@ per cubic yard .. 0 7 6
1,782 cubic yards ...	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to go with the puddle	@ per cubic yard .. 0 10 0
3,137 cubic yards ...	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil	@ per cubic yard .. 0 12 6
83,474 cubic yards ...	8	Filling in embankment, including both selected materials and all other sound filling, rammed in place as specified	@ per cubic yard .. 0 3 3
4,919 cubic yards ...	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment	@ per cubic yard .. 0 12 6
14,802 cubic yards ...	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract	@ per cubic yard .. 0 7 6
9,697 super. yards ...	11	Soiling and sowing slopes of embankment 9 inches thick	@ per super. yard .. 0 2 0
6,037 super. yards ...	12	Soiling 6 inches thick and sodding 3 inches thick on slopes, &c., where required	@ per super. yard .. 0 3 0
100 cubic yards ...	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required	@ per cubic yard .. 0 10 0
190 cubic yards ...	14	Loose stone broken to 4 inches gauge deposited along toe of embankment	@ per cubic yard .. 0 7 0
9,995 super. yards ...	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive	@ per super. yard .. 0 9 0
300 super. yards ...	16	Hand-pitching, same as above, but 8 inches thick and without broken stone underneath for sides of roads, on slopes or other places required	@ per super. yard .. 0 5 6
611 lineal yards ...	17	Footing courses under fence wall, two courses complete	@ per lineal yard .. 1 10 0
611 lineal yards ...	18	Curb alongside road under fence	@ per lineal yard .. 0 13 6
611 lineal yards ...	19	Fence wall coped complete	@ per lineal yard .. 1 5 6
611 lineal yards ...	20	Handrailing along road, finished and painted complete	@ per lineal yard .. 0 8 0
2,845 lineal feet	21	Forming surface of approach roads ready for gravelling, including cutting water tables or side drains, where necessary	@ per 100 lineal feet .. 10 0 0
1,765 lineal feet	22	Repairing and maintaining Scoby's lane, including gravelling, &c., as specified	@ per 100 lineal feet .. 10 0 0
2,300 lineal feet	23	Cutting open intercepting drains where necessary, as specified	@ per 100 lineal feet .. 10 0 0
813 cubic yards ...	24	Metalling on all roadways where required, 2½" gauge (measured in heap)	@ per cubic yard .. 0 8 0
1,524 cubic yards ...	25	Ridge gravel on roadways (measured in heap)	@ per cubic yard .. 0 4 6
409 cubic yards ...	26	Concrete 6 to 1, as specified	@ per cubic yard .. 2 10 0
1,994 cubic yards ...	27	Concrete 9 to 1, as specified	@ per cubic yard .. 2 5 0
137 cubic yards ...	28	Dressed stone masonry	@ per cubic yard .. 5 3 0
5 cubic yards ...	29	Rubble masonry in cement	@ per cubic yard .. 2 0 0
2,785 cubic yards ...	30	Brickwork in walls, floors, piers, &c.	@ per cubic yard .. 3 5 0
904 lineal yards ...	31	Moulded brick copings	@ per lineal yard .. 1 0 0
1,264 super. yards ...	32	Rendering 7-inch thick	@ per super. yard .. 0 4 0

Approximate Quantities.	Schedule No.	Item.	Rate.
208 cubic feet	33	Hardwood in girders, corbels, beams, &c.	@ per cubic foot £ s. d. 0 6 0
1,450 super. feet.....	34	„ planking	@ per 100 of 1" thick. 1 12 0
400 super. feet.....	35	„ small scantling	@ per 100 of 1" thick. 1 10 0
1,902 lbs.....	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain	@ per lb. 0 0 7
20 cwt.	37	Cast iron in brackets, covers, frames, &c.....	@ per cwt..... 1 7 0
28,812 super. feet.....	38	Dry-laid brick drain flooring in filter-beds, complete as specified	@ per 100 feet super.. 3 15 0
3,228 cubic yards ...	39	Providing and laying washed gravel and sand in filter-beds.....	@ per cubic yard ... 1 0 0
80,374 super. feet.....	40	Gravelling surface of ground round filter-beds and tanks	@ per 100 feet square. 1 5 0
1,016 lineal yards ...	41	Providing, laying, and jointing 18" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 2 0 0
110 lineal yards ...	42	Providing, laying, and jointing 12" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 1 10 0
.....	43	Providing, laying, and jointing 9" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 1 5 0
18 lineal yards ...	44	Providing, laying, and jointing 6" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 15 0
6 lineal yards ...	45	Providing, laying, and jointing 4" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 10 0
150 lineal yards ...	46	Laying, jointing, and testing 24" cast-iron pipes, both flanged and socket joints, finding lead, gaskets, &c....	@ per lineal yard 0 11 0
595 lineal yards ...	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard 0 9 0
290 lineal yards ...	48	Laying, jointing, and testing 15" cast-iron pipes, including finding lead, gaskets, &c.	@ per lineal yard 0 9 0
38 lineal yards ...	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard 0 8 0
30 super. yards ...	50	Painting three coats, exclusive of priming	@ per super. yard..... 0 2 0
2,250 super. feet.....	51	Stockholm tarring, two coats	@ per 100 feet super.. 0 16 6
4,800 super. feet.....	52	Coal-tar varnish on pipes, valves, &c., where exposed ...	@ per 100 feet super.. 1 2 0

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in anyway guaranteed by the Government.

The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

To the Secretary for Public Works.

Name—GREIG & MONDY, per R.H.
Address—Armidale.

Should the foregoing tender be accepted, we, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—GREIG & MONDY, per R.H.

No. 8.

FORM OF TENDER.

HUNTER RIVER DISTRICT WATER SUPPLY.

Walka Reservoir, Tanks and Filter-beds.

Contract No. 5.

22 January, 1883.

WE, the undersigned, do hereby undertake and agree to execute and perform the whole of the works for making and constructing the Walka Reservoir, embankment, bye-wash, filter-beds, and other works, and complete the same according to the true meaning and intent of the specification, general conditions, and drawings exhibited in connection therewith, at the schedule of prices hereto attached.

We also guarantee to carry on the contract at the rate named in the general conditions attached to the specification, and to complete and hand over the whole of the works ready for use on or before the 31st day of March, 1885.

Signatures } THOMAS A. BOURKE,
ANDREW NASH.

Address in full—T. A. BOURKE & Co., Wallsend.

We enclose herewith a Treasury receipt for the sum of £200, paid to the Colonial Treasurer, which in the event of our tender being accepted, and our failing thereafter to make the necessary cash deposit within fourteen days and complete the bond, we are prepared to absolutely forfeit to Her Majesty the Queen.

Signature—THOMAS A. BOURKE & CO.

SCHEDULE.

Approximate Quantities.	Schedule No.	Item	Rate.
108 acres	1	Clearing and stumping sites for reservoir, embankment, &c., within the area specified.....	Lump sum £ s. d. 1080 0 0
	2	Extra clearing, if required	@ per acre 10 0 0
	3	Construction of coffer-dams and other works in connection with draining and keeping dry the site for the embankment through the lagoon	Lump sum 4000 0 0
14,416 cubic yards ...	4	Excavating, removing, and stacking surface soil from site for embankment, filter-beds, tanks, &c., soil to be reserved for soiling slopes, or disposed of as specified	@ per cubic yard 0 3 0
11,043 cubic yards ..	5	Excavation for the seat of embankment through the lagoon between pegs 400 and 650.....	@ per cubic yard ... 0 4 0
1,782 cubic yards ...	6	Excavation for puddle trench between pegs 400 and 650 below seat prepared for the embankment to whatever depth it may be necessary to with the puddle	@ per cubic yard 0 7 0
3,137 cubic yards ...	7	Excavation in puddle trench where deeper than 15 feet below under side of surface soil	@ per cubic yard 1 5 0

Approximate Quantities.	Schedule No.	Item.	Rate.
83,474 cubic yards ...	8	Filling in embankment, including both selected materials and all other sound filling, rammed in place as specified	@ per cubic yard £ s. d. 0 4 6
4,919 cubic yards ...	9	Puddle in trench where deeper than 15 feet below under side of surface soil, and all puddle between pegs 400 and 650 up to surface prepared for seat of embankment	@ per cubic yard 1 0 0
14,802 cubic yards ...	10	Puddle in trench where 15 feet deep and less, and in wall above ground, and all other puddle used in this contract	@ per cubic yard 0 13 6
9,697 super yards ...	11	Soiling and sowing slopes of embankment 9 inches thick	@ per super. yard ... 0 1 4
6,037 super yards ...	12	Soiling 6 inches thick and sodding 3 inches thick on slopes, &c., where required	@ per super. yard ... 0 2 6
100 cubic yards ...	13	Loose stone in rough blocks deposited along foot of embankment and elsewhere, if required	@ per cubic yard 2 0 0
190 cubic yards ...	14	Loose stone broken to 4 inches gauge deposited along toe of embankment	@ per cubic yard 0 9 0
9,995 super yards ...	15	Hand-pitching slopes of embankment with stone averaging 12 inches thick, on broken stone 6 inches thick, inclusive	@ per super. yard ... 0 18 0
300 super yards ...	16	Hand-pitching, same as above, but 8 inches thick and without broken stone underneath for sides of roads, on slopes or other places required	@ per super. yard ... 0 10 0
611 lineal yards ...	17	Footing courses under fence wall, two courses complete	@ per lineal yard 0 13 0
611 lineal yards ...	18	Curb alongside road under fence	@ per lineal yard ... 0 7 0
611 lineal yards ...	19	Fence wall coped complete	@ per lineal yard 1 6 0
611 lineal yards ...	20	Handrailing along road, finished and painted complete	@ per lineal yard 0 6 0
2,845 lineal feet ...	21	Forming surface of approach roads ready for gravelling including cutting water tables or side drains, where necessary	@ per 100 lineal feet.. 3 0 0
1,765 lineal feet ...	22	Repairing and maintaining Scooby's lane, including gravelling, &c., as specified	@ per 100 lineal feet.. 5 0 0
2,300 lineal feet ...	23	Cutting open intercepting drains where necessary, as specified	@ per 100 lineal feet.. 0 12 0
813 cubic yards ...	24	Metalling on all roadways where required, 2½" gauge (measured in heap)	@ per cubic yard ... 0 10 0
1,524 cubic yards ...	25	Ridge gravel on roadways (measured in heap)	@ per cubic yard 0 7 0
409 cubic yards ...	26	Concrete 6 to 1, as specified	@ per cubic yard 2 10 0
1,994 cubic yards ...	27	Concrete 9 to 1, as specified	@ per cubic yard 2 0 0
137 cubic yards ...	28	Dressed stone masonry	@ per cubic yard 4 15 0
5 cubic yards ...	29	Rubble masonry in cement	@ per cubic yard 2 7 6
2,785 cubic yards ...	30	Brickwork in walls, floors, piers, &c.	@ per cubic yard 3 5 0
904 lineal yards ...	31	Moulded brick copings	@ per lineal yard ... 0 2 0
1,284 super. yards ...	32	Rendering ½-inch thick	@ per super. yard ... 0 4 0
298 cubic feet ...	33	Hardwood in girders, corbels, beams, &c.	@ per cubic foot 0 5 0
1,450 super. feet ...	34	" planking	@ per 100 of 1" thick.. 2 0 0
400 super. feet ...	35	" small scantling	@ per 100 of 1" thick.. 2 10 0
1,902 lbs.	36	Wrought iron in bolts, fastenings, plates, bars, ladders, galvanized or plain	@ per lb. 0 0 7
20 cwt.	37	Cast iron in brackets, covers, frames, &c.	@ per cwt..... 1 5 0
28,812 super. feet....	38	Dry-laid brick drain flooring in filter-beds, complete as specified	@ per 100 ft. super. ... 2 10 0
3,228 cubic yards ...	39	Providing and laying washed gravel and sand in filter-beds	@ per cubic yard 0 9 0
80,374 super. feet....	40	Gravelling surface of ground round filter-beds and tanks	@ per 100 ft. square... 0 5 0
1,016 lineal yards ..	41	Providing, laying, and jointing 18" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 18 0
110 lineal yards ..	42	Providing, laying, and jointing 12" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 10 0
.....	43	Providing, laying, and jointing 9" earthenware drain pipes, including opening and closing trenches	@ per lineal yard ... 0 7 0
18 lineal yards ...	44	Providing, laying, and jointing 6" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 5 0
6 lineal yards ...	45	Providing, laying, and jointing 4" earthenware drain pipes, including opening and closing trenches	@ per lineal yard 0 2 6
150 lineal yards ..	46	Laying, jointing, and testing 24" cast iron pipes, both flanged and socket joints, finding lead, gaskets, &c.	@ per lineal yard ... 1 5 0
595 lineal yards ...	47	Laying, jointing, and testing 18" cast-iron pipes, valves, and troughs, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard 0 16 6
290 lineal yards ...	48	Laying, jointing, and testing 15" cast-iron pipes, including finding lead, gaskets, &c.	@ per lineal yard 0 15
38 lineal yards ...	49	Laying, jointing, and testing 12" cast-iron pipes and valves, both flanged and socket joints, including finding lead, gaskets, &c.	@ per lineal yard 0 10 0
30 super. yards ...	50	Painting three coats, exclusive of priming	@ per super. yard ... 0 2 0
2,250 super. feet ...	51	Stockholm tarring, two coats	@ per 100 feet super. 1 0 0
4,800 super. feet....	52	Coal-tar varnish on pipes, valves, &c., where exposed	@ per 100 feet sup. ... 0 10 0

The estimate of quantities given above is for the convenience of contractors, who must satisfy themselves as to its accuracy. Its correctness is not in any way guaranteed by the Government.

The prices in the preceding Schedule include all labour, material, scaffolding, and workmanship of every kind necessary for the full and perfect completion of the works to the satisfaction of the Engineer-in-Chief.

Name—T. A. BOURKE, & CO.
Address—Wallsend.

To the Secretary for Public Works.

Should the foregoing tender be accepted, we, the undersigned, hereby undertake to deposit with the Secretary for Public Works, within fourteen days from the notification of the acceptance of the said tender, the sum of £3,000 as security for the due performance of the contract.

Name—T. A. BOURKE & CO.,
Wallsend.
HUNTER.

HUNTER RIVER DISTRICT WATER SUPPLY.
 SCHEDULE of Tenders for the construction of Reservoir Works at Walka Lagoon, West Maitland.

Materials.	Quantities.	L. Thomas Brooks & Co.		2. G. Blunt.		3. Ross & Dunbar.		4. John Robb.		5. James Russell.		6. J. C. Wylie & Co.		7. Creig & Mondy.		8. Thos. A. Bourke & Co.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1. Clearing and stumping site, &c.	108 acres	600 0 0		435 0 0		110 0 0		756 0 0		540 0 0		620 0 0		1,500 0 0		1,080 0 0		
2. Extra clearing (if required)		£10 per a.		2,200 0 0		2,020 8 0		1,300 0 0		1,000 0 0		2,000 0 0		3,000 0 0		4,000 0 0		
3. Coffers dams and other works, &c.		8,000 0 0		1,261 8 0		1,821 16 0		1,802 0 0		1,441 12 0		840 18 8		4,321 16 0		2,162 8 0		
4. Removing surface soil	14,416 cubic yards	0 3 0		2,102 8 0		3,812 13 0		1,650 9 0		1,656 9 0		690 3 8		4,141 2 6		2,208 12 0		
5. Excavating seat of embankment, 400 to 650	11,043 "	0 4 0		2,208 12 0		4,772 3 6		623 14 0		584 12 0		334 2 6		801 0 0		628 14 0		
6. " puddle trench pegs, " below 15 ft. deep	1,782 "	0 10 0		591 0 0		470 11 0		1,097 19 0		1,254 16 0		705 16 6		627 8 0		1,960 12 6		
7. " " " " " " " "	3,137 "	0 10 0		1,568 10 0		11,473 13 6		2 2 4		9,788 12 8		12,521 2 0		8,347 8 0		13,504 10 6		
8. Filling in embankment	88,474 "	0 4 6		18,731 13 0		0 2 0		1,967 12 0		1,721 13 0		1,844 12 6		1,967 12 0		3,074 7 6		
9. Puddle in trench below 15 ft., &c.	4,919 "	1 10 0		7,378 10 0		0 6 0		4,440 12 0		3,180 14 0		4,810 13 0		6,180 14 0		5,550 16 0		
10. " " " " " " " " " " " "	14,802 "	1 0 0		14,802 0 0		0 6 3		969 14 0		0 0 6		242 8 6		969 14 0		0 1 4		
11. Soiling and sowing slopes	0,697 super yds.	0 1 6		727 5 6		0 0 5		754 12 6		0 1 6		472 15 6		301 17 0		905 11 0		
12. " " " " " " " " " " " "	0,937 "	0 3 6		905 11 0		0 1 0		301 17 0		0 5 6		39 0 0		6 0 0		50 0 0		
13. Loose stone in blocks along foot of bank	100 cubic yards	1 10 0		150 0 0		0 6 0		30 0 0		0 6 6		66 10 0		0 7 0		63 10 0		
14. " " " " " " " " " " " "	190 "	0 9 0		85 10 0		0 7 0		66 10 0		0 7 0		66 10 0		0 7 0		63 10 0		
15. Hand-pitching slopes of bank, 12 inches	9,895 super yds.	0 16 0		7,996 0 0		0 11 3		5,022 3 0		0 10 6		5,997 0 0		0 1 5		707 19 7		
16. " " " " " " " " " " " "	300 "	0 10 0		150 0 0		0 7 4		110 0 0		0 9 0		185 0 0		0 1 0		15 0 0		
17. Footings under fence wall.	611 lineal yds.	0 15 0		458 5 0		0 14 6		442 10 0		0 9 0		185 0 0		0 1 0		62 10 0		
18. Curb along road	611 "	0 10 0		805 10 0		0 8 9		267 6 8		0 7 0		977 12 0		0 16 0		916 10 0		
19. Fence wall complete	611 "	5 0 0		3,055 0 0		1 0 0		611 0 0		1 0 0		611 0 0		2 10 0		531 12 6		
20. Hand-railing along road	611 "	1 0 0		611 0 0		0 9 3		282 11 0		1 0 0		916 10 0		0 12 6		831 17 6		
21. Forming roads	2,845 lineal feet.	5 0 0		142 5 0		3 10 0		90 11 6		1 5 0		264 15 0		14 0 0		247 2 0		
22. Repairing Scobie's lane, &c.	1,765 "	20 0 0		353 0 0		8 10 0		150 0 0		0 10 0		114 14 6		9 6 0		184 2 11		
23. Cutting intercepting drains	2,300 "	2 10 0		57 10 0		0 10 0		11 10 0		0 6 0		325 4 0		0 8 6		345 10 6		
24. Metalling, 24" gauge	813 cubic yards	0 12 0		487 16 0		0 9 9		896 6 0		0 6 0		457 4 0		0 5 6		419 2 0		
25. Ridge gravel on roads	1,624 "	0 6 0		457 4 0		0 4 6		342 18 0		0 4 0		894 11 0		2 2 6		889 2 6		
26. Concrete, 6 to 1	409 "	2 0 0		818 0 0		1 15 0		715 15 0		2 6 0		940 14 6		2 2 6		1,063 8 0		
27. " " " " " " " " " " " "	1,094 "	1 10 0		2,991 0 0		1 10 0		2,991 0 0		1 15 0		3,480 10 6		2 2 6		4,157 8 0		
28. Dressed stone masonry	137 "	4 0 0		648 0 0		3 2 6		428 2 6		4 1 0		554 17 0		5 0 0		645 0 0		
29. Rubble masonry in cement	5 "	2 0 0		10 0 0		2 10 6		12 12 6		2 14 0		12 10 0		3 0 0		15 0 0		
30. Brickwork	2,785 "	3 0 0		8,355 0 0		3 0 0		8,355 0 0		3 10 0		9,747 10 0		2 12 0		7,241 0 0		
31. Moulded copings	604 lineal yds.	0 10 0		452 0 0		0 7 0		316 8 0		0 5 0		226 0 0		0 7 0		316 8 0		
32. Rendering, 4"	1,284 super. yds.	0 4 6		298 18 0		0 5 9		369 3 0		0 2 6		160 19 0		0 4 6		98 17 0		
33. Hardwood in girders, &c.	298 cubic feet.	0 5 0		74 10 0		0 6 0		89 8 0		0 4 6		67 1 0		0 6 6		98 17 0		
34. " " " " " " " " " " " "	1,450 super. feet.	2 0 0		29 0 0		2 10 0		36 5 0		1 10 0		21 15 0		2 0 0		29 0 0		
35. " " " " " " " " " " " "	400 "	2 0 0		8 0 0		2 10 0		10 0 0		1 10 0		12 6 0		1 10 0		10 0 0		
36. Wrought-iron	1,902 lbs.	0 1 0		95 2 0		0 0 6		47 11 0		0 0 6		47 11 0		0 3 0		95 2 0		
37. Cast-iron	20 cwt.	2 0 0		40 0 0		1 15 0		35 0 0		1 17 4		37 0 8		2 0 0		40 0 0		
38. Dry laid floor.	23,812 squares	1 10 0		432 8 7		2 10 0		720 6 0		2 5 0		648 5 6		3 12 0		1,037 4 8		
39. Gravel and sand for filters	3,328 cubic yards	0 10 0		1,614 9 0		0 8 0		1,371 18 0		0 12 0		1,336 16 0		0 6 6		1,049 2 0		
40. Graveling ground	80,374 squares	0 11 0		442 1 0		0 3 6		140 13 1		0 7 0		491 17 5		0 6 6		261 4 4		
41. 18-inch E. drain-pipes, laying & providing	1,616 lineal yards	0 16 0		812 16 0		0 19 0		965 4 0		1 5 0		1,270 0 0		0 17 6		880 0 0		
42. 12 " " " " " " " " " " " "	100 "	0 13 0		72 10 0		0 12 0		68 0 0		0 10 0		55 0 0		1 0 0		110 0 0		
43. 9 " " " " " " " " " " " "	0 9 0					0 9 6				0 4 0				0 16 0				
44. 6 " " " " " " " " " " " "	18 lineal yards	0 6 6		5 17 0		0 8 9		7 17 6		0 2 0		1 16 0		0 10 0		0 4 0		
45. 4 " " " " " " " " " " " "	6 "	0 5 0		1 10 0		0 7 6		2 5 0		0 2 0		0 12 0		0 8 0		2 3 0		
46. 24" cast-iron pipes, laying	150 "	3 0 0		450 0 0		0 10 9		80 12 0		1 2 0		105 0 0		1 0 0		150 0 0		
47. 15" " " " " " " " " " " "	595 "	2 10 0		1,487 10 0		0 10 3		804 18 9		0 10 5		483 7 11		0 10 0		476 0 0		
48. 15" " " " " " " " " " " "	290 "	2 0 0		680 0 0		0 9 6		137 15 0		0 10 0		145 0 0		0 16 0		217 10 0		
49. 12" " " " " " " " " " " "	38 "	1 10 0		77 0 0		0 9 0		17 2 0		0 11 2		21 4 4		0 10 0		39 0 0		
50. Painting, three coats	30 super. yds.	0 4 0		6 0 0		0 2 6		3 15 0		0 1 4		2 0 0		0 2 0		3 0 0		
51. Stockholm tar, two coats	2,250 super feet.	0 4 0		4 10 0		1 0 0		22 10 0		0 3 8		4 5 9		0 6 0		5 12 6		
52. Coal tar	4,800 "	0 3 0		7 4 0		1 5 0		60 0 0		0 3 8		8 6 0		0 10 0		24 0 0		
				01,917 1 1		49,637 11 1		53,036 11 9		55,006 8 7		53,709 1 10		46,301 6 1		73,059 10 6		89,814 7 0

E. O. MORIARTY,
 29th January, 1883.

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No. 3.

Messrs. Greig & Monday to The Under-Secretary for Works.
Walka Reservoir for Deposit.

H. & R. No. 147 W.S.—25/1/83.

Wks. No. 83-369—24/1
23 January, 1883.

Telegram from Armidale Station, addressed to Under-Secretary Public Works.

DEPOSIT on tender Walka Reservoir sent this morning by Joint Stock Bank.

GREIG & MONDAY.

Harbours and Rivers, B.C., 24/1/83.—J.R. The deposit receipt referred to has not come to hand.—E.O.M., 29/1/83.

No. 4.

Messrs. Greig & Monday to The Under-Secretary for Works.

H. & R. No. 220 W.S.—3/2/83.

Wks. No. 83-525—29/1.
27 January, 1883.

Telegram to Armidale Station, addressed to Under-Secretary Public Works.

PLEASE wire result of tender Walka Reservoir. Reply paid at once.

GREIG & MONDAY,
11:30.

Harbours and Rivers, B.C., 30/1/83.—J.R. The matter is, I believe, awaiting the Minister's decision.—E.O.M., 1/2/83. B.C., Under-Secretary Public Works.—P.W.O., 3/2/83. Submitted. Inform—not yet decided, but Greig & Monday not the lowest.—J.R., 5/2/83. Put with other papers.—J.R., 7/2/83. Greig & Monday informed.—6/2/83.

No. 5.

The Engineer-in-Chief for Harbours and Rivers to The Under-Secretary for Works.

THE lowest tender is that of Messrs. Clarke Wylie & Co., but it is only the lowest because of an obvious error in the cost of one of the principal items, namely, that of hand-pitching on the inner slope of the embankment, for which the price named is only 1s. 5d. per yard super.; a fair price for this work would be about 12s. per yard, which would make a difference of about £5,300 in the amount of the tender; and would make it about £2,000 higher than that of Mr. Blunt, the next lowest tenderer. Some of the prices for other portions of the work, which would have to be executed first, are rather high, but generally they are not out of the way. However, as the item first referred to would be for work which would not be executed till towards the latter end, it might be that when we come to it the contractors might refuse to execute it for a price which is so obviously absurd.

There is also another objection to this tender, which is, that the conditions as to the deposit of the sum of £200 in the Treasury, as a guarantee of good faith, which was required in terms of the *Gazette* notice, has not been complied with—the tender is therefore on this ground informal. I feel bound, therefore, to recommend that it be declined, and that the next lowest tender, which is that of Mr. Blunt, be accepted.

E. O. MORIARTY,
29/1/83.

B.C., Under-Secretary, Public Works.

No. 6.

Messrs. Greig & Monday to The Under-Secretary for Works.

H. & R. No. 381 W.S.—27/2/83.

Wks. No. 83-794—3/2.
31 January, 1883.

Telegram from Armidale Station, addressed to Under-Secretary for Public Works.

PLEASE reply who is successful tenderer for Walka Reservoir.

GREIG & MONDAY,
9 p.m.

Mr. Moriarty, B.C., 5/2/83.—W.F., for U.S. Put with other papers—we have not been informed yet, I think.—J.B., 7/2/83.

No. 7.

The Under-Secretary for Works to Messrs. Greig & Monday.

Gentlemen,

Department of Public Works, Sydney, 6 February, 1883.

Referring to your telegram of the 27th ultimo requesting to be informed the result of tenders for Walka Reservoir, I am directed to inform you that the matter has not been decided upon; however, your tender is not the lowest.

I have, &c.,
JOHN RAE.

No. 8.

Memorandum by Secretary for Works.

LET Clarke Wylie & Co.'s (the lowest tenderers) tender be accepted conditional on their paying the deposit. The mistake referred to is their concern, not ours.—H.C., 7/2/83.

J. Clarke Wylie & Co. to forward deposit.—8/2/83.

No. 9.

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No. 9.

The Under-Secretary for Works to Messrs. J. Clarke Wylie & Co.

Gentlemen,

Department of Public Works, Sydney, 9 February, 1883.

As your tender dated the 23rd ultimo for the construction of reservoir and works at Walka, for Hunter River water supply, did not contain the preliminary deposit of £200, as set forth in the terms of the general conditions, I am directed to request that you will at once deposit the amount in question in order that your offer may be taken into consideration.

I have, &c.,
JOHN RAE.

No. 10.

Mr. T. A. Bourke to The Engineer-in-Chief for Harbours and Rivers.

H. & R. No. 320 W.S.—17/2/83.

Wks. No. 83-1,167—19/2.

Sir,

Wallsend, 15 February, 1883.

May I request that my preliminary cash deposit £200 may be returned if I am not the successful tenderer for Walka Reservoir and filtering-beds, West Maitland, Hunter River District water supply.

Yours, &c.,

THOMAS A. BOURKE.

I see no objection to this being done.—E. O. MORIARTY, 16/2/83, B.C., Under-Secretary Public Works. Treasury, 19/2/83; Harbours and Rivers, B.C., 19/2/83.—J.R.

No. 11.

Messrs. J. Clarke Wylie & Co. to The Under-Secretary for Works.

Wks. No. 83-1,180—17/2.

H. & R. No. 331 W.S.—19/2/83.

Respecting deposit to be lodged with tender for Walka Reservoir.

C/o. Honorable J. M. Thompson,

Sir,

98, Elizabeth-street, Sydney, 16 February, 1883.

We have the honor to acknowledge yours *re* £200 deposit on Walka tender. As the letter only reached us this morning, through our absence from town, we crave your indulgence until noon Monday next; this is necessary in consequence of partners having left Sydney until early train Monday.

We have, &c.,

J. CLARKE WYLIE & CO.

Harbours and Rivers for immediate report, B.C., 17/2/83.—J.R. Wait further communication from M. Wylie & Co.—E.O.M. Under-Secretary Public Works, 17/2/83.

No. 12.

Messrs. J. Clarke Wylie & Co. to The Under-Secretary for Works.

Wks. No. 83/1,267—20/2.

Sir,

J. M. Thompson, Esq., 98, Elizabeth-street, 20 February, 1883.

We have the honor to hand you herewith Treasury receipt for £200, being deposit on our Walka tender.

We have, &c.,

J. CLARKE WYLIE & CO.

New South Wales.

No. 4,153.

The Treasury, 20 February, 1883.

RECEIVED from J. Clarke Wylie & Co. the sum of two hundred pounds sterling, for deposit on tender for contract, viz., Walka Reservoir, West Maitland waterworks.

£200 entd.

N. LOCKYER,
(Pro Treasurer.)

No. 13.

Messrs. Mason Bros. to The Under-Secretary for Works.

Wks. No. 83/-1,270.—21/2.

Respecting Deposit Receipt lodged by Messrs. J. Clarke Wylie & Co., *in re* Tender for Walka Lagoon.

Sir,

14, Spring-st., Sydney, February, 1883.

Messrs. J. Clarke Wylie & Co. obtained our cheque for £200 (two hundred pounds) for the purpose of depositing it in the Treasury yesterday, in connection with a tender for Walka Reservoir, on representations which were not in accordance with facts subsequently ascertained; we therefore stopped payment of the cheque, and have the honor to ask you to be good enough to do what to you may be considered necessary under the circumstances.

We have, &c.,

JAMES MACDONALD,

Pro Mason Bros.

Inform Clarke Wylie & Co. of contents of this letter.—H.C., 21/3/83. Inquire at Treasury. Will the Under-Secretary for Finance and Trade kindly say what is being done in this matter.—B.C., 24/2/83.

18

No. 14.

Mr. H. A. Smith to The Paymaster, Treasury.

Treasury, No. 1,005.—24 Feb., 1883.—Misc.

Sir, Bank of New South Wales, Sydney, 21 February, 1883.
Take notice that a cheque drawn by Mason Bros. on the Oriental Bank for the sum of £200, deposited by you in this Bank, has been duly presented for payment and returned, and is now charged to your account. Payment stopped.

I am, &c.,
H. A. SMITH,
Acting Accountant.

Submitted. This is the cheque which the gentleman from Mason Bros. saw Mr. Thomson yesterday about. If the entry of the receipt of the money and all parties relating thereto are to be erased from or cancelled in my books, perhaps Mr. Thomson will obtain the Treasurer's approval thereto. The Under-Secretary for Works in such case must be called upon to hand over the Treasury receipt for the same.—W.N., 22/2/83.

Inform the depositor that his cheque has been dishonoured.—J.T., 22/2/83. Done.—W.P., for M.R., 23. See Mr. Newcombe about this.—J.T. Inform also the Under-Secretary for Public Works.—J.T., 22/2/83. Done, 23.—W.P., for M.R. Care Hon. J. M. Thompson, 98, Elizabeth-street. Contract for the construction of waterworks, Walka, Hunter River.—W.F.

No. 15.

The Under-Secretary for Finance and Trade to The Under-Secretary for Public Works.

P.O. 330.

Sir,

The Treasury, New South Wales, Sydney, 23 February, 1883.

I have the honor to advise you of the fact that a notification has been received from the Bank of New South Wales to the effect that the cheque for £200, as per margin, which was paid into the Treasury on the 20th inst., as deposit on Messrs. Clarke Wylie & Co.'s tender for the construction of water-works, Walka, Hunter River, has been returned, payment having been stopped. Messrs. Clarke Wylie & Co. have been informed.

I have, &c.,
JAMES THOMSON,
For the Under-Secretary.

No. 16.

Memorandum by Secretary for Works.

As the deposit has not been made by Clarke Wylie & Co., the lowest tenderers, either in terms of advertisement or in a satisfactory manner since, accept next lowest tender.

H.C., 24/2/83.

Inform Clarke Wylie & Co. and Mr. Blunt.—J.R., 26/2/83. Mr. Moriarty, B.C. J. Clarke Wylie & Co., G. Blunt, Crown Solicitor, Auditor-General, Harbours and Rivers, 27/2/83. Letters not to be sent, as the Minister wishes to reconsider the case.—J.R., 1/3/83.

No. 17.

Memorandum by Secretary for Works.

That tenders for Public Works must be accompanied by a Bank deposit receipt.

Memorandum for Mr. Moriarty and other Heads of Branches.

In all tenders for contracts unless a Bank deposit receipt accompanies each tender such tenders should not be accepted or dealt with as such.—H.C., 24/2/83.

Write to Heads of Branches accordingly.—J.R.
Railways, Roads, Harbours and Rivers, Colonial Architect.—6/3/83.

No. 18.

Messrs. Clarke Wylie & Co. to The Under-Secretary for Finance and Trade.

Treasury, No. 1,044, 26 February, 1883, Misc.

26 February, 1883.

Telegram from Paddington Station, addressed to Under-Secretary, Treasury.
Will deposit £200 before noon to-morrow as requested.

J.T.—27/2/83.

J. CLARKE WYLIE & CO.,
3, Camberwell-terrace, South Head Road.

No. 19.

Memorandum by Secretary for Public Works.

To get rid of the complications in this case I think it desirable to call for fresh tenders.

Mr. Moriarty for Notice.—J.R., 6/3/83., B.C. Notice herewith.—E.O.M., 7/3/83. H.C., 5/3/83. B.C.,
Under-Secretary for Works. Notice sent to Gazette. Tenders for 10th April.—J.R.

No. 20.

No. 20.

Memorandum.

Re Walka Reservoir, Filtering-tanks, &c., Hunter River District.

TENDERS for the above were sent in on 23rd January, 1883. each tender to be accompanied by a cash deposit for £200, in terms of the general conditions. On their being opened one was found to contain no such deposit of £200 as required, therefore was informal, in not having complied with the conditions of the contract. The Department therefore should have accepted the lowest tender from those which had complied with such conditions, of course providing they were reasonable tenders, and not considered too much in excess of the engineer's estimate. This course of procedure was not carried out, but the tenderer was called for and told to pay his cash deposit (*viz.*, £200), when his tender would be accepted. The other *bona-fide* contractors were ignorant of what was being done until Mr. Blunt and myself were told by two or three respectable firms that this tenderer had been trying to obtain £200 to make good his tender (this was on 19th February, some three weeks after the tenders were sent in), and on the 21st February I waited on the Minister for Public Works, and pointed out to him the injustice of the transaction. He promised to have the matter settled in strict accordance with the specification and general conditions of the contract. I replied, "That was all I asked for." After waiting some eight or nine days (March 2nd), I again called on him, in company with Mr. Blunt. On this occasion he stated he wished to have the Crown Solicitor's opinion, when he would decide. I again pointed out to him the injustice it would be to *bona-fide* contractors if fresh tenders were called for. On 6th inst. I called again, when I was informed by the Minister that he had decided to call for fresh tenders. I told him that a great injustice was being done, and that I was determined to have the matter brought before Parliament. The following are my reasons, to enable Honorable Members to see the injustice that has been done, and to have the matter redressed:—

1. Had not the tender in question been sent in, would not the Department have recommended the acceptance of the lowest of the others that had complied with the conditions? I say they certainly would have done so, as there could be no reason to the contrary; such being the case, what was there to prevent them carrying out this course? Surely their wrong-doing in the first place was no excuse for the injustice they are now determined to do to *bona-fide* contractors, who have gone to considerable time, labour, and expense in making up their tenders, besides having their cash blocked up for the past six weeks.

2nd. I do consider it is the duty of a Minister to see that justice and fair play is done by the heads of Departments in matters of this kind, and so prevent any wrong being done, as has been done, in the present case, for there cannot possibly have been a greater mistake made than to have sent for the tenderer who had not made his cash deposit; for how could they expect he would be in a position to give the further sum of £3,000 as cash security for the due performance of the contract, or even to have funds to procure plant.

WM. WAKEFORD.

The Minister for Works.—I would be glad to have a conversation with my hon. colleague on this matter this evening.—A.S., 9/3/83. The Under-Secretary Public Works, B.C., 9/3/83.—C.W.

No. 21.

The Crown Solicitor to The Under-Secretary for Public Works.

Memo. respecting Messrs. Clarke Wylie & Co.'s tender for works at Walka, for Hunter River Water Supply.
Crown Solicitor's Office, Sydney, 13 March, 1883.

As I understand this matter stands thus:—Messrs. Clarke Wylie & Co. forwarded a tender for the works, but it was not accompanied by the usual deposit, which in this case should have been for £200. By letter, of date 9th February, 1883, they were requested to at once deposit the amount in question in order that their offer should be taken into consideration. In compliance with this request they made the deposit, by leaving a cheque of Messrs. Mason Bros. at the Treasury, of which payment was afterwards stopped by Mason Bros. No communication accepting their tender was sent to Messrs. Clarke Wylie & Co., and it was ultimately resolved that their tender should not be accepted.

Upon my opinion being asked as to whether the Government was under any liability to Messrs. Clarke Wylie & Co., I advised that as the only communication made to them by the Department was the letter of 9th February, in which it was stated that if the deposit was made the matter would be taken into consideration, the Government was not liable.

I was aware that the letter sent to Messrs. Clarke Wylie & Co. was not in accordance with the minute of the Minister of date 7/2/83, but I do not think that is material. The question is really what were the terms of the letter sent, not whether such letter was in accordance with the intention or the instructions of the Minister, of which of course Messrs. Clarke Wylie & Co. were not informed.

JOHN WILLIAMS,
14th March, 1883.

No. 22.

The Under-Secretary for Public Works to Mr. John Robb.

Sir, Department of Public Works, Sydney, 16 March, 1883.

I am directed to inform you that fresh tenders having been invited for the construction of the Walka Reservoir, the amount deposited with your tender for this work will be paid to you or your order at the Treasury upon application.

I have, &c.,
JOHN RAE.

No. 23.

The Under-Secretary for Public Works to Mr. George Blunt.

Sir, Department of Public Works, Sydney, 16 March, 1883.

I am directed to inform you that fresh tenders having been invited for the construction of the Walka Reservoir, the amount deposited with your tender for this work will be paid to you or your order at the Treasury upon application.

I have, &c.,
JOHN RAE.

No. 24.

No. 24.

The Under-Secretary for Works to Messrs. T. Brooks & Co.

Gentlemen, Department of Public Works, Sydney, 16 March, 1883.
I am directed to inform you that fresh tenders having been invited for the construction of the Walka Reservoir, the amount deposited with your tender for this work will be paid to you or your order at the Treasury upon application. I have, &c.,
JOHN RAE.

No. 25.

Messrs. Thos. Brooks & Co. to The Under-Secretary for Works.

Wks. No. 83,133—20/3.

Return of Deposit lodged with Tender for Walka Reservoir.

Sir, Newcastle, N.S.W., 16 March, 1883.
As fresh tenders are called for the Walka waterworks, I beg to apply for a refund of my deposit, namely, £200, that accompanied my tender, and consider the deposit has been retained a most unreasonable time. Trusting no unnecessary delay will occur in complying with my reasonable request. I remain, &c.,
THOS. BROOKS & CO.

Inform that payment will be made on application at the Treasury.—J.R., 30/3/83. Messrs. T. Brooks & Co., Treasury, 2/4/83. Put with other papers relating to the work.

No. 26.

Mr. T. A. Bourke to The Secretary, Harbours and Rivers Department.

536 W.S.—19/3/83.

Wallsend, 17 March, 1883.

I TENDERED for construction of Walka Reservoir, Hunter River water supply, and enclosed therewith Treasury receipt for deposit of £200 to the credit of Commissioner for Public Works.

I applied for return of same some weeks ago, but my application has apparently been overlooked. Now that fresh tenders are called for said works, I have again to request the return of my £200.

It is a serious loss to me to have said sum lying idle in Treasury, and I have again to request its repayment. I have, &c.,

THOMAS A. BOURKE,
Contractor.

See telegram sent to Mr. Bourke this day.—J.B., 19/3/83.

O.H.M.S. 83,536 W.S.

Mr. Thomas A. Bourke, contractor, Wallsend.

THE Treasury were instructed last month to return your cash deposit; perhaps you did not state where it should be paid. Better advise Treasury what to do.

Harbours and Rivers, 19/3/83.

For E. O. MORIARTY,
(J. BARLING.)

No. 27.

Mr. T. A. Bourke to The Engineer-in-Chief for Harbours and Rivers.

H. & R. No. 589 W.S.—28/3/83.

Sir,

Wallsend, 20 March, 1883.

I am in receipt of your telegram of 19th instant, re deposit Walka Lagoon, Hunter River water supply. I forwarded per Australian Joint Stock Bank, Wallsend, an authority to receive the amount from Treasury, but in case that would not answer the purpose I enclose a signed voucher for amount, as I have been informed it will be necessary to produce some such authority for the refund from your Department. If such is required, I have to request that you will fill in the particulars and give the necessary orders for payment of my cash deposit, £200. I have, &c.,

THOMAS A. BOURKE.

The account is not needed, but I wish Mr. Steel to send to inquire to-day about the matter.—J.B., 21/3/83. Mr. Steel. I find that this money is ready for payment at Treasury.—S. STEEL, 21/3/83 Chief Clerk. Inquire if paid now.—J.B., 27/3/83. Mr. Steel. Mr. Berthon.—J.S.S., 28/3/83.

The Treasury inform me that if the attached vouchers are sent over the money can be paid to Mr Bourke at once.—H.B., 29/3/83. S.S.—29/3/83. Chief Clerk. But the Bank has received the order, ask what they have done.—J.B., 29/3/83. Urgent.—Mr. Steel.

Mr. Berthon to inquire at Bank about this.—S.S., 30/3/83. The Treasury have received the authority, and informed me that the money would probably be paid to-morrow.—H.B., 2/4/83. Tell this to Mr. Bourke.—J.B., 2/4/83. Mr. P. Telegraphed.—2/4/83.

21.

No. 28.

Mr. Charles M. Palmer to The Colonial Secretary

Wks. No. 83/2,387

Treasury, N.S.W., 3 April, 1883.
Exam. Bch.Treasury No. 1,434—22 March, 1883.
Misc.

29.3

Sir,

Bank of New South Wales, Sydney, 21 March, 1883.

Referring to inquiries recently made by your Department, I do myself the honor to inform you that Messrs. Mason Brothers' cheque for £200 still remains unpaid, and at debit of the Government account.

I have, &c.,

CHAS. M. PALMER,

Assistant Secretary,

Bank of New South Wales, £200.—Rev. refd. Mr. Newcombe,—Please have this attended to as early as possible.—J.T., 23/3/83. Mason's cheque referred to as "payment stopped" was paid into the Treasury on the 20th February last as deposit on the tender of Messrs. Clarke Wylie & Co., for Walka Reservoir, West Maitland waterworks.

As the cheque is still unpaid, will the Under-Secretary for Public Works be good enough to inform me in what position the tender of the gentlemen referred to stands.—J.T., for U.S. The Under-Secretary for Public Works, B.C., 27/3/83.

No. D 70,068

Sydney, February 20th, 1883.

New South Wales.

The Oriental Bank Corporation, Sydney.

Pay A. 2,682 _____ or bearer two hundred pounds sterling.
£200. Bank. Cancelled. See 83/1,434.—W.N. Payment stopped.

No. 29.

The Under-Secretary for Works to The Under-Secretary for Finance and Trade.

Works Department.

PAPERS *re* Clarke Wylie & Co., tender and deposit of £200 by a cheque which was stopped. Get the paper with the necessary reply thereon.

Forward deposit receipt to the Treasury to be dealt with.—J.R., 31/3/83. Received.—J.T., for U.S., 2/4/83. Examiner,—Refund the sum of £200 to the Bank of New South Wales for the dishonored cheque referred to.—J.T., for U.S., 2/4/83.

No. 30.

Mr. T. Brooks to The Under-Secretary for Works.

Works No. 83/2,282, 5/4.

For return of deposit lodged with tender for Walka Reservoir.

Sir,

Newcastle, New South Wales, 3 April, 1883.

I again beg to remind you that up to date the cash deposit that accompanied my tender for the Walka Reservoir, &c., has not been returned to me in the terms of contract, and beg to request that the amount will be placed to my credit at the Commercial Bank, Newcastle, without further delay.

Yours respectfully,

THOMAS BROOKS.

Inform that the deposit has been sent to Treasury for repayment, 5/4/83. Informed on the 2nd instant, see M.P. 83/2,133 attached.

No. 31.

The Under-Secretary for Finance and Trade to The Engineer-in-Chief for Harbours and Rivers.

These are the papers applied for this morning from the Harbours and Rivers Department; they are required there, to lay on the Table of the House.

A.E., 9/4/83.

The Engineer-in-Chief for Harbours and Rivers.—J.T., for U.S., B.C., 9/4/83. To be returned. H. and R., 83/276. W.S.—J. Russell applying for return of £200 deposit, Walka Reservoir. Wks. 83/1,194.—Ross & Dunbar for return of deposit—£200—Walka Reservoir. H. and R. 83/507, W.S.—Clarke Wylie & Co., for copy of their schedule for Walka Reservoir. The above are not with the papers.

(2.) 1. Thomas Brooks & Co.; 2. G. Blunt; 3. Ross & Dunbar; 4. John Robb; 5. James Russell; 6. Thomas A. Bourke & Co.

(3.) 1. J. Clarke Wylie & Co.—This firm deposited at Treasury on the 20th February, a cheque for £200, as deposit, drawn by Mason Brothers, who immediately after stopped payment of same.

2. Greig & Monday.—Deposit not received until a few days after date of opening tenders.

[1s. 3d.]

Sydney: Thomas Richards, Government Printer.—1883.

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1883.

NEW SOUTH WALES.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION, BETWEEN
HER MAJESTY THE QUEEN AND THE PRINCE OF MONTENEGRO.

(DESPATCH.)

Presented to Parliament by Command.

The Treasury, New South Wales,
12th February, 1883.

HIS Excellency the Governor directs the publication, for general information, of the following Circular Despatch from the Secretary of State for the Colonies, respecting a Treaty of Friendship, Commerce, and Navigation, between Her Majesty and the Prince of Montenegro.

GEORGE R. DIBBS.

(Circular 1.)

Downing-street,
14th June, 1882.

Sir,

I have the honour to transmit to you, for publication in the Colony under your Government, a copy of a Treaty of Friendship, Commerce, and Navigation, between Her Majesty and the Prince of Montenegro, signed on the 21st of January last.

I have to call your attention to Article 14 of the Treaty, from which you will perceive that, if it is desired that the Colony under your Government should come within the operation of the Treaty, notice must be given to the Montenegrin Government within one year from the date of the exchange of the ratifications (May 14, 1882). It will therefore be desirable for you to inform me, at your earliest convenience, of the wishes of your Government in the matter.

I have, &c.,
KIMBERLEY.The Officer Administering
The Government of New South Wales.

TREATY of Friendship, Commerce, and Navigation between Her Majesty and the Prince of Montenegro.

Signed at Cetinje, January 21, 1882.

[Ratifications exchanged at Cetinje, May 14, 1882.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Prince of Montenegro, being desirous of placing on a satisfactory footing the commercial relations between the two States, have with this object determined to conclude a Treaty of Friendship, Commerce, and Navigation, and they have accordingly appointed their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, William Kirby Green, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Her Majesty's Chargé d'Affaires at the Court of Montenegro ;

And His Highness the Prince of Montenegro, the Voïvode Stanko Radonich, Knight Grand Cross of the most Distinguished Order of Danilo the First, his Minister for Foreign Affairs ;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

British subjects who reside temporarily or permanently in Montenegro, and Montenegrin subjects who reside temporarily or permanently in the United Kingdom of Great Britain and Ireland, shall enjoy therein with respect to residence, and the exercise of commerce and trade, the same rights as, and shall not be subject to any higher or other impost or taxes, whether general, municipal, or local, than natives, or the subjects of any other country, the most favoured in this respect by either of the Contracting Parties.

British subjects in Montenegro, and Montenegrin subjects in the United Kingdom of Great Britain and Ireland, shall enjoy the same treatment as natives, or as is now granted, or may hereafter be granted to the subjects of any other country the most favoured in this respect, with regard to the acquisition, the holding, and the disposal of real property, and all charges on it ; with regard to access to Courts of Law, and in the prosecution and defence of their rights ; and in regard to domiciliary visits to their dwellings, manufactories, warehouses, or shops.

They shall be exempted from billeting, and from all compulsory military service, whether in the army, navy, national guards, or militia. They shall be likewise exempted from all contributions whether pecuniary or in kind, imposed as a compensation for billeting and personal service ; and finally, from forced loans, and military exactions, or requisitions, as well as from all judicial or municipal functions whatever, other than those imposed by the laws relating to juries.

ARTICLE II.

The produce and manufactures of, as well as all goods coming from the United Kingdom of Great Britain and Ireland, which are imported into Montenegro, and the produce or manufactures of, as well as all goods coming from, Montenegro, which are imported into the United Kingdom of Great Britain and Ireland, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and in particular, shall be subject to no higher or other duties or surcharges, whether general, municipal, or local, than the produce, manufactures, and other goods of any third country the most favoured in this respect, except as regards such special facilities, as have been, or may hereafter be, conceded on the part of Montenegro to the neighbouring States, with respect to the traffic in local produce and manufactures between their continuous frontier districts. No other or higher duties shall be levied in Montenegro, on the exportation of any goods to the United Kingdom of Great Britain and Ireland ; or in the United Kingdom of Great Britain and Ireland, on the exportation of any goods to Montenegro, than may be levied on the exportation of any like goods to any third country the most favoured in this respect.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit, against the other, which shall not under the like circumstances be applicable to any third country the most favoured in this respect. In like manner, all that relates to local dues, Customs' formalities, brokerage, patterns or samples, introduced by commercial travellers, and all other matters connected with trade, British subjects in Montenegro, and Montenegrin subjects in the United Kingdom of Great Britain and Ireland, shall enjoy the most-favoured-nation treatment.

ARTICLE III.

All British produce or manufactured goods shall be imported into Montenegro free of all duties or charges, with the exception only of such dues as shall be levied for custom-house portage, public weighing, and for the maintenance and improvement of quays and custom-house buildings.

SA Majesté la Reine du Royaume-Uni de la Grande Bretagne et d'Irlande, et Son Altesse le Prince de Monténégro désirant placer sur une base satisfaisante les relations commerciales entre les deux États, ont, dans ce but, résolu de conclure un Traité d'Amitié, de Commerce, et de Navigation, et ont, à cet effet, nommé pour leurs Plénipotentiaires respectifs, savoir :

Sa Majesté la Reine du Royaume-Uni de la Grande Bretagne et d'Irlande, Monsieur William Kirby Green, Compagnon de l'Ordre Très-Distingué de Saint-Michel et de Saint-George, son Chargé d'Affaires près la Cour du Monténégro ;

Et Son Altesse le Prince de Monténégro, le Voïvode Stanko Radonich, Grand Cordon de l'Ordre Très-Distingué de Danilo Premier, son Ministre des Affaires Étrangères ;

Losquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont tombés d'accord et ont arrêté les Articles suivants :—

ARTICLE I.

Les sujets Britanniques qui résident d'une manière soit temporaire soit permanente en Monténégro ; et les sujets Monténégrins qui résident d'une manière soit temporaire soit permanente dans le Royaume de la Grande Bretagne et d'Irlande, y jouiront par rapport à la résidence, et à l'exercice du commerce et de l'industrie, des mêmes droits, et ne seront assujettis à aucun impôt ou taxe, général, municipal, ou local, autre ou plus élevé que les nationaux, ou les sujets de toute autre Puissance la plus favorisée sous ce rapport, par les Parties Contractantes.

Les sujets Britanniques au Monténégro, et les sujets Monténégrins dans le Royaume-Uni de la Grande Bretagne et d'Irlande, jouiront du même traitement que les nationaux, ou les sujets de la nation la plus favorisée sous le rapport de l'acquisition, la possession, et l'alienation d'immeubles, et de tout charge sur ces immeubles ; sous le rapport de l'accès aux Tribunaux, de la poursuite, et de la défense de leurs droits ; et en ce qui regarde les visites domiciliaires à leurs domiciles, leurs fabriques, leurs magasins, ou leurs boutiques.

En outre, ils seront dispensés de fournir des logements aux troupes, et de tout service militaire obligatoire, dans l'armée, la marine, la garde nationale, ou la milice. Ils seront de même exempts de toute contribution en argent, ou en matière, imposée comme compensation pour le logement de troupes, ou pour le service personnel ; et, en dernier lieu, d'emprunts forcés, et de prestations, et réquisitions militaires, ainsi que de toutes fonctions judiciaires ou municipales quelconques, à l'exception des fonctions qui sont imposées par les lois en ce qui concerne les jurys.

ARTICLE II.

Les produits et manufactures, ainsi que toutes les marchandises provenant du Royaume-Uni de la Grande Bretagne et d'Irlande, qui sont importés au Monténégro, et les produits et manufactures, ainsi que toutes les marchandises provenant du Monténégro, qui sont importés dans le Royaume-Uni de la Grande Bretagne et d'Irlande, destinés à la consommation, l'entrepôt, la ré-exportation, ou le transit, seront traités de la même manière, et spécialement, ne seront assujettis à aucuns droits ou taxes additionnelles, généraux, municipaux, ou locaux, autres, ou plus élevés, que les produits, les manufactures, et les marchandises de toute tierce Puissance la plus favorisée sous ce rapport, excepté en ce qui concerne les facilités spéciales, qui ont été, ou qui pourront être, concédées plus tard par le Monténégro, aux États voisins, par rapport au trafic en manufactures et produits locaux entre leurs districts frontières limitrophes. Aucun droit autre, ou plus élevé, ne sera prélevé dans le Royaume-Uni de la Grande Bretagne et d'Irlande, sur l'exportation d'aucune marchandise au Monténégro, ni en Monténégro sur l'exportation d'aucune marchandise au Royaume-Uni de la Grande Bretagne et d'Irlande, que ceux qui pourront être perçus sur l'exportation des mêmes marchandises dans un tiers pays le plus favorisé sous ce rapport.

Aucune des Parties Contractantes n'établira à l'égard de l'autre une prohibition contre l'importation, l'exportation, ou le transit, qui dans les mêmes circonstances ne sera pas applicable à tout tiers pays le plus favorisé sous ce rapport.

De même, pour tout ce qui concerne les droits locaux, les formalités de Douane, le courtage, les dessins de fabrique, ou les échantillons introduits par les commis-voyageurs, ainsi que toutes les autres affaires commerciales, les sujets Britanniques au Monténégro, et les sujets Monténégrins dans le Royaume-Uni de la Grande Bretagne et d'Irlande, jouiront du traitement de la nation la plus favorisée.

ARTICLE III.

Toutes les marchandises d'origine ou de manufacture Britannique seront importées au Monténégro libres de tout droit ou taxe, à l'exception seulement des droits qui seront perçus pour le factage, quand ce service est fait par les employés de la Douane, ou pour le passage public, ou pour le maintien et l'amélioration des quais ou des bâtiments de la Douane.

And any reduction in these dues, granted to the goods or manufactures of any third Power, shall be at once and unconditionally extended to British produce or manufactured goods.

The Montenegrin Government reserves, however, the right of levying an import duty on British manufactures and produce, when it shall deem it expedient. Nevertheless the Montenegrin Government binds itself to give the British Government previous notice of such decision six months before the measure is put in force, and engages further that such rate of duty shall not exceed 8 per cent. *ad valorem*.

The Montenegrin Government engages, moreover, not to levy any such duties except when they are also applicable to the like manufactures and products of all other foreign countries.

The following articles are excepted from the right of free importation into Montenegro, viz. :—

Arms of all kinds.
Gunpowder and other explosives.
Munitions of war.
Salt.
Saltpetre.
Sulphur.
Spirits.
Tobacco.
Wines.

The above products shall be subject in Montenegro to the same conditions as the like products of any third Power, the most favoured in this respect.

ARTICLE IV.

The duties *ad valorem* which may hereafter be levied in Montenegro, on British produce or manufactured goods, shall be calculated on the value at the place of production or fabrication of the article imported, with the addition of the cost of transport, insurance or commission, necessary for its importation into Montenegro, as far as the port of discharge or place of entry.

For the levying of these dues, the importer shall make a written declaration at the custom-house, stating the value and description of the goods imported. If the Custom-house authorities are of opinion that the declared value is insufficient, they shall be at liberty to take the goods on paying to the importer the price declared, namely, the value at the place of production or fabrication of the article imported, with the addition of the cost of transport, insurance, and commission necessary for importation into Montenegro, as far as the port of discharge or place of entry, with an addition of 5 per cent.

This payment, together with the restitution of any duty which may have been levied upon such goods, shall be made within fifteen days following the declaration.

Goods, unaccompanied by the abovementioned declaration, will not be entitled to the benefit of paying the *ad valorem* duties stipulated in the present Treaty, but shall be subject to the specific or other duties imposed by the Montenegrin Government.

ARTICLE V.

The Montenegrin Government reserves to itself the right, after an understanding with Her Majesty's Legation, to limit to certain places the Custom-houses through which goods charged *ad valorem* may enter Montenegro.

The Montenegrin Government likewise reserves to itself the right to require that the importer shall produce, together with his declaration of value on the entry of the goods into Montenegro, one or other, at his option, of the following documents, namely :—

1. A declaration of value made before the magistrate at the place of manufacture or production.
2. A certificate of value from the Chamber of Commerce at the place of production; or
3. A declaration of value made before the nearest Montenegrin Consul. The fee of such Consul on certifying this declaration shall not exceed 5s.

ARTICLE VI.

The Montenegrin Government opens to the produce and manufactures of the United Kingdom of Great Britain and Ireland, and to the produce and manufactures of British Colonies and foreign possessions, all its ports, harbours, and all landing-places or quays on its rivers or other waters, where merchandise is permitted to be landed, and all custom-houses, free of all custom-house duties and charges, but without prejudice to the stipulations of Articles III, VIII, and XII of this present Treaty.

ARTICLE VII.

If one of the Contracting Parties shall impose an excise tax, that is to say, an inland duty, upon any article of home production or manufacture, an equivalent compensatory duty may be imposed on articles of the same description on their importation from the territories of the other Power, provided that the said equivalent duty is levied on like articles on their importation from all foreign countries.

Et toute réduction de ces taxes additionnelles qui pourra être accordée aux produits ou manufactures de toute tierce Puissance, sera étendue immédiatement, et sans conditions, aux mêmes articles d'origine ou de manufacture Britannique.

Le Gouvernement Monténégrin se réserve, cependant, la faculté de prélever un droit d'entrée sur les produits du Royaume-Uni et d'Irlande, lorsqu'il jugera le moment opportun. Toutefois le Gouvernement Monténégrin s'oblige à donner avis préalable au Gouvernement Britannique de cette décision six mois avant son entrée en vigueur, et s'engage en outre que le montant d'un tel droit n'excédera pas 8 pour cent *ad valorem*.

De même le Gouvernement Monténégrin s'engage de ne pas percevoir de pareilles droits que quand ils sont aussi applicables aux manufactures et produits similaires de tout autre pays étranger.

Les articles suivants sont exceptés du droit de libre entrée dans le Monténégro, savoir :—

Armes de toute espèce.
Poudre à canon, et autres matériaux explosibles.
Munitions de guerre.
Le sel.
Le salpêtre.
Le soufre.
Les alcools.
Le tabac.
Les vins.

Les produits sus-mentionnés seront assujettis au Monténégro aux mêmes conditions que les produits similaires de toute autre tierce Puissance la plus favorisée sous ce rapport.

ARTICLE IV.

Les droits *ad valorem* que pourraient être prélevés au Monténégro sur les marchandises d'origine ou de manufacture du Royaume-Uni de la Grande Bretagne et d'Irlande, seraient calculés sur la valeur de l'objet importé, au lieu de production, ou de fabrication, en y ajoutant les frais de transport, d'assurance, et de commission nécessaires pour l'importation au Monténégro, jusqu'au port de décharge ou lieu d'entrée.

Pour la perception de ces droits, l'importateur remettra à la douane une déclaration écrite indiquant la valeur et la nature des marchandises importées. Si la Douane était d'avis que la valeur déclarée est insuffisante, elle pourrait garder les marchandises en payant à l'importateur le prix déclaré, c'est-à-dire la valeur de l'objet importé, au lieu de production ou de fabrication, augmentée des frais de transport, d'assurance, et de commission nécessaires à l'importation au Monténégro, jusqu'au port de décharge ou lieu d'entrée, et de 5 pour cent additionnels.

Ce paiement, ainsi que le remboursement de tout droit acquittés par les dites marchandises, auront lieu dans le quinze jours qui suivraient la déclaration.

Les marchandises non accompagnés de la dite déclaration ne seront pas admises au paiement des droits *ad valorem*, stipulés par le présent Traité, mais seraient assujetties aux droits spécifiques ou autres décrétés par le Gouvernement Monténégrin.

ARTICLE V.

Le Gouvernement Monténégrin se réserve le droit de limiter, d'accord avec la Légation de Sa Majesté Britannique, à certaines localités, les douanes par lesquelles les marchandises assujetties aux droits *ad valorem* pourraient être introduites au Monténégro.

Le Gouvernement Monténégrin se réserve de même le droit d'exiger de l'importateur, qu'il produise à l'introduction au Monténégro des marchandises, outre la déclaration de valeur, un des documents suivants, laissé à son choix :—

1. Une déclaration de valeur dressée par devant le magistrat du lieu de production de la marchandise.
2. Un certificat de valeur délivré par la Chambre de Commerce du lieu de production; or
3. Une déclaration de valeur dressée par devant le Consul Monténégrin du lieu le plus proche. La taxe à percevoir par le dit Consul pour la délivrance de cette pièce ne pourrait excéder 5s. (2 fl. 50 kr.).

ARTICLE VI.

Le Gouvernement Monténégrin ouvre aux produits et manufactures du Royaume-Uni de la Grande Bretagne et d'Irlande, et aux produits et manufactures des Colonies et des possessions étrangères de Sa Majesté Britannique, tous ses ports et ses havres, et tous les débarcadères et quais de ses rivières et autres eaux, où le débarquement de la marchandise est permis, et toutes ses douanes, libres de tout droit ou impôt de douane, mais sans porter atteinte aux stipulations des Articles III, VIII, et XII de ce Traité.

ARTICLE VII.

Si l'une des Parties Contractantes établit un droit d'accise, c'est-à-dire, un droit intérieur, sur un produit quelconque du sel et de l'industrie nationale, un droit compensateur équivalent pourra être perçu sur les produits similaires importés du territoire de l'autre Puissance, pourvu que le dit droit compensateur soit perçu sur les produits similaires à leur importation de tout autre pays étranger.

In the event of the reduction or suppression of excise taxes—that is to say, inland duties—a corresponding reduction or suppression shall at the same time be made in the equivalent compensatory duty on manufactures of British or Montenegrin origin, as the case may be.

ARTICLE VIII.

Every favour or immunity which has been, or may hereafter be, granted by one of the Contracting Parties to the subjects or commerce of a third Power, shall be granted simultaneously and unconditionally to the other, except as regards such special facilities as have been, or may hereafter be, conceded on the part of Montenegro to the neighbouring States with respect to the local traffic between their contiguous frontier districts.

ARTICLE IX.

British subjects in Montenegro, and Montenegrin subjects in the United Kingdom of Great Britain and Ireland, shall enjoy the same rights as natives, or as are now granted, or may hereafter be granted, to the subjects of any third Power the most favoured in this respect, in everything relating to the property in trade-marks, or trade labels or tickets, as well as in patterns or designs for manufactures.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries.

ARTICLE X.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-consuls and Consular Agents to reside respectively in the towns and ports of the Contracting Parties where the Consular Officers of these different classes of the most favoured nation have received or may receive authorization to reside. Such Consular Officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities, are or may hereafter be granted there to Consular Officers of the most favoured nation.

ARTICLE XI.

It is agreed that, as regards freights and all other facilities, British goods conveyed over Montenegrin railways or publicly-constructed high roads, and Montenegrin goods conveyed over British railways, shall be treated in exactly the same manner as the goods of any other nation the most favoured in that respect.

ARTICLE XII.

British ships and their cargoes shall in Montenegro, and Montenegrin ships and their cargoes in the United Kingdom of Great Britain and Ireland, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, shall be treated in every respect as national ships and their cargoes.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation, without prejudice to the Rules and Regulations of the Maritime and Sanitary Police and of the Maritime Code in force in Montenegro.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power shall be extended immediately and unconditionally to the other Party.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the laws in force in Montenegro, are to be deemed Montenegrin vessels, shall, for the purposes of this Treaty, be respectively deemed British or Montenegrin vessels.

ARTICLE XIII.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents of each of the Contracting Parties residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters, not being slaves, from the merchant vessels of their respective countries.

ARTICLE XIV.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign Possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada,
Newfoundland,
The Cape,
Natal,
New South Wales,

Dans le cas de réduction ou suppression des droits d'accise—c'est-à-dire, droits intérieurs—une réduction équivalente ou suppression sera en même temps opérée sur le droit compensateur prélevé sur les produits d'origine Britannique ou Monténégrine, selon le cas.

ARTICLE VIII.

Toute faveur et immunité qui a été, ou qui pourra être, accordée par l'une des Parties Contractantes aux sujets ou au commerce d'une tierce Puissance, sera accordée simultanément, et sans conditions, à l'autre, excepté en ce qui concerne les facilités spéciales qui ont été ou qui pourront être, accordées plus tard par le Monténégro aux Etats voisins, par rapport au trafic local entre leurs districts frontières limitrophes.

ARTICLE IX.

Les sujets Britanniques en Monténégro, et les sujets Monténégrins dans le Royaume-Uni de la Grande Bretagne et d'Irlande, jouiront des mêmes droits que les nationaux, ou de ceux qui sont présentement accordés, ou qui pourront être accordés à l'avenir, aux sujets de toute tierce Puissance la plus favorisée sous ce rapport, pour tout ce qui concerne la propriété, soit des marques de commerce, ou autres marques particulières indiquant l'origine ou la qualité des marchandises, soit des modèles ou dessins de fabrique.

Il est entendu que toute personne qui veut obtenir la dite protection doit se conformer aux formalités demandées par les lois des pays respectifs.

ARTICLE X.

Chacun des Parties Contractantes pourra nommer des Consuls-Généraux, Consuls, Vice-Consuls, Pro-Consuls, et Agents Consulaires pour résider dans les villes et ports des Puissances Contractantes où les Agents Consulaires de ces diverses dénominations de la nation la plus favorisée ont obtenu ou pourront obtenir l'autorisation de résider. Ces Agents Consulaires n'entrent cependant pas en fonctions avant d'avoir été reconnus et admis dans la forme habituelle par le Gouvernement auprès duquel ils sont accrédités. Ils auront le droit d'exercer les mêmes fonctions, et ils jouiront des mêmes privilèges, exemptions, et immunités, qui sont, ou qui seront à l'avenir, accordés aux Agents Consulaires de la nation la plus favorisée.

ARTICLE XI.

Il est convenu que, en ce qui regarde les frais de transport et toute autre facilité, les marchandises Britanniques transportées sur les chemins de fer Monténégrines ou sur les chaussées construites par l'Etat en Monténégro, et les marchandises Monténégrines transportées sur les chemins de fer Britanniques, seront traitées exactement de la même manière que les marchandises de toute autre nation la plus favorisée sous ce rapport.

ARTICLE XII.

Les navires Britanniques et leurs cargaisons au Monténégro, et les navires Monténégrins et leurs cargaisons dans le Royaume-Uni de la Grande Bretagne et d'Irlande, à leur arrivée d'un port quelconque, et quel que soit le lieu d'origine ou de destination de leur cargaison, jouiront, sous tous les rapports, du même traitement que les navires nationaux et leurs cargaisons.

La stipulation précédente se réfère au traitement local, aux droits, et aux frais dans les ports, les bassins, les docks, les rades, les havres, et les rivières des deux pays, au pilotage, et en général à tout ce qui se rapporte à la navigation, sans porter atteinte aux Règlements de la Police Maritime et Sanitaire et du Code Maritime en vigueur au Monténégro.

Toute faveur ou exemption sous ces rapports, ou tout autre privilège en fait de navigation, que l'une des Parties Contractantes accordera à une tierce Puissance, sera immédiatement, et sans conditions, étendu à l'autre Partie.

Tout navire qui, en conformité des lois Britanniques, doit être considéré comme navire Britannique, et tout navire Monténégrin qui, en conformité des lois en vigueur au Monténégro, doit être considéré comme navire Monténégrin, seront, pour l'application du présent Traité, considérés réciproquement comme navires Britanniques ou Monténégrins.

ARTICLE XIII.

Les Consuls-Généraux, Consuls, Vice-Consuls, Pro-Consuls, et Agents Consulaires de chacun des Parties Contractantes résidant dans les états ou possessions de l'autre recevront de la part des autorités locales toute l'assistance qui pourra leur être accordée d'après la loi, pour la remise des déserteurs, non esclaves, des navires marchands, de leurs pays respectifs.

ARTICLE XIV.

Les stipulations du présent Traité seront applicables à toutes les Colonies ou Possessions étrangères de Sa Majesté Britannique, en tant qu'il est permis par les lois, à l'exception de celles ci-dessous énumérées, savoir :—

Le Canada,
Terre Neuve,
Le Cap,
Natal,
La Nouvelle Galles du Sud,

Victoria,
Queensland,
Tasmania,
South Australia,
Western Australia,
New Zealand.

Victoria,
Queensland,
La Tasmanie,
L'Australie Méridionale,
L'Australie de l'Ouest,
La Nouvelle Zélande.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign Possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of Montenegro to the Montenegrin Minister for Foreign Affairs, within one year from the date of the exchange of the ratifications of the present Treaty.

Il est, néanmoins, convenu que les stipulations du présent Traité seront applicables à celles des Colonies ou Possessions étrangères ci-dessus énumérées au nom desquelles une notification à cet effet aurait été adressée par le Représentant de Sa Majesté Britannique près la Cour du Monténégro au Ministre des Affaires Etrangères de Monténégro, avant l'expiration d'une année à partir de la date de l'échange des ratifications du présent Traité.

ARTICLE XV.

ARTICLE XV.

The present Treaty shall be ratified, and the ratifications exchanged at Cetinje, as soon as possible after its signature. It shall come into force immediately after the exchange of ratifications, and shall remain in force for ten years from that date. In case neither of the two Contracting Parties shall have given notice, twelve months before the expiration of the said period of ten years, of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

Le présent Traité sera ratifié, et les ratifications on seront échangées à Cetinje, le plus tôt que faire se pourra après sa signature. Il sera mis en exécution immédiatement après l'échange des ratifications, et demeurera en vigueur pendant dix ans à partir de cette date. Dans le cas où aucune des deux Parties Contractantes n'aura fait notifier douze mois avant l'expiration de la dite période de dix ans son intention de faire cesser les effets du présent Traité, il restera en vigueur jusqu'à l'expiration d'une année, à compter du jour où l'une ou l'autre des Parties Contractantes en fera la dénonciation.

In witness whereof, the respective Plenipotentiaries have signed it, and affixed to it the seal of their office.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé, et y ont apposé le sceau de leurs chancelleries.

Done at Cetinje, the twenty-first day of January, one thousand eight hundred and eighty-two.

Fait à Cetinje, le vingt et unième jour du mois de Janvier, mil huit cent quatre-vingt-deux.

(L.S.) W. KIRBY GREEN.
(L.S.) V. S. RADONICH.

(L.S.) W. KIRBY GREEN.
(L.S.) V. S. RADONICH.

Protocol of the 21st January, 1882.

Protocole du 21 Janvier, 1882.

The undersigned, Plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Highness the Prince of Montenegro, having met in conference, have taken into consideration the following subject:—

Les soussignés, Plénipotentiaires de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande et de Son Altesse le Prince de Monténégro, s'étant réunis en conférence, ont pris en considération ce qui suit:—

They have directed their attention to the fact that, although, by Article III of the Treaty signed this day between Her Britannic Majesty and the Prince of Montenegro, all British produce or manufactured goods shall be imported into Montenegro free of all duties or charges, with the exception only of such dues as shall be levied for custom-house portorage, public weighing, and for the maintenance and improvement of quays and custom-house buildings, yet that British goods and manufactures are actually subjected to a tax of four per cent., through the levying of the existing interior duty to this amount on all sales of foreign goods. They have consequently resolved to declare that, whenever the Montenegrin Government puts in force its reserved right, contained in paragraph 3 of Article III of the Treaty, of levying an import duty not exceeding eight per cent. *ad valorem* on British produce and manufactures, the above-mentioned interior tax of four per cent. on sales effected in the Principality shall at once cease to be leviable.

Ils ont pris note du fait que, quoique par l'Article III du Traité signé aujourd'hui entre Sa Majesté Britannique et le Prince de Monténégro, toutes les marchandises d'origine ou de manufacture Britannique seront importées au Monténégro libres de tout droit au taxe, à l'exception seulement des droits qui seront perçus pour le factage quand ce service est fait par les employés de la Douane, ou pour le pesage public, ou pour le maintien et l'amélioration des quais ou des bâtiments de la Douane, néanmoins les produits et manufactures Britanniques sont actuellement assujettis à une taxe de quatre pour cent, par la perception du droit intérieur, déjà existant, de quatre pour cent sur toute vente de produit étranger. Conséquemment ils ont décidé d'affirmer qu' aussitôt que le Gouvernement Monténégro met en vigueur le droit réservé, contenu dans l'alinéa 3 de l'Article III du Traité, savoir, de prélever un droit d'entrée qui n'excède pas huit pour cent *ad valorem* sur les produits et manufactures Britanniques, la susdite taxe intérieure de 4 pour cent sur les ventes réalisées dans la Principauté cessera immédiatement d'être perceptible.

They further declare that the said existing interior tax on sales of foreign goods and manufactures shall not be raised above four per cent., and that any reduction in this tax granted to the goods and manufactures of any third Power shall at once and unconditionally be extended to British produce or manufactures.

De plus, les soussignés Plénipotentiaires déclarent que la dite taxe intérieure qui existe déjà sur la vente des produits et manufactures étrangères, ne pourra jamais excéder quatre pour cent, et que toute réduction qui pourra être accordée aux produits ou manufactures de toute tierce Puissance, sera étendue immédiatement et sans conditions aux articles d'origine ou de manufacture Britannique.

The other provisions of Article III remain in force, as they have been agreed upon in the Treaty.

Les autres stipulations de l'Article III restent en vigueur telles qu'elles étaient réglées dans le Traité.

This Protocol shall be regarded and acted upon as forming part of the Treaty in question, and shall be ratified with it at once and the same time.

Ce Protocole sera considéré et mis en opération comme partie intégrale du susdit Traité, et sera ratifié en même temps que le Traité.

In witness whereof, the undersigned have drawn up the present Protocol, to which they have affixed the seals of their office.

En foi de quoi, les Soussignés ont dressé le présent Protocole, qu'ils ont revêtu du sceau de leurs Chancelleries.

Done at Cetinje, the twenty-first day of the month of January, one thousand eight hundred and eighty-two.

Fait à Cetinje, le vingt et unième jour du mois de Janvier, de l'an mil huit cent quatre-vingt-deux.

(L.S.) W. KIRBY GREEN.
(L.S.) V. S. RADONICH.

(L.S.) W. KIRBY GREEN.
(L.S.) V. S. RADONICH.

1883.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

HYDE, PHILLIP, AND COOK PARKS.

(REPORT OF TRUSTEES FOR YEARS 1881 AND 1882.)

Ordered by the Legislative Assembly to be printed, 1 May, 1883.

The Chairman of the Trustees to The Secretary for Lands.

Sir,

Board-room, Hyde Park, 25 October, 1882.

I have the honor, as Chairman of the Trustees of Hyde, Phillip, and Cook Parks, to transmit accounts of their receipts and expenditure during the past and present year up to the 30th of September. The Trustees submit with these accounts the following report of their operations during their tenure of office:—

2. All the old paths in Hyde Park, with one in Phillip, and one in Cook Park, have been laid down with asphalt. When taken charge of they were scarcely traversable. They are now in thorough repair. New paths have been constructed in directions previously used over the grass. The number of yards of walks asphalted, some of these 14 feet wide, and only one as narrow as 8 feet, is 1,567.

3. One large flower-bed at the Cook statue and fourteen smaller beds in other parts of Hyde Park have been made, all of which are kept in good order. A greater supply of water, if allowed by the city authorities, in three or four additional places, would be greatly in aid of these areas. Most of them have been enclosed by a light iron railing, and, with sufficient funds, the remainder will be similarly protected. In the whole there are above 2,000 feet of this iron railing erected at present.

4. Many additional seats have been placed along the walks, and some of the unsightly wooden palisades enclosing the old plantations have been removed, also many unsightly trees and shrubs, thus throwing the remaining trees and plants open to view. The original first-formed long walk, east of the great avenue, has been re-formed, and a number of seats are placed at intervals along it.

5. An ornamental pavilion has been erected on the northern section of the park, facing Park-street, for use as a Board-room; it is also a tool-house and place of deposit for seeds, and a dining-room for the workmen, to whom it affords protection in wet weather. Contracts have been entered into for enclosing the pavilion in front with a light iron railing. The ground enclosed will then be laid out in various beds, and planted with shrubs, plants, and flowers. The ground at the back will be enclosed with a close wooden fence, to hide the manure and rubbish heaps. In this enclosure the Trustees intend to erect a propagating house and potting-shed, and also urinals and closets.

6. The Trustees propose to make five other enclosures for flowering shrubs and plants, two in the north-eastern and three in the south-western sections. A row of trees will also be planted in the park, parallel with College-street, and similar rows parallel with Park-street.

7. Levelling the park has been carried on to a great extent in the north-eastern section, between seven and eight thousand loads of street-sweepings having been used for that purpose.

8. The park is still infested with stray goats, which cannot wholly be kept out so long as the owners remain unprosecuted for allowing them to wander in the streets. Improper persons of course also intrude. It is obviously impracticable to exclude people merely because they are suspected to be improper characters, and disorderly scenes after dusk (there being never more than two constables on duty) may therefore be expected. On four occasions several plants have been rooted out and stolen from the enclosures, but in general the frequenters of the parks are well conducted and more readily attend to the regulations.

9. Nevertheless, more policemen are greatly needed, especially at night, and at least eight more lamps ought to be erected. It must be borne in mind that Hyde Park alone, divided by a public road and open on all sides, at all hours, contains 44 acres, and that above 17,000 persons pass daily through it in all directions.

10. Finally, although much remains to be done, the Trustees invite attention to the present state of the parks, especially contrasted with what they were two years ago, in the belief that they are, as places of pleasurable resort, becoming rapidly worthy of the metropolis.

W. H. CATLETT,
Secretary.

For the Trustees,
ALFRED STEPHEN,
Chairman.

