

LEGISLATIVE COUNCIL.

WEDNESDAY.

The SPEAKER took the chair at half-past three o'clock.

PETITIONS.

Mr. PARKES presented a petition from certain inhabitants of Duke and Dowling streets, representing that those streets were proclaimed public streets on the 19th September, 1853,—that the City Commissioners have neglected levelling or improving them;—and that, in consequence, they are full of deep holes of stagnant water, greatly to the detriment of the public health, and praying redress.

Petition received.
Mr. PARKES presented a petition from certain members of the Sydney Fire Insurance Company, praying leave to introduce a Bill to incorporate the same.

Petition received.
BURWOOD TRAMROAD ACT.

Mr. DONALDSON observed that, as a matter of order, he would desire to call the attention of the House to a matter which occurred yesterday. In moving the suspension of the Standing Orders with a view to the presentation of a petition praying leave to introduce a Bill to amend the Burwood Tramroad Act, he had erroneously stated that all the parties interested agreed with the object of the petition. He had learned since that such was not the case, and as he was particularly scrupulous on all occasions that the Standing Orders should not be suspended, except on grounds of great public importance, he would beg to move that the motion which he moved on the previous day be either rescinded or withdrawn.

The notice of motion was accordingly withdrawn.

ABATTOIR ROAD BILL.

On the motion of the COLONIAL SECRETARY, his Excellency's message transmitting this Bill to the Council, was read, whereupon the Colonial Secretary moved that the Bill be read a first time. In doing so he explained that the main object of the Bill was to open up a direct thoroughfare from the Parramatta-road to Glebe Island, Johnston's Bay, with a view to facilitate the cattle traffic to the new slaughterhouses in course of erection on that island. It was intended that this thoroughfare should come under the denomination of a Parisian Road, and be maintained accordingly. The second section provided that the road should be securely fenced at the public expense, and the third section limited the driving of cattle upon it to the hours intervening between 6 p.m. and 8 a.m. The fourth and last clause provided for compensation being granted to proprietors and occupiers whose properties might be injured by the opening up of the road.

The motion was then put and passed, and the second reading was fixed for that day week.

POSTPONEMENTS.

The following matters were postponed as under—
The second reading of the Moreton Bay District Courts' Bill, until that day week.

The second reading of the Murray River Customs' Bill, until that day week.

The second reading of the Gold Fields' Management Bill, until that day fortnight.

THE EXCHANGE OF THE TORCH STEAMER.

The COLONIAL SECRETARY moved that the order of the day for the further consideration of his Excellency's message, relative to the exchange of the Torch steamer, be expunged from the paper.

Mr. DONALDSON did not think it was right to expunge the matter entirely from the paper, without some reason being given for so doing. The question as to the purchase of this vessel had certainly not been settled by the vote of the other evening, providing for her maintenance, and if it was sought by the expungement of this order from the paper, to get rid of all further discussion on the point, he should certainly oppose the motion of his hon. friend opposite.

The SOLICITOR-GENERAL explained that the question could not be finally got rid of by expunging the order from the paper, inasmuch as the purchase of the Torch would again come under the notice of the Council, in the estimates for the ensuing year.

The COLONIAL SECRETARY remarked, with regard to the purchase of the Torch, that he had very little doubt the home government would conform to the recommendation of his Excellency, and make the vessel a present to the colony. As the matter, however, had been disposed of so far as the present year was concerned, by the vote on the Supplementary Estimates, it had been deemed right to expunge the present order from the paper, and leave the further consideration of the matter to take place on the general estimates for 1856.

The AUDITOR-GENERAL explained, with reference to the reasons urged against the purchase of the Torch, on the former evening, that a full report upon every point of the vessel would shortly be submitted to the Government by the late commander of the Torch, and in due course laid before the Council. From this circumstance, as well as from the fact of there being a sum on the general estimates relative to this vessel, hon. members would see that the matter must again come under the consideration of the House.

The order was accordingly expunged.

FURTHER REMEDIES TO CREDITORS' BILL.

On the motion of the SOLICITOR-GENERAL, his Excellency's message transmitting this Bill, was read; but, in consequence of the Bill not having been printed, the further consideration of the message was postponed until next Wednesday.

STEAM NAVIGATION BILL.

On the motion of the SOLICITOR-GENERAL, the House went into committee for the consideration of the Steam Navigation Bill.

The first clause, extending the cubic contents of ships' boats, according to schedule appended, was put and passed.

The second clause, providing for the proper adjustment of compasses under the regulations of the Steam Navigation Board, was proposed by the SOLICITOR-GENERAL.

Captain KING said, the subject of the adjustment of compasses was now attracting considerable attention in England. He considered it was very desirable compasses should be properly adjusted. Numerous instances had occurred of accident in consequence of neglect in this particular. It had been said by some there was no such clause as the one now proposed in the English Bill; all he could say was, if there was not there ought to be. It was a matter worthy of every consideration.

Dr. MITCHELL thought the time for the adjustment of the compasses was while the vessel was at sea. He quoted from Captain Johnson in support of his position, that nothing but an actual observation could be relied upon for practical purposes. It would not do to rely upon the adjustment of the shipwright made in the harbour. The hon. gentleman also quoted from Mr. Cameron and Mr. Miller in support of his argument. He thought the clause could be of no value, that it was over-legislation, and would act injuriously rather than beneficially, and he therefore objected to it.

Mr. COWPER thought the clause was unnecessary. It was quite impossible for any one to adjust the compass when the ship was lying in harbour, while affected by so many external circumstances.

Mr. CAMPBELL thought the certificates of good order in reference to steam vessels should extend over a period of six months, the Melbourne certificates being acknowledged in this colony and vice versa. He thought the matter should be referred to a select committee.

The COLONIAL SECRETARY said, a correspondence was now going on in reference to the point alluded to by the hon. member who had just spoken. It was considered desirable the certificates of each colony should be acknowledged in either. Steps were being taken.

The SOLICITOR-GENERAL supported the clause, and remarked that on one occasion when he was on board a steamer, he found the two compasses pointing in opposite directions. It did not follow because the compass of a vessel could not be adjusted in a strictly correct manner in harbour, that it should not be adjusted as correctly as possible. It was desirable that the Board should be satisfied in reference to the adjustment of the compasses of a vessel, before she went to sea, in order to the protection of her Majesty's subjects. The clause should be carried out in such a manner as to prove most effective, and be as little onerous as possible.

Mr. COWPER said there was no such regulation in the large sea ports of England.

Captain KING said, he had read a paper in the *Athenaeum*, of October 30th, 1854, by Dr. Scoresby, a high authority in all matters connected with magnetic science, from which it appears, it was considered necessary to place posts on either sides of the Mersey, to enable ships to ascertain the deviations down the river.

Mr. COWPER thought, perhaps, posts of that description might be useful here.

Mr. MARTIN did not see why compasses should be adjusted from "time to time." He conceived local circumstances continuing the same, they might be adjusted permanently. He was of opinion the matter ought to be left to the masters themselves. He did not think the clause as it present stood could be practically carried out.

The SOLICITOR-GENERAL thought, if it could be carried out spontaneously, it could be carried out compulsorily. He defended the clause, and finally proposed as an amendment, that the words "ship"

wright, surveyor," should be expunged, and the matter left in the hands of the Steam Navigation Board, exclusively.

Mr. COOPER and Mr. MITCHELL thought the amendment was more objectionable than the clause as it formerly stood.

Mr. NICHOLS said the Bill before the House was, in some respects, similar to the English Act, and in others it went further, which he did not think it ought to do. He thought we might adopt the English Steam Navigation Act of 1854 to this colony. It was desirable our laws should be as much as possible assimilated to the English Acts.

The SOLICITOR-GENERAL remarked that that Act, containing hundreds of pages, was a consolidation of the whole of the English Acts in reference to shipping; he apprehended the House was not prepared to take such a course. It was desirable that the steps should be immediately taken for the preservation of the public. He thought all the House should do in reference to the certificates was to acknowledge them when issued from the port where the vessel was registered.

The clause as amended was then put.
Mr. NICHOLS said the Steam Navigation Board, not being a body corporate, were nobody. Nobody, therefore, was responsible. He thought a new Bill ought to be brought in. He hoped, therefore, the Chairman would leave the chair, and that the matter on the present occasion would not be proceeded with.

The SOLICITOR-GENERAL said the matter had received due consideration, and therefore might be proceeded with. It was not considered desirable to bring in a Bill during the present session to consolidate our laws in reference to shipping. It was considered more desirable to observe the working of the English Act, and take the benefit of their experience.

The question was again put and carried by a majority of 19 to 10.
The third clause, "High pressure steam vessels to be surveyed quarterly instead of half-yearly," was put and passed.

The fourth clause, "Regulated weight on safety valves not to be exceeded under a penalty," was then put and passed.

The fifth clause, "Steam not to be turned off from the steam gauge attached to the boiler under a penalty," was put.

The MASTER of the MINT supported the clause, which was then put and carried.

The sixth clause was then put. It is as follows:—"In lieu of the scale of fees on the granting of certificates mentioned in the twelfth clause of the said recited Act, the following is hereby substituted, that is to say, For steam vessels of not exceeding one hundred tons, two pounds; for steamers exceeding one hundred tons and not exceeding five hundred tons, three pounds; for steamers exceeding five hundred tons and not exceeding six hundred tons, four pounds; for every additional three hundred tons one pound."

After an explanation by the SOLICITOR-GENERAL, who thought the increase of fees was only a reasonable one.

Mr. CAMPBELL thought the operation of the clause would press heavily upon the owners of small vessels. After some time, the hon. gentleman said, as the hon. Solicitor-General had taken no notice of the arguments he had advanced, he should show his sense of duty, by moving an amendment that the first scale of fees be reduced to the sum of £1.

The House divided on the amendment, with the following result:—Ayes, 17; Noes, 18. Being negative by a majority of one.

The original question was then put and passed.

The SOLICITOR-GENERAL moved that the Chairman leave the chair, and report the Bill, with amendments, upon which.

Mr. COWPER thought it would not be oppressive upon the owners of small boats, and moved, as an amendment, that the Chairman leave the chair, report progress, and ask leave to sit again this day six months.

Mr. NICHOLS asked the Solicitor-General whether it would be necessary that the fees should be paid four times in each year. If such was the case he should feel bound to vote against it. £3 per year would be a large sum for the owner of a small boat to pay annually.

The SOLICITOR-GENERAL said: No doubt it would be necessary to pay £3 per year for all vessels containing high pressure engines.

The House divided on the amendment, which was carried by a majority of 24 to 14.

After the Chairman had reported progress, and obtained leave to sit again on this day six months, the House resumed.

HUNTER RIVER TONNAGE DUTY BILL.
The COLONIAL SECRETARY begged to postpone the consideration of the Hunter River Tonnage Duty Bill till to-morrow.

COUNTRY TOWNS STREETS ALIGNMENT BILL.

The SOLICITOR-GENERAL, after explaining the nature of the bill, moved its second reading, which was put and carried. The House then went into committee on the bill.

The House then went into committee on the bill, on the motion of the SOLICITOR-GENERAL.

After some discussion with regard to its provisions, in which Mr. Campbell, Mr. Nichols, and the Solicitor-General took part, Mr. NICHOLS suggested that it would be better to proceed with the bill, and postpone the adoption of the report for a fortnight, in order to give hon. members more time thoroughly to consider it.

The CHAIRMAN then left the chair, and reported the bill with a verbal amendment. After which, the House resumed.

The SOLICITOR-GENERAL moved that the bill be postponed to Wednesday next.

The CHAIRMAN, on the adoption of the report, was postponed to Wednesday next.

POSTPONEMENT.
The consideration of the Governor-General's Message No. 22, on the subject of immigration, was postponed until to-morrow (Thursday) week.

FINANCE.
On the motion of the AUDITOR-GENERAL, the House went into committee on the Supplementary Estimates, and Estimates of Expenditure for the year 1855-56.

The AUDITOR-GENERAL moved that the sum of £891, for the gun boat Spitfire, in the following items:—

Gun Boat "Spitfire," from July 1st, 1854, to 31st Dec. 1854, at £12 0 0 per month, £144 0 0

Boatmaster's mate, at £5 0 0 per month, £60 0 0

Quartermaster, at £4 0 0 per month, £48 0 0

Carpenter's mate, at £3 0 0 per month, £36 0 0

Ten able seamen, at £3 0 0 per month, £360 0 0

Boy, at £1 0 0 per month, £12 0 0

Provisions, at £100 0 0 per month, £1200 0 0

Fuel, light, &c., at £50 0 0 per month, £600 0 0

Wear and tear, at £50 0 0 per month, £600 0 0

Paint, &c., at £50 0 0 per month, £600 0 0

Incidental expenses, at £50 0 0 per month, £600 0 0

£891 0 0

He explained that this boat had been tendered for, specifications having been made out by the Fortmaster, with the assistance of the chief carpenter of Her Majesty's ship Calliope.

There were three tenders sent in, the highest of which was for £2000, the next £1850, and the lowest £1475. The last tender was accepted, and the boat was built according and certificates were handed in to the Government by the Portmaster and the Surveyors of Lloyds that the boat was well built, and worth the money which the Government paid for her.

The different items of the vote were put down at the rates established by the navy list.

Mr. CAMPBELL asked what guns the boat would carry.

The AUDITOR-GENERAL said she was intended to carry a thirty-two pounder, and he was not aware that any investigation had been made into the matter since the vessel had been ordered; but he believed she was quite capable of carrying such a gun.

Mr. CAMPBELL thought there was no use in the House voting a sum of £900 for the employment of a boat which they did not know was capable of the service for which she was required.

Mr. PARKES moved the reduction of the item by the sum of £200, as the vessel would only be wanted for four months of the present year, and not six months, as was provided for by the estimates. He thought that the public had not received full value for the money laid out in the purchase of this vessel.

Mr. COWPER thought the boat for the defence of the harbour should be under one system of control. Now the Torch was placed under the command of the naval officer, and the Spitfire was to be given to the command of the Portmaster. This, he thought, was a bad system, and that the whole control should vest in one hand.

The SOLICITOR-GENERAL said, that as this particular service was rather indistinct, it would be necessary to bring in a bill by which the payment and regulation of the naval force of the port would be provided for.

Mr. DONALDSON strongly objected to the committee assenting to a vote which would involve a large expenditure of the public money under a system so indefinite as that which now seemed to be adopted by the Government. At present it did not seem to him that the Torch was under the control of the colonial Government at home, but under that of the principal naval officer on the spot.

The SOLICITOR-GENERAL stated that this was not the case. The Torch was at the disposal, for

the present, of the colonial Government, but was manned by the present, by men from the Torch.

It was the opinion of Captain Fremantle that until the Torch was made over to the colonial Government it was right these men should be rated on the books of the Juno, even though an allowance from the Colonial Revenue should afterwards be required.

After some very desultory discussion, Mr. FLOOD expressed his opinion that as the House last session had voted the money for the building of the Spitfire gunboat, it would be foolish for them not to proceed to man the vessel and make her serviceable.

Mr. COWPER was of opinion that when the vote for building gun-boats passed the House, it was never contemplated that the manning of the vessel would cost £2000 a year. It was intended last year, in the vote for these gun-boats, that they should form a kind of foundation for the establishment of a naval volunteer corps. Now, instead of a changing and volunteer force, it was intended to establish a fixed and permanent force, at a certain rate of pay.

Mr. MURRAY defended the vote, and thought that they would gain but little credit in the world by changing their measures of defence from session to session. In the present convulsed state of the old world, they knew not from what quarter the first blow might be struck, and they ought not to delay one moment in taking every necessary step for their own defence.

The SOLICITOR-GENERAL said that the House last session had come to the opinion on the vote, which they paid for the manning of the Achernar, that it was impossible to maintain a volunteer force, capable of efficient service, on board any vessel.

Mr. PARKES extended, at some length, that the intention of the House in voting £3000 had been defeated by the proceedings of the Government, only one half of the money had been expended, and one boat had been built, but propositions had been made by the Government to postpone the possession of the Torch, as a vessel to be put under the authority of the Government for trips along the coast, or for picnic parties. The manning of the Torch would cost £8000 per annum, and the manning of the Spitfire would cost £2000, making a total of £10,000 a year, an expense which was never contemplated by the House.

After a very great deal of reiteration of the arguments before made was of.

Mr. COWPER moved the postponement of the item till Wednesday next.

The House divided on the amendment for a postponement, which was negatived by a majority of 28 to 12.

The sum of £694, being the cost for four months, was then voted.

The AUDITOR-GENERAL moved the following items:—

Temporary increases to the pay of the officers of the gun boat Torch and Spitfire, according to the scale of colonial allowances voted for the officers of Her Majesty's Navy serving within the limits of New South Wales, £212 0 0

He proposed the item should be reduced to £212, on the same ground that the last vote was reduced.

The sum in its reduced amount was passed.

The AUDITOR-GENERAL then proposed to take the Naval Estimates for the year 1856 into consideration.

After some discussion, the other items in the Supplementary Estimates were postponed.

The items in the Estimates for 1856, up to page 28, were postponed.

The AUDITOR-GENERAL then moved the following items:—

STEAM GUN-BOAT TORCH.
Lieutenant commanding, at £15 0 0 a month, £180 0 0

Chief officer, at £12 0 0 a month, £144 0 0

Second officer, at £10 0 0 a month, £120 0 0

Chief engineer, at £8 0 0 a month, £96 0 0

Assistant, at £6 0 0 a month, £72 0 0

Carpenter, at £5 0 0 a month, £60 0 0

Boatmaster's mate, at £4 0 0 a month, £48 0 0

Two ordinary seamen, at £3 0 0 a month, £36 0 0

Cook, at £2 0 0 a month, £24 0 0

Six stowaways, at £1 0 0 a month, £12 0 0

Oil, at £10 0 0 a month, £120 0 0

Two boys, at £1 0 0 a month, £12 0 0

Provisions, at £100 0 0 a month, £1200 0 0

Fuel, light, &c., at £50 0 0 a month, £600 0 0

Wear and tear, at £50 0 0 a month, £600 0 0

Paint, &c., at £50 0 0 a month, £600 0 0

Incidental expenses, at £50 0 0 a month, £600 0 0

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The AUDITOR-GENERAL said: As a vessel had been expressed that Lieutenant Chinnam should be called to the bar of the House, he had been furnished with a report from that gentleman, and also a letter, which, for the information of the House, he would read.

Reference was made to the efficiency of the Torch, and also to other points respecting her. In his letter he said he had the honour to communicate to the colonial Government his reference to the quality and efficiency of the Torch. This he was enabled to do after having been in command of her upwards of three years.

He regretted that would not admit of his going to sea, but he trusted, however, that the fact he had collected would counter the more prejudiced person that the Torch was still a most valuable and efficient vessel for the service of the colonial Government for visiting the various ports along the coast.

He also mentioned the fact that the Torch was intended for a gunboat, and he was of opinion that the vessel, which would be of service in expedition, he (the Auditor-General) would now call the attention of the House to the concluding paragraph of the letter. It said: "Having had three years' experience in the vessel, he (the commander) would be willing, if circumstances permitted, to continue in command of the vessel for a longer period. But as in itself a vessel he did not consider her an unworthy vessel some hon. members expressed their opinion that she was not fit for a gunboat." Hear, hear.

In conclusion, he stated, on the renewal of his health, he should be glad, if called on, to command the Torch for a period of five years. He had his own confidence in the capabilities of the steam-vessel for the purposes intended by the Government, and he would be most happy to command her as a gun boat.

The hon. gentleman then read the report which accompanied the letter, which was to the following effect:—"The hull was completed in 1854, by Kato, of Blackwall. It was sound, and of a much greater thickness than was necessary for the hull of a gunboat. There was an objection raised to iron boats for war purposes, on the ground that they would be liable to rust, and would not last more than a few years. The Torch was built of iron, and was intended to last for a long period. The hull was strong, and the boat was well built, and worth the money which the Government paid for her.

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so that the plates might be a little corroded. The estimated value of the hull and machinery was about £5000. The plates were removed, but their substance was originally such that they were of considerable service. In their place, what was usually given was a new set of plates, which were not able to do any spot where they required removing.

He had the honour to be directed by the Government to the Navigation Board, Mr. Dugbe, who was employed by the Government for the purpose of making reports of this sort. He said he had the honour to be directed by the Government to the Navigation Board, Mr. Dugbe, who was employed by the Government for the purpose of making reports of this sort.

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