

# Sessional Papers



1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 1.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 22 SEPTEMBER, 1904.

No. 1.

CONSTITUTION AMENDING BILL.

(Resolution.)

Mr. Carruthers moved, That the Committee agree to the following Resolution:—

*Resolved*.—That it is expedient to bring in a Bill to provide for the constitution, powers, and duties of the Ministry, and the salaries and allowances of Ministers and Officers of the Executive Government; “to provide that the acceptance of certain offices of profit under the Crown shall not render void elections to the Legislative Assembly”; to amend the Constitution Act, 1902; and for purposes consequent on, or incidental to, the carrying out of those objects.

Amendment moved (*Mr. Arthur Griffith*) to leave out the words “to provide that the acceptance of certain offices of profit under the Crown shall not render void elections to the Legislative Assembly.”

Question put.—That the words proposed to be left out stand part of the Resolution.  
Committee divided.

Ayes, 48.

Mr. Levy,	Mr. Briner,
Mr. Ashton,	Mr. Latimer,
Mr. Dick,	Mr. R. J. Anderson,
Mr. Mocre,	Mr. Fleming,
Mr. Carruthers,	Mr. Moxham,
Mr. Lee,	Mr. Brinsley Hall,
Mr. Hogue,	Mr. Levien,
Mr. Wade,	Mr. O'Connor,
Mr. Creswell,	Mr. Fell,
Mr. Daley,	Mr. Sullivan,
Mr. Nobbs,	Mr. Perry (Liverpool Plains),
Mr. Booth,	Mr. W. Millard,
Mr. Alan Millard,	Mr. Edden,
Mr. W. W. Young,	Mr. Nicholson,
Mr. Henley,	Mr. Morton,
Dr. Arthur,	Mr. Oakes,
Mr. Cohen,	Mr. Smith,
Mr. Kearney,	Mr. Ball,
Mr. Mahony,	Mr. Mackenzie,
Mr. Eden George,	Mr. Thomas,
Mr. Jones,	Mr. Jessep.
Mr. Cann,	
Mr. Winchcombe,	<i>Tellers,</i>
Mr. Donaldson,	Mr. Law,
Mr. Dacey,	Mr. Fullick.

Noes, 14.

Mr. Estell,
Mr. Hollis,
Mr. Holman,
Mr. Gardiner,
Mr. Fegan,
Mr. Wood,
Mr. Walter Anderson,
Mr. Miller,
Mr. McNeill,
Mr. McGarry,
Mr. Charlton,
Mr. Macdonald.
<i>Tellers,</i>
Mr. Burgess,
Mr. Arthur Griffith.

*Words stand.*

*Resolution, as read, agreed to.*

On motion of Mr. Carruthers, the Chairman left the Chair to report that the Committee had come to a Resolution.

W. S. MOWLE,  
For Clerk Assistant.



1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 2.

WEEKLY REPORT OF DIVISIONS

ON

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 29 SEPTEMBER, 1904.

No. 1.

PUBLIC WORKS COMMITTEE BILL.

Clauses 1 and 2 having been dealt with,—

Clause 3. The powers and duties conferred and imposed on any such committee by the Public Works Act, 1900, are hereby suspended from the commencement of this Act until the thirtieth day of June, one thousand nine hundred and "five." (Read.)

Suspension of powers of committee.

Motion made (Mr. Norton) to leave from line 3 the word "five" and insert the word "six" instead thereof.

Question put,—That the word proposed to be left out stand part of the Clause.

Committee divided.

Ayes, 50.

Noes, 9.

- |                   |                      |                      |
|-------------------|----------------------|----------------------|
| Mr. John Hurley,  | Mr. J. H. Young,     | Mr. Waddell,         |
| Mr. O'Connor,     | Mr. Mahony,          | Mr. Scobie,          |
| Mr. Wade,         | Mr. Cann,            | Mr. Nielsen,         |
| Mr. Carruthers,   | Mr. Donaldson,       | Mr. Perry (Liverpool |
| Mr. Hogue,        | Mr. McFarlane,       | Plains),             |
| Mr. Moore,        | Mr. Dacey,           | Mr. Briner,          |
| Mr. Eden George,  | Mr. Jones,           | Mr. Oakes,           |
| Mr. Lee,          | Mr. Fell,            | Mr. Downes,          |
| Mr. Ashton,       | Mr. R. J. Anderson,  | Mr. Smith,           |
| Mr. Cohen,        | Mr. Latimer,         | Mr. Morton,          |
| Mr. Estell,       | Mr. Dick,            | Mr. Arthur Griffith, |
| Mr. Coleman,      | Mr. Davidson,        | Mr. Hollis,          |
| Mr. Alan Millard, | Mr. Walter Anderson, | Mr. McGowen.         |
| Mr. Booth,        | Mr. Nicholson,       |                      |
| Mr. Henley,       | Mr. Law,             | Tellers,             |
| Mr. W. Millard,   | Mr. Charlton,        | Mr. Levy,            |
| Mr. Fallick,      | Mr. Mackenzie,       | Mr. Broughton.       |
| Mr. Fegan,        | Mr. Meehan,          |                      |

- Mr. Miller,
- Mr. McGarry,
- Mr. Norton,
- Mr. Gardiner,
- Mr. W. W. Young,
- Mr. Collins,
- Mr. McNeill.
- Tellers,
- Mr. Kelly,
- Mr. Daley.

Words stand.

Clause, as read, agreed to.

No. 2.

SAME BILL.

Clause 4. Notwithstanding the provisions of Division 4 of Part II of the Public Works Act, "1900," the total amount chargeable on or payable out of the Consolidated Revenue Fund under those provisions to members of the said committee, whether for fees, "travelling expenses, charges, or otherwise," shall not, during the twelve months beginning on the first day of July in any year, exceed "two" thousand pounds.

Limitation of fees and expenses of committee.

Where in any such twelve months the said amount of two thousand pounds would, but for the passing of this Act, be exceeded, a proportionate abatement shall be made in the fees, expenses, and charges payable to members of such committee respectively, so as to reduce the amount so payable to the above-mentioned sum of two thousand pounds.

The Treasurer shall adjust the payments to such committee so as to carry out the provisions of this section. (*Read.*)

Motion made (*Mr. Waddell*), to leave out all the words after the figures "1900" to the end of the clause, and insert the words "The Chairman of the Committee shall not receive more than one pound ten shillings for presiding at any sitting of the Committee, and only one pound per sitting shall be paid any other member of the Committee for his attendance."

And *Mr. Dacey*, the Honorable Member for Alexandria, demanding that the question be so put as not to deprive him of his right to move an amendment in a later part of the clause, the Temporary Chairman, *Mr. Jessep*, ruled that he was bound to put *Mr. Waddell's* amendment as moved, notwithstanding that it would prevent the Honorable Member for Alexandria from moving his amendment.

Whereupon, on motion of *Mr. Dacey*, the Temporary Chairman left the Chair to report a Point of Order, and ask leave to sit again so soon as the Point of Order had been decided by the House.

The Point of Order is:—"That the Honorable Member for Alexandria (*Mr. Dacey*) rose to move an amendment but gave way to the Honorable Member for Belubula (*Mr. Waddell*), who said he wished to move a prior amendment, under the impression that he could move his amendment at a later stage. The Temporary Chairman ruled that he was bound to put *Mr. Waddell's* amendment as read, although if carried it would prevent *Mr. Dacey* from moving his amendment."

To which ruling of the Temporary Chairman objection was taken and the point referred for *Mr. Deputy Speaker's* decision.

The Temporary Chairman left the Chair accordingly.

Committee resumed—*Mr. Deputy-Speaker* having ruled that the amendment should have been put in such a way as to have tested the feeling of the Committee, but so as not to preclude the Honorable Member for Alexandria from moving his amendment.

Question put,—That the words "the total amount," in line 2 stand part of the clause.

Committee divided.

Ayes, 38.

Mr. Crick,	Mr. Broughton,
Mr. Wade,	Mr. Hollis,
Mr. Mackenzie,	Mr. Dacey,
Mr. Carruthers,	Mr. Scobie,
Mr. Moore,	Mr. Kelly,
Mr. Hogue,	Mr. Fegan,
Mr. Lee,	Mr. R. J. Anderson,
Mr. O'Connor,	Mr. Downes,
Mr. Ashton,	Mr. Nicholson,
Mr. Cohen,	Mr. Meehan,
Mr. Walter Anderson,	Mr. Estell,
Mr. Henley,	Mr. McGowen,
Mr. Levy,	Mr. Perry ( <i>Liverpool</i>
Mr. Dick,	<i>Plains</i> ),
Mr. Booth,	Mr. Jones,
Mr. Alan Millard,	Mr. Oakes.
Mr. Coleman,	
Dr. Arthur,	<i>Tellers,</i>
Mr. Nielsen,	
Mr. Law,	Mr. Latimer,
Mr. Mahony,	Mr. Davidson.

*Words stand.*

Noes, 11.

Mr. Daley,
Mr. Waddell,
Mr. Briner,
Mr. Morton,
Mr. Collins,
Mr. Charlton,
Mr. Gardiner,
Mr. McGarry,
Mr. Miller.

*Tellers,*

Mr. Norton,
Mr. W. W. Young.

No. 3.

SAME BILL.

*Same Clause.*

Motion made (*Mr. Dacey*), to leave out from line 3 the word "whether."

Question put,—That the word proposed to be left out stand part of the clause.

Committee divided.

Ayes, 22.

Mr. Broughton,	Mr. Levy,
Mr. Crick,	Mr. Henley,
Mr. Wade,	Mr. Latimer,
Mr. Lee,	Mr. R. J. Anderson,
Mr. Cohen,	Mr. Walter Anderson,
Mr. Norton,	Mr. Nicholson,
Mr. Mahony,	Mr. Oakes.
Mr. Law,	
Mr. Davidson,	<i>Tellers,</i>
Dr. Arthur,	Mr. Mackenzie,
Mr. Coleman,	Mr. Booth.
Mr. Alan Millard,	
Mr. Downes,	

*Word omitted.*

Noes, 24.

Mr. Carruthers,	Mr. Duley,
Mr. Estell,	Mr. Moore,
Mr. Hogue,	Mr. Dick,
Mr. Fegan,	Mr. O'Connor,
Mr. Jones,	Mr. Gardiner,
Mr. Hollis,	Mr. W. W. Young,
Mr. Kelly,	Mr. Charlton,
Mr. Meehan,	Mr. Collins,
Mr. McGarry,	Mr. Perry ( <i>LiverpoolPlains</i> ).
Mr. Ashton,	
Mr. Scobie,	<i>Tellers,</i>
Mr. Waddell,	Mr. Dacey,
Mr. McGowen,	Mr. Nielsen.

No. 4.

No. 4.

SAME BILL.

*Same Clause.*

Motion made (*Mr. Dacey*), to further amend the clause by leaving out from lines 3 and 4 the words "travelling expenses, charges, or otherwise."

*Point of Order.*—Mr. Cohen submitted that the proposed amendment was out of order, as the effect would be to increase a charge upon the revenue.

The Temporary Chairman upheld the Point of Order.

Whereupon, on motion of Mr. Dacey, the Temporary Chairman left the chair to report a Point of Order, and ask leave to sit again so soon as the Point of Order had been decided by the House.

The Point of Order is:—"That during the further consideration of clause 4, the Honorable Member for Alexandria, Mr. Dacey, had moved the omission of the words 'travelling expenses, charges, or otherwise,' to which objection was taken that the amendment would increase the charge upon the revenue, which objection the Temporary Chairman upheld."

To which ruling of the Temporary Chairman objection was taken and the point referred for Mr. Deputy-Speaker's decision.

The Temporary Chairman left the Chair accordingly.

Committee resumed, Mr. Deputy-Speaker having upheld the ruling of the Temporary Chairman.

Motion made (*Mr. Norton*) to leave out in line 5 the word "two" and insert the word "one" instead thereof.

And the Committee continuing to sit till after midnight,—

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FRIDAY, 30 SEPTEMBER, 1904, A.M.

Question put,—That the word proposed to be left out stand part of the clause.

Committee divided.

Ayes, 34.

Mr. Hogue,	Mr. McGowen,	Mr. Latimer,
Mr. Carruthers,	Mr. Dacey,	Mr. Broughton,
Mr. Wade,	Mr. Jones,	Mr. Levy,
Mr. Moore,	Mr. Kelly,	Mr. Booth,
Mr. Ashton,	Mr. Fegan,	Mr. Alan Millard,
Mr. Lee,	Mr. Dick,	Mr. Coleman,
Mr. Davidson,	Mr. Meehan,	Mr. Perry ( <i>Liverpool</i>
Mr. Cohen,	Mr. Nicholson,	<i>Plains</i> ),
Mr. O'Connor,	Mr. Henley,	Mr. Charlton.
Mr. Nielsen,	Mr. R. J. Anderson,	<i>Tellers,</i>
Mr. Seobie,	Mr. Walter Anderson,	Mr. Mackenzie,
Mr. Hollis,	Mr. Law,	Mr. Downes.

Noes, 9.

Mr. Waddell,
Mr. Daley,
Mr. Norton,
Mr. Gardiner,
Mr. W. W. Young,
Mr. Briner,
Mr. Collins.
<i>Tellers,</i>
Mr. Estell,
Mr. McGarry.

*Word stands.*

*Clause, as amended, agreed to.*

On motion of Mr. Carruthers, the Temporary Chairman left the Chair to report the Bill with an amendment to the House.

W. S. MOWLE,  
For Clerk Assistant.



1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 3.

## WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 4 OCTOBER, 1904.

No. 1.

## ANCIENT LIGHTS DECLARATORY BILL.

Clause 1 having been dealt with,—

Clause 2. This Act shall not affect the rights of the parties to any decision pronounced by a <sup>saving clause</sup> competent court before the commencement thereof, or proceeding now pending in which such question had arisen before such commencement. (*Read.*)

Motion made (*Mr. Wade*) to add at end of clause the words "or of persons who have enjoyed the access and use of light to and for any building for the full period of twenty years without interruption before such commencement."

Question put,—That the words proposed to be added be so added.

Committee divided.

Ayes, 21.

Mr. Morton,	Mr. Downes,
Mr. Cohen,	Mr. Gardiner,
Mr. Ashton,	Mr. W. Millard,
Mr. Moore,	Mr. Charlton,
Mr. Dick,	Mr. Latimer,
Mr. Wade,	Mr. Davidson,
Mr. Hogue,	Mr. Reynoldson.
Mr. Norton,	
Mr. John Hurley,	<i>Tellers,</i>
Mr. Levy,	Mr. Dacey,
Mr. Broughton,	Mr. Daley.
Mr. J. H. Young,	

Noes, 19.

Mr. Estell,	Mr. Ball,
Mr. Hollis,	Mr. Walter Anderson,
Mr. Winchcombe,	Mr. Perry ( <i>Liverpool</i>
Mr. Fegan,	<i>Plains</i> ),
Mr. Jessop,	Mr. Collins,
Mr. Henley,	Mr. Nicholson.
Mr. Law,	<i>Tellers,</i>
Mr. Waddell,	Mr. Scobie,
Mr. Mahony,	Mr. Sullivan.
Mr. Storey,	
Mr. Cresswell,	
Mr. Fallick,	

*Words added.*

And clause 3 having been dealt with,—

On motion of Mr. Cohen, the Chairman left the Chair to report the Bill with an amendment to the House.

W. S. MOWLE,  
For Clerk Assistant.



1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 4.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 8 NOVEMBER, 1904.

No. 1.

## STAMP DUTIES (AMENDMENT) BILL.

Clauses 1 to 26 having been dealt with,—  
Schedule I.

	£	s.	d.
Acknowledgment by executor or administrator in lieu of conveyance under section eighty-three of the Wills, Probate and Administration Act, 1898	1	0	0
“ Application to bring land under the Real Property Act or to be registered under that Act as the proprietor of an estate in land where not otherwise liable to stamp duty, <b>not being transmission application.</b> ...	1	0	0”
Appointment of a New Trustee, and appointment in execution of a power of any property or of any use, share, or interest in any property by any instrument not being a will ...	1	0	0
Contract or Agreement to sell, exchange, or transfer any gold-mining or mineral claim or lease or mineral conditional purchase. The same duty on the amount or value of the consideration for the sale, exchange, or transfer, as on the consideration for a conveyance or transfer on sale or exchange of such claim or lease.			
Conveyance of any property by way of exchange. Same duty as on conveyance on sale of such property as assessed under this Act.			
Conveyance of any property by the official assignee to a mortgagee or disclaimer by the official assignee under the Bankruptcy Act, 1898. The same duty on the amount at which the security has been valued by the mortgagee as on the consideration for a conveyance on sale of such property.			
Declaration made in New South Wales under Colonial or Foreign Marine Policy, 3d. for every £100 and fractional part of £100 insured.			
<del>Fire Policies and Renewal Receipts for the same, 4d. for every £100 and fractional part of £100 insured.</del>			
Foreclosure Order. The same duty to be assessed under this Act on the value of the property mortgaged as on the consideration for a conveyance on sale of such land.			
Settlement Deed of Gift or Voluntary Conveyance (not being an Antenuptial Settlement, or the Appointment merely of a New Trustee) of any property, a duty of One per-centum pound <b>on up to the value of the property if it is £1,000 or under, and where such the value is over £1,000 the same duty as if the settlement, gift, or conveyance were the will of a person who has died.</b> But such duty may be deducted from probate duty if the settlor dies within twelve months from the date of such settlement, deed of gift, or voluntary conveyance. ( <i>Read.</i> )			

Motion made (*Mr. Cann*) to leave out from lines 3, 4, and 5, the words and figures “ application to bring land under the Real Property Act or to be registered under that Act as the proprietor of an estate in land where not otherwise liable to stamp duty ”

Question put,—That the words and figures proposed to be left out stand part of the schedule.

Committee divided.

Ayes, 25.		Noes, 11.
Mr. Nobbs,	Mr. Ashton,	Mr. Fegan,
Mr. Nielsen,	Mr. O'Connor,	Mr. Scobie,
Mr. Wade,	Mr. Meehan,	Mr. Cann,
Mr. Moore,	Mr. Oakes,	Mr. Hollis,
Mr. Carruthers,	Mr. Gardiner,	Mr. Mahony,
Mr. Kelly,	Mr. Charlton,	Mr. M'Coy,
Mr. Sullivan,	Mr. Ball,	Mr. Henley,
Mr. Jones,	Mr. Smith,	Mr. Coleman,
Mr. McGowen,	Mr. McGarry.	Mr. W. Millard.
Mr. Estell,	Tellers,	Tellers,
Mr. Morton,		
Mr. Downes,	Mr. Perry ( <i>Liverpool</i>	Mr. Thrower,
Mr. Hogue,	<i>Plains</i> ),	Mr. Cohen.
Mr. Fallick,	Mr. Collins.	

Words stand.

And the schedule having been amended as indicated,—

Schedule, as amended, agreed to.

And the remaining schedule and postponed clauses having been dealt with, on motion of Mr. Carruthers, the Temporary Chairman left the Chair to report the Bill with amendments to the House.

WEDNESDAY, 9 NOVEMBER, 1904.

No. 2.

GOVERNMENT SAVINGS BANK BILL:—

Clauses 1 to 5 having been dealt with,—

Clause 6. "Three" commissioners shall be appointed in pursuance of this Act. One of such commissioners shall be so appointed president of the bank. (*Read.*)

Motion made (*Mr. Nielsen*) to leave out from line 1 the word "three" and insert the word "one" instead thereof.

Question put,—That the word proposed to be left out stand part of the clause.

Committee divided.

Ayes, 44.		Noes, 19.
Mr. Creswell,	Mr. Henley,	Mr. Fegan,
Mr. Moore,	Mr. Perry ( <i>Liverpool Plains</i> ),	Mr. Estell,
Mr. Carruthers,	Mr. Fleming,	Mr. Cann,
Mr. Nobbs,	Mr. Wood,	Mr. Charlton,
Mr. Ashton,	Mr. Perry ( <i>The Richmond</i> ),	Mr. Nielsen,
Mr. Lee,	Mr. Mackenzie,	Mr. Macdonell,
Mr. Wade,	Mr. Brinsley Hall,	Mr. Booth,
Mr. Hogue,	Mr. Donaldson,	Mr. Meehan,
Mr. Scobie,	Mr. Mahony,	Mr. M'Garry
Mr. Dick,	Mr. Fell,	Mr. Dacey,
Mr. Latimer,	Mr. Walter Anderson,	Mr. Hollis,
Mr. W. Millard,	Mr. Davidson,	Mr. McGowen,
Mr. Thomas,	Mr. R. J. Anderson,	Mr. W. W. Young,
Mr. J. H. Young,	Mr. McFarlane,	Mr. Smith,
Mr. Coleman,	Mr. Morton,	Mr. O'Sullivan,
Mr. Levy,	Mr. Collins,	Mr. Gillies,
Mr. Fallick,	Mr. Reynoldson,	Mr. Ball.
Mr. John Hurley,	Mr. Briner,	Tellers,
Mr. Cohen,	Mr. Oakes.	Mr. Kelly,
Mr. Waddell,	Tellers,	Mr. Daley.
Mr. Winchcombe,		
Mr. Law,	Mr. Jessep,	
Mr. Storey,	Mr. Arthur Griffith.	

Words stand.

Clause, as read, agreed to.

And clauses 7 to 9 having been dealt with,—

No. 3.

SAME BILL.

Clause 10. The president commissioner shall for his services be paid out of the funds of the bank at the rate of one thousand "two" hundred pounds annually, and each of the other commissioners at the rate of nine hundred pounds annually. (*Read.*)

Motion made (*Mr. Cohen*) to leave out from line 2 the word "two" and insert the word "five" instead thereof.

Question put,—That the word proposed to be left out stand part of the clause.

Committee divided.

Ayes, 52.		Noes, 8.
Mr. Carruthers,	Dr. Arthur,	Mr. Scobie,
Mr. Ashton,	Mr. Kelly,	Mr. Winchcombe,
Mr. Moore,	Mr. Sullivan,	Mr. Perry ( <i>The Richmond</i> )
Mr. Nobbs,	Mr. Waddell,	Mr. Oakes,
Mr. Lee,	Mr. Storey,	Mr. Ball,
Mr. Fegan,	Mr. Hogue,	Mr. Morton.
Mr. Arthur Griffith,	Mr. Fleming,	Tellers,
Mr. Cann,	Mr. Wood,	Mr. Cohen,
Mr. Coleman,	Mr. Fell,	Mr. Macdonell.
Mr. McCoy,	Mr. Law,	
Mr. McGowen,	Mr. Mackenzie,	
Mr. Downes,	Mr. Donaldson,	
Mr. Latimer,	Mr. Brinsley Hall,	
Mr. J. H. Young,	Mr. Henley,	
Mr. Booth,	Mr. Mahony,	
Mr. Creswell,	Mr. Walter Anderson,	
Mr. Levy,	Mr. R. J. Anderson,	
Mr. Fallick,	Mr. Charlton.	
Mr. McFarlane,	Mr. W. W. Young,	
		Mr. McGarry.
		Mr. Gardiner,
		Mr. Collins,
		Mr. Reynoldson,
		Mr. Perry ( <i>Liverpool</i>
		<i>Plains</i> ),
		Mr. Briner,
		Mr. McNeill,
		Mr. Daley,
		Mr. Meehan,
		Mr. O'Sullivan,
		Mr. W. Millard,
		Mr. Smith.
	Tellers,	
		Mr. Jessep,
		Mr. Nielsen.

Word stands.

Clause

Constitution and  
incorporation of  
commissioners.

Payment for  
services of  
commissioners.

Clause, as read, agreed to.

On motion of Mr. Carruthers, the Chairman left the Chair to report progress, and ask leave to sit again To-morrow.

THURSDAY, 10 NOVEMBER, 1904.

No. 4.

SAME BILL.

Clauses 11 to 31 having been dealt with,—

Clause 32, (1) Deposits of one shilling or any multiple thereof may be received at the bank Savings Bank Department subject to the rules. Receipt of deposits.

(2) Such deposits may be either on current account repayable on demand, subject to the rules of the bank, or may be deposits for a fixed period, repayable only at the expiration of that period. Current and fixed deposits. (Read.)

And the clause having been amended as indicated,—

Motion made (Mr. Carruthers) to leave out sub-section (2).

Question put, That the words proposed to be left out stand part of the clause.

Committee divided.

Ayes, 19.

Mr. Jones,  
Mr. Cann,  
Mr. Arthur Griffith,  
Mr. Dacey,  
Mr. Estell,  
Mr. Charlton,  
Mr. Hollis,  
Mr. O'Sullivan,  
Mr. Miller,  
Mr. Meehan,  
Mr. Kelly,  
Mr. Scobie,  
Mr. Burgess,  
Mr. Gardiner,  
Mr. Smith,  
Mr. W. W. Young,  
Mr. Nicholson.

Tellers,

Mr. Macdonell,  
Mr. Daley.

Noes, 41.

Mr. Ball,  
Mr. Thomas,  
Mr. Lee,  
Mr. Davidson,  
Mr. Latimer,  
Mr. Downes,  
Mr. Law,  
Mr. Hogue,  
Mr. Moore,  
Mr. Fleming,  
Mr. Coleman,  
Dr. Arthur,  
Mr. Wade,  
Mr. Dick,  
Mr. Ashton,  
Mr. Nobbs,  
Mr. Waddell,  
Mr. Mackenzie,  
Mr. McCoy,  
Mr. Brinsley Hall,  
Mr. J. H. Young,  
Mr. Storey,  
Mr. McFarlane,  
Mr. Donaldson,  
Mr. R. J. Anderson,  
Mr. Fallick,  
Mr. Alan Millard,  
Mr. Walter Anderson,  
Mr. Henley,  
Mr. Booth,  
Mr. Collins,  
Mr. Mahony,  
Mr. Perry (Liverpool Plains),  
Mr. Reynoldson,  
Mr. Oakes,  
Mr. O'Connor,  
Mr. Morton,  
Mr. W. Millard,  
Mr. Carruthers.

Tellers,

Mr. Jessop,  
Mr. Levy.

Words omitted.

Clause, as amended, agreed to.

And clause 33 having been negatived,—

No. 5.

SAME BILL.

Clause 34. No person shall have more than one current deposit account at the bank :

Provided that this section shall not prevent any person having bona-fide, in addition to his own current deposit account—

- (a) current deposit accounts in his own name in trust for other persons ;  
(b) " joint " current accounts with different persons ;  
(c) current accounts on behalf of different friendly, charitable, or non-mercantile other societies or institutions not carried on for purposes of trade or profit.

But the bank shall not be liable in respect of the performance of the trusts of any trust account ; and the receipt of the trustee shall be a sufficient discharge to the commissioners for any payment from any such account. (Read.)

And the clause having been amended as indicated,—

Motion made (Mr. Mackenzie) to leave out in line 5 the word " joint "

Question put, That the word proposed to be left out stand part of the clause.

Committee divided.

Ayes, 50.

Mr. Moore,  
Mr. McCoy,  
Mr. Dick,  
Mr. Carruthers,  
Mr. Wade,  
Mr. Lee,  
Mr. Nobbs,  
Mr. Latimer,  
Mr. Davidson,  
Mr. Coleman,  
Mr. J. H. Young,  
Mr. Alan Millard,  
Mr. Downes,  
Mr. Fallick,  
Mr. Booth,  
Mr. Arthur Griffith,  
Mr. R. J. Anderson,  
Mr. Miller,  
Mr. Cann,  
Mr. Daley,  
Mr. Kelly,  
Mr. Law,  
Mr. Macdonell,  
Mr. O'Sullivan,  
Mr. Fleming,  
Mr. Gardiner,  
Mr. Meehan,  
Mr. Burgess,  
Mr. Charlton,  
Mr. Smith,  
Mr. McGarry,  
Mr. Hollis,  
Mr. Reynoldson,  
Mr. Perry (Liverpool Plains),  
Mr. Ball,  
Mr. Collins,

Mr. Henley,  
Mr. W. W. Young,  
Mr. Nicholson,  
Mr. Hogue,  
Mr. Walter Anderson,  
Mr. Estell,  
Mr. McGowen,  
Mr. Dacey,  
Mr. W. Millard,  
Mr. Ashton,  
Mr. Jones,  
Mr. O'Connor.

Tellers,

Mr. Scobie,  
Mr. Sullivan.

Noes, 13.

Mr. Waddell,  
Mr. Mackenzie,  
Mr. Storey,  
Mr. Brinsley Hall,  
Mr. Cohen,  
Mr. Mahony,  
Mr. McFarlane,  
Mr. Donaldson,  
Mr. Oakes,  
Mr. Morton,  
Mr. Thomas.

Tellers,

Mr. Jessop,  
Mr. Levy.

Word stands.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

No. 6.

No. 6.

SAME BILL.

*Interest on deposits.*Interest, how  
fixed

and calculated.

Clause 35. (1) The commissioners shall from time to time fix the interest payable to depositors ~~on current account.~~

(2) Such interest shall be calculated on every complete sum of one pound, but shall not commence until the first day of the month next following that in which the deposit is made, and shall, with respect to any money withdrawn, cease upon the first day of the month in which such withdrawal takes place.

(3) Such interest shall be calculated to the thirtieth day of June in every year, and shall then be added to and become part of the principal money.

Provided that interest shall not be allowed on any amount above "five" hundred pounds to the credit of any one deposit account, except the account of a friendly, charitable, or other society or institution, not carried on for purposes of trade or profit, or the account of the Advance Department, to which the above limitation shall not apply. But the commissioners may in their discretion limit the amount of the deposit accounts of such societies or institutions or any of them. (*Read.*)

And the clause having been amended as indicated, and an amendment proposed,—

Motion made (*Mr. Storey*) to amend the proposed amendment by leaving out in line 1 the word "five" and inserting the word "four" instead thereof.

Question put,—That the word proposed to be left out stand part of the proposed amendment.

Committee divided.

Ayes, 52.

Mr. Moore,  
Mr. McCoy,  
Mr. Dick,  
Mr. Hogue,  
Mr. Carruthers,  
Mr. Wade,  
Mr. Lee,  
Mr. Nobbs,  
Mr. Latimer,  
Mr. O'Sullivan,  
Mr. Davidson,  
Mr. Miller,  
Mr. Coleman,  
Mr. Levy,  
Mr. J. H. Young,  
Mr. Alan Millard,  
Mr. Estell,  
Mr. Booth,

Mr. Fullick,  
Mr. Dacey,  
Mr. Cann,  
Mr. R. J. Anderson,  
Mr. Jones,  
Mr. Mahony,  
Mr. Fleming,  
Mr. Law,  
Mr. Daly,  
Mr. Kelly,  
Mr. Meehan,  
Mr. Gardiner,  
Mr. Sullivan,  
Mr. Thrower,  
Mr. Scobie,  
Mr. Smith,  
Mr. Reynoldson,  
Mr. Perry (*Liv'l. Plains*)

Mr. Bull,  
Mr. Collins,  
Mr. Henley,  
Mr. McGowen,  
Mr. Macdonell,  
Mr. McGarry,  
Mr. Nicholson,  
Mr. Hollis,  
Mr. Oakes,  
Mr. O'Connor,  
Mr. Ashton,  
Mr. W. Millard,  
Mr. Burgess,  
Mr. W. W. Young.

Tellers,

Mr. Donaldson,  
Mr. Arthur Griffith.

Noes, 12.

Mr. Jessep,  
Mr. Waddell,  
Mr. Thomas,  
Mr. Brinsley Hall,  
Mr. Downes,  
Mr. Cohen,  
Mr. McFarlane,  
Mr. Creswell,  
Mr. Walter Anderson,  
Mr. Morton.

Tellers,

Mr. Mackenzie,  
Mr. Storey.

*Word stands.*

*Clause, as amended, agreed to.*

And clauses 36 to 41 having been dealt with.

No. 7.

SAME BILL.

*Loans by bank.*The lending of  
money by bank

Clause 42. The commissioners may lend moneys of the bank by way of advances from the **Advance Department.**

~~(a) upon mortgage of any land in the State of an estate of inheritance in fee simple; or~~

(a) upon mortgage of an estate of inheritance in fee simple in any land in the State.

(b) upon mortgage of—

(i) conditional purchases with or without associated conditional leases ~~if transferrable under the Crown Lands Acts; or~~

(ii) homestead grants; or

(~~ii~~) (iii) homestead selections.

(~~iii~~) (iv) settlement leases.

(c) on deposit at call or short notice in any bank of issue in the State, or on deposit in the Savings Bank Department.

And the clause having been amended as indicated.

Motion made (*Mr. Jones*), to insert new sub-paragraph to stand as (v).

(v) "Other leases under the Crown Lands Act having a tenure of at least ten years."

Question put,—"That the words proposed to be inserted, be so inserted."

Committee

Committee divided.

Ayes, 18.

Mr. Estell,  
Mr. McGowen,  
Mr. Mechan,  
Mr. Cann,  
Mr. Arthur Griffith,  
Mr. Kelly,  
Mr. Hollis,  
Mr. Daley,  
Mr. Nicholson,  
Mr. Burgess,  
Mr. Scobie.

*Tellers,*

Mr. Gardiner,  
Mr. Jones.

Noes, 38.

Mr. Moore, Mr. Nobbs, Mr. Lee, Mr. Carruthers, Mr. Creswell, Mr. Levy, Mr. Cohen, Mr. J. H. Young, Mr. Dick, Mr. Coleman, Mr. Downes, Mr. Thomas, Mr. McGarry, Mr. Thrower, Mr. Charlton, Mr. Collins, Mr. Reynoldson, Mr. Donaldson, Mr. Morton, Mr. Fleming, Mr. R. J. Anderson,	Mr. Booth, Mr. Law, Mr. Ashton, Mr. Wade, Mr. Alan Millard, Mr. Waddell, Mr. Henley, Mr. Brinsley Hall, Mr. Hogue, Mr. Walter Anderson, Mr. O'Connor, Mr. Fallick, Mr. Perry ( <i>Liverpool Plains</i> ), Mr. McFarlane, Mr. W. Millard.
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*Tellers,*  
Mr. Jessep,  
Mr. Latimer.

*Proposed insertion of words negatived.*

And the clause having been further amended as indicated.

*Clause, as amended, agreed to.*

And the remaining clauses and the Schedule having been dealt with, and several new clauses inserted.

No. 8.

SAME BILL.

*New Clause.*

Every such debenture shall be for the sum of "fifty" pounds or some multiple thereof, and shall have such currency and shall bear such interest, not exceeding four pounds per centum per annum, payable half-yearly from the Advance Department, as the commissioners may fix. (*Read.*)

Motion made (*Mr. Arthur Griffith*), to leave out in line 1 the word "fifty," and insert the word "ten" instead thereof.

Question put,—“That the word proposed to be left out stand part of the proposed new clause.

Committee divided.

Ayes, 32.

Mr. Moore, Mr. Dick, Mr. O'Connor, Mr. Ashton, Mr. Carruthers, Mr. Wade, Mr. Latimer, Mr. Reynoldson, Mr. Lee, Mr. Booth, Mr. Morton, Mr. Hogue, Mr. Downes, Mr. Thomas, Mr. Coleman, Mr. R. J. Anderson, Mr. Fallick, Mr. Henley,	Mr. Perry ( <i>Liverpool Plains</i> ), Mr. Walter Anderson, Mr. Oakes, Mr. McCoy, Mr. Donaldson, Mr. Jessep, Mr. Law, Mr. Nobbs, Mr. Ball, Mr. Smith, Mr. Fleming, Mr. W. Millard.
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*Tellers,*  
Mr. Davidson,  
Mr. Collins.

Noes, 11.

Mr. McGowen, Mr. Hollis, Mr. Charlton, Mr. Cann, Mr. Miller, Mr. Nicholson, Mr. Estell, Mr. Thrower, Mr. McGarry.
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*Tellers,*  
Mr. Scobie,  
Mr. Arthur Griffith.

*Word stands.*

*New clause, as read, agreed to.*

And several other new clauses having been agreed to,

And the Committee continuing to sit after midnight,—

FRIDAY, 11 NOVEMBER, 1904, A.M.

No. 9.

SAME BILL.

*New Clause.*

No such advance on mortgage shall be made except for all or any of the following purposes, which shall be set out in the mortgage—

- (a) to pay off liabilities already existing on the land;
- (b) to pay off money owing to the Crown in respect of the land;

(c) to make improvements on, or to improve and develop, or to utilise the agricultural or pastoral resources of the land, or to enable the borrower to carry on agricultural or pastoral pursuits on the land.

(2) No person shall apply any portion of any such advance to any other than such purposes, and if any person is guilty of a contravention of this enactment the commissioners may cause his estate and interest in the land to be sold. (*Read.*)

Motion made (*Mr. Arthur Griffith*), to insert new sub-section (d) —  
“(d) to erect buildings on urban and suburban lands.”

Question put,—That the words proposed to be inserted be so inserted.

Committee divided.

Ayes, 12.

Mr. Hollis,  
Mr. Scobie,  
Mr. Arthur Griffith,  
Mr. Cann,  
Mr. Estell,  
Mr. McGowen,  
Mr. Smith,  
Mr. McGarry,  
Mr. Miller,  
Mr. Nicholson,  
*Tellers,*  
Mr. Charlton,  
Mr. Thrower.

Noes, 30.

Mr. Moore,  
Mr. Morton,  
Mr. O'Conor,  
Mr. Nobbs,  
Mr. Carruthers,  
Mr. Thomas,  
Mr. Wade,  
Mr. Latimer,  
Mr. Jessep,  
Mr. Ashton,  
Mr. Hogue,  
Mr. Lec,  
Mr. Ball,  
Mr. Dick,  
Mr. Henley,  
Mr. R. J. Anderson,  
Mr. Davidson,  
Mr. Oakes,  
Mr. Law,  
Mr. Reynoldson,  
Mr. McCoy,  
Mr. Fleming,  
Mr. Collins,  
Mr. W. Millard,  
Mr. Donaldson,  
Mr. Fallick,  
Mr. Walter Anderson,  
Mr. Perry (*Liverpool  
Plains*).  
*Tellers,*  
Mr. Booth,  
Mr. Downes.

*Proposed insertion of words negatived.*

*New clause, as read, agreed to.*

And several more new clauses and a new schedule having been agreed to.

On motion of Mr. Carruthers, the Temporary-Chairman left the Chair to report the Bill with amendments to the House.

W. S. MOWLE,  
For Clerk Assistant.

1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 5.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 16 NOVEMBER, 1904.

No. 1.

STATE DEBT AND SINKING FUND BILL.

Clause 1 having been dealt with.

Clause 2. (1) There shall be constituted a board of commissioners, called the "State Debt Commissioners." Constitution of commissioners.

(2) The commissioners shall be the persons holding the following offices—

the State Treasurer ;

"the Chief Justice ;"

the Speaker of the Legislative Assembly ;

the Under Secretary to the Treasury ;

the President of the Government Savings Bank of New South Wales. (*Read.*)

Motion made (*Mr. McGowen*) to leave out from line 5 the words "the Chief Justice."

Question put,—That the words proposed to be left out stand part of the clause.

Committee divided.

Ayes, 39.

Mr. Wade,	Mr. Ball,
Mr. Hogue,	Mr. Kearney,
Mr. Ashton,	Mr. McCoy,
Mr. Moore,	Mr. Law,
Mr. Carruthers,	Mr. Cohen,
Mr. Eden George,	Mr. Winchcombe,
Mr. Morton,	Mr. McLaurin,
Mr. Lee,	Mr. Downes,
Mr. Davidson,	Mr. Henley,
Mr. John Hurley,	Mr. Fleming,
Mr. Levy,	Mr. Wood,
Mr. Fallick,	Mr. Thomas,
Mr. J. H. Young,	Mr. Brinsley Hall,
Mr. Booth,	Mr. Reynoldson,
Mr. Alan Millard,	Mr. Waddell,
Mr. Broughton,	Mr. Oakes.
Mr. Nobbs,	<i>Tellers,</i>
Mr. Coleman,	Mr. Jessep,
Mr. Collins,	Mr. Latimer.
Mr. McFarlane,	
Mr. Donaldson,	

Noes, 20.

Mr. Macdonell,	<i>Tellers,</i>
Mr. Thrower,	Mr. Nielsen,
Mr. Darcy,	Mr. Arthur Griffith.
Mr. McGowen,	
Mr. Canna,	
Mr. Scobie,	
Mr. Nicholson,	
Mr. McGarry,	
Mr. Jones,	
Mr. Charlton,	
Mr. Meehan,	
Mr. Gardiner,	
Mr. Norton,	
Mr. W. W. Young,	
Mr. Estell,	
Mr. Hollis,	
Mr. Fegan,	
Mr. Briner.	

*Words stand.*

48510.

236—

And

And the clause having been amended as indicated.

*Clause, as amended, agreed to.*

And the remaining clauses and the schedule having been dealt with, and a new clause agreed to, on motion of Mr. Carruthers, the Chairman left the Chair to report the Bill with amendments to the House.

No. 2.

GOVERNMENT SAVINGS BANK BILL:—(*Recommittal* for the reconsideration of clauses 1, 5, 7, 19, 24, 28, 29, 30, 34, 35, 36, 37, 57, 58, 60, 62, 63, 64, 65, 67, 69, 71, and the insertion of certain new clauses.)

Clauses 1, 5, 7, 19, 24, 28, and 29 having been dealt with,—

Appointment of officers.

Clause 30. The commissioners shall appoint such officers, valuers, servants, and agents of the bank as may be required; and every such officer, servant, or agent whose duties involve the receipt or custody of moneys or securities shall give such security for the due and faithful performance of his duties as to the commissioners may seem proper.

The commissioners shall fix the salaries of officers and servants, and the emoluments of valuers and agents of the bank according to a grading to be made by the regulations.

All such salaries and emoluments, and also all expenses incurred in the management of the bank, shall be paid by the commissioners out of the funds of the departments of the bank in such proportions as they may determine. (*Read.*)

And the clause having been amended as indicated,—

Motion made (*Mr. Arthur Griffith*), to add at end of clause "Provided that all such salaries and emoluments shall be appropriated by Parliament."

Question put,—That the words proposed to be added be so added.

Committee divided.

Ayes, 23.

Mr. Thrower,	<i>Tellers,</i>
Mr. Mechan,	
Mr. Gardiner,	Mr. Sullivan,
Mr. Dsley,	Mr. Estell,
Mr. Kelly,	
Mr. Nielsen,	
Mr. Cann,	
Mr. Arthur Griffith,	
Mr. Norton,	
Mr. McGowen,	
Mr. O'Sullivan,	
Mr. Jones,	
Mr. Scobie,	
Mr. Fegan,	
Mr. Burgess,	
Mr. Charlton,	
Mr. W. W. Young,	
Mr. Nicholson,	
Mr. McGarry,	
Mr. Edden,	
Mr. Briner,	

Noes, 40.

Mr. Levy,	Mr. Reynoldson,
Mr. Thomas,	Mr. Wood,
Mr. Moore,	Mr. O'Conor,
Mr. Ashton,	Mr. Fallick,
Mr. Wade,	Mr. Perry ( <i>Liverpool</i>
Mr. Carruthers,	<i>Plains</i> ),
Mr. Jessep,	Mr. McFarlane,
Mr. Creswell,	Mr. W. Millard,
Mr. Lee,	Mr. Cohen,
Mr. Coleman,	Mr. R. J. Anderson,
Mr. Dacey,	Mr. Mshony,
Mr. Hogue,	Mr. McCoy,
Mr. Booth,	Mr. Collins,
Mr. Downes,	Mr. Law,
Mr. Winchcombe,	Mr. Kearney,
Mr. John Hurley,	Mr. Davidson,
Mr. Ball,	Mr. Nobbs.
Mr. Fell,	<i>Tellers,</i>
Mr. Alan Millard,	Mr. Morton,
Mr. Donaldson,	Mr. Oakes.
Mr. Henley,	
Mr. Fleming,	

*Negatived.*

*Clause, as amended, agreed to.*

And clause 34 having been agreed to,—

On motion of Mr. Carruthers, the Chairman left the Chair to report progress, and ask leave to sit again to-morrow.

THURSDAY, 17 NOVEMBER, 1904.

No. 3.

CLOSER SETTLEMENT BILL.

(*Resolution.*)

Mr. Ashton moved, That the Committee agree to the following resolution:—

Resolved, That it is expedient to bring in a Bill to repeal the Closer Settlement Act, 1901; to authorise the acquisition, by purchase or by resumption, for purposes of settlement, of private lands; to constitute and appoint authorities for reports and other "purposes" under this Act; to provide for the dealing with and the disposal of acquired lands and adjacent Crown lands; to apply certain of the provisions of the Crown Lands Acts and of the Acts to be read and construed therewith for the purpose of regulating closer settlement under this Act; and to amend the Crown Lands Acts.

Amendment moved (*Mr. McGowen*) to insert after the word "purposes" in line 3 the words "by lease or homestead selection"

Question put,—That the words proposed to be inserted, be so inserted.

Committee

## Committee divided.

Ayes, 25.

Mr. Nielsen,  
Mr. Fegan,  
Mr. Estell,  
Mr. Arthur Griffith,  
Mr. Cann,  
Mr. Thrower,  
Mr. Miller,  
Mr. Meehan,  
Mr. Macdonell,  
Mr. Dacey,  
Mr. Sullivan,  
Mr. Charlton,  
Mr. McGowen,  
Mr. W. W. Young,  
Mr. Kelly,  
Mr. Edden,  
Mr. Burgess,  
Mr. Jones,  
Mr. Daley,  
Mr. McGarry,  
Mr. McNeill,  
Mr. O'Sullivan,  
Mr. Smith.

*Tellers.*

Mr. Gardiner,  
Mr. Scobie.

Mr. Wade,  
Mr. Dick,  
Mr. Mahony,  
Mr. Carruthers,  
Mr. Lee,  
Mr. Thomas,  
Mr. Law,  
Mr. Latimer,  
Mr. Reynoldson,  
Mr. Moore,  
Mr. Fell,  
Mr. Davidson,  
Mr. Creswell,  
Mr. Ashton,  
Mr. Moxham,  
Mr. Downes,  
Mr. Coleman,  
Mr. Eden George,  
Mr. Oakes,  
Mr. R. J. Anderson,  
Mr. Ball,  
Mr. Levy,  
Mr. Nobbs,  
Dr. Arthur,

Noes, 46.

Mr. J. H. Young,  
Mr. Kearney,  
Mr. Collins,  
Mr. Perry (*Liverpool Plains*),  
Mr. Wood,  
Mr. Cohen,  
Mr. McCoy,  
Mr. Fallick,  
Mr. Brinsley Hall,  
Mr. Henley,  
Mr. Alan Millard,  
Mr. Mackenzie,  
Mr. Winchcombe,  
Mr. McLaurin,  
Mr. Briner,  
Mr. John Hurley,  
Mr. O'Conor,  
Mr. Hogue,  
Mr. Morton,  
Mr. W. Millard.

*Tellers.*

Mr. Jessep,  
Mr. Booth.

*Negatived.*

Question put,—That the Committee agree to the resolution.

## Committee divided.

Ayes, 47.

Mr. Creswell,  
Mr. Ashton,  
Mr. Nobbs,  
Mr. Carruthers,  
Mr. Jessep,  
Mr. Latimer,  
Mr. Wade,  
Mr. Lee,  
Mr. Coleman,  
Mr. Eden George,  
Mr. Moore,  
Mr. Davidson,  
Mr. R. J. Anderson,  
Mr. J. H. Young,  
Mr. Booth,  
Mr. Downes,  
Mr. Winchcombe,  
Mr. Thomas,  
Mr. Reynoldson,  
Mr. Oakes,  
Mr. McCoy,  
Mr. Law,  
Mr. Fallick,  
Mr. Henley,  
Mr. Alan Millard,

Mr. Hogue,  
Mr. Mackenzie,  
Mr. Moxham,  
Mr. Ball,  
Mr. Briner,  
Dr. Arthur,  
Mr. Mahony,  
Mr. Kearney,  
Mr. Collins,  
Mr. Perry (*Liverpool  
Plains*),  
Mr. Wood,  
Mr. Cohen,  
Mr. John Hurley,  
Mr. McLaurin,  
Mr. O'Sullivan,  
Mr. Morton,  
Mr. W. Millard,  
Mr. Brinsley Hall,  
Mr. O'Conor,  
Mr. Dick.

*Tellers.*

Mr. Fell,  
Mr. Levy.

Noes, 24.

*Tellers.*

Mr. Miller,  
Mr. Arthur Griffith.

Mr. Cann,  
Mr. Estell,  
Mr. Nielsen,  
Mr. Fegan,  
Mr. Jones,  
Mr. Thrower,  
Mr. Meehan,  
Mr. Gardiner,  
Mr. W. W. Young,  
Mr. Kelly,  
Mr. Edden,  
Mr. McGarry,  
Mr. McNeill,  
Mr. Smith,  
Mr. Daley,  
Mr. Sullivan,  
Mr. Dacey,  
Mr. Macdonell,  
Mr. McGowen,  
Mr. Scobie,  
Mr. Burgess,  
Mr. Charlton.

*Agreed to.*

On motion of Mr. Ashton, the Chairman left the Chair to report that the Committee had come to a resolution.

W. S. MOWLE,  
For Clerk Assistant.



1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 24 NOVEMBER, 1904, A.M.

No. 1.

CENTENARY PARK SALE BILL:—

Clause 1. This Act may be cited as the "Centenary Park 'Sale' Act, 1904." (*Read.*)

Short Title.

Motion made (*Mr. McGowen*) to insert after the word "Sale" the words "or lease."

Question put,—That the words proposed to be inserted be so inserted.

Committee divided.

Ayes, 24.

Noes, 41.

Mr. Holman,  
Mr. Cann,  
Mr. Nielsen,  
Mr. Sullivan,  
Mr. Scobie,  
Mr. MacDonell,  
Mr. Ball,  
Mr. Norton,  
Mr. Arthur Griffith,  
Mr. McGowen,  
Mr. Hollis,  
Mr. Gardiner,  
Mr. Charlton,  
Mr. Edden,  
Mr. Jones,  
Mr. Dacey,  
Mr. Burgess,  
Mr. Meehan,  
Mr. Daley,  
Mr. Estell,  
Mr. Smith,  
Mr. McNeill.

*Tellers,*  
Mr. Kelly,  
Mr. McGarry.

Mr. Hogue,  
Mr. Moore,  
Mr. Jessep,  
Mr. Carruthers,  
Mr. Lec,  
Mr. Creswell,  
Mr. Coleman,  
Mr. Dick,  
Mr. Downes,  
Mr. Davidson,  
Mr. Thomas,  
Mr. Wade,  
Mr. Levy,  
Mr. Mahony,  
Mr. R. J. Anderson,  
Mr. Fallick,  
Mr. Booth,  
Mr. Henley,  
Mr. Alan Millard,  
Mr. Walter Anderson,  
Mr. Perry (*Liverpool  
Plains*),

Mr. Reynoldson,  
Mr. Mackenzie,  
Mr. Latimer,  
Mr. Law,  
Mr. McCoy,  
Mr. Winchcombe,  
Mr. Ashton,  
Mr. Storey,  
Mr. Collins,  
Mr. McLaurin,  
Mr. Donaldson,  
Mr. Briner,  
Mr. Nobbs,  
Mr. Moxham,  
Mr. Levien,  
Mr. W. Millard,  
Mr. Fell,  
Mr. O'Conor.

*Tellers,*  
Mr. Cohen,  
Mr. Oakes.

*Proposed insertion of words negatived.*

*Clause, as read, agreed to.*

Clause 2. The Chief Minister may cause any of the lands described in the Schedule to this Act to be laid out in building sites, and may sell or lease the same or any part thereof by public auction, or private contract, in such areas, and subject to such conditions as he may think desirable. For such purposes the Chief Minister may lay out, construct, and dedicate roads and public places.

Sale or leasing  
of lands in  
Schedule.

In pursuance of any such sale or leasing, the Chief Minister may execute all necessary conveyances, leases, and assurances. Provided that the expenditure incurred under this section shall be a first charge against the proceeds of sale or lease. (*Read.*)

Mr. McNeill proposing to move,—That the Chairman leave the Chair.

The Chairman refused, under Standing Order No. 330, to receive the motion.

Mr. McNeill moved,—That the Chairman leave the Chair to report a Point of Order, and ask leave to sit again so soon as the Point of Order has been decided by the House.

The Point of Order is,—That the Chairman refused to accept a motion to adjourn the proceedings of the Committee.

And question put.

Committee divided.

Ayes, 20.

Mr. Daley,  
Mr. Sullivan,  
Mr. Estell,  
Mr. Hollis,  
Mr. Cann,  
Mr. Smith,  
Mr. Gardiner,  
Mr. Meehan,  
Mr. Nielsen,  
Mr. Scobie,  
Mr. McGowen,  
Mr. Arthur Griffith,  
Mr. Edden,  
Mr. Kelly,  
Mr. Charlton,  
Mr. Holman,  
Mr. Burgess,  
Mr. McGarry.

*Tellers,*

Mr. McNeill,  
Mr. Jones.

Noes, 41.

Mr. O'Connor,	Mr. John Hurley,
Mr. Wade,	Mr. Collins,
Mr. Moore,	Mr. Norton,
Mr. Ashton,	Mr. Reynoldson,
Mr. Fell,	Mr. R. J. Anderson,
Mr. Jessep,	Mr. Levien,
Mr. Carruthers,	Mr. Fallick,
Mr. Lee,	Mr. Booth,
Mr. Nobbs,	Mr. Henley,
Mr. Creswell,	Mr. Alan Millard,
Mr. Coleman,	Mr. Walter Anderson,
Mr. Downes,	Mr. Perry ( <i>Liverpool</i>
Mr. Hogue,	<i>Plains</i> ),
Mr. Davidson,	Mr. McLaurin,
Mr. Thomas,	Mr. Storey,
Mr. Mackenzie,	Mr. Donaldson,
Mr. Bull,	Mr. Moxham,
Mr. Levy,	Mr. W. Millard.
Mr. Latimer,	<i>Tellers,</i>
Mr. Law,	
Mr. McCoy,	Mr. Cohen,
Mr. Winchcombe,	Mr. Oakes.

*Negatives.*

And the clause having been amended as indicated.

*Clause, as amended, agreed to.*

And the remaining clauses and schedule, and the preamble, of the Bill having been agreed to.

On motion of Mr. Carruthers, the Chairman left the Chair to report the Bill with amendments to the House.

W. S. MOWLE,  
For Clerk Assistant.

1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 7.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 30 NOVEMBER, 1904.

No. 1.

CLOSER SETTLEMENT BILL—(Further considered) :—

Clause 2. The Closer Settlement Act, 1901, is hereby "repealed," but such repeal shall not Repeal prejudice or affect any proceeding, matter, or thing lawfully done or commenced, or contracted to be done, under the authority of that Act. (Read.)

And Mr. Nielsen, the Honorable Member for Yass, proceeding to discuss the details of the Closer Settlement Act, 1901,—

The Chairman ruled that the Honorable Member could not discuss the details of the Closer Settlement Act, 1901, but could only make a general reference to that Act which the clause under consideration proposed to repeal.

Whereupon Mr. Nielsen moved, That the Chairman leave the Chair to report a Point of Order, and ask leave to sit again so soon as the Point of Order has been decided by the House.

The Point of Order is :—That the Honorable Member for Yass, Mr. Nielsen, in discussing the clause, was referring to the details of the Closer Settlement Act of 1901 to show why that Act should not be repealed. The Chairman had ruled that the Honorable Member, while able to refer to the general principles of the Act, could not refer to details of the Act proposed to be repealed,—

to which ruling exception is taken.

Agreed to.

The Chairman left the Chair accordingly.

Committee resumed, Mr. Speaker having upheld the ruling of the Chairman.

Mr. Nielsen proposing to amend the clause by inserting after the word "repealed" in line 1 the words "with the exception of clauses 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22."

The Chairman ruled the proposed amendment out of order on the ground that it would be a negation of the principles of the Bill as read a second time.

Whereupon Mr. Nielsen moved, That the Chairman leave the Chair to report a Point of Order, and ask leave to sit again so soon as the Point of Order has been decided by the House.

The Point of Order is :—That Mr. Nielsen, the Honorable Member for Yass, proposed to move an amendment to insert after the word "repealed" in line 1 the following words: "With the exception of clauses 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22". The Chairman ruled that the amendment was out of order,—

to which ruling exception is taken.

Question put.

Committee divided.

Ayes, 21.

Mr. Estell,  
Mr. Sullivan,  
Mr. Holman,  
Mr. Jones,  
Mr. Scobie,  
Mr. Macdonell,  
Mr. Nielsen,  
Mr. Hollis,  
Mr. McGowen,  
Mr. Charlton,  
Mr. Nicholson,  
Mr. W. W. Young,  
Mr. Macdonald,  
Mr. Arthur Griffith,  
Mr. Burgess,  
Mr. Meehan,  
Mr. Dacey,  
Mr. Cann,  
Mr. W. Millard.

*Tellers,*

Mr. Gardiner,  
Mr. McGarry.

*Negatived.*

Noes, 39.

Mr. Thomas,	Mr. Fleming,
Mr. Hogue,	Mr. Moxham,
Mr. Lee,	Mr. Mahony,
Mr. McCoy,	Mr. Walter Anderson,
Mr. Eden George,	Mr. Brinsley Hall,
Mr. Wade,	Mr. J. H. Young,
Mr. Levy,	Mr. Collins,
Mr. Cohen,	Mr. Wood,
Mr. Alan Millard,	Mr. Downes,
Mr. Moore,	Mr. Smith,
Mr. R. J. Anderson,	Mr. Henley,
Mr. Reynoldson,	Mr. Perry ( <i>Liverpool</i>
Mr. Perry ( <i>The Rich-</i>	<i>Plains</i> ),
<i>mond</i> ),	Mr. Fallick,
Mr. Donaldson,	Mr. Nobbs,
Mr. McLaurin,	Mr. O'Connor.
Mr. Latimer,	<i>Tellers,</i>
Mr. Kearney,	Mr. Creswell,
Mr. Davidson,	Mr. Gillies.
Mr. Ashton,	
Dr. Arthur,	
Mr. Ball,	
Mr. Coleman,	

No. 2.

SAME BILL.

*Same Clause.*

Question put,—That the clause as read stand part of the Bill.

Committee divided.

Ayes, 41.

Mr. Fallick,	Mr. Perry ( <i>The Richmond</i> ),
Mr. Hogue,	Mr. R. J. Anderson,
Mr. Levy,	Mr. Donaldson,
Mr. Ashton,	Mr. Thomas,
Mr. Lee,	Mr. Mahony,
Mr. Moore,	Mr. Fleming,
Mr. Wade,	Mr. McLaurin,
Mr. Ball,	Mr. Eden George,
Mr. Creswell,	Mr. Waddell,
Mr. Henley,	Mr. Reynoldson,
Mr. Nobbs,	Mr. Wood,
Mr. Cohen,	Mr. McFarlane,
Mr. Alan Millard,	Mr. Brinsley Hall,
Mr. J. H. Young,	Mr. Downes,
Dr. Arthur,	Mr. Perry ( <i>Liverpool Plains</i> ),
Mr. Coleman,	Mr. Walter Anderson,
Mr. Latimer,	Mr. W. Millard.
Mr. Winchcombe,	<i>Tellers,</i>
Mr. Moxham,	Mr. Collins,
Mr. McCoy,	Mr. Gillies.
Mr. Davidson,	
Mr. Kearney,	

*Agreed to.*

And clauses 3, 4, 5, and 6 having been dealt with,—

Noes, 22.

Mr. Cann,	<i>Tellers,</i>
Mr. Meehan,	Mr. Sullivan,
Mr. Gardiner,	Mr. Jones.
Mr. Hollis,	
Mr. Macdonald,	
Mr. Burgess,	
Mr. Charlton,	
Mr. Macdonell,	
Mr. W. W. Young,	
Mr. Nicholson,	
Mr. Estell,	
Mr. Scobie,	
Mr. Dacey,	
Mr. McGowen,	
Mr. Arthur Griffith,	
Mr. Nielsen,	
Mr. McGarry,	
Mr. Holman,	
Mr. Miller,	
Mr. Smith,	

No. 3.

SAME BILL.

Minister may  
submit offer to  
Parliament.

Clause 7. If such offer has been referred to the Closer Settlement Board, and the report of that board shows that the land offered is suitable, and is likely to be immediately utilised for closer settlement, the Minister may submit to "Parliament" that the land or any part thereof together with the improvements thereon be acquired—

- (a) at the price asked by the owner ; or
- (b) at the values reported by the Closer Settlement Board ; or
- (c) at a price less than either of the foregoing. (*Read.*)

Motion made (*Mr. Arthur Griffith*), to leave out from line 3 the word "Parliament," and insert the words "the Legislative Assembly" instead thereof.

Question put,—That the word proposed to be left out stand part of the clause.

Committee

Committee divided.

Ayes, 47.

Mr. Moore,	Mr. Waddell,
Mr. Levy,	Mr. Kearney,
Mr. Ashton,	Mr. Collins,
Mr. Carruthers,	Mr. R. J. Anderson,
Mr. Lee,	Mr. Donaldson,
Mr. Hogue,	Mr. Fell,
Mr. Wade,	Mr. O'Connor,
Mr. Cohen,	Mr. Thomas,
Mr. Ball,	Mr. Henley,
Mr. Creswell,	Mr. Davidson,
Mr. Nobbs,	Mr. Reynoldson,
Mr. Coleman,	Mr. Wood,
Mr. Moxham,	Mr. Perry ( <i>The Richmond</i> ),
Mr. Booth,	Mr. Brinsley Hall,
Mr. Alan Millard,	Mr. McFarlane,
Mr. Mahony,	Mr. Downes,
Mr. J. H. Young,	Mr. Perry ( <i>Liv'l. Plains</i> ),
Mr. Fallick,	Mr. Walter Anderson,
Mr. Latimer,	Mr. W. Millard,
Mr. Fleming,	Mr. John Hurley.
Mr. Winchcombe,	<i>Tellers,</i>
Mr. Eden George,	Mr. Jessep,
Mr. Gillies,	Mr. Storey.
Dr. Arthur,	
Mr. McLaurin,	

Noes, 22.

Mr. Cann,
Mr. Scobie,
Mr. McGowen,
Mr. Dacey,
Mr. Holman,
Mr. Nielsen,
Mr. Jones,
Mr. McGarry,
Mr. Hollis,
Mr. Smith,
Mr. Miller,
Mr. Nicholson,
Mr. W. W. Young,
Mr. Macdonell,
Mr. Charlton,
Mr. Macdonald,
Mr. Sullivan,
Mr. Meehan,
Mr. Gardiner,
Mr. Burgess.
<i>Tellers,</i>
Mr. Arthur Griffith,
Mr. Estell.

*Word stands.*

*Clause, as read, agreed to.*

And clauses 8, 9, 10, and 11 having been agreed to,—

No. 4.

SAME BILL.

Clause 12. The compulsory provisions of this Act shall only apply where the private land intended <sup>Limitation.</sup> to be set apart for closer settlement exceeds "twenty" fifteen thousand pounds in value, without taking into account any improvements thereon. (*Read.*)

Motion made (*Mr. Gardiner*) to leave out from line 2 the word "twenty" and insert the word "ten" instead thereof.

And the omission of the word "twenty" having been agreed to,

Question put,—That the word proposed to be inserted be so inserted.

Committee divided.

Ayes, 25.

Mr. Scobie,	<i>Tellers,</i>
Mr. Cann,	Mr. McNeill,
Mr. Jones,	Mr. Nielsen.
Mr. McGowen,	
Mr. Hollis,	
Mr. Thrower,	
Mr. Norton,	
Mr. Miller,	
Mr. Sullivan,	
Mr. Arthur Griffith,	
Mr. Gardiner,	
Mr. O'Sullivan,	
Mr. Smith,	
Mr. Meehan,	
Mr. Estell,	
Mr. Fegan,	
Mr. Macdonell,	
Mr. Burgess,	
Mr. Charlton,	
Mr. W. W. Young,	
Mr. Nicholson,	
Mr. McGarry,	
Mr. W. Millard,	

Noes, 44.

Mr. Moore,	Mr. Mahony,
Mr. Levy,	Mr. Law,
Mr. O'Connor,	Mr. Henley,
Mr. Jessep,	Mr. Moxham,
Mr. Thomas,	Mr. Downes,
Mr. J. H. Young,	Mr. Fell,
Mr. John Hurley,	Mr. Collins,
Mr. Alan Millard,	Mr. Wood,
Mr. Dick,	Mr. Kearney,
Mr. R. J. Anderson,	Mr. McFarlane,
Mr. Waddell,	Mr. Perry ( <i>Liv'l. Plains</i> ),
Mr. Cohen,	Mr. Perry ( <i>The Richmond</i> ),
Mr. Wade,	Mr. Fleming,
Mr. Donaldson,	Mr. Booth,
Mr. Latimer,	Mr. Eden George,
Mr. Winchcombe,	Mr. Creswell,
Mr. Ball,	Mr. McLaurin,
Mr. Davidson,	Mr. Reynoldson,
Mr. Lee,	Mr. Fallick.
Mr. Ashton,	<i>Tellers,</i>
Mr. Hogue,	Mr. Nobbs,
Mr. Coleman,	Dr. Arthur.
Mr. Walter Anderson,	

*Negatived.*

Motion made (*Mr. Waddell*) to fill blank with the word "fifteen."

Question put,—That the word proposed to be inserted, be so inserted.

Committee

Committee divided.

Ayes, 46.

Mr. Nobbs,	Mr. R. J. Anderson,
Mr. Cann,	Mr. Davidson,
Mr. Moore,	Mr. Alan Millard,
Mr. Ashton,	Mr. Law,
Mr. Hogue,	Mr. Mahony,
Mr. Wade,	Mr. Eden George,
Mr. Lee,	Mr. O'Connor,
Mr. Fleming,	Mr. Moxham,
Mr. Ball,	Mr. Healey,
Mr. Jessep,	Mr. W. W. Young,
Mr. Fullick,	Mr. Wood,
Mr. John Hurley,	Mr. Perry ( <i>The Richmond</i> ),
Mr. J. H. Young,	Mr. Reynoldson,
Mr. Thomas,	Mr. McLaurin,
Mr. Levy,	Mr. Booth,
Mr. Coleman,	Mr. Perry ( <i>Liverpool</i>
Mr. Dick,	<i>Plains</i> ),
Mr. Latimer,	Mr. Winchcombe,
Dr. Arthur,	Mr. Creswell,
Mr. Waddell,	Mr. W. Millard.
Mr. Donaldson,	<i>Tellers,</i>
Mr. Downes,	
Mr. Kearney,	Mr. Miller,
Mr. Collins,	Mr. Nielsen.
Mr. Cohen,	

Noes, 20.

Mr. McGowen,
Mr. Burgess,
Mr. Estell,
Mr. Scobie,
Mr. Thrower,
Mr. Arthur Griffith,
Mr. Jones,
Mr. Norton,
Mr. Charlton,
Mr. Fegan,
Mr. Sullivan,
Mr. Smith,
Mr. O'Sullivan,
Mr. Nicholson,
Mr. Meehan,
Mr. Hollis,
Mr. Maedonell,
Mr. McNeill.

*Tellers,*

Mr. McGarry,
Mr. Gardiner.

*Insertion of word-agreed to.**Clause, as amended, agreed to.*

And clauses 13, 14, and 15 having been agreed to,—

No. 6

SAME BILL.

Right of owner  
to retain part.

Clause 16. (1) The owner of any private lands referred to the Closer Settlement Board shall have the right to retain out of such lands, if resumed, a part thereof the value of which (without taking into account any improvements thereon) does not exceed ten thousand pounds. Where more than one person is the owner of such lands only one such right may be exercised.

(2) Such right shall be deemed to be waived unless the owner asserts the same in the way provided in the fourth subsection hereof, and also specifies the area, situation, boundaries, and value of the land (without taking into account any improvements thereon) which he proposes to retain.

(3) The area, situation, and boundaries of the land to be so retained shall be determined by the Closer Settlement Board.

(4) If the land referred to the Closer Settlement Board comprises part only of that held by an owner in one contiguous area, such owner shall have the right to require that the whole of such area be referred as aforesaid, provided that he asserts such right on the prescribed form within four weeks of notification of the intention to refer. In such a case not less than the whole of such area (if any) shall be resumed. [*Read.*]

Determination  
of part to be  
retained.Right to require  
whole estate to  
be taken.

Question put,—That the clause as read stand part of the Bill.

Committee divided.

Ayes, 36.

Mr. Dick,	Mr. O'Connor,
Mr. Wade,	Mr. Perry ( <i>Liverpool</i>
Mr. Ashton,	<i>Plains</i> ),
Mr. Moore,	Mr. Collins,
Mr. Lee,	Mr. Ball,
Mr. Hogue,	Mr. Kearney,
Mr. Davidson,	Mr. Wood,
Mr. John Hurley,	Mr. Booth,
Dr. Arthur,	Mr. R. J. Anderson,
Mr. Mahony,	Mr. Reynoldson,
Mr. Alan Millard,	Mr. Winchcombe,
Mr. Moxham,	Mr. Downes,
Mr. Latimer,	Mr. O'Sullivan,
Mr. McLaurin,	Mr. W. Millard,
Mr. Fleming,	Mr. Creswell.
Mr. Thomas,	<i>Tellers,</i>
Mr. Nobbs,	
Mr. Donaldson,	Mr. Jessep,
Mr. Henley,	Mr. Coleman.
Mr. Waddell,	

Noes, 21.

Mr. McGarry,	<i>Tellers,</i>
Mr. Scobie,	
Mr. McGowen,	Mr. Holman,
Mr. Nielsen,	Mr. Jones.
Mr. Thrower,	
Mr. Arthur Griffith,	
Mr. McNeill,	
Mr. Charlton,	
Mr. Estell,	
Mr. Maedonell,	
Mr. Burgess,	
Mr. Cann,	
Mr. Hollis,	
Mr. Meehan,	
Mr. Miller,	
Mr. Nicholson,	
Mr. Fegan,	
Mr. Gardiner,	
Mr. Smith.	

*Clause, as read, agreed to.*

No. 7.

SAME BILL.

Reference to  
Parliament.Resumption and  
vesting.

Clause 17. (1) After the valuation by the Closer Settlement Board "as aforesaid," the matter may by the Minister be referred to Parliament.

(2) If Parliament, by resolution of each House, approves of the resumption of the land, the Governor shall, by notification in the Gazette, declare that the land described in such notification has been resumed under and for the purposes of this Act, and the land so described shall thereupon become vested in His Majesty. [*Read.*]

Motion

Motion made (*Mr. Arthur Griffith*), to leave out from line 1 the words "as aforesaid," and insert the words "and the Court of Appeal."

And the Committee continuing to sit after midnight,—

THURSDAY, 1 DECEMBER, 1904, A.M.

Question put,—That the words proposed to be left out stand part of the clause.

Committee divided.

Ayes, 31.

Mr. Lee,	Mr. Booth,
Mr. Nobbs,	Mr. Fleming,
Mr. Ashton,	Mr. Henley,
Mr. Moore,	Mr. Downes,
Mr. Winchcombe,	Mr. Jessop,
Mr. O'Connor,	Mr. Hogue,
Mr. Davidson,	Mr. Collins,
Mr. McLaurin,	Mr. Law,
Mr. Coleman,	Mr. Kearney,
Mr. Fallick,	Mr. Dick,
Dr. Arthur,	Mr. Creswell,
Mr. Latimer,	Mr. Walter Anderson.
Mr. Moxham,	
Mr. Alan Millard,	<i>Tellers,</i>
Mr. John Hurley,	Mr. Ball,
Mr. Thomas,	Mr. W. Millard.
Mr. R. J. Anderson,	

Noes, 24.

Mr. Scobie,	Mr. Smith,
Mr. Hollis,	Mr. O'Sullivan,
Mr. McGowen,	Mr. Reynoldson,
Mr. Jones,	Mr. Perry ( <i>Liverpool</i>
Mr. Thrower,	<i>Plains</i> ),
Mr. Nielsen,	Mr. Donaldson.
Mr. Estell,	<i>Tellers,</i>
Mr. W. W. Young,	Mr. Holman,
Mr. Macdonell,	Mr. Arthur Griffith.
Mr. Cann,	
Mr. Gardiner,	
Mr. Meehan,	
Mr. Burgess,	
Mr. Charlton,	
Mr. Nicholson,	
Mr. Waddell,	
Mr. McNeill,	

*Words stand.*

No. 8.

SAME BILL.

*Same Clause.*

Motion made (*Mr. Nielsen*), to add at end of clause "Provided that no land shall be resumed under this section until the price for such land is fixed either by agreement between the Minister for Lands and the owner, or under the provisions of the next succeeding section of this Act; and no land shall be resumed under this section if the price to be paid for such land exceeds the value placed upon it by the Closer Settlement Board without a further reference to, and consent by Parliament."

Question put,—That the words proposed to be added be so added.

Committee divided.

Ayes, 19.

Mr. Cann,	<i>Tellers,</i>
Mr. Burgess,	Mr. Nielsen,
Mr. Hollis,	Mr. Gardiner.
Mr. Estell,	
Mr. Macdonell,	
Mr. Scobie,	
Mr. Holman,	
Mr. Meehan,	
Mr. McGowen,	
Mr. Arthur Griffith,	
Mr. Thrower,	
Mr. McNeill,	
Mr. Waddell,	
Mr. Jones,	
Mr. Charlton,	
Mr. Reynoldson,	
Mr. Nicholson,	

Noes, 32.

Mr. Nobbs,	Mr. Henley,
Mr. Moore,	Mr. Collins,
Mr. Dick,	Mr. Donaldson,
Mr. Hogue,	Mr. O'Sullivan,
Mr. Jessop,	Mr. Fallick,
Mr. Lee,	Mr. Fleming,
Mr. Alan Millard,	Mr. Perry ( <i>Liverpool</i>
Mr. R. J. Anderson,	<i>Plains</i> ),
Mr. O'Connor,	Mr. Creswell,
Mr. John Hurley,	Mr. Ashton,
Mr. Law,	Mr. W. Millard,
Mr. Latimer,	Mr. Walter Anderson,
Mr. Thomas,	Mr. Ball.
Mr. Davidson,	<i>Tellers,</i>
Mr. Winchcombe,	Mr. Downes,
Mr. Kearney,	Mr. Coleman.
Mr. Moxham,	
Mr. Booth,	

*Proposed addition of words negatived.*

*Clause, as read, agreed to.*

No. 9.

SAME BILL.

Clause 18. (1) The valuation of the land and improvements, as reported by the Closer Settlement Board shall, subject to appeal as hereinafter provided, be the purchase price thereof. Price.

(2) If the owner be dissatisfied with such price, he may, within twenty-eight days of the notification of resumption as in this Act provided, lodge with the Minister a notice of appeal on the prescribed form. Appeal.

(3) Such appeal shall be heard by a Court consisting of one of the Judges of the Supreme Court, appointed for the purpose by the Governor within fourteen days of such notice of appeal, and two assessors, one of whom shall be appointed by the Governor, and the other by the appellant within the aforesaid period. Court of Appeal.

(4) The decision of the said Judge and one of such assessors as to price shall be final, whether such price be greater or less than the Closer Settlement Board's reported valuation. Decision. (*Read.*)

Motion made (*Mr. Arthur Griffith*), to add the following, to stand as subsection (5)—

(5) "Either party to the proceedings before the Court may appear personally or by agent "or with the consent of the other party by counsel or solicitor."

Question put,—That the words proposed to be inserted be so inserted.

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260—B

Committee

Committee divided.

Ayes, 16.

Mr. Cann,  
Mr. Hollis,  
Mr. Estell,  
Mr. Gardiner,  
Mr. Burgess,  
Mr. Scobie,  
Mr. Nielsen,  
Mr. McGowen,  
Mr. Macdonell,  
Mr. Thrower,  
Mr. Jones,  
Mr. Charlton,  
Mr. Nicholson,  
Mr. Mcchan.  
*Tellers,*  
Mr. McNeill,  
Mr. Arthur Griffith.

Noes, 36.

Mr. Dick,  
Mr. Moore,  
Mr. Nobbs,  
Mr. Jessep,  
Mr. Hogue,  
Mr. Lec,  
Mr. John Hurley,  
Mr. Fallick,  
Mr. Coleman,  
Mr. R. J. Anderson,  
Mr. Holman,  
Mr. Alan Millard,  
Mr. Creswell,  
Mr. Downes,  
Mr. O'Connor.  
Dr. Arthur,  
Mr. Waddell,  
Mr. McLaurin,  
Mr. Latimer,  
Mr. Thomas,  
Mr. Davidson,  
Mr. Kearney,  
Mr. Winchcombe,  
Mr. Ashton,  
Mr. Moxham,  
Mr. Reynoldson,  
Mr. Booth,  
Mr. Henley,  
Mr. Walter Anderson,  
Mr. Law,  
Mr. Perry (*Liverpool  
Plains*),  
Mr. Fleming,  
Mr. W. Millard,  
Mr. Ball.  
*Tellers,*  
Mr. Donaldson,  
Mr. Collins.

*Proposed insertion of words negatived.*

*Clause, as read, agreed to.*

And clauses 20, 21, 22, and 23 having been agreed to,

On motion of Mr. Ashton, the Chairman left the Chair to report progress, and ask leave to sit again To-morrow.

FRIDAY, 2 DECEMBER, 1904.

No. 10.

SYDNEY HARBOUR RATES BILL (No. 2).

Clauses 1 to 5 having been agreed to.

Levy of tonnage rates.

Clause 6. "(1) Tonnage rates shall be levied by and paid to the commissioners upon every vessel (except vessels under two hundred and forty tons "of" register tonnage and lighters) while berthed at any wharf, dock, pier, jetty, landing-stage, slip, or platform vested in the commissioners.

Charges for berthing of vessels on which tonnage rates are not payable.

(2) On vessels in respect of which tonnage rates are not payable, the commissioners may, by regulations, impose and provide for the collection of tolls or charges for berthing at any wharf, dock, pier, jetty, landing-stage, slip, or platform vested in them. Such tolls and charges may be fixed charges for berthing, or may be in the form of licenses for a fixed period.

Saving.

(3) Nothing in this section shall affect any lease or agreement for a lease of any wharf, dock, pier, jetty, landing-stage, slip, or platform granted or entered into by the commissioners.  
(*Read.*)

Motion made (*Mr. Perry, The Richmond*), to insert in line 2 after the word "of" the word "nett."  
Question put,—That the word proposed to be inserted be so inserted.

Committee divided.

Ayes, 13.

Mr. Fell,  
Mr. Davidson,  
Mr. Coleman,  
Mr. Thomas,  
Mr. J. H. Young,  
Mr. Perry (*The Richmond*),  
Mr. Jones,  
Mr. Storey,  
Mr. McFarlane,  
Mr. Henley,  
Mr. O'Sullivan.  
*Tellers,*  
Mr. McLaurin,  
Mr. W. Millard.

Noes, 46.

Mr. Mahony,  
Mr. Hogue,  
Mr. Hollis,  
Mr. Thrower,  
Mr. Dacey,  
Mr. O'Connor,  
Mr. Lec,  
Mr. Jessep,  
Mr. Carruthers,  
Mr. Nobbs,  
Mr. Burgess,  
Mr. McGarry,  
Mr. Cann,  
Mr. Charlton,  
Mr. Macdonald,  
Mr. John Hurley,  
Mr. Estell,  
Mr. Broughton,  
Mr. Booth,  
Mr. Arthur Griffith,  
Mr. R. J. Anderson,  
Mr. Reynoldson,  
Mr. Waddell,  
Mr. Winchcombe,  
Mr. Gillies,  
Mr. Creswell,  
Mr. Latimer,  
Mr. Mackenzie,  
Mr. Brinsley Hall,  
Mr. Fleming,  
Mr. Wade,  
Mr. Nicholson,  
Mr. Alan Millard,  
Mr. Downes,  
Mr. Fallick,  
Dr. Arthur,  
Mr. Collins,  
Mr. Perry (*Liverpool  
Plains*),  
Mr. Oakes,  
Mr. Eden George,  
Mr. Moore,  
Mr. Gardiner,  
Mr. W. W. Young,  
Mr. Ashton.  
*Tellers,*  
Mr. Donaldson,  
Mr. Law.

*Proposed insertion of word negatived.*

*Clause, as read, agreed to.*

And the remaining clauses and the preamble of the Bill having been agreed to,—

On motion of Mr. Carruthers, the Chairman left the Chair to report the Bill without amendment to the House.

W. S. MOWLE,  
For Clerk Assistant.

1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 8.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 8 DECEMBER, 1904.

No. 1.

CLOSER SETTLEMENT BILL—(Further considered) :—

Clauses 24 and 25 having been agreed to,—

Clause 26. Any person, whether male or female, not being under the age of twenty-one years, **Any** Qualifications to apply for land under this Act.  
**male person not being under the age of eighteen years and any female person not being under the age of twenty-one years, and not being the holder of any land** except—

- (a) town or suburban land as defined in the Crown Lands Acts; or
- (b) land under lease as provided for in this Act or a settlement township allotment thereunder; or
- (c) land held as a tenant from a private holder,

may apply for a settlement purchase under this Act, subject to the following provisions :—

- (1) Such person shall not for the purpose of applying under this Act have divested himself or herself of any land held by him or her within twelve months before the date of application under this Act.
- (2) Such person if a female shall be unmarried, or widowed, or if married, be living apart from her husband under an order for judicial separation made by a court of competent jurisdiction. (*Read.*)

And the clause having been amended as indicated.

Motion made (*Mr. Morton*) to leave out sub-section (1).

Question put, That the words proposed to be left out stand part of the clause.

Committee divided.

Ayes, 43.

Mr. McCoy,	Mr. McLaurin,
Mr. Hogue,	Mr. Reynoldson,
Mr. Ashton,	Mr. Macdonell,
Mr. Moore,	Mr. Waddell,
Mr. Carruthers,	Mr. Estell,
Mr. Jones,	Mr. Charlton,
Mr. Donaldson,	Mr. Cann,
Mr. Ball,	Mr. Dick,
Mr. Edden,	Mr. Hollis,
Mr. Wade,	Mr. Perry ( <i>Liverpool</i>
Mr. Fallick,	<i>Plains</i> ),
Mr. Booth,	Mr. Nobbs,
Mr. Alan Millard,	Mr. McGarry,
Mr. Kelly,	Mr. Nicholson,
Mr. Burgess,	Mr. Thomas,
Mr. Macdonald,	Mr. W. W. Young,

Mr. Cohen,
Mr. Law,
Mr. Walter Anderson,
Mr. John Hurley,
Mr. Lec,
Mr. Dacey,
Mr. O'Conor,
Mr. Oakes,
Mr. J. H. Young,
Mr. Moxham.

Tellers,

Mr. Nielsen,
Mr. Scobie.

Noes, 13.

Mr. Davidson,
Mr. Thrower,
Mr. O'Sullivan,
Mr. Downes,
Mr. Fleming,
Mr. Perry ( <i>The Richmond</i> ),
Mr. Creswell,
Mr. McFarlane,
Mr. Bennett,
Mr. Briner,
Mr. Coleman,

Tellers,

Mr. W. Millard,
Mr. Morton.

*Words stand.*

*Clause, as amended, agreed to.*

And clauses 27 and 28 having been dealt with,—

## No. 2.

## SAME BILL.

Settlement  
purchase, title,  
and general  
conditions.

Clause 29. The title of a settlement purchase under this Act shall commence from the date of application therefor, if valid, and every such purchase before grant shall be subject to the following covenants and conditions, and to such other conditions and restrictions relating to mining, cultivation, destruction of vermin and noxious weeds, insurance against fire, or other matter or matters as may be prescribed:—

Instalments,  
rate of interest.

(a) At the end of the first year from the date of application, or within three months thereafter, there shall be paid an instalment on the purchase money at the rate of five per centum of the capital value of the land, and thereafter in like manner a like instalment annually until the balance of the purchase money, together with interest at the rate of four per centum per annum thereon, shall have been paid; but two or more instalments may be paid at the same time.

Residence.

(b) A condition "of" residence for ten years shall attach to every settlement purchase, and shall commence within twelve months after the date of the land board's decision allowing the purchase: "Provided that the commencement of residence "may be extended to any date within five years of allowance of purchase, on such "terms and conditions as to improvements and cultivation as may be agreed upon "between the local land board and the 'purchaser.'" For the purposes of this Act, residence shall be taken to mean continuous and bona fide living, as the purchaser's usual home, without any other habitual residence, upon any settlement purchase or upon any township settlement allotment in the same settlement purchase area. On application on the prescribed form the land board may permit the residence condition to be performed in any adjacent village or town. Such permission may be conditional or unconditional. The land board or the chairman for the land board may, at any time after application on the prescribed form, and for due cause shown, suspend the condition of residence either unconditionally or on conditions.

Improvements.

(c) **If the land be unimproved** the purchaser shall make substantial and permanent improvements ~~on the land thereon~~ to the value of ten per centum of the capital value thereof, within two years from the date of commencement of the purchase, and to an additional five per centum of the said value within five years of the said commencement, and to a further additional ten per centum within ten years from the same date. **Existing improvements on the land shall, to the amount of their value, be held to fulfil this condition.** Boundary fencing shall be deemed to be an improvement within the meaning of this section: **Provided that nothing in this sub-section shall limit the power of the local land board to prescribe the value of improvements to be effected under the provisions of sub-section (b).** (*Read.*)

Motion made (*Mr. Arthur Griffith*) to insert in line 12 after the word "of" the word "perpetual."

Question put,—That the word proposed to be inserted be so inserted.

Committee divided.

Ayes, 20.

Mr. McGowen,  
Mr. Cann,  
Mr. Macdonell,  
Mr. Burgess,  
Mr. Holman,  
Mr. McGarry,  
Mr. Sullivan,  
Mr. Arthur Griffith,  
Mr. Jones,  
Mr. Bennett,  
Mr. Hollis,  
Mr. Edden,  
Mr. Charlton,  
Mr. W. W. Young,  
Mr. Gardiner,  
Mr. Kelly,  
Mr. Smith,  
Mr. McNeill,

Tellers,

Mr. Nielsen,  
Mr. Estell.

Mr. Creswell,  
Mr. Waddell,  
Mr. Moore,  
Mr. Davidson,  
Mr. Scobie,  
Mr. Nobbs,  
Mr. Carruthers,  
Mr. Levy,  
Mr. Ashton,  
Mr. J. H. Young,  
Mr. Downes,  
Mr. Hogue,  
Mr. Nicholson,  
Mr. Macdonald,  
Mr. Booth,  
Mr. R. J. Anderson,  
Mr. Coleman,  
Mr. Collins,  
Mr. Winchcombe,  
Mr. Gillies,  
Mr. Donaldson,  
Mr. Latimer,

Noes, 50.

Mr. Law,  
Mr. Lee,  
Mr. Perry (*Liv'l Plains*),  
Mr. Moxham,  
Mr. Ball,  
Dr. Arthur,  
Mr. Walter Anderson,  
Mr. Morton,  
Mr. Dick,  
Mr. Henley,  
Mr. Mahony,  
Mr. Fleming,  
Mr. Alan Millard,  
Mr. John Hurley,  
Mr. Wood,  
Mr. Eden George,  
Mr. W. Millard,  
Mr. Wade,  
Mr. O'Connor,  
Mr. McCoy,  
Mr. Thomas,  
Mr. Fallick,

Mr. McFarlane,  
Mr. Storey,  
Mr. Oakes,  
Mr. Cohen.

Tellers,

Mr. Jessep,  
Mr. Broughton.

*Proposed insertion of word negatived.*

## No. 3.

## SAME BILL.

*Same Clause.*

Motion made (*Mr. Nielsen*) to leave out from lines 14 to 17 the words "Provided that the commencement of residence may be extended to any date within five years of allowance of purchase, on such terms and conditions as to improvements and cultivation as may be agreed upon between the local land board and the purchaser."

Question put,—That the words proposed to be left out stand part of the clause.

Committee

Committee divided.

Ayes, 38.

Mr. Cohen,	Mr. Moxham,
Mr. Moore,	Mr. Fallick,
Mr. Wade,	Mr. Henley,
Mr. Nobbs,	Mr. Wood,
Mr. Carruthers,	Mr. Dick,
Mr. Ashton,	Mr. Law,
Mr. Creswell,	Mr. Eden George,
Mr. Jessep,	Mr. Alan Millard,
Mr. Hogue,	Mr. W. Millard,
Mr. Donaldson,	Mr. Morton,
Mr. Lee,	Mr. Fleming,
Mr. O'Connor,	Mr. Winchcombe,
Mr. Downes,	Mr. Bennett,
Mr. Booth,	Mr. R. J. Anderson,
Mr. Latimer,	Mr. McCoy,
Mr. Thomas,	Mr. Davidson.
Mr. Oakes,	<i>Tellers,</i>
Mr. Coleman,	Mr. Holman,
Mr. John Hurley,	Mr. Levy.
Mr. J. H. Young,	

*Words stand.*

Noes, 32.

Mr. Kelly,	Mr. Perry ( <i>Liverpool</i>
Mr. Estell,	<i>Plains</i> ),
Mr. Macdonell,	Mr. Collins,
Mr. Arthur Griffith,	Mr. Briner,
Mr. Cann,	Mr. Gardiner,
Mr. Nielsen,	Mr. McGowen,
Mr. Scobie,	Mr. McNeill,
Mr. Thrower,	Mr. McLaurin,
Mr. Levien,	Mr. Smith,
Mr. Edden,	Mr. Ball,
Mr. Nicholson,	Dr. Arthur.
Mr. W. W. Young,	<i>Tellers,</i>
Mr. Miller,	Mr. Holman,
Mr. Macdonald,	Mr. Jones.
Mr. Burgess,	
Mr. Charlton,	
Mr. Hollis,	
Mr. McGarry,	
Mr. McFarlane,	
Mr. Waddell,	

No. 4.

SAME BILL.

*Same Clause.*

Motion made (*Dr. Arthur*) to insert in line 17 after the word "purchaser" the words "but preference shall in all cases be given to purchasers who are prepared to enter into immediate residence."

Question put,—That the words proposed to be inserted, be so inserted.

Committee divided.

Ayes, 27.

Mr. Miller,	Mr. Moehan,
Mr. Cann,	Mr. Arthur Griffith,
Mr. Nielsen,	Mr. Macdonald,
Mr. Jones,	Mr. Smith,
Mr. Burgess,	Mr. McGarry.
Mr. Kelly,	<i>Tellers,</i>
Mr. Thrower,	Mr. Holman,
Dr. Arthur,	Mr. Estell.
Mr. Scobie,	
Mr. Hollis,	
Mr. Gardiner,	
Mr. McGowen,	
Mr. McNeill,	
Mr. Charlton,	
Mr. Edden,	
Mr. Nicholson,	
Mr. W. W. Young,	
Mr. Perry ( <i>Liverpool</i>	
<i>Plains</i> ),	
Mr. Waddell,	
Mr. Ball,	

*Proposed insertion of words negatived.*

And the clause having been amended as indicated,—

*Clause, as amended, agreed to.*

And the remaining clauses having been dealt with, and a proposed new clause to follow clause 54 ruled out of order.

On motion of Mr. Ashton, the Chairman left the Chair to report the Bill with amendments to the House.

Noes, 39.

Mr. Dick,	Mr. McCoy,
Mr. Wade,	Mr. Coleman,
Mr. Moore,	Mr. Morton,
Mr. Hogue,	Mr. Booth,
Mr. Broughton,	Mr. Henley,
Mr. Carruthers,	Mr. Eden George,
Mr. Ashton,	Mr. Alan Millard,
Mr. Lee,	Mr. Walter Anderson,
Mr. Cohen,	Mr. Fallick,
Mr. Creswell,	Mr. Briner,
Mr. Oakes,	Mr. W. Millard,
Mr. Downes,	Mr. Fleming,
Mr. Storey,	Mr. Thomas,
Mr. Moxham,	Mr. O'Connor,
Mr. R. J. Anderson,	Mr. Wood,
Mr. J. H. Young,	Mr. Nobbs.
Mr. Latimer,	<i>Tellers,</i>
Mr. Law,	Mr. Levy,
Mr. Donaldson,	Mr. John Hurley.
Mr. Bennett,	
Mr. Davidson,	

W. S. MOWLE,  
For Clerk Assistant.



1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 9.

## WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 13 DECEMBER, 1904.

No. 1.

SEAT OF GOVERNMENT ACT.

*(Resolutions—further considered.)*

Question again proposed on the motion of Mr. Carruthers,—That the Committee agree to the following resolutions:—

That, having considered the terms and provisions of the Act passed by the Parliament of the Commonwealth of Australia, entitled "An Act to determine the Seat of Government of the Commonwealth," it is resolved,—

(1.) That this State will not grant an area of not less than 900 square miles, with access to the sea, in any part of this State as Federal territory for the purposes of section 125 of the Commonwealth Constitution Act.

(2.) That the true intent of the said section as understood by this State was that the limitation of "not less than 100 square miles" denoted an area as closely approximating thereto as the ordinary needs of a Seat of Government might require.

(3.) That, in order to assist in a constitutional determination of the Seat of Government of the Commonwealth, the Government of this State is authorised to formally offer to grant to the Federal Government an area of between 100 square miles and 200 square miles, at or near the four following sites:—Tumut, Lyndhurst, Dalgety, and Yass.

(4.) That, if reservations be required outside the Federal territory for catchment for water supply, this State is prepared to make any just and equitable provision for the same.

(5.) That the matter of expenditure on railway communication to the Seat of Government must be clearly arranged for in negotiations with the Commonwealth Government, inasmuch as this State will not be justified in any large undertaking of an unproductive character in improving existing lines, or constructing a new one.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 14 DECEMBER, 1904, A.M.

And it being required that the Resolutions be considered *seriatim*,—

Resolution No. 1 proposed,—(1.) "That" "this" State will not grant an area of not less than 900 square miles, with access to the sea, in any part of this State as Federal territory for the purposes of section 125 of the Commonwealth Constitution Act.

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286—A

Motion



No. 4.

*Resolution No. 3 proposed.*

(3.) That, in order to assist in a constitutional determination of the Seat of Government of the Commonwealth, the Government of this State is authorised to formally offer to grant to the Federal Government an area of between 100 square miles and 200 square miles, at or near one of the four following sites:—"Tumut," Lyndhurst, Dalgety, and Yass.

And the resolution having been amended as indicated.

Motion made (*Mr. Waddell*), to leave out from line 4 the word "Tumut."

Question put.—That the word proposed to be left out stand part of the Resolution.

Committee divided.

Ayes, 33.

Mr. Nobbs,	Mr. Hogue,
Mr. Moore,	Mr. Gillies,
Mr. Wade,	Mr. Miller,
Mr. Carruthers,	Mr. Walter Anderson,
Mr. Donaldson,	Mr. Henley,
Mr. McLaurin,	Mr. Reynoldson,
Mr. Levy,	Mr. McGarry,
Mr. O'Connor,	Mr. Wood,
Mr. Lee,	Mr. W. Millard,
Mr. Ashton,	Mr. Creswell,
Mr. Broughton,	Mr. Collins,
Mr. Mahony,	Mr. Dick,
Mr. Alan Millard,	Mr. Cohen.
Mr. Downes,	
Mr. Morton,	<i>Tellers,</i>
Mr. Ball,	Mr. Davidson,
Mr. Fallick,	Mr. Kelly.
Mr. John Hurley,	

*Word stands.*

Noes, 28.

Mr. Estell,	Mr. W. W. Young,
Mr. Scobie,	Mr. Perry ( <i>Liverpool</i>
Mr. Dacey,	<i>Plains</i> ),
Mr. Arthur Griffith,	Mr. Smith,
Mr. Charlton,	Mr. Bennett,
Mr. Meehan,	Mr. Fell,
Mr. Gardiner,	Mr. Jones,
Mr. Hollis,	Mr. Holman,
Mr. Waddell,	Mr. Coleman.
Mr. Storey,	<i>Tellers,</i>
Mr. Fegan,	Mr. Jessep,
Mr. Oakes,	Mr. Law.
Mr. Latimer,	
Mr. Booth,	
Mr. R. J. Anderson,	
Mr. Thrower,	
Mr. Norton,	
Mr. Macdonald,	

No. 5.

## SAME RESOLUTION.

Motion made (*Mr. Waddell*), to leave out from line 4 the word "Dalgety."

Question put.—That the word proposed to be left out stand part of the Resolution.

Committee divided.

Ayes, 21.

Mr. Moore,
Mr. Arthur Griffith,
Mr. Carruthers,
Mr. Wade,
Mr. Hogue,
Mr. O'Connor,
Mr. Levy,
Mr. Ashton,
Mr. Miller,
Mr. Nobbs,
Mr. Alan Millard,
Mr. Downes,
Mr. Fallick,
Mr. Lee,
Mr. Reynoldson,
Mr. Wood,
Mr. W. Millard,
Mr. Cohen,
Mr. Dick.
<i>Tellers,</i>
Mr. Creswell,
Mr. Davidson.

*Word omitted.*

Noes, 40.

Mr. Gardiner,	Mr. Perry ( <i>Liverpool</i>
Mr. Hollis,	<i>Plains</i> ),
Mr. Dacey,	Mr. Mahony,
Mr. Scobie,	Mr. Henley,
Mr. Jessep,	Mr. Smith,
Mr. Kelly,	Mr. Thrower,
Mr. Meehan,	Mr. O'Sullivan,
Mr. Charlton,	Mr. Fell,
Mr. Estell,	Mr. Jones,
Mr. McGarry,	Mr. Walter Anderson,
Mr. Broughton,	Mr. Collins,
Mr. John Hurley,	Mr. Bennett,
Mr. Waddell,	Mr. Morton,
Mr. Storey,	Mr. Coleman,
Mr. Law,	Mr. McNeill,
Mr. Oakes,	Mr. Norton.
Mr. Latimer,	<i>Tellers,</i>
Mr. Booth,	Mr. Ball,
Mr. Gillies,	Mr. McLaurin.
Mr. R. J. Anderson,	
Mr. Donaldson,	
Mr. Macdonald,	
Mr. W. W. Young,	

No. 6.

## SAME RESOLUTION.

Motion made (*Mr. McLaurin*), to add the word "Tooma."

Question put.—That the word proposed to be added be so added.

Committee divided.

Ayes, 16.

Mr. Gardiner,	Mr. Moore,
Mr. Hollis,	Mr. Wade,
Mr. Estell,	Mr. Creswell,
Mr. Meehan,	Mr. Levy,
Mr. Macdonald,	Mr. Dacey,
Mr. W. Millard,	Mr. Carruthers,
Mr. Jones,	Mr. O'Connor,
Mr. Kelly,	Mr. Hogue,
Mr. Norton,	Mr. John Hurley,
Mr. Donaldson,	Mr. Lee,
Mr. Reynoldson,	Mr. Ashton,
Mr. McGarry,	Mr. Law,
Mr. Ball,	Mr. Waddell,
Mr. Bennett.	Mr. Storey,
<i>Tellers,</i>	Mr. Davidson,
Mr. McLaurin,	Mr. Oakes,
Mr. Scobie.	Mr. Latimer,

*Addition of proposed word negated.*

Noes, 44.

Mr. Booth,	Mr. Nobbs,
Mr. Gillies,	Mr. Collins,
Mr. R. J. Anderson,	Mr. Coleman,
Mr. Miller,	Mr. Morton,
Mr. Downes,	Mr. O'Sullivan,
Mr. W. W. Young,	Mr. Cohen,
Mr. Perry ( <i>Liverpool</i>	Mr. Dick.
<i>Plains</i> ),	<i>Tellers,</i>
Mr. Mahony,	Mr. Charlton,
Mr. Henley,	Mr. Broughton.
Mr. Smith,	
Mr. Thrower,	
Mr. Alan Millard,	
Mr. Fell,	
Mr. Wood,	
Mr. McNeill,	
Mr. Fallick,	
Mr. Walter Anderson,	

No. 7.

No. 7.

## S:ME RESOLUTION.

Motion made (*Mr. Ball*), to add the word "Tabletop."

Question put,—That the word proposed to be added, be so added.

Committee divided.

Ayes, 15.

Mr. Gardiner,  
Mr. Hollis,  
Mr. Estell,  
Mr. Scobie,  
Mr. Ball,  
Mr. McGarry,  
Mr. Reynoldson,  
Mr. Donaldson,  
Mr. W. Millard,  
Mr. Jones,  
Mr. Macdonald,  
Mr. Meehan,  
Mr. McLaurin.

*Tellers,*

Mr. Norton,  
Mr. Kelly.

Mr. Moore,  
Mr. Wade,  
Mr. Creswell,  
Mr. Levy,  
Mr. Dacey,  
Mr. Carruthers,  
Mr. Jessep,  
Mr. O'Conor,  
Mr. Hogue,  
Mr. Charlton,  
Mr. Broughton,  
Mr. John Hurley,  
Mr. Lee,  
Mr. Ashton,  
Mr. Alan Millard,  
Mr. Waddell,  
Mr. Storey,

Noes, 45.

Mr. Davidson,  
Mr. Oakes,  
Mr. Latimer,  
Mr. Booth,  
Mr. Gillies,  
Mr. R. J. Anderson,  
Mr. Miller,  
Mr. Perry (*Liverpool  
Plains*),  
Mr. Mahony,  
Mr. Henley,  
Mr. Smith,  
Mr. Thrower,  
Mr. Law,  
Mr. Fell,  
Mr. Wood,  
Mr. McNeill,

Mr. Fallick,  
Mr. Walter Anderson,  
Mr. Nobbs,  
Mr. Collins,  
Mr. Coleman,  
Mr. Morton,  
Mr. Bennett,  
Mr. O'Sullivan,  
Mr. Cohen,  
Mr. Dick.

*Tellers,*

Mr. W. W. Young,  
Mr. Downes.

*Addition of proposed word negatived.*

*Resolution, as amended, agreed to.*

And Resolutions Nos. 4 and 5 having been agreed to, and a proposed new Resolution, to stand as No. 6, negatived,—

On motion of Mr. Carruthers, the Temporary Chairman, Mr. Nielsen, left the Chair to report that the Committee had come to certain resolutions.

WEDNESDAY, 14 DECEMBER, 1904.

No. 8.

## SUPPLY—ESTIMATES OF EXPENDITURE, 1904-1905.

The Estimate under Supplement to Schedule B having been agreed to,—

## EXECUTIVE AND LEGISLATIVE.

The Estimate for Vice-President of the Executive Council and Representative of the Government in the Legislative Council having been dealt with,—

*Legislative Council.*

Question proposed,—That there be granted to His Majesty a sum not exceeding £5,977 for Legislative Council for the year 1904-5.

Motion made (*Mr. Norton*),—That the item, "President £1,100," be reduced by £350—and question put.

Committee divided.

Ayes, 41.

Mr. Cann,  
Mr. Thrower,  
Mr. Burgess,  
Mr. Daley,  
Mr. Kelly,  
Mr. Nielsen,  
Mr. Sullivan,  
Mr. R. J. Anderson,  
Mr. Meehan,  
Mr. Edden,  
Mr. W. Millard,  
Mr. J. H. Young,  
Mr. Booth,  
Mr. Winchcombe,  
Mr. Miller,  
Dr. Arthur,  
Mr. O'Sullivan,  
Mr. Hollis,

Mr. McLaurin,  
Mr. Reynoldson,  
Mr. Latimer,  
Mr. Gillies,  
Mr. Perry (*The Richmond*),  
Mr. John Hurley,  
Mr. Coleman,  
Mr. Perry (*Liverpool  
Plains*),  
Mr. Nicholson,  
Mr. Gardiner,  
Mr. Walter Anderson,  
Mr. Jones,  
Mr. Creswell,  
Mr. Thomas,  
Mr. W. W. Young,  
Mr. Estell,

Mr. McGarry,  
Mr. Charlton,  
Mr. McNeill,  
Mr. Briner,  
Mr. McCoy.  
*Tellers,*  
Mr. Arthur Griffith,  
Mr. Norton.

Noes, 16.

Mr. Wade,  
Mr. Moore,  
Mr. Hogue,  
Mr. Cohen,  
Mr. Morton,  
Mr. Carruthers,  
Mr. Lec,  
Mr. Nobbs,  
Mr. Ashton,  
Mr. Fallick,  
Mr. Law,  
Mr. Davidson,  
Mr. McFarlane,  
Mr. Jessep.

*Tellers,*

Mr. Moxham,  
Mr. Donaldson.

*Item reduced.*

No. 9.

*Same Estimate.*

Motion made (*Mr. Kelly*),—That the item "Clerk of the Parliaments—£740" be reduced by £240,—and question put.

Committee

Committee divided.

Ayes, 26.

Mr. Thrower,	Mr. Estell,
Mr. Miller,	Mr. Burgess,
Mr. Sullivan,	Mr. Walter Anderson,
Mr. Booth,	Mr. W. W. Young,
Mr. J. H. Young,	Mr. Perry ( <i>Liverpool</i>
Mr. W. Millard,	<i>Plains</i> ),
Mr. Edden,	Mr. McGarry,
Mr. Nicholson,	Mr. McNeill,
Mr. Nielsen,	Mr. Charlton.
Mr. Hollis,	<i>Tellers,</i>
Mr. Arthur Griffith,	Mr. Kelly,
Mr. Briner,	Mr. Ducey.
Mr. McLaurin,	
Mr. Reynoldson,	
Mr. Perry ( <i>The Rich-</i>	
<i>mond</i> ),	
Mr. Gillies,	

*Reduction of item negatived.*

Noes, 31.

Mr. Wade,	Mr. John Hurley,
Mr. Cann,	Mr. Coleman,
Mr. Hogue,	Mr. Fallick,
Mr. Thomas,	Mr. Jessep,
Mr. Carruthers,	Mr. McFarlane,
Mr. Lee,	Mr. Davidson,
Mr. Meehan,	Mr. Latimer,
Mr. Ashton,	Mr. Winchcombe,
Dr. Arthur,	Mr. R. J. Anderson,
Mr. Cohen,	Mr. Morton,
Mr. Nobbs,	Mr. Moxham,
Mr. Moore,	Mr. Donaldson.
Mr. Jones,	<i>Tellers,</i>
Mr. Norton,	Mr. Creswell,
Mr. O'Sullivan,	Mr. Gardiner.
Mr. Law,	
Mr. McCoy,	

No. 10.

SUPPLY.

*Same Estimate.*

Motion made (*Mr. Miller*),—That the same item be reduced by £140,—and question put.

Committee divided.

Ayes, 41.

Mr. Daley,	Mr. Gillies,	Mr. Collins,
Mr. Cann,	Mr. Estell,	Mr. Edden,
Mr. Miller,	Mr. Burgess,	Mr. Ducey.
Mr. Kelly,	Dr. Arthur,	<i>Tellers,</i>
Mr. Norton,	Mr. Law,	Mr. Meehan,
Mr. Thrower,	Mr. Walter Anderson,	Mr. Sullivan.
Mr. Morton,	Mr. W. W. Young,	
Mr. Nicholson,	Mr. John Hurley,	
Mr. Booth,	Mr. Perry ( <i>Liverpool</i>	
Mr. J. H. Young,	<i>Plains</i> ),	
Mr. Donaldson,	Mr. Winchcombe,	
Mr. Nielsen,	Mr. Coleman,	
Mr. Hollis,	Mr. R. J. Anderson,	
Mr. Arthur Griffith,	Mr. McGarry,	
Mr. Briner,	Mr. McCoy,	
Mr. McLaurin,	Mr. Latimer,	
Mr. Reynoldson,	Mr. O'Sullivan,	
Mr. Perry ( <i>The Rich-</i>	Mr. McNeill,	
<i>mond</i> ),	Mr. Charlton,	

*Item reduced.*

Noes, 17.

Mr. Wade,
Mr. Hogue,
Mr. Cohen,
Mr. Creswell,
Mr. Thomas,
Mr. Carruthers,
Mr. Lee,
Mr. McFarlane,
Mr. Davidson,
Mr. Fallick,
Mr. Ashton,
Mr. Nobbs,
Mr. Levien,
Mr. Moore,
Mr. Jones.
<i>Tellers,</i>
Mr. Gardiner,
Mr. Moxham.

No. 11.

*Same Estimate.*

And the item "Clerk Assistant—£560" having been reduced by £60.

Motion made (*Mr. Norton*),—That the item "Usher of the Black Rod—£428" be reduced by £128,—and question put.

Committee divided.

Ayes, 25.

Mr. Sullivan,	Mr. W. W. Young,
Mr. Daley,	Mr. Brinsley Hall,
Mr. Burgess,	Mr. McGarry,
Mr. Hollis,	Mr. Eden George,
Mr. Miller,	Mr. Edden,
Mr. Arthur Griffith,	Mr. Charlton.
Mr. McNeill,	<i>Tellers,</i>
Mr. Estell,	Mr. Kelly,
Mr. Perry ( <i>Liverpool</i>	Mr. Levy.
<i>Plains</i> ),	
Mr. Perry ( <i>The Rich-</i>	
<i>mond</i> ),	
Mr. Scobie,	
Mr. Norton,	
Mr. Meehan,	
Mr. Nielsen,	
Mr. Booth,	
Mr. Walter Anderson,	
Mr. Moxham,	

*Reduction of item negatived.*

Noes, 35.

Mr. Wade,	Mr. Thomas,
Mr. Cohen,	Mr. Coleman,
Mr. Jessep,	Mr. Collins,
Mr. Hogue,	Mr. Ducey,
Mr. Lee,	Mr. Winchcombe,
Mr. Nobbs,	Mr. J. H. Young,
Mr. Carruthers,	Mr. R. J. Anderson,
Mr. McLaurin,	Mr. Macdonell,
Mr. Ashton,	Mr. McCoy,
Mr. Nicholson,	Mr. Davidson,
Dr. Arthur,	Mr. Latimer,
Mr. Reynoldson,	Mr. Gillies,
Mr. Levien,	Mr. Donaldson,
Mr. Mahony,	Mr. Creswell.
Mr. Moore,	<i>Tellers,</i>
Mr. Jones,	Mr. Morton,
Mr. McFarlane,	Mr. Gardiner.
Mr. Fallick,	
Mr. Cann,	

No. 12.

## No. 12.

## SUPPLY.

*Same Estimate.*

Motion made (*Mr. Sullivan*),—That the same item be reduced by £78,—and question put.  
Committee divided.

## Ayes, 28.

Mr. Daley,	Mr. Nielsen,
Mr. Sullivan,	Mr. Booth,
Mr. Levy,	Mr. Walter Anderson,
Mr. Eelly,	Mr. W. W. Young,
Mr. Estell,	Mr. Fegan,
Mr. Perry ( <i>Liverpool Plains</i> ),	Mr. Brinsley Hall,
Mr. Perry ( <i>The Rich- mond</i> ),	Mr. Bennett,
Mr. Scobie,	Mr. McGarry,
Mr. Donaldson,	Mr. Eden George,
Mr. J. H. Young,	Mr. Edden,
Mr. Hollis,	Mr. Charlton,
Mr. Miller,	Mr. Dacey,
Mr. Norton,	<i>Tellers,</i>
Mr. Meehan,	Mr. Arthur Griffith,
	Mr. McNeill.

## Noes, 35.

Mr. Wade,	Mr. Cann,
Mr. Cohen,	Mr. Thomas,
Mr. Hogue,	Mr. Coleman,
Mr. Lee,	Mr. Collins,
Mr. Nobbs,	Mr. Winchcombe,
Mr. Carruthers,	Mr. Reynoldson,
Mr. Gardiner,	Mr. R. J. Anderson,
Mr. McLaurin,	Mr. Macdonell,
Mr. Morton,	Mr. McCoy,
Mr. Ashton,	Mr. Davidson,
Mr. Nicholson,	Mr. Latimer,
Dr. Arthur,	Mr. Gillies,
Mr. Macdonald,	Mr. Briner,
Mr. Levien,	Mr. Creswell.
Mr. Mahony,	<i>Tellers,</i>
Mr. Moore,	Mr. Jessop,
Mr. McFarlane,	Mr. Jones.
Mr. Fallick,	
Mr. Burgess,	

*Reduction of item negatived.*

And the item having been reduced by £48, and the item "First Clerk, £438" by £38,—  
*Reduced estimate Legislative Council (£5,341) agreed to.*

## No. 13.

*Legislative Assembly.*

Question proposed,—That there be granted to His Majesty a sum not exceeding £10,373 for  
Legislative Assembly for the year 1904-5.

Motion made (*Mr. Gardiner*),—That the item, "Speaker, £1,370," be reduced by £370,—and  
question put.

Committee divided.

## Ayes, 33.

Mr. Scobie,	Mr. W. W. Young,
Mr. Dacey,	Mr. Nicholson,
Mr. McGowen,	Mr. Edden,
Mr. Estell,	Mr. Fell,
Mr. Norton,	Mr. Law,
Mr. McLaurin,	Mr. Perry ( <i>The Rich- mond</i> ),
Mr. Hollis,	Mr. McGarry,
Mr. Gardiner,	Mr. McNeill,
Mr. Meehan,	Mr. Charlton,
Mr. Miller,	Mr. Coleman.
Mr. Kelly,	<i>Tellers,</i>
Mr. Levy,	Mr. Thrower,
Mr. Morton,	Mr. Daley.
Mr. Onkes,	
Mr. Ball,	
Mr. Reynoldson,	
Mr. Gillies,	
Mr. John Hurley,	
Mr. Henley,	
Mr. Walter Anderson,	
Mr. R. J. Anderson,	

## Noes, 40.

Mr. Cohen,	Mr. Brinsley Hall,
Mr. Hogue,	Mr. Mackenzie,
Mr. Lee,	Mr. Wood,
Mr. Creswell,	Mr. Fegan,
Mr. Jessop,	Mr. Moxham,
Mr. Levien,	Mr. Perry ( <i>Liverpool Plains</i> ),
Mr. Moore,	Mr. Downes,
Mr. Carruthers,	Mr. Alan Millard,
Mr. Wade,	Mr. Jones,
Mr. Cann,	Mr. Holman,
Mr. Fallick,	Mr. O'Connor,
Mr. McFarlane,	Mr. Thomas,
Mr. Macdonald,	Mr. O'Sullivan,
Mr. Mahony,	Mr. Macdonell,
Mr. Eden George,	Mr. Collins,
Mr. Davidson,	Mr. Smith.
Mr. Ashton,	<i>Tellers,</i>
Mr. Dick,	Mr. Nobbs,
Mr. Donaldson,	Mr. Nielsen.
Mr. Winchcombe,	
Mr. Latimer,	
Mr. McCoy,	

*Reduction of item negatived.*

And the item having been reduced by £170,—

## No. 14.

*Same Estimate.*

And a motion that the item "Chairman of Committees, £740," be reduced by £240 having been  
negatived,—

Motion made (*Mr. Miller*),—That the item "Chairman of Committees, £740," be reduced by  
£90,—and question put.

Committee

Committee divided.

Ayes, 24.

Mr. McGowen,  
Mr. Estell,  
Mr. Daley,  
Mr. Miller,  
Mr. Davidson,  
Mr. Mahony,  
Mr. Winchcombe,  
Mr. Reynoldson,  
Mr. Oakes,  
Mr. Morton,  
Mr. J. H. Young,  
Mr. John Hurley,  
Mr. R. J. Anderson,  
Mr. Walter Anderson,  
Mr. Henley,  
Mr. Law,  
Mr. Thomas,  
Mr. Nicholson,  
Mr. Wood,  
Mr. McGarry,  
Mr. Coleman,  
Mr. McNeill.

Tellers,

Dr. Arthur,  
Mr. Fell.

Noes, 47.

Mr. Gardiner,  
Mr. Moore,  
Mr. Cohen,  
Mr. Carruthers,  
Mr. Kelly,  
Mr. Dacey,  
Mr. Levy,  
Mr. Ashton,  
Mr. Creswell,  
Mr. Jessop,  
Mr. Fallick,  
Mr. Nielsen,  
Mr. Macdonald,  
Mr. Meehan,  
Mr. McGarry,  
Mr. Wade,  
Mr. Edden,  
Mr. Charlton,  
Mr. Nobbs,  
Mr. Downes,  
Mr. Fegan,  
Mr. Lee,  
Mr. Ball,  
Mr. Scobie,  
Mr. McCoy,  
Mr. Dick,

Mr. Briner,  
Mr. Hogue,  
Mr. Hollis,  
Mr. Levien,  
Mr. Norton,  
Mr. W. W. Young,  
Mr. Jones,  
Mr. Alan Millard,  
Mr. Eden George,  
Mr. Smith,  
Mr. Latimer,  
Mr. Thrower,  
Mr. MacKenzie,  
Mr. Macdonald,  
Mr. Perry (*Liverpool  
Plains*),  
Mr. Collins,  
Mr. O'Sullivan,  
Mr. O'Conor,  
Mr. Holman.

Tellers,

Mr. Moxham,  
Mr. Gillies.

*Reduction of item negatived.*

And a motion that the item "Clerk of Assembly, £960," be reduced by £160, having been negatived, and a reduction of the item by £60 agreed to,—

No. 15.

SUPPLY.

*Same Estimate.*

Motion made (*Mr. Daley*),—That the item "Clerk Assistant, £723," be reduced by £73,—and question put.

Committee divided.

Ayes, 25.

Dr. Arthur,  
Mr. Norton,  
Mr. Ball,  
Mr. Hollis,  
Mr. Estell,  
Mr. Winchcombe,  
Mr. Thrower,  
Mr. Reynoldson,  
Mr. Oakes,  
Mr. Fell,  
Mr. Perry (*The Richmond*),  
Mr. Thomas,  
Mr. Walter Anderson,  
Mr. Law,  
Mr. W. W. Young,  
Mr. Smith,  
Mr. Nicholson,  
Mr. Charlton,  
Mr. Coleman,  
Mr. McGarry,  
Mr. Eden George,  
Mr. Perry (*Liverpool  
Plains*),

Mr. McNeill.  
Tellers,  
Mr. Daley,  
Mr. Miller.

Noes, 45.

Mr. Cann,  
Mr. Moore,  
Mr. Sullivan,  
Mr. Cohen,  
Mr. Kelly,  
Mr. Dacey,  
Mr. Creswell,  
Mr. Carruthers,  
Mr. Jessop,  
Mr. Macdonald,  
Mr. Edden,  
Mr. Nielsen,  
Mr. Meehan,  
Mr. Macdonell,  
Mr. Mahony,  
Mr. R. J. Anderson,  
Mr. Wade,  
Mr. McLaurin,  
Mr. Ashton,  
Mr. Fegan,  
Mr. Donaldson,  
Mr. Gillies,  
Mr. McCoy,  
Mr. Latimer,

Mr. McFarlane,  
Mr. Dick,  
Mr. Levy,  
Mr. Levien,  
Mr. Downes,  
Mr. Nobbs,  
Mr. Davidson,  
Mr. Alan Millard,  
Mr. Gardiner,  
Mr. Moxham,  
Mr. Lee,  
Mr. MacKenzie,  
Mr. McCourt,  
Mr. Fallick,  
Mr. Henley,  
Mr. Collins,  
Mr. Briner,  
Mr. O'Conor,  
Mr. Hogue.

Tellers,

Mr. Scobie,  
Mr. Jones.

*Reduction of item negatived.*

And the items "Clerk Assistant, £723," having been reduced by £23, and "Second Clerk Assistant, £604," by £10,—

No. 16.

*Same Estimate.*

Motion made (*Mr. Kelly*),—That the item "Sergeant-at-Arms, £533," be reduced by £33,—and question put.

Committee divided.

Ayes, 15.

Mr. Kelly,  
Mr. Daley,  
Mr. Miller,  
Mr. Estell,  
Mr. Sullivan,  
Mr. R. J. Anderson,  
Mr. Thomas,  
Mr. Law,  
Mr. Henley,  
Mr. Charlton,  
Mr. McNeill,  
Mr. Walter Anderson,  
Mr. McGarry.

Tellers,

Mr. Ball,  
Mr. Norton.

Mr. Morton,  
Mr. Moore,  
Mr. Hogue,  
Mr. Mahony,  
Mr. Lee,  
Mr. Carruthers,  
Mr. Levien,  
Mr. Jones,  
Mr. Scobie,  
Mr. Hollis,  
Mr. Macdonell,  
Mr. McLaurin,  
Mr. O'Conor,  
Mr. Macdonald,  
Mr. Gardiner,  
Mr. Ashton,  
Mr. Nobbs,

Noes, 42.

Mr. Latimer,  
Mr. Smith,  
Mr. Perry (*The Richmond*),  
Mr. Winchcombe,  
Mr. Wade,  
Mr. Levy,  
Mr. McCoy,  
Mr. Downes,  
Dr. Arthur,  
Mr. Davidson,  
Mr. Dick,  
Mr. Fegan,  
Mr. Moxham,  
Mr. Reynoldson,  
Mr. Perry (*Liverpool  
Plains*),

Mr. Cohen,  
Mr. McCourt,  
Mr. Eden George,  
Mr. Fallick,  
Mr. Mackenzie,  
Mr. Bennett,  
Mr. Briner,  
Mr. W. W. Young.

Tellers,

Mr. Creswell,  
Mr. Donaldson.

*Reduction of item negatived.*

No. 17.

## No. 17.

## SUPPLY.

*Same Estimate.*

Motion made (*Mr. Daley*),—That the same item be reduced by £23,—and question put.  
Committee divided.

## Ayes, 14.

Mr. Miller,  
Mr. Norton,  
Mr. Estell,  
Mr. Ball,  
Mr. Sullivan,  
Mr. R. J. Anderson,  
Mr. Thomas,  
Mr. Law,  
Mr. Henley,  
Mr. Charlton,  
Mr. McGarry,  
Mr. Walter Anderson.

## Tellers,

Mr. McNeill,  
Mr. Daley.

Mr. Morton,  
Mr. Hogue,  
Mr. Lee,  
Mr. Carruthers,  
Mr. Creswell,  
Mr. Jevien,  
Mr. Jones,  
Mr. Collins,  
Mr. Moore,  
Mr. Scobie,  
Mr. Fallick,  
Mr. Nielsen,  
Mr. O'Conor,  
Mr. Macdonald,  
Mr. Gardiner,  
Mr. Donaldson,

## Noes, 42.

Mr. Nobbs,  
Mr. Latimer,  
Mr. Smith,  
Mr. Perry (*The Richmond*),  
Mr. Winchcombe,  
Mr. McCoy,  
Mr. Cohen,  
Mr. Levy,  
Mr. Downes,  
Dr. Arthur,  
Mr. Gillies,  
Mr. Nicholson,  
Mr. W. W. Young,  
Mr. Fegan,  
Mr. Moxham,

Mr. Davidson,  
Mr. Wade,  
Mr. Reynoldson,  
Mr. Mackenzie,  
Mr. McCourt,  
Mr. Eden George,  
Mr. Briner,  
Mr. Dick,  
Mr. Edden.

## Tellers,

Mr. Hollis,  
Mr. McLaurin.

*Reduction of item negatived.*

*Reduced estimate Legislative Assembly (£10,110), agreed to.*

## No. 18.

*Legislative Council and Assembly.*

Question proposed,—That there be granted to His Majesty a sum not exceeding £7,078 for Legislative Council and Assembly for the year 1904-5.

Motion made (*Mr. Norton*),—That the item "Steward, £300" be reduced by £100,—and question put.

Committee divided.

## Ayes, 12.

Mr. Daley,  
Mr. Miller,  
Mr. Norton,  
Mr. McNeill,  
Mr. W. W. Young,  
Mr. Charlton,  
Mr. Henley,  
Mr. Law,  
Mr. Walter Anderson,  
Mr. McGarry.

## Tellers,

Mr. Dacey,  
Mr. Estell.

Mr. Hollis,  
Mr. Levy,  
Mr. Jones,  
Mr. Ashton,  
Mr. Moore,  
Mr. Sullivan,  
Mr. Carruthers,  
Mr. Creswell,  
Mr. Lee,  
Mr. Scobie,  
Mr. Nicholson,  
Mr. Cann,  
Mr. Thomas,  
Mr. Meehan,  
Mr. Eden George,

## Noes, 41.

Mr. Levien,  
Mr. Wade,  
Mr. Latimer,  
Mr. Gillies,  
Dr. Arthur,  
Mr. Smith,  
Mr. Perry (*The Richmond*),  
Mr. McCoy,  
Mr. Winchcombe,  
Mr. Reynoldson,  
Mr. Dick,  
Mr. Fegan,  
Mr. Nobbs,  
Mr. O'Conor,

Mr. Alan Millard,  
Mr. Davidson,  
Mr. Coleman,  
Mr. R. J. Anderson,  
Mr. Moxham,  
Mr. Mackenzie,  
Mr. Downes,  
Mr. Perry (*Liverpool Plains*),  
Mr. Collins,  
Mr. Hogue.

## Tellers,

Mr. Donaldson,  
Mr. Cohen.

*Reduction of item negatived.*

## No. 19.

*Same estimate.*

Motion made (*Mr. Eden George*),—That the same item be reduced by £50,—and question put.  
Committee divided.

## Ayes, 20.

Mr. Dacey,  
Mr. Daley,  
Mr. Miller,  
Mr. Estell,  
Mr. Sullivan,  
Mr. McNeill,  
Mr. McCoy,  
Mr. Winchcombe,  
Mr. Reynoldson,  
Mr. Meehan,  
Mr. Downes,  
Mr. Henley,  
Mr. R. J. Anderson,  
Mr. Eden George,  
Mr. Charlton,  
Mr. W. W. Young,  
Mr. Walter Anderson,  
Mr. McGarry.

## Tellers,

Mr. Law,  
Mr. Norton.

## Noes, 32.

Mr. Hollis,  
Mr. Levy,  
Mr. Jones,  
Mr. Ashton,  
Mr. Moore,  
Mr. Carruthers,  
Mr. Lee,  
Mr. Scobie,  
Mr. Cohen,  
Mr. Nicholson,  
Mr. Cann,  
Mr. Thomas,  
Mr. Nielsen,  
Mr. Donaldson,  
Mr. Wade,  
Mr. Latimer,  
Mr. Gillies,  
Mr. Hogue,

Mr. Smith,  
Mr. O'Conor,  
Mr. Dick,  
Mr. Fegan,  
Mr. Nobbs,  
Mr. Alan Millard,  
Mr. Davidson,  
Mr. Coleman,  
Mr. Moxham,  
Mr. Mackenzie,  
Mr. Perry (*Liverpool Plains*),  
Mr. Collins.

## Tellers,

Mr. Crosswell,  
Mr. Levien.

*Reduction of item negatived.*

And a motion that the item "Expenses in connection with Electric Light, £700," be reduced by £100 having been negatived,—

*Estimate agreed to.*

And the Estimates Parliamentary Library, Parliamentary Reporting Staff, and Parliamentary Standing Committee on Public Works having been agreed to,—

On motion of Mr. Carruthers, the Chairman left the Chair to report progress and ask leave to sit again.

THURSDAY, 15 DECEMBER, 1904.

No. 20.

SUPPLY.

The Estimate for the Department of Colonial Secretary having been postponed,—

The Chairman obtained the general concurrence of the Committee to propose the sum total of the Estimates under each General Head of Service.

And the Estimates under the head "Colonial Treasurer and Secretary for Finance and Trade," having been dealt with,—

Railways.

Question proposed.—That there be granted to His Majesty a sum not exceeding £2,995,796 for Railways for the year 1904-5,

And the Committee continuing to sit till after Midnight,—

FRIDAY, 16 DECEMBER, 1904, A.M.

Motion made (*Mr. McGowen*),—That the estimate be reduced by £66 13s. 4d.—and question put.

Committee divided.

Ayes, 21.

Mr. Sullivan,	
Mr. Kelly,	<i>Tellers,</i>
Mr. Jones,	Mr. Thrower,
Mr. Morton,	Mr. Gardiner.
Mr. Estell,	
Mr. Meehan,	
Mr. Nielsen,	
Mr. Hollis,	
Mr. McGowen,	
Mr. Scobie,	
Mr. Macdonell,	
Mr. Fell,	
Mr. Perry ( <i>Liverpool</i>	
<i>Plains</i> ),	
Mr. Charlton,	
Mr. Edden,	
Mr. W. W. Young,	
Mr. McNeill,	
Mr. Gillies,	
Mr. McGarry,	

Noes, 37.

Mr. Davidson,	Mr. Henley,
Mr. Hogue,	Mr. Moxham,
Mr. Moore,	Mr. Alan Millard,
Mr. Thomas,	Mr. Dick,
Mr. Lee,	Mr. Winchcombe,
Mr. Jessep,	Mr. Coleman,
Mr. Carruthers,	Mr. Ashton,
Dr. Arthur,	Mr. O'Connor,
Mr. Wade,	Mr. Booth,
Mr. Cohen,	Mr. R. J. Anderson,
Mr. John Hurley,	Mr. Eden George,
Mr. Latimer,	Mr. Oakes,
Mr. McCoy,	Mr. Ball,
Mr. Nobbs,	Mr. J. H. Young,
Mr. Donaldson,	Mr. Walter Anderson.
Mr. Briner,	<i>Tellers,</i>
Mr. Collins,	Mr. Creswell,
Mr. Fallick,	Mr. Law.
Mr. Reynoldson,	
Mr. Downes,	

*Reduction of Estimate negatived.*

*Estimate agreed to.*

No. 21.

And the Estimates under the Heads "Attorney-General and Justice" and "Secretary for Lands" having been dealt with,—

Secretary for Public Works.

Question proposed,—That there be granted to His Majesty a sum not exceeding £882,605 for Secretary for Public Works for the year 1904-5.

Motion made (*Mr. Norton*),—That the Estimate be reduced by £25,000,—and question put.

Committee divided.

Ayes, 14.

Mr. Kelly,
Mr. Burgess,
Mr. Meehan,
Mr. Thrower,
Mr. Scobie,
Mr. McNeill,
Mr. Macdonell,
Mr. Edden,
Mr. Charlton,
Mr. W. W. Young,
Mr. Norton,
Mr. McGarry,
<i>Tellers,</i>
Mr. Estell,
Mr. Gardiner.

Noes, 30.

Mr. Moore,	Mr. Ball,
Mr. Hogue,	Mr. Booth,
Mr. O'Connor,	Mr. Donaldson,
Mr. Carruthers,	Mr. Gillies,
Mr. Lee,	Mr. Latimer,
Mr. Creswell,	Mr. Walter Anderson,
Mr. Ashton,	Mr. Law,
Mr. Jones,	Mr. Hollis,
Mr. Henley,	Mr. Perry ( <i>Liverpool</i>
Mr. J. H. Young,	<i>Plains</i> ),
Mr. Nobbs,	Mr. Briner,
Mr. R. J. Anderson,	Mr. Collins.
Dr. Arthur,	<i>Tellers,</i>
Mr. Wade,	Mr. Cohen,
Mr. John Hurley,	Mr. Reynoldson.
Mr. Coleman,	
Mr. Dick,	

*Reduction of Estimate negatived.*

And a motion to reduce the Estimate by £4,000 having been negatived,—]

*Estimate agreed to.*

## No. 22.

## SUPPLY.

*Public Instruction, Labour, and Industry.*

Question,—That there be granted to His Majesty a sum not exceeding £905,178, under the Head, "Public Instruction, Labour, and Industry," for the year 1904-5,—put.

Committee divided.

## Ayes, 12.

Mr. Estell,  
Mr. Meehan,  
Mr. Gardiner,  
Mr. Kelly,  
Mr. Norton,  
Mr. Macdonell,  
Mr. Burgess,  
Mr. W. W. Young,  
Mr. McGarry,  
Mr. Charlton.

*Tellers,*

Mr. Thrower,  
Mr. McNeill.

## Noes, 33.

Mr. Perry ( <i>Liverpool Plains</i> ),	Mr. Latimer,
Mr. Collins,	Mr. Law,
Mr. Hogue,	Mr. Jessop,
Mr. Miller,	Mr. Dick,
Mr. Hollis,	Mr. Reynoldson,
Mr. Carruthers,	Mr. Ball,
Mr. Henley,	Mr. Briner,
Mr. Jones,	Mr. Cohen,
Mr. Creswell,	Mr. O'Connor,
Mr. Lee,	Mr. Nobbs,
Mr. Ashton,	Mr. R. J. Anderson,
Mr. John Hurley,	Mr. Wade,
Mr. Donaldson,	Mr. Moore,
Dr. Arthur,	Mr. Coleman.
Mr. Scobie,	<i>Tellers,</i>
Mr. Gillies,	Mr. Booth,
Mr. Walter Anderson,	Mr. Fallick.

*Reduction of Estimate negatived.*

*Estimate, agreed to.*

And the Estimates under the Head, "Secretary for Mines and Agriculture," and the Statement of Payments from the Vote, "Advance to Treasurer," 1903-4, having been agreed to,—

## No. 23.

*Colonial Secretary.*

Question proposed,—That there be granted to His Majesty a sum not exceeding £1,136,060, under the head "Colonial Secretary" for the year 1904-5.

And Mr. Nielsen, the Honorable Member for Yass, requiring that the items be dealt with *seriatim*.—The Chairman ruled that the sense of the Committee had decided that the estimates should be put as one vote.

*Point of Order*:—Mr. Nielsen moved, That the Chairman leave the Chair to report a point of order, and ask leave to sit again so soon as the point of order has been decided by the House.

The Point of Order is—

That Mr. Nielsen, on the Chief Secretary's estimate being put as one item, demanded that the resolutions be put *seriatim* according to the usual practice in such cases, the Chairman ruled that the Estimates must be put *in globo*, to which decision Mr. Nielsen dissents, as he claims that each Member has a right to demand that any set of resolutions submitted to the Committee either in Committee of Supply or otherwise, should be put *seriatim*.

Question put.

Committee divided.

## Ayes, 18.

Mr. Sullivan,  
Mr. Jones,  
Mr. Miller,  
Mr. McGowen,  
Mr. Cann,  
Mr. Gardiner,  
Mr. Macdonell,  
Mr. Scobie,  
Mr. Hollis,  
Mr. Thrower,  
Mr. Nicholson,  
Mr. Charlton,  
Mr. Edden,  
Mr. Meehan,  
Mr. Wood,  
Mr. McGarry.

*Tellers,*

Mr. McNeill,  
Mr. Nielsen.

## Noes, 34.

Mr. Moore	Mr. O'Sullivan,
Mr. Briner,	Mr. Dick,
Mr. Hogue,	Mr. Coleman,
Mr. Lee,	Mr. Cohen,
Mr. Levy,	Mr. Law,
Mr. O'Connor,	Mr. Booth,
Mr. Carruthers,	Mr. Alan Millard,
Dr. Arthur,	Mr. Fallick,
Mr. Jessop,	Mr. Walter Anderson,
Mr. Davidson,	Mr. J. H. Young,
Mr. Downes,	Mr. W. W. Young,
Mr. R. J. Anderson,	Mr. Gillies.
Mr. Creswell,	<i>Tellers,</i>
Mr. Ball,	Mr. Donaldson,
Mr. Perry ( <i>The Richmond</i> ),	Mr. Collins.
Mr. John Hurley,	
Mr. McFarlane,	
Mr. Brinsley Hall,	
Mr. Nobbs,	
Mr. Reynoldson,	

*Negatived.*

Mr. John Hurley having moved, That the Estimate be reduced by £288—

And Mr. Nielsen, the Honorable Member for Yass, desiring to move that the item "Under "Secretary, £1,000" be reduced by £100,—

The Chairman ruled that he must put Mr. Hurley's amendment.

Whereupon Mr. Nielsen moved, That the Chairman leave the Chair to report a Point of Order, and ask leave to sit again as soon as the Point of Order has been decided by the House.

The Point of Order was that the Chairman having put the Question to the Committee that the full amount of the Estimates under the control of the Colonial Secretary be passed, Mr. Hurley moved a reduction of the amount by £288, when the Chairman ruled that Mr. Nielsen was not in order in moving any amendment, except for a larger amount, nor in insisting before Mr. Hurley's motion was made that he, Mr. Nielsen, had a right to have the items of the Estimate put *seriatim*.

The Chairman left the Chair accordingly.

The Committee resumed; Mr. Speaker having upheld the ruling of the Chairman.

The reduction of the estimate by £288 having been agreed to,—

*Reduced estimate, Colonial Secretary (£1,135,772), agreed to.*

On motion of Mr. Hogue, the Temporary Chairman, Mr. Jessep, left the Chair to report progress and ask leave to sit again.

W. S. MOWLE,  
For Clerk Assistant.



1904.  
(SECOND SESSION.)  
LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 10.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

MONDAY, 19 DECEMBER, 1904.

No. 1.

SUPPLY—ADDITIONAL ESTIMATES, 1904-1905.

Question proposed, "That there be granted to His Majesty a sum not exceeding £24,878 for additional charge for the year 1904-1905."

Motion made (*Mr. Norton*) to omit item "Legislative Council, £240,"—and Question put. Committee divided.

Ayes, 20.

- Mr. Estell,
- Mr. Nielsen,
- Mr. Jones,
- Mr. Hollis,
- Mr. Thrower,
- Mr. Edden,
- Mr. Scobie,
- Mr. Sullivan,
- Mr. O'Sullivan,
- Mr. Charlton,
- Mr. Gillies,
- Mr. Holman,
- Mr. Meehan,
- Mr. Norton,
- Mr. Macdonald,
- Mr. McNeill,
- Mr. Briuer,
- Mr. W. Millard

Tellers,

- Mr. Kelly,
- Mr. McGarry.

Omission of item negatived.

Noes, 39.

- Mr. Macdonell,
- Mr. McGowen,
- Mr. Hogue,
- Mr. Creswell,
- Mr. Gardiner,
- Mr. Jessop,
- Mr. Dick,
- Mr. Ashton,
- Mr. Carruthers,
- Mr. Donaldson,
- Mr. Wade,
- Mr. Fallick,
- Mr. Moore,
- Mr. Cohen,
- Mr. Lee,
- Mr. Booth,
- Mr. Mahony,
- Mr. R. J. Anderson,
- Mr. Law,
- Mr. Downes,
- Mr. Waddell,
- Mr. Perry (*The Richmond*)
- Mr. Alan Millard
- Mr. Fegan,
- Mr. Fell,
- Mr. Morton,
- Mr. McFarlane,
- Mr. Nobbs,
- Mr. Mackenzie,
- Mr. Wood,
- Mr. Perry (*Liverpool Plains*),
- Mr. Walter Anderson,
- Mr. Latimer,
- Mr. Collins,
- Mr. McCoy,
- Mr. O'Connor,
- Mr. McLaurin.

Tellers,

- Dr. Arthur,
- Mr. Davidson.

No. 2.

Same Estimates.

Motion made (*Mr. McGarry*), "That the Estimates be reduced by £100,"—and Question put. Committee divided.

Ayes, 17.

- Mr. McGarry,
- Mr. Estell,
- Mr. Meehan,
- Mr. Holman,
- Mr. Kelly,
- Mr. Thrower,
- Mr. Edden,
- Mr. Scobie,
- Mr. Hollis,
- Mr. Charlton,
- Mr. Norton,
- Mr. O'Sullivan,
- Mr. McNeill,
- Mr. Briuer,
- Mr. W. Millard.

Tellers,

- Mr. Sullivan,
- Mr. Nielsen.

Reduction negatived.

Estimates agreed to.

Noes, 44.

- Mr. Macdonell,
- Mr. McGowen,
- Mr. Hogue,
- Mr. Creswell,
- Mr. Gardiner,
- Mr. Jessop,
- Mr. Dick,
- Mr. Jones,
- Mr. Carruthers,
- Mr. Lee,
- Mr. Wade,
- Mr. Henley,
- Mr. Fallick,
- Mr. Cohen,
- Mr. Moore,
- Mr. Cann,
- Mr. Booth,
- Mr. Mahony,
- Mr. R. J. Anderson,
- Mr. Law,
- Mr. Ashton,
- Dr. Arthur,
- Mr. Waddell,
- Mr. Perry (*The Richmond*),
- Mr. Davidson,
- Mr. Walter Anderson,
- Mr. Fegan,
- Mr. Fell,
- Mr. Morton,
- Mr. Gillies,
- Mr. Downes,
- Mr. Nobbs,
- Mr. Mackenzie,
- Mr. Wood,
- Mr. Perry (*Liverpool Plains*),
- Mr. Alan Millard,

- Mr. Latimer,
- Mr. McLaurin,
- Mr. O'Connor,
- Mr. McCoy,
- Mr. Collins,
- Mr. Macdonald.

Tellers,

- Mr. Donaldson,
- Mr. McFarlane.

TUESDAY, 20 DECEMBER, 1904, A.M.

No. 3.

## SUPPLY—LOAN ESTIMATES, 1904-1905.

Question proposed, "That there be granted to His Majesty, for the year 1904-1905, to be raised by Loan, a sum not exceeding £2,040,051."

Motion made (*Mr. Norton*), That the item, "Sydney Harbour Trust, £30,000," be reduced by £10,000.

And the Chairman intimating his intention to put the whole amount of the Estimates, and allow Members to move reductions in the items,

*Point of Order*:—*Mr. Holman* moved, That the Chairman leave the Chair to report a Point of Order, and ask leave to sit again so soon as the Point of Order has been decided by the House.

The Point of Order is—

That under the combined operation of Standing Orders 179 and 336 any Honorable Member can require the resolutions contained in a motion consisting of more than one resolution to be put *serialim*, where the concurrence of the Committee to a different course has not been obtained.

Question put.

Committee divided.

Ayes, 18.

Mr. Nielsen,  
Mr. Macdonell,  
Mr. Cann,  
Mr. McGowen,  
Mr. Scobie,  
Mr. Latimer,  
Mr. Meehan,  
Mr. Estell,  
Mr. McGarry,  
Mr. McNeill,  
Mr. W. Millard,  
Mr. Gardiner,  
Mr. Charlton,  
Mr. Edden,  
Mr. Hollis,  
Mr. Norton.

*Tellers,*

Mr. Thrower,  
Mr. Holman.

Noes, 38.

Mr. Moore,  
Mr. Hogue,  
Mr. Ashton,  
Mr. Carruthers,  
Mr. Jessep,  
Mr. Creswell,  
Mr. Lee,  
Mr. Cohen,  
Mr. Fallick,  
Mr. McFarlane,  
Mr. Dick,  
Mr. Coleman,  
Mr. Davidson,  
Mr. Mahony,  
Mr. Wade,  
Mr. Downes,  
Mr. Perry (*The Richmond*),  
Mr. Waddell,  
Mr. Fell,  
Mr. Gillies,  
Mr. Donaldson,  
Mr. Collins,  
Mr. Ball,  
Mr. McCoy,  
Mr. Briner,  
Mr. Booth,  
Mr. Walter Anderson,  
Mr. Mackenzie,  
Mr. Morton,  
Mr. Henley,  
Mr. Law,  
Mr. McLaurin,  
Mr. R. J. Anderson,  
Mr. Smith,  
Mr. Perry (*Liverpool Plains*),  
Mr. O'Connor,  
*Tellers,*  
Mr. Nobbs,  
Dr. Arthur.

*Negatived.*

No. 4.

## Same Estimates:—

Question,—That the item, "Sydney Harbour Trust, £30,000," be reduced by £10,000—put.  
Committee divided.

Ayes, 12.

Mr. Scobie,  
Mr. Macdonell,  
Mr. Norton,  
Mr. Charlton,  
Mr. Briner,  
Mr. McGarry,  
Mr. McNeill,  
Mr. Thrower,  
Mr. Meehan,  
Mr. Edden.

*Tellers,*

Mr. Estell,  
Mr. Jones.

Mr. Moore,  
Mr. Hogue,  
Mr. Dick,  
Mr. Carruthers,  
Mr. McGowen,  
Mr. Nielsen,  
Mr. Jessep,  
Mr. Ashton,  
Mr. Hollis,  
Mr. McCoy,  
Mr. Mahony,  
Mr. Cohen,  
Mr. Holman,  
Mr. Downes,  
Mr. Morton,  
Mr. Fallick,

Noes, 43.

Mr. O'Connor,  
Mr. Wade,  
Mr. Lee,  
Mr. R. J. Anderson,  
Dr. Arthur,  
Mr. Fell,  
Mr. Egan,  
Mr. Collins,  
Mr. Latimer,  
Mr. Perry (*The Richmond*),  
Mr. Ball,  
Mr. O'Sullivan,  
Mr. Donaldson,  
Mr. Booth,  
Mr. Coleman,  
Mr. Davidson,  
Mr. Henley,  
Mr. Law,  
Mr. Nobbs,  
Mr. Gardiner,  
Mr. Smith,  
Mr. McFarlane,  
Mr. Perry (*Liverpool Plains*),  
Mr. McLaurin,  
Mr. W. Millard,  
*Tellers,*  
Mr. Gillies,  
Mr. Creswell.

*Reduction of item negatived.*

*Estimate agreed to.*

On motion of *Mr. Carruthers* the Chairman left the Chair to report progress and ask leave to sit again, also that the Committee had come to certain Resolutions.

W. S. MOWLE,  
For Clerk Assistant.

1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 1.

REGISTER OF PUBLIC BILLS ORIGINATED IN THE ASSEMBLY DURING THE SECOND SESSION OF 1904.

Short Titles.	By whom initiated.	Originated in Committee of the Whole.	Message from Governor recommending provision for.	Ordered.	Presented and read 1 <sup>o</sup> .	Read 2 <sup>o</sup> and Committed.	Reported.	Recommitted.	Reported.	Reports adopted.	Read 3 <sup>o</sup> .	Passed, and sent to Council for concurrence.	Agreed to by Council without Amendment.	Agreed to by Council with Amendment.	Council's Amendments agreed to.	Order of the Day discharged and Bill withdrawn.	Bill dropped or laid aside.	Assent reported.	Number of Act.	Remarks.
Ancient Lights Declaratory Appropriation	Mr. Cohen Mr. Carruthers	.....	.....	21 Sept. 20 Dec. a.m.	21 Sept. 20 Dec. a.m.	4 Oct. 20 Dec. a.m.	4 Oct. 20 Dec. a.m.	.....	.....	18 Oct. 20 Dec. a.m.	20 Oct. 20 Dec. a.m.	30 Oct. 30 Dec. a.m.	.....	9 Nov. .....	15 Nov. .....	.....	.....	1 Dec. 32	16	Standing Orders suspended, 10th December, 1904. Founded on Resolutions of Ways and Means. (6) Messages from Council agreeing to Bill without amendment, but with addendum, 20th December, 1904. Bill not brought in.
Australian Gaslight Company's Acts Amendment.	Mr. Norton	.....	.....	21 Sept.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	Stopped by Prorogation.
Borough of The Glebe Electric Lighting	Mr. Hogue	.....	.....	8 Nov.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Centenary Park Sale	Mr. Carruthers	.....	.....	12 Oct. 21 Oct.	12 Oct. 21 Oct.	24 Nov. 24 Nov.	24 Nov. 24 Nov.	.....	.....	21 Nov. 24 Nov.	24 Nov. 24 Nov.	24 Nov. 24 Nov.	.....	.....	.....	.....	.....	.....	23	.....
Claims against the Government and Crown Suits (Amendment).	Mr. Waide	.....	.....	22 Sept.	22 Sept.	30 Sept.	30 Sept.	.....	.....	30 Sept. 5 Oct.	5 Oct. 5 Oct.	5 Oct. 5 Oct.	.....	.....	.....	.....	.....	.....	4	.....
Closer Settlement	Mr. Ashton	.....	.....	18 Nov.	18 Nov.	30 Nov.	30 Nov.	.....	.....	8 Dec. 12 Dec.	12 Dec. 12 Dec.	12 Dec. 12 Dec.	.....	20 Dec.	20 Dec.	.....	.....	.....	.....	.....
Coal Mines Regulation (Inspection)	Mr. Moore	.....	.....	12 Oct.	12 Oct.	14 Oct.	14 Oct.	.....	.....	14 Oct. 18 Oct.	18 Oct. 18 Oct.	18 Oct. 18 Oct.	.....	.....	.....	.....	.....	.....	11	.....
Consolidated Revenue Fund	Mr. Wadhell	.....	.....	20 Aug.	20 Aug.	26 Aug.	26 Aug.	.....	.....	20 Aug. 26 Aug.	26 Aug. 26 Aug.	26 Aug. 26 Aug.	.....	.....	.....	.....	.....	.....	2	Declared to be a matter of urgency, and Standing Orders suspended, 26th August, 1904, a.m. Founded on Resolution of Ways and Means. Standing Orders suspended, 26th October, 1904. Founded on Resolution of Ways and Means.
Consolidated Revenue Fund (No. 2)	Mr. Carruthers	.....	.....	6 Oct.	6 Oct.	6 Oct.	6 Oct.	.....	.....	6 Oct. 6 Oct.	6 Oct. 6 Oct.	6 Oct. 6 Oct.	.....	.....	.....	.....	.....	.....	3	.....

\* Assent not reported.

No. 1.—REGISTER OF PUBLIC BILLS (1904, 2ND SESSION)—continued.

Short Titles.	By whom Initiated.	Originated in Committee of the Whole.	Messrs. from Government recommending provision for.	Ordered.	Presented and read 1 <sup>st</sup> .	Read 2 <sup>o</sup> and Committee.	Reported.	Read 3 <sup>o</sup> .	Passed, and sent to Council for concurrence.	Agreed by Council without Amendment.	Agreed to by Council with Amendment.	Council's Amendments agreed to.	Order of the Day discharged and Bill withdrawn.	Bill dropped or laid aside.	Assent reported.	Number of Assents.	Remarks.
Consolidated Revenue Fund (No. 3).	Mr. Carruthers.	22 Sept.	25 Oct.	26 Oct.	27 Oct.	27 Oct.	27 Oct.	27 Oct.	27 Oct.	27 Oct.	27 Oct.	27 Oct.	27 Oct.	27 Oct.	1 Nov.	7	Founded on Resolution of Ways and Means. Stopped by Prorogation. Bill not brought in.
Constitution Amending	do	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	13 Dec.	25	Stopped by Prorogation. Bill not brought in.
Coroner's Court	Mr. Wade	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	*	..	Standing Orders suspended, 19th December, 1904.
Destitute Children's Society Vesting	Mr. Storey	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	..	..	..
District Courts Act Amendment	Mr. Norton	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	22 Sept.	..	..	..
Fertilizers	Mr. Moore	20 Dec.	9 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	..	..	..
Fertilizers Adulteration	do	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	30 Sept.	..	..	..
Fruit Pests and Diseases	Mr. Jessop	19 Oct.	26 Aug.	19 Oct.	3 Nov.	11 Nov.	16 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	..	..	..
Government Savings Bank	Mr. Carruthers	19 Oct.	13 Oct.	19 Oct.	3 Nov.	11 Nov.	16 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	22 Nov.	..	..	..
Henry Wait Request	Mr. Dick	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Housing of the Working Classes	Mr. O'Sullivan	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Hyde, Cook, and Philip Parks	Mr. Ashton	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Judges' Pensions Abolition and Duties	Mr. Waddell	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Judicature	Mr. Cohen	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Justices (Fees)	Mr. Wade	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Land and Income Tax (Amendment)	Mr. Carruthers	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Landlord and Tenant Amending	Mr. Nielsen, for Mr. Holman	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Law of Evidence	Mr. Waddell	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Legal Process Facilitation	Mr. Wade	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Library and Art Gallery Amendment	Mr. Dick	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Loan	Mr. Carruthers	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Local Government Commissioners	Mr. Carruthers	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Master in Equity (Deputy)	Mr. Wade	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Metropolitan Water and Sewerage Act Amendment	Mr. Lee	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Miners' Accident Relief (Validating)	Mr. Moore	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Mines Inspection Amendment	Mr. Cann	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Mines Inspection Amendment (No. 2)	do	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

\* Assent not reported.

No. 1.—REGISTER OF PUBLIC BILLS (1904, 2ND SESSION)—continued.

Short Titles.	By whom initiated.	Originated in Committee of the Whole.	Message from Governor recommending provision for.	Ordered.	Presented and read 1 <sup>st</sup> .	Read 2 <sup>nd</sup> and Committed.	Reported.	Recommitted.	Reported.	Report adopted.	Read 3 <sup>rd</sup> .	Passed, and sent to Council for concurrence.	Agreed to by Council without Amendment.	Agreed to with Amendment.	Council's Amendments agreed to.	Order of the Day discharged and Bill withdrawn.	Bill dropped or laid aside.	Assent reported.	Number of Act.	Remarks.
Municipal District of Cowra—Reduced Area	Mr. Waddell	.....	.....	29 Sept.	6 Oct.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	Motion made for 3 <sup>rd</sup> and amendment to refer to Select Committee carried, 18th November. Report brought up 18th November, 1904. Stopped by Prorogation.
Municipal District of Tentfield—Reduced Area	Mr. Lee	.....	.....	26 Aug.	26 Aug.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	do
Municipalities Building	Mr. Henley	1 Dec.	.....	1 Dec.	1 Dec.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	do
Municipal Loans (Valuation)	Mr. Hogue	4 Nov. a.m.	27 Oct.	4 Nov.	11 Nov. a.m.	11 Nov. a.m.	11 Nov. a.m.	.....	.....	11 Nov. a.m.	15 Nov. a.m.	15 Nov. a.m.	24 Nov. a.m.	.....	.....	.....	.....	1 Dec.	13	.....
Navigation Amendment (Regulations)	Mr. Dick	.....	12 Oct.	13 Oct.	25 Oct.	27 Oct.	27 Oct.	.....	.....	.....	23 Oct.	23 Oct.	.....	34 Nov.	.....	.....	.....	12 Dec.	22	.....
Navigation (Surveys)	Mr. Carruthers	.....	19 Dec.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	Standing Orders suspended, 19th December, 1904. No report from Committee of the Whole as to expediency of bringing in Bill, 19th December, 1904. Bill not brought in.
Newcastle Port Regulations	Mr. Dick	.....	6 Oct.	5 Oct.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	do
Newspaper Articles	Mr. Nielsen, for Mr. Hoggan.	.....	.....	27 Sept.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	do
Oxford-street Extension	Mr. Lee	1 Dec.	24 Nov.	1 Dec.	1 Dec.	7 Dec.	7 Dec.	.....	.....	7 Dec.	8 Dec.	8 Dec.	14 Dec.	.....	.....	.....	.....	.....	.....	Reported from Committee with amended Title.
Parliamentary Friendly Societies Hall Site Vesting	Mr. Hogue	.....	.....	16 Nov.	16 Nov.	1 Dec.	1 Dec.	.....	.....	1 Dec.	2 Dec.	2 Dec.	14 Dec. a.m.	.....	.....	.....	.....	.....	.....	do
Pastures Protection (Amendment)	Mr. Eaten George	.....	.....	27 Sept.	11 Oct.	1 Nov.	1 Nov.	.....	.....	1 Nov.	2 Nov.	2 Nov.	30 Nov. a.m.	.....	.....	.....	.....	7 Dec.	20	.....
Property Detention	Mr. Levin	.....	.....	27 Sept.	27 Sept.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	Stopped by Prorogation.
Public Service Employees Appeal	Mr. Levy	4 Oct.	.....	4 Oct.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	do
Public Works Act Amendment	Mr. Gillies	.....	.....	22 Sept.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	Bill not brought in.
Public Works Act Amendment (No. 2)	do	.....	.....	22 Sept.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	do
Public Works Committee	Mr. Carruthers	28 Sept.	25 Sept.	28 Sept.	28 Sept.	30 Sept.	30 Sept.	.....	.....	30 Sept. a.m.	6 Oct. a.m.	6 Oct. a.m.	19 Oct.	.....	.....	.....	.....	27 Oct.	5	.....
Stamp Duties (Amendment)	do	13 Oct.	13 Oct.	25 Oct.	25 Oct.	8 Nov.	8 Nov.	.....	.....	8 Nov. a.m.	9 Nov. a.m.	9 Nov. a.m.	.....	1 Dec.	.....	.....	.....	.....	.....	.....
Stamp Duties (Amendment) (No. 2)	do	.....	2 Dec.	2 Dec.	2 Dec.	2 Dec.	6 Dec.	.....	.....	6 Dec.	7 Dec.	7 Dec.	7 Dec.	.....	.....	.....	.....	13 Dec.	24	.....
Stamp Duties (Deductions)	do	19 Dec.	9 Dec.	19 Dec.	19 Dec.	19 Dec.	19 Dec.	.....	.....	19 Dec.	19 Dec.	19 Dec.	20 Dec.	.....	.....	.....	.....	.....	.....	.....
State Debt and Sinking Fund	do	23 Oct.	26 Oct.	23 Oct.	23 Oct.	9 Nov.	16 Nov.	.....	.....	16 Nov.	17 Nov.	17 Nov.	24 Nov.	.....	.....	.....	.....	.....	.....	.....
Sydney Abattoirs	do	.....	19 Dec.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sydney Corporation Act Amendment	Mr. Norton	27 Oct.	29 Oct.	25 Aug.	27 Oct.	2 Nov.	4 Nov. a.m.	.....	.....	4 Nov. a.m.	8 Nov. a.m.	8 Nov. a.m.	.....	24 Nov.	.....	.....	.....	.....	.....	.....
Sydney Harbour Rates	Mr. Carruthers	.....	27 Oct.	27 Oct.	27 Oct.	2 Nov.	4 Nov. a.m.	.....	.....	4 Nov. a.m.	8 Nov. a.m.	8 Nov. a.m.	.....	24 Nov.	.....	.....	.....	.....	.....	.....
Sydney Harbour Rates (No. 2)	do	1 Dec.	30 Nov.	1 Dec.	1 Dec.	1 Dec.	1 Dec.	.....	.....	1 Dec.	1 Dec.	1 Dec.	7 Dec.	.....	.....	.....	.....	.....	.....	.....
Treasury Bills Redemption	do	.....	25 Oct.	26 Oct.	26 Oct.	26 Oct.	26 Oct.	.....	.....	26 Oct.	26 Oct.	26 Oct.	27 Oct.	.....	.....	.....	.....	13 Dec.	26	.....
Treasury Indemnity	Mr. Dick	6 Oct.	5 Oct.	6 Oct.	6 Oct.	13 Oct.	13 Oct.	.....	.....	13 Oct.	18 Oct.	18 Oct.	19 Oct.	.....	.....	.....	.....	1 Nov.	8	.....

\* Assent not reported.

No. 2.—REGISTER OF PRIVATE BILLS INTRODUCED UPON PETITION TO THE ASSEMBLY DURING THE SECOND SESSION OF 1904.

Short Titles.	By whom and when Petition presented.	Ordered.	Presented and read 1 <sup>st</sup> .	Referred to Select Committee.	Reported by Select Committee.	Read 2 <sup>nd</sup> and committed.	Reported.	Report adopted.	Read 3 <sup>rd</sup> passed, and sent to Council for concurrence.	Agreed to by Council without amendment.	Assent.	Remarks.
Coraki Roman Catholic Church Trustees Enabling .....	Mr. O'Sullivan .....	23 Nov.	24 Nov.	23 Nov.	24 Nov.	24 Nov.	24 Nov.	24 Nov.	24 Nov.	24 Nov.	24 Nov.	
Lismore Markets and Cattle Sale-yards .....	Mr. Coleman .....	1 Nov.	2 Nov.	8 Nov.	10 Nov.	1 Dec.	1 Dec.	1 Dec.	2 Dec.	14 Dec.	21 Dec.	
Murrumbidgee Northern Water Supply and Irrigation .....	Mr. Briner .....	22 Nov.	.....	.....	.....	.....	.....	.....	.....	.....	.....	Bill not brought in.
Stone Cattle Sale-yards .....	Mr. Fleming .....	10 Nov.	15 Nov.	16 Nov.	1 Dec.	7 Dec.	7 Dec.	7 Dec.	8 Dec.	14 Dec.	21 Dec.	
Wellington Cattle Sale-yards .....	Mr. Thrower .....	8 Nov.	9 Nov.	15 Nov.	17 Nov.	7 Dec.	7 Dec.	7 Dec.	8 Dec.	14 Dec.	21 Dec.	

\* Assent not reported.

No. 3.—REGISTER OF PUBLIC AND PRIVATE BILLS BROUGHT FROM THE COUNCIL DURING THE SECOND SESSION OF 1904.

Short Titles of—		Brought up and read 1 <sup>st</sup> .	Read 2 <sup>nd</sup> and committed.	Reported.	Report adopted.	Read 3 <sup>rd</sup> passed with Amendment, and sent to Council for concurrence.	Agreed to by Council.	Assent reported.	Number of Act.	Remarks.
Public Bills.	Private Bills.									
.....	City Bank Act Extension .....	20 Oct.	.....	.....	.....	.....	.....	.....	.....	Stopped by Prorogation.
Dental Hospitals Union .....	.....	24 Nov. a.m.	30 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	.....	35	Motion made for 2 <sup>nd</sup> and House counted out, 12th December, 1904. Restored, 13th December, 1904.
Infant Protection .....	.....	6 Oct.	7 Dec.	7 Dec.	7 Dec.	8 Dec.	8 Dec.	19 Dec.	27	
Municipalities Electric Light .....	.....	24 Nov.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	.....	36	
Smoke Nuisance Abatement (Amendment) .....	Presbyterian Church Property Consolidation .....	5 Oct.	15 Nov.	15 Nov.	15 Nov.	10 Nov.	17 Nov.	20 Nov.	.....	Stopped by Prorogation.
.....	Sydney Diocesan Revenues .....	6 Dec.	.....	.....	.....	.....	.....	.....	.....	do
.....	.....	21 Sept.	.....	.....	.....	.....	.....	.....	.....	

\* Assent not reported.





LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

REGISTER OF ADDRESSES AND ORDERS FOR PAPERS DURING THE SECOND SESSION OF 1904.

NO. OF ADDRESS OR ORDER.	WHEN PASSED.		ON WHOSE MOTION.	PAPERS APPLIED FOR.		RETURN TO ADDRESS OR ORDER.	REGISTER NUMBER.	IF TO BE PRINTED.	
	VOICES.			By Address.	By Order.			Date of Order.	When given to Clerk of Printing Branch.
	No.	Date.							
19	28	9 Nov. 1904.	Mr. Jones	.....	Acting Stock Inspector and Assistant, Mungindi	1904.	1904.	1904.	1904.
17	28	9 "	Mr. Cohen	.....	Appointment of the City Coroner	23 Nov.	567	15 Dec.	15 Dec.
20	29	10 "	Mr. Kelly	.....	Appointment of Acting Chief Clerk, Office of Registrar of Arbitration.	7 "	635	8 "	8 "
22	31	16 "	Mr. Nielsen	.....	Appointment of Mr. F. W. Reynolds to the Boorowa Land Board.	6 "	620	20 "	20 "
8	16	13 Oct.	Mr. Fallick	.....	Bunnarong Farm, or Refuge for Old Men	30 Nov.	593	17 Nov.	17 Nov.
2	20	25 "	Mr. Jessep	.....	Case of Constable Michael Daly and Mary Ann Everson.	9 "	519	.....	.....
16	27	8 Nov.	Mr. Cohen	.....	Changes preferred against Major Lee, D.S.O.	19 Dec.	684	.....	.....
10	18	19 Oct.	Mr. Broughton	.....	Civil Service Superannuation Fund	.....	.....	.....	.....
21	29	10 Nov.	Mr. Estell	.....	Coal Traffic, Newcastle and Maitland Districts	.....	.....	.....	.....
3	11	4 Oct.	Mr. Ball	.....	Election of Directors, Albury Pastures Protection Board.	17 Nov.	548	.....	.....
6	16	13 "	Mr. J. H. Young	.....	Expenditure of Unclassified Road Vote in each Electorate	10 "	526	17 Nov.	17 Nov.
23	34	23 Nov.	Mr. McLaurin	.....	Fees paid to Legal Gentlemen by the Government	.....	.....	.....	.....
25	32	17 "	Mr. Briner	.....	Government Advertisements in Newspapers	.....	.....	.....	.....
13	20	25 Oct.	Mr. Daley	.....	Gratuities and Bonuses paid to Officers in the Public Service	.....	.....	.....	.....
4	13	6 "	Mr. Estell	.....	Gustave Fischer, formerly Electrical Engineer, Tramway Construction Branch.	13 Oct.	419	.....	.....
11	18	19 "	Mr. Sullivan	.....	J. McMahon & Company's Railway Carrying Contracts	22 Nov.	560	.....	.....
28	44	12 Dec.	Mr. Coleman	.....	Maintenance-men, W. Nelson and P. C. Fanning, Murwillumbah.	14 Dec.	669	.....	.....
27	42	8 "	Mr. Davidson	.....	Messrs. Langley Brothers' Tramway and Special (Timber) Leases, Manning River.	.....	.....	.....	.....
9	18	19 Oct.	Mr. Davidson	.....	Money Voted and Expended on Scheduled Roads in each Electorate.	.....	.....	.....	.....
12	18	19 "	Mr. Jessep	.....	Norfolk Island	.....	.....	.....	.....
24	33	22 Nov.	Mr. Charlton	.....	Petition for Incorporation of West Wallsend	13 Dec.	653	15 Dec.	15 Dec.
15	24	1 "	Mr. Eden George	.....	Police Superannuation Fund.	.....	.....	.....	.....
2	10	29 Sept.	Mr. Dacey	.....	Public Accounts	.....	.....	.....	.....
1	10	29 "	Mr. Estell, for Mr. Edden.	.....	Professor Anderson Stuart.	11 Oct.	398	.....	.....
18	28	9 Nov.	Mr. Gillies	.....	Public Works passed by the Parliamentary Standing Committee on Public Works.	.....	.....	.....	.....
7	16	13 Oct.	Mr. J. H. Young	.....	Reserve No. 32-558.	.....	.....	.....	.....
5	14	11 "	Mr. Briner	.....	Roman Catholic Orphanage at Manly	3 Nov.	500	.....	.....
25	34	23 Nov.	Mr. Cohen	.....	Temporary Employees in the Public Service	19 Oct.	483	27 October.	27 October.
14	21	26 Oct.	Mr. Fallick	.....	Works carried out by Day Labour	.....	.....	.....	.....

1904.  
(SECOND SESSION.)

REGISTER OF ADDRESSES AND ORDERS FOR PAPERS DURING FORMER SESSIONS.

No. of Address or Order.	WHEN PASSED.		ON WHOSE MOTION.	PAPERS APPLIED FOR.		DATE OF PRESENTATION.	RETURN TO ADDRESS OR ORDER.	REGISTER NUMBER.	IF TO BE PRINTED.	
	No.	Date.		By Address.	By Order.				Date of Order.	When given to Clerk of Printing Branch.
104	103	17 March 1892.	5 Mr Garrard.....		Convictions under the Licensing Acts .....	.....	1904.	.....	1904.	27 Sept. .... 27 Sept.
24	71	11 Nov. .... 1902.	3 Mr. Daley.....		Fees paid to Barristers by the Jynce-See Administration.	.....	4 October.....	.....	.....	.....

2

REGISTER OF SEPARATE AND JOINT ADDRESSES (NOT BEING FOR PAPERS) TO THE GOVERNOR, DURING THE SECOND SESSION OF 1904.

SUBJECT OF ADDRESS.	ORIGINATED IN THE ASSEMBLY.			WHEN PASSED OR AGREED TO.			WHEN AND HOW PRESENTED.			WHEN AND HOW ANSWERED.			REMARKS.	
	VOTES.			VOTES.			VOTES.			VOTES.				
	No.	Date.	Entry	No.	Date.	Entry	No.	Date.	Entry	No.	Date.	Entry		By whom and how.
The Governor's Opening Speech.....	2	24 August 1904.	15	3	26 August, a.m. 1904.	6	4	26 August 1904.	1	Mr. Speaker, accompanied by the House.	4	26 August 1904.	1	His Excellency the Governor.

Legislative Assembly Office,  
Sydney, 21st December, 1904.

RICHD. A. ARNOLD,  
Clerk of the Legislative Assembly.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

STANDING AND SELECT COMMITTEES APPOINTED DURING THE SECOND SESSION OF 1904.

No. of COMMITTEE	DESIGNATION OF COMMITTEE.	WHEN AND HOW APPOINTED.	MEMBERS.	CHAIRMAN.	No. of MEETINGS.		No. of WITNESSES EXAMINED.	WHEN REPORTED.
					Called.	Held.		
1	The Governor's Opening Speech .....	24 August, 1904. Votes No. 2. Entry 15 (On motion of Mr. Briner.)	{ Mr. Donaldson, Mr. Levien, Mr. Smith, Mr. Briner, Mr. Gillies, Mr. McLaurin, Mr. Richards, Mr. W. W. Young.	Mr. Briner .....	1	1	.....	1904. 24 August.
2	Elections and Qualifications .....	24 August, 1904. Votes No. 2. Entry 12 (By Mr. Speaker's Warrant.)	{ Mr. Crick, <sup>1</sup> Mr. Holman, Mr. Macdonell, Mr. Oakes, Mr. O'Conor (a) Mr. Dacey, Mr. Levy, Mr. Morton, Mr. Brinsley Hall, Mr. J. H. Young, <sup>2</sup> Mr. Waddell, <sup>3</sup>	Mr. Holman .....	17	17	31	22 November; 1 December, a.m.
3	Standing Orders § .....	21 September, 1904. Votes No. 6. Entry 17. (On motion of Mr. Carruthers.)	{ Mr. Speaker, Mr. Waddell, Mr. Crick, Mr. Cohen, Mr. Storey, Mr. Carruthers, Mr. McGowen, Mr. Ashton, Mr. Holman, Mr. Perry (The Richmond).	Mr. Speaker .....	3	3	.....	9 November.
4	Library † (b) .....	21 September, 1904. Votes No. 6. Entry 18. (On motion of Mr. Carruthers.)	{ Mr. Speaker, Mr. Hogue, Mr. O'Sullivan, Mr. Wood, Mr. Collins, Mr. Carruthers, Mr. Arthur Griffith, Mr. Levy, Mr. Daley, Mr. Bennett.	The President .....	5	5	.....	.....
5	Refreshment † .....	21 September, 1904. Votes No. 6. Entry 19. (On motion of Mr. Carruthers.)	{ Mr. Speaker, Mr. Levien, Mr. Sullivan, Mr. Edden, Mr. Brinsley Hall, Mr. Carruthers, Mr. Dacey, Mr. Oakes, Mr. Jessop, Mr. Briner.	Mr. Levien .....	1	1	.....	.....
6	Printing* .....	21 September, 1904. Votes No. 6. Entry 20 (On motion of Mr. Carruthers.)	{ Mr. John Hurley, Mr. W. Millard, Mr. Gillies, Mr. Macdonald, Mr. Latimer, Mr. Carruthers, Mr. Coleman, Mr. Fegan, Mr. Nicholson, Mr. McFarlane.	Mr. McFarlane .....	13	13	.....	{ 27 September; 6, 18, 25, 27 October; 3, 10, 17, 24 Novem- ber; 1, 8, 15, 20 December.

1 Resigned, 23 September, 1904. 2 Appointed 21 September, 1904. 3 Leave given to sit during the sitting of the House, 7 December, 1904.  
 † This Committee acts in conjunction with a similar Committee of the Legislative Council. § Confers on subjects of mutual concernment with a similar Committee of the Legislative Council. (a) Seat vacated, before being sworn, by reason of acceptance of office. (b) Leave given to sit during the sitting of the House, 15 December, 1904.

## STANDING AND SELECT COMMITTEES APPOINTED DURING THE SECOND SESSION OF 1904—continued.

No. of COMMITTEE	DESIGNATION OF COMMITTEE.	WHEN AND HOW APPOINTED.	MEMBERS.	CHAIRMAN.	No. OF MEETINGS.		No. OF WITNESSES EXAMINED.	WHEN REPORTED.
					Called.	Held.		
7	Case of Henry Harding, W. S. Stead, and others—Certificate of Title.	27 September, 1904. Votes No. 8. Entry 14 (On motion of Mr. Hollis.)	{ Mr. Waddell, Mr. Holman, Mr. Briner, Mr. Dick, Mr. Walter Anderson, Mr. Lee, Mr. Broughton, Mr. Cann, Mr. Cohen, Mr. Henley, Mr. Hogue, Mr. Perry (The Richmond), Mr. McFarlane, Mr. Davidson, Mr. Fegan, Mr. Meehan, Mr. Burgess, Mr. Perry (Liverpool Plains), Mr. W. W. Young, Mr. Hogue, Mr. Davidson, Mr. W. Millard, Mr. McLaurin, Mr. Ashton, Mr. Smith, Mr. McLaurin, Mr. Cohen, Mr. Reynoldson, Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. Ball,	Mr. Hollis.....	16	14	12	1904.
8	Municipal District of Cowra Reduced Area Bill.	1 November, 1904. Votes No. 24. Entry 8 (On motion of Mr. Levy.)	{ Mr. Nielsen, Mr. Waddell, Mr. Perry (The Richmond), Mr. Levy, Mr. Hogue, Mr. Perry (The Richmond), Mr. Thomas, Mr. John Hurley, Mr. Coleman, Mr. Meehan, Mr. Smith, Mr. Henley, Mr. Perry (Liverpool Plains), Mr. W. W. Young, Mr. Hogue, Mr. Davidson, Mr. W. Millard, Mr. McLaurin, Mr. Ashton, Mr. Smith, Mr. McLaurin, Mr. Cohen, Mr. Reynoldson, Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. Ball,	Mr. Waddell .....	3	2	1	16 November.
9	Lismore Markets and Cattle Sale-yards Bill.	8 November, 1904. Votes No. 27. Entry 7 (On motion of Mr. Coleman.)	{ Mr. Hogue, Mr. Perry (The Richmond), Mr. Thomas, Mr. John Hurley, Mr. Coleman, Mr. Meehan, Mr. Smith, Mr. Henley, Mr. Perry (Liverpool Plains), Mr. W. W. Young, Mr. Hogue, Mr. Davidson, Mr. W. Millard, Mr. McLaurin, Mr. Ashton, Mr. Smith, Mr. McLaurin, Mr. Cohen, Mr. Reynoldson, Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. Ball,	Mr. John Hurley...	2	2	3	10 November.
10	Wellington Cattle Sale-yards Bill.....	15 November, 1904. Votes No. 30. Entry 3 (On motion of Mr. Thrower.)	{ Mr. Meehan, Mr. Burgess, Mr. Perry (Liverpool Plains), Mr. W. W. Young, Mr. Hogue, Mr. Davidson, Mr. W. Millard, Mr. McLaurin, Mr. Ashton, Mr. Smith, Mr. McLaurin, Mr. Cohen, Mr. Reynoldson, Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. Ball,	Mr. Thrower .....	1	1	1	17 November.
11	Scone Cattle Sale-yards Bill .....	16 November, 1904. Votes No. 31. Entry 8 (On motion of Mr. Fleming.)	{ Mr. Hogue, Mr. Davidson, Mr. W. Millard, Mr. McLaurin, Mr. Ashton, Mr. Smith, Mr. McLaurin, Mr. Cohen, Mr. Reynoldson, Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. Ball,	Mr. Fleming .....	1	1	1	1 December.
12	Coraki Roman Catholic Church Trustees Enabling Bill.	23 November, 1904. Votes No. 36. Entry 5 (On motion of Mr. O'Sullivan.)	{ Mr. Perry (Liverpool Plains), Mr. Hollis, Mr. Donaldson, Mr. O'Sullivan, Mr. Kelly, Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. Ball,	Mr. O'Sullivan.....	1	1	2	6 December.
13	Government Savings Bank Bill .....	2 December, 1904. Votes No. 39. Entry 7 (On motion of Mr. Carruthers.)	{ Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. Ball,	Mr. Carruthers ...	1	1	.....	6 December.

Legislative Assembly Office,  
Sydney, 21 December, 1904.

RICHD. A. ARNOLD,  
Clerk of the Legislative Assembly.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 1.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom aid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Statement .....	of the Receipts and Disbursements, together with Statement of Cash Balances, of the Corporation of the City of Sydney for 1903.	.....	Mr. Speaker .....	1904. 24 August .....	Not to be printed.	
By-law .....	under the Redhead Coal Mine Railway Act Amending Act of 1889.	.....	Mr. Waddell .....	24 .....	"	
Amended Regulation .....	under the Audit Act, 1902	.....	" .....	24 .....	"	
Regulations .....	under the Advances to Settlers Act .....	.....	" .....	24 .....	"	
Regulation No. 17 .....	under the Government Savings Bank Acts .....	.....	" .....	24 .....	"	
Regulations .....	for the navigation of the Richmond, Manning, Tweed, and Clarence Rivers, under the Navigation Act, 1901.	.....	" .....	24 .....	"	
Regulation .....	relating to Pilots under the Navigation Act, 1901 .....	.....	" .....	24 .....	"	
Rules Nos. 1, 2 and 3 .....	relating to side-lights to be carried by ferry punts, &c., crossing navigable waters, under the Navigation Act, 1901.	.....	" .....	24 .....	"	
Notification .....	under the Navigation Act, 1901 .....	.....	" .....	24 .....	"	
" .....	of resumption of land under the Public Works Act, 1900, for improvement of Railway Traffic at Penrith.	.....	" .....	24 .....	"	
" .....	of resumption of land under the Public Works Act, 1900, for improvement of Railway Traffic between Junee and Hay.	.....	" .....	24 .....	"	
Report .....	of improvement of land under the Public Works Act, 1900, for improvement of Railway Station-yard at Perth.	.....	" .....	24 .....	"	
" .....	of the Railway Commissioners on Railways and Tramways for quarter ended 31st March, 1904.	.....	" .....	24 .....	To be printed.	
" .....	of the Railway Commissioners on Railways and Tramways for quarter ended 30th June, 1904.	.....	" .....	24 .....	"	
" .....	of the Railway Commissioners on Railways and Tramways for year ended 30th June, 1904.	.....	" .....	24 .....	"	
Statement .....	of the Pharmacy Board for 1903 .....	.....	" .....	24 .....	"	
" .....	of Bank Liabilities and Assets for quarter ended 31st December, 1903	.....	" .....	24 .....	Not to be printed.	
" .....	do do 31st March, 1904	.....	" .....	24 .....	"	
" .....	do do 30th June, 1904	.....	" .....	24 .....	"	
" .....	of Public Companies' Liabilities and Assets for quarter ended 31st December, 1903.	.....	" .....	24 .....	"	
" .....	of Public Companies' Liabilities and Assets for quarter ended 31st March, 1904.	.....	" .....	24 .....	"	



STATIONERY

Committee.

1904.

Mr. McFarlane

Mr. Fegan

Mr. Perry

24 August

24

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Second Report	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed Railway from Wyalong to Hillston.	Mr. McFarlane	24 August	To be printed.
Report	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence and Appendix, relating to the proposed Reclamation Works, Hen and Chicken Bay.	"	24	"
"	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed Railway from Liverpool to Mulgoa.	"	24	"
"	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed Harbour Improvements, Nambucca River.	"	24	"
"	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed Railway from Singleton to Cussilis, with branch from Denman to Muswellbrook.	"	24	"
"	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed Railway from Murwillumbah to the Tweed Heads.	"	24	"
"	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed Tramway from Wallsend to West Wallsend.	"	24	"
Third Report	from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed Railway from Carlingford to Dursul.	Mr. Fegan	25	Not to be printed.
Proclamations and Regulations	regarding the introduction of Stock from Queensland, under the Stock Act, 1901.	Mr. Perry	25	To be printed.
Report of the Royal Commission	on the Decline of the Birth-rate, and on the Mortality of Infants in New South Wales (Volume I).	"	25	"
Report	of the Fire Brigades Board, Sydney, for 1903	"	25	"
"	of the Police Districts Commissioners appointed under the Electoral Act, 1903	"	25	"
"	of the Electoral Districts Commissioners appointed under the Electorates Redistribution Act, 1904, together with Maps.	"	25	"
By-law	of the Borough of Hunter's Hill	"	25	Not to be printed.
"	Richmond	"	25	"
"	Enfield	"	25	"
By-laws	Vauchuso	"	25	"
"	Paramatta	"	25	"
"	"	"	25	"
"	"	"	25	"
"	Bathurst	"	25	"
"	Annandale	"	25	"
"	Lane Cove	"	25	"
"	Goulburn	"	25	"
"	Rookwood	"	25	"
"	Young	"	25	"
"	Newtown	"	25	"
By-law	Municipal District of Strathfield	"	25	"
"	Ryde	"	25	"
"	Cudal	"	25	"
By-laws	Wickham	"	25	"
"	Rockdale	"	25	"
"	Katoomba	"	25	"
"	Ryde	"	25	"
"	Corowa	"	25	"
"	Murwillumbah	"	25	"
"	"	"	25	"



Description of Paper.	Subject of Paper.	By whom moved for.	By whom made upon table.	By whom made upon table.	Committee.
By-laws	of the Borough of Woollahra under the Municipalities Act, 1897, the Nuisances Prevention Act, 1897, and the Public Health Act, 1902 under the Destitute Children's Society Act, 1901		Mr. Perry	1904. 25 August	Not to be printed.
Amended Regulations	under the Cattle Slaughtering and Diseased Animals and Meat Act, 1902.		"	25 "	"
"	under the Noxious Trades Act, 1902		"	25 "	"
"	under the Sydney Corporation Act, 1902, the Public Health Act, 1902, and the Public Parks Act, 1902.		"	25 "	"
Additional Regulations	under the Fisheries Act, 1902		"	25 "	"
By-laws	under the Parliamentary Electorates and Elections Act, 1902, and under the Parliamentary Electorates and Elections Act, 1902, and the Parliamentary Elections (Amendment) Act, 1902.		"	25 "	"
Amended Regulation	under the Parliamentary Electorates and Elections Act, 1902, and the Electorates Redistribution Act, 1904.		"	25 "	To be printed.
Regulations	under the Sydney Harbour Trust Act, 1900		"	25 "	"
Amended Regulations	under the Metropolitan Traffic Act, 1900		"	25 "	Not to be printed.
Reasons	for granting special leave of absence on full pay to Mr. F. C. Johnson, Registrar-General's Department.		"	25 "	To be printed.
Report	of the Wollongong Fire Brigades Board for 1903.		"	25 "	Not to be printed.
"	of the Wollongong Fire Brigades Board for the year ended 31st March, 1904.		"	25 "	"
"	of the Department of the Agent-General for 1903		"	25 "	To be printed.
"	of the Director of Botanic Gardens and Domains for 1903		"	25 "	"
Despatch	forwarding Memorandum as to procedure in Extradition Cases		"	25 "	Not to be printed
Amended Gaol Regulations	Nos. 55 and 75 under the Prisons Act, 1899		"	25 "	"
Additional Gaol Regulation	under the Prisons Act, 1899, respecting life or death committed sentences.		"	25 "	"
Amended Forms	under the Industrial Arbitration Act, 1901		"	25 "	"
Amended Rule	of the Public Service Board in reference to the appointment on probation of three clerks in the office of the Crown Solicitor.		"	25 "	"
Report	under the Public Service Act, 1902		"	25 "	"
Regulations	Convictions under the Licensing Acts.	Mr. Garrard	"	25 August	To be printed.
Return (in part) to an Order	on Prisons for 1903	"	"	25 "	"
Report	under the District Courts Act, 1901	"	"	25 "	Not to be printed.
Annual Returns	and further amended Regulation No. 35, and amended Regulations Nos. 57A, 59, 85, 157A, 215, 218, 227, 229, 230, 231, 335, 340 and 341; also amended Forms Nos. 25, 72, and 97 under the Crown Lands Acts.	Mr. O'Sullivan	"	25 "	"
Amended Regulation	showing the Receipts and Expenditure of the Hay Irrigation Trust for 1903.	"	"	25 "	"
Statement	of intention to declare that Homestead Selection 03/1, portion 76, district of Inverell, applied for by J. F. Douse, shall cease to be voidable.	"	"	25 "	"
Notice	of cancellation of regulation No. 38, and substitution of forms Nos. 63 and 64 under the Pastures Protection Act, 1902.	"	"	25 August	To be printed.
Notifications	of the Department of Lands for 1903		"	25 "	Not to be printed.
Report	of the completion of the Homebush Low-level Sewerage—Main Sewers Nos. 1 and 2	Mr. Bennett	"	25 "	"
"	of the completion of the Darling Harbour Low-level Sewerage—Pymont-street, Pier-street, Railway, and William Henry street sewers	"	"	25 "	"
"	of the completion of the Mosman's Bay Stormwater Channel Branch, Gouldsbury-street Extension	"	"	25 "	"
"	of the completion of the Middle Harbour Slopes Sewerage	"	"	25 "	"
"	of the completion of the Dolroyd Branch Sewer Extension	"	"	25 "	"

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Report.....	of the completion of the Botany-street Stormwater Channel Branch of the completion of the Randwick and Kensington Sewerage, 2nd Division.	.....	Mr. Bennett .....	1904. 25 August .....	Not to be printed.	
" .....	of the completion of the Balmain Low-level and Stormwater Drainage; Stormwater Channel; Short-street Sewer; Campbell-street Sewer.	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of the Wentworth Park and Glebe Low-level Drainage; Pyrmont Bridge Road Sewer; Park-road Sewer; Brougham-street Sewer; Wattle-street Sewer; William Henry Street Sewer; Bay-street Sewer.	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of the Circular Quay Low-level Drainage—Main Sewers Nos. 1 and 2 Pitt-street Branch, Loftus-street Branch, Albert-street Branch.	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of the Homebush Low-level Sewerage Rising Main; Homebush Low-level Sewerage; Homebush Pumping Station.	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of the Footbridge over the Johnstone's Creek Stormwater Channel.	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of Mosman Sewerage, Middle Harbour Slopes.....	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of the Sydney and Suburbs Low-level Drainage Controlling Station; Wentworth Park and Glebe Low-level Drainage, Pumping Station No. 2; Balmain, Annandale, and Leichhardt Low-level Drainage, 1st Division—Pumping Station No. 3; Pumping Station No. 4; Pumping Station No. 5; Balmain, Annandale, and Leichhardt Low-level Drainage, 2nd Division—Pumping Station No. 6; Pumping Station No. 7; Pumping Station No. 8; Pumping Station No. 9; Balmain Low-level Sewerage, Pumping Station No. 10; City Low-level Drainage, Pumping Station No. 12, Schedule No. 1, Schedule No. 2; City Low-level Drainage, eastern side of Darling Harbour, 1st Division, Pumping Station No. 13; Circular Quay Low-level Drainage, Pumping Station No. 16; Woolloomooloo Bay Low-level Drainage, Pumping Station No. 17; Rustcutters' Bay Low-level Sewerage—Pumping Station No. 18; Pumping Station No. 19; Pyrmont Low-level Sewerage, east side, 2nd Division, Pumping Station No. 20; Sydney and Suburbs Low-level Sewerage, Wattle-street Valve House; Darling Harbour Low-level Sewerage, Lackey-street Valve House.	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of the Kippax Lake Overflow and New Sports Ground Drainage; Overflow Sewer No. 1, Sewer No. 2; Old Rifle Range Stormwater Sewer, Mooroo Park; Callan Park Stormwater Channel Branch.	.....	" .....	25 .....	" .....	" .....
" .....	of the completion of the Low-level Sewerage System—Electrical Power Mains and Telephone Cables:—Power Mains—Main Line to Pumping Station No. 16; Branch to Pumping Station No. 12; Branch to Pumping Station No. 13; Branch to Pumping Station No. 17; Line to Pumping Station No. 20; Line to Pumping Station No. 2; Main Line to Pumping Station No. 10; Branch to Pumping Station No. 3; Branch to Pumping Station No. 4; Branch to Pumping Station No. 5; Branch to Pumping Station No. 6; Branch to Pumping Stations Nos. 7, 8, and 9; Rustcutters' Bay Tramway Power House to Pumping Stations Nos. 18 and 19. Telephone Cables—Main Line to Pumping Stations Nos. 12, 13, and 16; Branch to Pumping Station No. 17; Line to Pumping Station No. 2; Branch to Pumping Station No. 20; Line to Pumping Stations Nos. 3, 4, 5, 6, 7, 8, and 9.	.....	" .....	25 .....	" .....	" .....

Description of Paper.	Date of Report.	Author.	Date.	Committee.
Amended By-laws .....	1904.	Mr. Bennett	25 August	Not to be printed.
" .....	"	"	25 "	"
By-laws .....	"	"	25 "	"
" .....	"	"	25 "	"
Amended By-laws .....	"	"	25 "	"
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Proclamation .....	"	"	25 "	"
Notification .....	"	"	25 "	"
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under the Metropolitan Water and Sewerage Acts, 1880-1889, regarding the discharge of surface water into the public sewers under the control of the said Board.

of the Borough of Lithgow, under the Country Towns Water and Sewerage Act of 1880.

of the Municipal District of Deniliquin under the Country Towns Water and Sewerage Act of 1880.

under the Metropolitan Water and Sewerage Acts, 1880-1889, regarding the discharge of trade wastes into the public sewers under the control of the said Board.

under the Metropolitan Water and Sewerage Acts, 1880-1889, and the Metropolitan Water (Camden) Act, 1898.

under the Metropolitan Water and Sewerage Acts, 1880-1889, under the Scaffolding and Lifts Act, 1902, annulling, amending, and adding Regulations to Regulations already proclaimed.

of resumption of land, under the Public Works Act, 1900, for the construction of a Weir at Qucanbeyan.

of resumption of land, under the Public Works Act, 1900, for the supply of Water to the City of Sydney and Suburbs.

of resumption of land, under the Public Works Act, 1900, for the construction of a Balloon Loop at Circular Quay, in connection with the Belmore Park to Fort Macquarie Electric Tramway.

of resumption of land, under the Public Works Act, 1900, for the supply of Water to the City of Sydney and Suburbs.

of resumption of land, under the Public Works Act, 1900, for the supply of Water at Sportsman's Creek Station, in connection with the Grafton to Casino Railway.

of resumption of land, under the Public Works Act, 1900, for the construction of an Embankment in connection with the Gundagai to Tumut Railway.

of resumption of land, under the Public Works Act, 1900, for the construction of the Millie Artesian Well.

of resumption of land, under the Public Works Act, 1900, for the construction of a Tank at Milbrulong.

of resumption of land, under the Public Works Act, 1900, for the construction of the Goangra Artesian Well.

of resumption of land, under the Public Works Act, 1900, for the construction of the Oreeal Artesian Well No. 1.

of resumption of land, under the Public Works Act, 1900, for the construction of a Public Well at St. Albans.

of resumption of land, under the Public Works Act, 1900, for Water-Supply Purposes at Two-mile Creek, in connection with the Grafton to Casino Railway.

of resumption of land, under the Public Works Act, 1900, for the Erection of a Fire Brigade Station at the Glebe.

of resumption of land, under the Public Works Act, 1900, for the construction of a Tank at Barron Junction, in connection with the Narrabri to Walgett Railway.

of resumption of land, under the Public Works Act, 1900, for the construction of the Careunga Artesian Well.

of resumption of land, under the Public Works Act, 1900, for the construction of the Florida Artesian Well.

of resumption of land, under the Public Works Act, 1900, for the construction of the Bourbah Bore.

of resumption of land, under the Public Works Act, 1900, for the construction of the Kiga Artesian Well.

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Amended Regulation No. 29 Minutes .....	<p>under the Public Instruction Act, 1880. .... Copies of, of His Excellency the Governor and the Executive Council, for presentation to the Legislative Assembly under the directions contained in the 34th section of the Audit Act, 1902, viz. :— (a) Minute No. 03/37, authorising the transfer of £133 6s. 8d. to the Colonial Secretary's Department. (b) Minute No. 04/2, authorising the transfer of £600 to the Colonial Secretary's Department. (c) Minute No. 04/4, authorising the transfer of £50 to the Colonial Secretary's Department. (d) Minute No. 04/8, authorising the transfer of £301 14s. 6d. to the Colonial Secretary's Department. (e) Minute No. 04/9, authorising the transfer of £2 14s. 10d. to the Colonial Secretary's Department. (f) Minute No. 04/19, authorising the transfer of £500 to the Colonial Secretary's Department. (g) Minute No. 04/19, authorising the transfer of £300 to the Colonial Secretary's Department. (h) Minute No. 04/20, authorising the transfer of £330 to the Colonial Secretary's Department. (i) Minute No. 03/49, authorising the transfer of £183 7s. 2d. to the Lands Department. (j) Minute No. 04/7, authorising the transfer of £87 10s. to the Lands Department. (k) Minute No. 04/19, authorising the transfer of £3,500 to the Lands Department. (l) Minute No. 04/20, authorising the transfer of £8,000 to the Lands Department. (m) Minute No. 04/23, authorising the transfer of £150 to the Lands Department. (n) Minute No. 04/8, authorising the transfer of £100 to the Minors and Agriculture Department. (o) Minute No. 04/16, authorising the transfer of £670 and £100 to the Public Works Department. (p) Minute No. 04/19, authorising the transfer of £50 to the Treasury Department. (q) Minute No. 04/22, authorising the transfer of £16,000 to the Treasury Department. (r) Minute No. 04/23, authorising the transfer of £650 to the Treasury Department. (s) Minute No. 04/24, authorising the transfer of £5,000 to the Treasury Department. (t) Minute No. 04/24, authorising the transfer of £4,500 to the Treasury Department. (u) Minute No. 04/23, authorising the transfer of £15,700 to the Treasury Department. (v) Minute No. 04/26, authorising the transfer of £26,000 to the Treasury Department. (w) Minute No. 04/21, authorising the transfer of £1,750 to the Attorney-General and Justice Department. (x) Minute No. 04/24, authorising the transfer of £615 to the Attorney-General and Justice Department. (y) Minute No. 04/26, authorising the transfer of £140 to the Attorney-General and Justice Department.</p>	..... .....	Mr. Fegan ..... Mr. Speaker .....	1904. 26 August ..... 20 September .....	Not to be printed. " " " "	

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
* Report 45690	of the completion of the Rising Main from Ultimo Controlling Station to Kent-street Sewer.	.....	Mr. Lee	20	Not to be printed.	
"	of the completion of the Electrical Power Mains from Rushcutt's Bay Tramway Power-house to the Double Bay Air-Compressor Station.	.....	"	20	"	
"	of the Auditors appointed by the Honorable T. Waddell and the Honorable J. H. Carruthers for the purpose of ascertaining the state of the Public Accounts on the 29th August, 1904.	.....	Mr. Carruthers	20	To be printed.	
Return 87	showing leave of absence granted to persons employed in the Public Service during the year 1903.	.....	"	20	"	Postponed for further consideration.
Report B	of the President of the State Children Relief Board for the year ending 8th April, 1904.	.....	Mr. Hogue	20	To be printed.	
By-law	of the Borough of the Glebe	.....	"	20	Not to be printed.	
By-laws	of the Borough of Newcastle	.....	"	20	"	
"	of the Municipal District of Newtown	.....	"	20	"	
"	of the Municipal District of Gundagai, under the Nuisances Prevention Act, 1897.	.....	"	20	"	
"	of the Borough of Tamworth, under the Nuisances Prevention Act, 1897, the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902.	.....	"	20	"	
"	of the Municipal District of Quirindi, under the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902.	.....	"	20	"	
"	of the Borough of Newcastle, under the Newcastle Paving and Public Vehicles Regulation Act, 1902, and the Municipalities Act, 1897.	.....	"	20	"	
Regulations	under the Fisheries Act, 1902	.....	Mr. Wade	20	"	
Despatch	from the Secretary of State for the Colonies respecting the Indian Extradition Act, 1903.	.....	"	21	"	
Regulations	under the Industrial Arbitration Act, 1901	.....	"	21	"	
Amended Regulations	Nos. 40, 102, 103, 104, 132, 147, 150, and Appendix A, under the Public Service Act, 1902.	.....	"	21	"	
Report	of the Public Service Board respecting the appointment, on probation, of Mr. William Carr Robison as a Clerk in the Office of the Crown Solicitor.	.....	"	21	"	
Amended Regulation	No. 78 under the Prisons Act, 1899.	.....	Mr. Ashton	21	"	
Gazette Notices	setting forth the mode in which it is proposed to deal with the dedication of certain Lands under the Crown Lands Acts of 1884 and 1889, and the Public Trusts Act, 1897.	.....	"	21	"	
Abstract	of Crown Lands reserved from sale for the Preservation of Water Supply or other Public Purposes under the Crown Lands Act of 1884.	.....	"	21	"	
"	of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884.	.....	"	21	"	
"	of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884.	.....	"	21	"	
"	of Crown Lands authorised to be dedicated to Public Purposes, under the Crown Lands Act of 1884.	.....	"	21	"	
Amended Regulations	Nos. 159 and 160, also Additional Form No. 110, under the Crown Lands Acts.	.....	"	21	"	
Report	of the Department of Labour and Industry for the year 1903	.....	Mr. O'Connor	21	To be printed.	

J. McFARLANE,  
Chairman.

No. 3 Committee Room,  
Legislative Assembly,  
27th September, 1904.

Sydney: William Applegate Gullett, Government Printer.—1904.



REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 1, dated 27th September, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Regulations .....	under the Miners' Accident Relief Act, 1900, and the Miners' Accident Relief (Amendment) Act, 1901.	.....	Mr. Fegan .....	1904, 24 August .....	Not to be printed.	
Return .....	showing Leave of Absence granted to persons employed in the Public Service during 1903.	.....	Mr. Carruthers .....	20 September .....	"	
Report .....	Twenty-first Annual, under the Inscribed Stock Act of 1883	.....	" .....	27 .....	To be printed.	
" .....	of the Government Savings Bank for the half-year ended 30th June, 1904.	.....	" .....	27 .....	"	
Correspondence.....	respecting allowance to Mr. Thooy, Chief Mechanical Engineer, for services in connection with the Power House.	.....	" .....	27 .....	"	
Papers .....	respecting the selection of a site for the Seat of the Commonwealth Government.	.....	" .....	27 .....	"	
Amended Regulations.....	Nos. 303, 309, 311, 312, 314, and 315, also Additional Form No. 111, under the Crown Lands Acts.	.....	Mr. Ashton .....	27 .....	Not to be printed.	
Statement .....	of Accounts of the South Head Roads Trust for the half-year ended 31st December, 1902; and also for the half-year ended 30th June, 1903.	.....	Mr. Lee .....	27 .....	"	
Report .....	of the completion of the Sydney Water Supply 32-inch Main from Pipe Head Basin to Ryde Pumping Station.	.....	" .....	27 .....	"	
" .....	of the completion of the Necropolis Stormwater Drainage, Storm-water Channel, Sub-soil Drain.	.....	" .....	27 .....	"	
Notification .....	of resumption of land, under the Public Works Act, 1900, for the construction of the Neargo Artesian Well.	.....	" .....	27 .....	"	
" .....	of resumption of land, under the Public Works Act, 1906, for the construction of an embankment on the railway between (undugal and Tunut.	.....	" .....	27 .....	"	
" .....	of resumption of land, under the Public Works Act, 1900, for the construction of a pumping station at Birelgrove Park, Balmain, in connection with the Drainage Works for the Western Suburbs of the City of Sydney.	.....	" .....	27 .....	"	

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Notification .....	of resumption of land, under the Public Works Act, 1900, in connection with the Water Supply to the City of Sydney and Suburbs.	.....	Mr. Lee .....	1904. 27 September .....	Not to be printed.	
" .....	of resumption of land, under the Public Works Act, 1900, for the purpose of procuring sand ballast for the Grafton-Casino Railway.	.....	" .....	27 .....	" .....	
" .....	of resumption of land, under the Public Works Act, 1900, in connection with the construction of an artesian well in the district of Urumbah.	.....	" .....	27 .....	" .....	
" .....	of resumption of land, under the Public Works Act, 1900, in connection with the construction of an artesian well in the district of Rogewong.	.....	" .....	27 .....	" .....	
" .....	of resumption of land, under the Public Works Act, 1900, in connection with the construction of the Willie Artesian Well.	.....	" .....	27 .....	" .....	
Amendment of General Rules .....	of resumption of land, under the Public Works Act, 1900, in connection with the Haddon Riggs Artesian Well.	.....	Mr. Moore .....	27 .....	" .....	
By-law .....	Nos. 10, 23, 36, and 47, also new Rule 54 under the Mines Inspection Act, 1901.	.....	Mr. Moore .....	27 .....	" .....	
Returns .....	of the Municipal District of Lismore	.....	Mr. Hogue .....	28 .....	" .....	
Report .....	under the several Acts of Parliament, administered by the Registrar-General, for the year 1903.	.....	" .....	21 .....	" .....	
Notifications .....	of the Inspector-General of the Insane for the year 1903	.....	Mr. O'Connor .....	28 .....	To be printed.	
Notification .....	of resumption of land for Public School Purposes at Buxton and Clybucca.	.....	Mr. O'Connor .....	28 .....	Not to be printed.	
" .....	of resumption of land, under the Public Works Act, 1900, for the construction of the Three Corners Bore.	.....	Mr. Lee .....	29 .....	" .....	
Additional form .....	of resumption of land, under the Public Works Act, 1900, for the deviation of an Occupation Road between Temora and Wyalong.	.....	" .....	29 .....	" .....	
Particulars .....	No. 112 under the Crown Lands Acts	.....	Mr. Ashton .....	29 .....	" .....	
Amended Regulations .....	of Western Land Leases issued under the Western Lands Act, 1901	.....	" .....	29 .....	" .....	
Return to an Order .....	Nos. 17 and 363, under the Public Service Act, 1902	.....	Mr. Wade .....	4 October .....	" .....	
Report .....	made on 11th November, 1902,—" Fees paid to Barristers by the Lyne-See Administration."	.....	Mr. Daley .....	4 .....	" .....	
Return .....	of an Investigation of the Miners' Accident Relief Fund as on the 30th June, 1904, by the Government Statistician.	.....	Mr. Moore .....	4 .....	To be printed.	
Statement .....	showing Standard of Eyesight Testing in the Railway Service	.....	Mr. Carruthers .....	4 .....	" .....	
Abstract .....	of Transactions, State Clothing Factory, 1st July, 1903, to 30th June, 1904.	.....	" .....	4 .....	Not to be printed.	
Gazette Notices .....	of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884.	.....	Mr. Ashton .....	5 .....	" .....	
" .....	setting forth the mode in which it is proposed to deal with the dedication of certain lands under the Crown Lands Acts of 1884 and 1889 and the Public Trusts Act, 1897.	.....	" .....	5 .....	" .....	

JOHN MCFARLANE,  
Chairman.

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 3.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 2, dated 6th October, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Notice.....	of intention to declare that portions 460 and 461, parish of Blackheath, applied for by Reginald S. Bonney on 25th March, 1904, shall cease to be voidable.	.....	Mr. Ashton .....	1904. 6 October .....	Not to be printed.	
Report .....	of the Forestry Branch of the Department of Lands for 1903 .....	.....	Mr. Dick .....	6 " .....	To be printed.	Already in print.
" .....	of the President of the Board of Health on the use of Preservatives in Milk.	.....	Mr. Lee .....	6 " .....	Not to be printed.	
" .....	of the completion of the Circular Quay Low-level Sewerage Tank-stream Intersection.	.....	Mr. Wade .....	11 " .....	To be printed.	Already in print.
Additional Regulation No. 455.....	under the Public Service Act, 1902 .....	.....	Mr. O'Connor .....	11 " .....	To be printed.	
Further Report.....	of Education Commissioners, mainly on Secondary Education, containing observations and recommendations resulting from their inquiries in Europe and America.	.....	Mr. Hogue .....	11 " .....	Not to be printed.	Already in print.
Synopsis.....	of Voting at the General Election, 5th August, 1904 .....	.....	" .....	11 " .....	" .....	
Additional By-law .....	of the Municipal District of Deniliquin .....	.....	" .....	11 " .....	" .....	
By-laws .....	of the Borough of Newcastle .....	.....	Mr. Lee .....	11 " .....	" .....	
Return to an Order.....	Professor Anderson Stuart .....	Mr. Edden .....	Mr. Lee .....	11 " .....	" .....	
Notification .....	of resumption of land, under the Public Works Act, 1900, for the supply of water to the City of Sydney and Suburbs.	.....	Mr. Lee .....	11 " .....	" .....	
Statement .....	respecting Pension Payments, &c., required by section 48 of the Old-age Pensions Act, 1900.	.....	Mr. Carruthers .....	12 " .....	" .....	
" .....	of Fees and Travelling Allowances paid to Members of the Parliamentary Standing Committee on Public Works from August, 1888, to June, 1904, and of estimated cost of the Committee's investigations in regard to proposed public works since the passing of the Public Works Act.	.....	" .....	12 " .....	" .....	
Report .....	by the Comptroller-General of Prisons on Prisons, Reformatories, Asylums, and other Institutions visited by him in Europe and America.	.....	Mr. Wade .....	12 " .....	To be printed.	Already in print.
" .....	of the Stock Branch of the Department of Mines and Agriculture for 1903.	.....	Mr. Moore .....	12 " .....	" .....	

No. 3 Committee Room,  
Legislative Assembly,  
13th October, 1904.

JOHN MCFARLANE,  
Chairman.



1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 4.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 3, dated 13th October, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Report Return to an Order.....	of the Trustees of the Australian Museum for 1903 Gustave Fischer, formerly Electrical Engineer, Tramway Construction Branch.	Mr. Estell .....	Mr. O'Connor .....	13 October 1904.	To be printed.	
Report " .....	of the Public Service Board for 1903	.....	Mr. Lee .....	13 "	Not to be printed.	
Return .....	of the Department of Public Works for year ended 30th June, 1904 showing amounts outstanding in respect of Contracts, Engagements, and Liabilities, and Revenue uncollected as at 29th August, 1904.	.....	Mr. Wade .....	13 "	To be printed.	
Gazette Notices.....	setting forth the mode in which it is proposed to deal with the dedication of certain lands under the Crown Lands Acts of 1884 and 1889, and the Public Trusts Act, 1897.	.....	Mr. Lee .....	18 "	"	
Abstract.....	Crown Lands reserved from sale for the preservation of water supply or other public purposes, under the Crown Lands Act of 1884.	.....	Mr. Ashton .....	18 "	"	
" .....	of alterations of designs of cities, towns, and villages, under the Crown Lands Act of 1884.	.....	" .....	19 "	Not to be printed.	
" .....	of sites for cities, towns, and villages, under the Crown Lands Act of 1884.	.....	" .....	19 "	"	
Amended Regulation .....	No. 137 under the Public Service Act, 1902.	.....	" .....	19 "	"	
By-laws .....	of the Municipal District of Katoomba	.....	Mr. Wade .....	19 "	"	
" .....	of the Municipal District of Lambton, under the Nuisances Prevention Act, 1897, and Public Health (Night-soil Removal) Act, 1902.	.....	Mr. Hogue .....	19 "	"	
Return to an Order.....	Roman Catholic Orphanage at Manly .....	Mr. Briner .....	" .....	19 "	"	Postponed for further consideration.
Return .....	showing Claims and Payments in connection with the "Darling Harbour" and "Rocks" Resumptions.	.....	Mr. Carruthers .....	19 "	To be printed.	
Report .....	of the Commissioners on Railways and Tramways for quarter ended 30th September, 1904.	.....	" .....	19 "	"	

No. 3 Committee Room,  
Legislative Assembly,  
20th October, 1904.

JOHN McFARLANE,  
Chairman.



REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 4, dated 20th October, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Return to an Order .....	“ Roman Catholic Orphanage at Manly ” .....	Mr. Briner .....	Mr. Hogue .....	19 October .....	To be printed.	
Schedule .....	to the Estimates for 1904-5 .....	.....	Mr. Dick .....	20 .....	Not to be printed.	
Report .....	Reservoir at Mosman .....	.....	Mr. Ashton (for Mr. Lee) .....	20 .....	To be printed.	
Further Paper .....	respecting the selection of a Site for the Seat of the Commonwealth Government—Supplement to Report of Royal Commission on Sites for the Seat of Government of the Commonwealth, being a Report on the proposed Site for Federal Capital at Dalgety. which passed between the Premier and Colonial Treasurer and the Trustees of the Savings Bank of New South Wales with regard to the Government Savings Bank Bill.	.....	Mr. Carruthers .....	21 .....	To be printed.	
Correspondence .....	Nos. 49, 85, 148, 157 E, 158, 213, 216, 218, 227, and 295, under the Crown Lands Acts.	.....	Mr. Ashton .....	25 .....	Not to be printed.	
Amended Regulations .....	respecting the dates of the appointment of certain Crown Prosecutors, &c.	.....	Mr. Wade .....	26 .....	To be printed.	
Return .....	of Leases granted under the provisions of section 18 of Crown Lands Act Amendment-Act, 1903.	.....	Mr. Ashton .....	26 .....	Not to be printed.	
“ .....	of intention to declare that an Improvement Purchase, portion 985, parish of Adelong, Land District of Tumut, shall cease to be voidable.	.....	“ .....	26 .....	“ .....	
Notice .....	of New Leases and Extended Leases granted under the Western Lands Act of 1901, from the 12th to the 26th October, 1904.	.....	“ .....	26 .....	“ .....	
Particulars .....	relating to the Amalgamation of the Government Savings Bank, the Savings Bank of New South Wales, and the Advances to Settlers Board.	.....	Mr. Carruthers .....	26 .....	To be printed.	
Papers .....	of the Commercial Agent for New South Wales in the East on the Manufacturing Interests and Industrial Development of Japan.	.....	“ .....	26 .....	“ .....	
Report .....	of a Board appointed to inquire into an alleged excessive incidence of Consumptive Disease on the persons employed in the Government Printing Office.	.....	“ .....	26 .....	“ .....	
By-laws .....	of the Municipal District of Corowa .....	.....	Mr. Hogue .....	26 .....	Not to be printed.	
By-law .....	of the Municipal District of Warren .....	.....	“ .....	26 .....	“ .....	

No. 3 Committee Room,  
Legislative Assembly,  
27th October, 1904.

JOHN McFARLANE,  
Chairman.



1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 6.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honourable House in relation to the Papers referred to them since their Report No. 5, dated 27th October, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Twenty-second General Report	of the Parliamentary Standing Committee on Public Works	.....	Mr. Hogue	1904.	To be printed.	
Report	on the Coast Hospital, Little Bay, for 1903	.....	Mr. Moore	28 October	"	
Statement	of the Department of Agriculture for the year ended 30th June, 1904 respecting the erection of a Power-house, George-street North	.....	Mr. Lee	28 " 1 November	"	
By-laws	of the Municipal District of Corowa	.....	Mr. Hogue	1 " 2 "	Not to be printed.	Postponed for further consideration.
Amended Regulations	of the Municipal District of Coonamble	.....	Mr. Wade	2 " 2 "	"	
Reasons	Nos. 78 and 80, under the Prisons Act, 1890 for granting further leave of absence to Mr. G. H. J. Hardwick, Taxation Department, under the provisions of Regulation 46, under the Public Service Act.	.....	Mr. Carruthers	2 " 2 "	"	

No. 3 Committee Room,  
Legislative Assembly,  
3rd November, 1904.

JOHN McFARLANE,  
Chairman.



## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

No. 7.

## REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 6, dated 3rd November, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Statement . . . . .	respecting the erection of a Power-house, George-street North	.....	Mr. Lee .....	1 November .....	Not to be printed.	
Particulars . . . . .	respecting Promotions in the Police Force	.....	Mr. Hogue .....	3 " .....	To be printed.	
Return to an Order . . . . .	Reserve No. 32,558 .....	Mr. J. H. Young .....	Mr. Ashton .....	3 " .....	Not to be printed.	
Notifications . . . . .	of resumptions of land, under the Public Works Act, 1900, for Public School purposes, at Little River and Guest's Swamp.	.....	Mr. O'Connor .....	3 " .....	"	
Additional Regulation . . . . .	No. 456, under the Public Service Act, 1902 .....	.....	Mr. Wade .....	8 " .....	"	
Return . . . . .	respecting Industrial Arbitration Court Reports .....	.....	Mr. Carruthers .....	8 " .....	"	
Report . . . . .	of the Inquiry instituted by the Railway Commissioners into the circumstances attending the two Tramway collisions which occurred at the cross-over in the vicinity of the Harris-street junction signal-box on the 26th October, 1904.	.....	" .....	8 " .....	"	
Statement . . . . .	of Accounts of the Sydney Harbour Trust for the year ended 30th June, 1904.	.....	" .....	8 " .....	"	
Report . . . . .	with the proposed Amended and Additional Standing Orders prepared by the Standing Orders Committee.	.....	Mr. Waddell .....	9 " .....	"	
Return . . . . .	of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.	.....	Mr. Ashton .....	9 " .....	Not to be printed.	
Abstract . . . . .	of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884.	.....	" .....	9 " .....	"	
Gazette Notices . . . . .	setting forth the mode in which it is proposed to deal with the dedication of certain Lands under the Crown Lands Acts of 1884 and 1889, and the Public Trusts Act, 1897.	.....	" .....	9 " .....	"	
Papers . . . . .	in connection with proposal to invite Tenders for the manufacture of Twenty-five Locomotives.	.....	Mr. Carruthers .....	9 " .....	To be printed.	
Return to an Address . . . . .	" Case of Constable Michael Daly and Mary Ann Everson " .....	Mr. Jessop .....	Mr. Hogue .....	9 " .....	"	Postponed for further consideration.
Regulations . . . . .	under the Miners' Accident Relief Act, 1900, and the Miners' Accident Relief (Amendment) Act, 1901.	.....	Mr. Moore .....	9 " .....	Not to be printed.	

No. 1 Committee Room,  
Legislative Assembly,  
10th November, 1904.

JOHN MCFARLANE,  
Chairman.



LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 8.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 7, dated 10th November, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Return to an Address .....	" Case of Constable Michael Daly and Mary Ann Everson " .....	Mr. Jessep .....	Mr. Hogue .....	9 November .....	To be printed.	
Return to an Order .....	" Expenditure of Unclassified Road Vote in each Electorate " .....	Mr. J. H. Young .....	Mr. Lee .....	10 " .....	"	
Statement .....	of Public Liabilities and Assets for quarter ended 30th September, 1904 .....	" .....	Mr. Carruthers .....	15 " .....	Not to be printed.	
" .....	of Public Companies' Liabilities and Assets for quarter ended 30th September, 1904 .....	" .....	" .....	15 " .....	"	
Notification .....	of appropriation of land, under the Public Works Act, 1900, for the extension of the railway station yard at Boree .....	" .....	" .....	16 " .....	"	
" .....	of resumption and appropriation of land, under the Public Works Act, 1900, for the improvement of the railway traffic at Leura .....	" .....	" .....	16 " .....	"	
Abstract .....	of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884 .....	Mr. Ashton .....	Mr. Ashton .....	16 " .....	"	
Gazette Notices .....	setting forth the mode in which it is proposed to deal with the dedication of certain Lands under the Crown Lands Acts of 1884 and 1889, and the Public Trusts Act, 1897 .....	" .....	" .....	16 " .....	"	
Abstract .....	of Crown Lands reserved from sale for the preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884 .....	" .....	" .....	16 " .....	"	
" .....	of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884 .....	" .....	" .....	16 " .....	"	
" .....	of alterations of designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884 .....	" .....	" .....	16 " .....	"	
Index Tables .....	showing Tests of Pumps, and a plan of the Locking-bar Steel Pipes, Sydney Water Supply, in connection with the Annual Report of the Public Works Department for the year ended 30th June, 1904 (laid on Table on the 18th October, 1904) .....	" .....	Mr. Lee .....	16 " .....	To be printed .....	To be included in the annual report.

No. 1 Committee Room,  
Legislative Assembly,  
17th November, 1904.

JOHN MCFARLANE,  
Chairman.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice.

2. The second part details the various methods used to collect and analyze data. It includes a section on statistical analysis, which is crucial for understanding trends and patterns in the data.

3. The third part focuses on the implementation of quality control measures. It describes how regular audits and checks can help ensure the accuracy and reliability of the information.

4. The fourth part addresses the challenges faced in data management, such as data loss and corruption. It offers practical solutions and best practices to mitigate these risks.

5. The fifth part discusses the role of technology in modern data management. It highlights the benefits of using advanced software and tools to streamline processes and improve efficiency.

6. The sixth part covers the legal and ethical aspects of data handling. It stresses the need for transparency and compliance with relevant regulations to protect user privacy.

7. The seventh part provides a comprehensive overview of the entire data management process, from data collection to final reporting and analysis.

8. The eighth part concludes with a summary of the key findings and recommendations. It encourages a proactive approach to data management to ensure long-term success.

1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 9.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 8, dated 17th November, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Return to an Order .....	"Election of Directors, Albury Pastures Protection Board" .....	Mr. Ball .....	Mr. Ashton .....	17 November .....	Not to be printed.	
Statement .....	explaining the action taken in connection with Tooloora Bore .....	.....	Mr. Lee .....	17 " .....	To be printed.	
Return to an Order .....	" J. McMahon and Company's Railway Carrying Contracts " .....	Mr. Sullivan .....	Mr. Carruthers .....	22 " .....	Not to be printed.	
Memorandum .....	by the Government Statistician regarding the area of New South .....	.....	Mr. Hogue .....	22 " .....	To be printed.	
Report .....	Wales suitable for wheat-growing, together with Map .....	.....	" .....	22 " .....	" .....	Already in print.
By-laws .....	of the Aborigines' Protection Board for 1903 .....	.....	" .....	22 " .....	Not to be printed.	
Amended Regulations .....	under the Newcastle Paving and Public Vehicles Regulation Act, .....	.....	Mr. Ashton .....	22 " .....	" .....	
Return to an Order .....	Nos. 35, 315, and 335, under the Crown Lands Acts .....	Mr. Jones .....	Mr. Moore .....	23 " .....	" .....	
	" Acting Stock Inspector and Assistant, Mungindi " .....				" .....	

No. 3 Committee Room,  
Legislative Assembly,  
24th November, 1904.

JOHN MCFARLANE,  
Chairman.



## REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 9, dated 24th November, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Report .....	of the completion of the Footbridge carrying Water-mains across Lane Cove River.	.....	Mr. Lee .....	21 November .....	Not to be printed.	
By-laws .....	under the Metropolitan Water and Sewerage Act Extension Act of 1894.	.....	" .....	24 " .....	" .....	
Notification .....	of resumption of land, under the Public Works Act, 1900, for a Public School at Stockrington.	.....	Mr. O'Conor .....	24 " .....	" .....	
Amended .....	Regulations, Nos. 315 and 355, under the Crown Lands Acts .....	.....	Mr. Ashton .....	24 " .....	" .....	
" .....	Regulation No. 6, and Amended Forms Nos. 2 and 5; also New Regulation No. 43, and New Form No. 10, under the Western Lands Act, 1901.	.....	Mr. Moore .....	29 " .....	" .....	
Report .....	of the completion of the Randwick and Kensington Sewerage, 2nd Division (Extension).	.....	Mr. Lee .....	29 " .....	" .....	
Certified .....	copy of Grant to the Municipal Council of Sydney, dated 4th November, 1846, of land at the Haymarket, between Campbell, Pitt, Hay, and George Streets, as a site for a Hay and Corn Market, together with copy of <i>Gazette</i> Notice, dated 10th January, 1865, of dedication of land for Market Purposes.	.....	Mr. Carruthers .....	29 " .....	To be printed.	
Return to an Order .....	Bunnerong Farm, or Refuge for Old Men .....	.....	Mr. Lee .....	30 " .....	Not to be printed.	
Information .....	respecting the proposed Federal Capital Sites, together with Plan showing proposed Sites near Yass, and proposed Irrigation Reservoir at Baren Jack.	Mr. Fallick .....	" .....	30 " .....	To be printed.	
Amended .....	By-law and repeal of existing By-law of the University of Sydney .....	.....	Mr. O'Conor .....	30 " .....	Not to be printed.	
By-laws .....	of the Borough of Auburn .....	.....	Mr. Hogue .....	30 " .....	" .....	
By-law .....	the Public Health (Nightsoil Removal) Act, 1902, and under the Reduction of Members Referendum Act, 1902.	.....	" .....	30 " .....	" .....	
Additional Regulation .....	Form No. 51 under the Crown Lands Acts .....	.....	Mr. Moore .....	30 " .....	" .....	
Amended .....	of leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.	.....	" .....	30 " .....	" .....	
Return .....		.....	" .....	30 " .....	" .....	

No. 3 Committee Room,

Legislative Assembly,

1st December, 1904.

J. GILLIES,

Chairman (*pro tem*).



REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 10, dated 1st December, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Information Notification	respecting Water Supply Schemes for proposed Federal Capital Sites of resumption of land, under the Public Works Act, 1900, for construction of the Old Gnomery Bore.	.....	Mr. Lee	1904 1 December	To be printed.	
Statement	showing proposed Increased Employment of Labour on necessary Public Works at Christmas, 1904.	.....	Mr. Carruthers	1 "	To be printed.	
Return to an Order Amended	Appointment of Mr. F. W. Reynolds to the Boorowa Land Board.	Mr. Nielsen	Mr. Ashton	6 "	Not to be printed.	
Report	Regulations, Nos. 96 and 97, under the Public Service Act, 1902 from the Committee appointed to inspect the Journals of the Legislative Council with relation to any proceedings upon the Government Savings Bank Bill.	.....	Mr. Wade	6 "	To be printed.	
Abstract	of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884.	.....	Mr. Ashton	7 "	Not to be printed.	
"	of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884.	.....	"	7 "	"	
"	of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884.	.....	"	7 "	"	
"	of Crown Lands reserved from Sale for the Preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884.	.....	"	7 "	"	
Gazette Notices	setting forth the mode in which it is proposed to deal with the dedication of certain lands under the Crown Lands Acts of 1884 and 1889 and the Public Trusts Act, 1897.	.....	"	7 "	"	
Return	of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.	.....	"	7 "	"	
Report	of the Board of Health on a Third Outbreak of Plague at Sydney, 1903.	.....	Mr. Carruthers	7 "	To be printed	Already in print.
Information	respecting Allowance for Light to the Police Force	.....	Mr. Hogue	7 "	Not to be printed.	
Return to an Order	Appointment of Acting Chief Clerk, Office of Registrar of Arbitration.	Mr. Kelly	Mr. Wade	7 "	To be printed.	
"	Appointment of the City Coroner	Mr. Cohen	"	7 "	.....	Postponed for further consideration.
Notification	of resumption of land, under the Public Works Act, 1900, for the construction of an Artesian Well in the village of Boomi.	.....	Mr. Lee	7 "	Not to be printed.	

No. 3 Committee Room,  
Legislative Assembly,  
8th December, 1904.

JOHN MCFARLANE,  
Chairman.



## LEGISLATIVE ASSEMBLY.

## NEW SOUTH WALES.

No. 12.

## REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 11, dated 8th December, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Return to an Order By-law	Appointment of the City Coroner of the Municipal District of Manly, under the Nuisances Prevention Act, 1897.	Mr. Cohen	Mr. Wade	1904 7 December	To be printed.	
By-laws	of the Municipal District of Wellington, under the provisions of the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902.		Mr. Hogue	8 "	Not to be printed.	
Copies Report	of Reports and Papers relating to the Randwick Asylum of the Sydney Harbour Trust Commissioners for the year ended 30th June, 1904.		Mr. Carruthers	9 "	To be printed.	Already in print.
Notification	of appropriation of land under the Public Works Act, 1900, for Deviation of the Illawarra Railway Line near Oatley.		"	12 "	"	
Report	of the Registrar of Friendly Societies for the period ended 31st December, 1903, together with Tables.		Mr. Hogue	13 "	Not to be printed.	
Return to an Order By-laws	Petition for Incorporation of West Wallsend of the Borough of Singleton	Mr. Charlton	"	13 "	To be printed.	
"	of the Borough of Balmain	"	"	13 "	"	
By-law	of the Municipal District of Dubbo	"	"	13 "	Not to be printed.	
Reports	of the Borough of Botany, under the Nuisances Prevention Act, 1897.	"	"	13 "	"	
"	in connection with proposed Federal Capital Site near Queanbeyan in connection with Federal Capital Site near Yass, together with Sketch Map showing proposed Sites, and proposed Irrigation Reservoir at Barron Jack.		Mr. Leo	14 "	To be printed.	
Return	of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903.		"	14 "	"	
Return to an Order	Maintenance-men, W. Nelson and P. C. Fanning, Murwillumbah ...		Mr. Hogue	14 "	Not to be printed.	
		Mr. Coleman	Mr. Leo	14 "	"	

No. 3 Committee Room,  
Legislative Assembly,  
15th December, 1904.

JOHN MCFARLANE,  
Chairman.



(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

No. 13.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 21st September, Votes No. 6, Entry 20, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 12, dated 15th December, as follows:—

Description of Paper.	Subject of Paper.	By whom Moved for.	By whom laid upon Table.	When laid upon Table.	Recommended by the Committee.	Remarks.
Notification	of resumption, under the Public Works Act, 1900, of land for Public School Purposes at Gregadoo		Mr. O'Connor	15 December 1904.	Not to be printed.	
Minutes &c.	respecting the granting of Special Sick leave to Mr. P. C. Donaldson.		Mr. Leo	15 "	"	
Notification	Road Superintendent, Department of Public Works.		Mr. Dick	19 "	"	
Schedules	of resumption of land under the Public Works Act, 1900, for Public School Purposes at Bournewood		Mr. Lee	19 "	To be printed	Already in print.
Report	A to L, Estimates 1904-5, Department of Public Works (Roata &c.)		"	19 "	"	Together with plans.
Reports	of the Metropolitan Board of Water Supply and Sewerage for the year ended 30th June, 1904.		Mr. Hogue	19 "	Not to be printed.	
Return to an Order	respecting pollution of Kozelle and adjoining bays	Mr. Cohen	"	19 "	"	
Return to an Order	Charges preferred against Major Lee, D.S.O.	Mr. Nielsen	Mr. Ashton	6 "	To be printed.	Reported on, 8th December; referred back to Committee for reconsideration 19 December.
Minutes	Appointment of Mr. F. W. Reynolds to the Boorowa Land Board		Mr. Carruthers	20 "	Not to be printed.	
List	of Evidence and Appendices to the Report of the Inquiry into the General working of the Electoral Office, and defects in the Electoral Acts		Mr. Wate	20 "	To be printed	Already in print.
Report	Public Service, for the year 1904		Mr. Lee	20 "	Not to be printed.	
Report	of the completion of the extension of Munn-street Stormwater Channel, Union-street Branch.		Mr. Hogue	20 "	To be printed.	
Report	on the Fisheries and Oyster Fisheries of New South Wales for the year 1903 (Part I)		"	20 "	"	
Report	of the National Park Trust for the year ended 30th June, 1904		"	20 "	"	

JOHN MCFARLANE,  
Chairman.

Library, off Assembly Chamber,  
Sydney, 20th December, 1904.



1904.  
(SECOND SESSION.)

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LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

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CLOSURE OF DEBATE.  
COMMITTAL OF BILLS *PRO FORMÂ*.

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# REPORT

FROM THE

STANDING ORDERS COMMITTEE

ON

PROPOSED AMENDED AND ADDITIONAL  
STANDING ORDERS.

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*Printed under No. 7 Report from Printing Committee, 10 November, 1904.*

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SYDNEY: WILLIAM APPLGATE GULLICK, GOVERNMENT PRINTER.

1904.

(SECOND SESSION.)

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EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

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VOTES No. 6. WEDNESDAY, 21 SEPTEMBER, 1904.

17. **STANDING ORDERS COMMITTEE** (*Sessional Order*):—Mr. Carruthers moved, pursuant to Notice, That the Standing Orders Committee for the present Session consist of Mr. Speaker, Mr. Waddell, Mr. McGowen, Mr. Crick, Mr. Ashton, Mr. Cohen, Mr. Holman, Mr. Storey, Mr. Perry (*The Richmond*), and the Mover, with leave to sit during any adjournment, to report in any matter or thing referred to or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council; and that Mr. Speaker be empowered to convene meetings of the Committee.  
Question put and passed.
- 

VOTES No. 13. THURSDAY, 6 OCTOBER, 1904.

9. **STANDING ORDERS**:—Mr. Carruthers moved, pursuant to Notice, That the Standing Orders of this House be referred to the Standing Orders Committee for consideration and report as to any amendments rendered necessary or advisable in view of the reduction in the number of the Members of the House, and for the consideration of a new Standing Order with reference to the Committal of Bills *pro forma*; and that the Committee have power, from time to time, to make progress reports to the House.  
Debate ensued.  
Question put and passed.
- 

VOTES No. 28. WEDNESDAY, 9 NOVEMBER, 1904.

3. **PROPOSED AMENDED AND ADDITIONAL STANDING ORDERS**:—Mr. Waddell, on behalf of the Chairman, brought up from the Standing Orders Committee a Report, with the Standing Orders prepared by that Committee, pursuant to reference of 6th October, 1904.  
Referred by Sessional Order to the Printing Committee.
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1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

**CLOSURE OF DEBATE.  
COMMITTAL OF BILLS *PRO FORMÁ*.**

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**REPORT**

FROM THE

**STANDING ORDERS COMMITTEE**

OF THE

**LEGISLATIVE ASSEMBLY,**

WITH

**PROPOSED STANDING ORDERS.**

---

THE STANDING ORDERS COMMITTEE, to whom was referred on 6th October, 1904, the Standing Orders of this House for consideration and report as to any amendments rendered necessary or advisable in view of the reduction in the number of the Members of the House, and for the consideration of a new Standing Order with reference to the committal of Bills *pro formá*,

have agreed to the following report:—

That in their opinion the only alteration necessary is in No. 175 "Closure—Right of Reply," the number, forty, required to decide the question in the affirmative should be reduced to thirty in order to keep the number at one-third of the Members constituting the House; the amended Standing Order will, therefore, read as follows:—

**Closure—Right of Reply.**

**175.** At any time during the proceedings of the House, or during the proceedings of a Committee of the Whole, any Member may move without notice or debate, "That the Question be now put"; and such motion shall then be put without debate, but shall not be decided in the affirmative unless by a vote of at least thirty Members in favour thereof; and if such motion be carried, the Speaker or the Chairman of Committees, as the case may be, shall forthwith put the Question to the vote: Provided that whenever it is decided that any question shall be put, the mover of the matter pending shall be permitted to speak in reply (where any reply is allowed) for thirty minutes before the Question be put.

**PROPOSED**

**PROPOSED ADDITIONAL STANDING ORDER.**

Your Committee have also to submit a new Standing Order in reference to the committal of Bills *pro formâ*. At the same time it was considered necessary to amend Standing Order No. 256 to read as follows:—

**256.** After the second reading, unless the Bill be committed *pro formâ* as provided in Rule 256A, or unless an instruction be moved as provided in Rule 339, a motion shall be made, "That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the Bill in detail," which Question shall admit of no debate or amendment.

**NEW STANDING ORDER, TO FOLLOW STANDING ORDER No. 256.**

**Bills may be committed *pro formâ*.**

**256A.** After a Bill has been read a second time, a Member in charge, desiring to introduce numerous amendments (in order to improve the measure, and render it more generally acceptable to the House), may move "That Mr. Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the Bill *pro formâ*," which question shall admit of no debate.

The proceedings in Committee shall be formal; the proposed amendments, which shall have been previously printed, shall be put in one question, "That the amendments as printed, proposed by Mr. ———, be inserted in the Bill," no debate being permitted; and, if agreed to, the Chairman shall report the Bill with amendments to the House.

The adoption of the report may be immediately moved (no objection nor debate being allowed), and, having been agreed to, a future day shall be fixed for its recommittal; in the meantime the Bill shall be reprinted in its amended form, and on such recommittal the Bill shall be considered as if committed for the first time.

Should the question for the committal of the Bill *pro formâ*, or for the inclusion of the amendments, be negatived, the Bill shall be proceeded with in Committee in the usual way.

*Mr. Speaker's Room,  
Legislative Assembly,  
Sydney, 8th November, 1904.*

WILLIAM McCOURT,  
Chairman.

1904.

(SECOND SESSION.)

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LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

# REPORT FROM THE COMMITTEE

APPOINTED ON 2ND DECEMBER, 1904,

TO INSPECT THE JOURNALS OF THE LEGISLATIVE  
COUNCIL WITH RELATION TO ANY PROCEEDINGS  
UPON THE

## GOVERNMENT SAVINGS BANK BILL.

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*Printed under No. 11 Report from Printing Committee, 8 December, 1904.*

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SYDNEY: WILLIAM APPEGATE GULLICK, GOVERNMENT PRINTER.

1904.

(SECOND SESSION.)

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EXTRACT FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

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VOTES No. 39. FRIDAY, 2 DECEMBER, 1904.

7. GOVERNMENT SAVINGS BANK BILL:—Mr. Carruthers moved, pursuant to Notice (*given, by consent, previously at this sitting*):—

(1.) That a Committee be appointed to inspect the Journals of the Legislative Council with relation to any proceedings upon the Government Savings Bank Bill, and to make report thereof to the House.

(2.) That such Committee consist of Mr. Ashton, Mr. McGowen, Mr. Waddell, Mr. John Hurley, Mr. Ball, Mr. Nielsen, Mr. Donaldson, and the Mover.  
Question put and passed.

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1904.  
(SECOND SESSION.)

GOVERNMENT SAVINGS BANK BILL.

REPORT.

THE Committee appointed on 2nd December, 1904, by the Legislative Assembly to inspect the Journals of the Legislative Council with relation to any proceedings upon the Government Savings Bank Bill, and to make Report thereof to the House, report:—

That they have inspected the printed Minutes of the Proceedings of the Legislative Council accordingly, and have found the following entry:—

THURSDAY, 1 DECEMBER, 1904.

8. GOVERNMENT SAVINGS BANK BILL:—The adjourned Debate of the Question, on motion of Mr. Hughes, "That this Bill be now read a second time,"—resumed.

Question put.

The House divided.

Ayes, 9.

Mr. Hayes,  
Mr. Buzacott,  
Mr. Want,  
Mr. Hughes,  
Dr. Cullen,  
Mr. Wise,  
Mr. Hawken.

*Tellers,*

Mr. Hephher,  
Mr. Flowers.

Noes, 23.

Sir Normand MacLaurin,	Mr. Kerr,
Colonel Mackay,	Mr. Lee,
Mr. Brown,	Mr. Black,
Mr. Jones,	Mr. Charles,
Mr. Dangar,	Sir John See,
Mr. Meeks,	Mr. Fosbery,
Dr. Norton,	Mr. Trickett,
Mr. Hurley,	Mr. Humphery.
Mr. Earp,	<i>Tellers,</i>
Mr. Macintosh,	Mr. Robson,
Mr. Kater,	Dr. Nash.
Mr. Vickery,	
Mr. Moses,	

J. H. CARRUTHERS,  
Chairman.

*The Premier's Room,  
Sydney, 6th December, 1904.*



1904.

(SECOND SESSION.)

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LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

ELECTION PETITION.—HAYNES *v.* RICHARDS—MUDGE.

---

REPORT FROM THE COMMITTEE  
OF  
ELECTIONS AND QUALIFICATIONS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDICES.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED;

1 *December*, 1904, *a.m.*

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SYDNEY: WILLIAM APPELGATE GULLICK, GOVERNMENT PRINTER.

1904.

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1904.

(SECOND SESSION.)

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

ELECTION PETITION.—HAYNES *v.* RICHARDS—MUDGE. E.

VOTES No. 2. WEDNESDAY, 24 AUGUST, 1904.

12. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Mr. Speaker, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy:—

*“ By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia.*

“ PURSUANT to the power in that behalf vested in me, as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—

“ William Patrick Crick, Esquire,  
“ John Rowland Dacey, Esquire,  
“ Brinsley Hall, Esquire,  
“ William Arthur Holman, Esquire,  
“ Daniel Levy, Esquire,

Donald Macdonell, Esquire,  
Mark Fairles Morton, Esquire,  
Charles William Oakes, Esquire, and  
Broughton Barnabas O’Conor, Esquire,—

“ being Members of the said Assembly, to be Members of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid.

“ Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney,  
“ this twenty-fourth day of August, in the year of our Lord one thousand nine  
“ hundred and four.

“ WILLIAM McCOURT,  
“ Speaker.”

VOTES No. 6. WEDNESDAY, 21 SEPTEMBER, 1904.

3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—

(1.) *Maturity of Warrant reported*:—Mr. Speaker reported that his Warrant, appointing the Committee of Elections and Qualifications for the present Session, laid upon the Table on Wednesday, 24th August, 1904, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business, had now taken effect as an appointment of such Committee, and intimated that it was, therefore, open to Members of the Committee to be sworn at the Table by the Clerk, in accordance with the 117th section of the Parliamentary Electorates and Elections Act, 1902.

(2.) *Members sworn*:—William Patrick Crick, Esquire, John Rowland Dacey, Esquire, William Arthur Holman, Esquire, Daniel Levy, Esquire, Donald Macdonell, Esquire, Mark Fairles Morton, Esquire, and Charles William Oakes, Esquire, came to the Table, and were sworn by the Clerk as Members of the Committee.

5. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Mr. Speaker, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing the Honorable James Henry Young to be a Member of the Committee of Elections and Qualifications for the present Session, of which the following is a copy:—

*“ By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia.*

“ PURSUANT to the power in that behalf vested in me, as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—

“ The Honorable James Henry Young,

“ being a Member of the said Assembly, to be a Member of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid, in the room of Broughton Barnabas O’Conor, Esquire, whose seat in the said Assembly became vacant on the twenty-ninth day of August last, by reason of his acceptance of the office of Minister of Public Instruction.

“ Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney,  
“ this twenty-first day of September, in the year of our Lord one thousand nine hundred  
“ and four.

“ WILLIAM McCOURT,  
“ Speaker.”

VOTES No. 8.

## VOTES No. 8. TUESDAY, 27TH SEPTEMBER, 1904.

9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Brinsley Hall, Esquire, came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

## VOTES No. 9. WEDNESDAY, 28TH SEPTEMBER, 1904.

4. ELECTIONS AND QUALIFICATIONS COMMITTEE :—Mr. Speaker reported that he had received a letter from William Patrick Crick, Esquire, which he read to the House, resigning his seat as a Member of the Committee of Elections and Qualifications.

## VOTES No. 10. THURSDAY, 29TH SEPTEMBER, 1904.

## COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—

- (1.) *Maturity of Warrant reported* :—Mr. Speaker reported that his Warrant, laid upon the Table on Wednesday, 21st instant, appointing the Honorable James Henry Young to be a Member of the Committee of Elections and Qualifications for the present Session, not having been disapproved by the Assembly in the course of the next three sitting days on which the Assembly met for the despatch of business, had now taken effect ; and intimated that it was therefore open to Mr. Young to be sworn at the Table by the Clerk, in accordance with the 117th section of the Parliamentary Electorates and Elections Act, 1902.
- (2.) *Member sworn* :—Mr. Young came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.
9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Mr. Speaker, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing Thomas Waddell, Esquire, to be a Member of the Committee of Elections and Qualifications for the present Session, of which the following is a copy :—

*“By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia.*

“PURSUANT to the power in that behalf vested in me as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—

“Thomas Waddell, Esquire,

“being a Member of the said Assembly, to be a Member of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid, in the room of William Patrick Crick, Esquire, resigned.

“Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney,  
“this twenty-ninth day of September, in the year of our Lord one thousand nine  
“hundred and four.

“WILLIAM McCOURT,  
“Speaker.”

## VOTES No. 14. TUESDAY, 11TH OCTOBER, 1904.

## 2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—

- (1.) *Maturity of Warrant reported* :—Mr. Speaker reported that his Warrant, laid upon the Table on Thursday, 29th September, 1904, appointing Thomas Waddell, Esquire, to be a Member of the Committee of Elections and Qualifications for the present Session, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business, had now taken effect ; and intimated that it was therefore open to Mr. Waddell to be sworn at the Table by the Clerk, in accordance with the 117th section of the Parliamentary Electorates and Elections Act, 1902.
- (2.) *Member sworn* :—Mr. Waddell came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.
14. COMMITTEE OF ELECTIONS AND QUALIFICATIONS (*Appointment of First Meeting of Committee*) :—Pursuant to the requirement of the 121st section of the Parliamentary Electorates and Elections Act, 1902, Mr. Speaker appointed the first meeting of the Committee of Elections and Qualifications to take place at Eleven o'clock, a.m., on Tuesday next, in No. 3 Committee Room.

VOTES No. 14. TUESDAY, 11 OCTOBER, 1904.

5. ELECTION PETITION (*Mudgee*):—Mr. Hogue, *by command*, laid upon the Table an Election Petition, which had been addressed to His Excellency the Governor from John Haynes, of Meadowbank, in the State of New South Wales, journalist, alleging that a General Election was held on the 6th August, 1904, for the return of Members to serve in the Legislative Assembly of the State, and Edwin Richards, of Newtown, and your Petitioner, John Haynes, of Meadowbank, were each nominated as candidates for election as Member for the Electoral District of Mudgee; that Petitioner is now and was before and at the time of such nomination and election a person duly qualified by law to be a candidate at such election, and to be elected a Member of the Assembly; that on the 8th August, 1904, the Returning Officer for the Electoral District of Mudgee declared the number of votes respectively polled for each of the candidates abovenamed to be as follows:—For Edwin Richards, two thousand seven hundred and thirty-one; for John Haynes, two thousand seven hundred and seventeen, and that there were thirty-three informal votes, and further declared Edwin Richards to have been duly elected a Member of the Assembly for the district, and afterwards endorsed on the writ the name of Edwin Richards as the person so elected, and duly returned the said writ; that Edwin Richards was not at the time of the nomination and election a person duly qualified by law to be a candidate at such election and to be elected a Member of the Assembly, he not being legally the holder of an Elector's Right; that the nomination of Edwin Richards as a candidate for election as a Member of the Legislative Assembly for the Electoral District of Mudgee was not in accordance with the requirements of the Parliamentary Electorates and Elections Act, and he should not have been deemed to be a candidate for election pursuant to that Act; that more than fourteen persons who were not then legally qualified to vote in and for the said district voted at the election, and double voting was exercised to the extent of more than fourteen votes; that at the election the votes polled in and for the district were incorrectly counted, and that some votes were counted for Edwin Richards which should have been rejected as informal, and other votes were rejected as informal which should have been counted for Petitioner;—that only one polling-place was appointed and gazetted for the town of Mudgee; that the Returning Officer, contrary to the provisions of the Act, took the poll at the election at three different polling-places in different localities in the town of Mudgee, one of such polling-places being at the Town Hall, Mudgee, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet A to F; another of such polling-places was at the Court-house, Mudgee, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet G to N; and the third polling-place was at the Public School, Mudgee, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet O to Z; that in consequence of these arrangements, which Petitioner contends were irregular, and in consequence of inadequate arrangements for polling, more than fourteen duly qualified electors were prevented from voting; that only one polling-place was appointed and gazetted for the town of Gulgong; that the Returning Officer, contrary to the provisions of the Act, took the poll at the election at two different polling-places in different localities in the town of Gulgong, one of which being at the Court-house, Gulgong, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet A to M; the other was at the Public School, Gulgong, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet N to Z; that the Returning Officer did not preside and take the poll at some one booth of such polling-place within the Electoral District of Mudgee in accordance with the Act; that the Deputy Returning Officer at Cullenbone Polling-place permitted to enter and remain for a long time in that polling-room during the taking of the poll several persons not being voters at the time actually engaged in voting, contrary to the Act, and voters were permitted to remain in the polling-booth after recording their votes, and some of such voters indulged in drinking and card-playing in the booth during the taking of the poll; that the Deputy Returning Officer at Cullenbone Polling-place did not immediately before taking the poll exhibit the ballot-box open and empty for the inspection of the Poll Clerk, but proceeded to take the poll in the presence of the Scrutineer acting for Edwin Richards, the only Scrutineer present, and in the absence of the Poll Clerk, the Deputy Returning Officer and the Scrutineer recorded their votes contrary to the Act; that Edwin Richards was guilty of bribery at the election; that Edwin Richards was guilty of treating at the election; that Petitioner has deposited in the City Bank of Sydney, to the credit of the Speaker of the Legislative Assembly of New South Wales in relation to this Petition, the sum of fifty pounds sterling, and that annexed to this Petition is a Bank deposit receipt showing that that sum has been so deposited; and Petitioner therefore humbly prays,—that this Petition may be dealt with according to law; that an inquiry may be made as to the various allegations contained in this Petition; that a search and scrutiny of all ballot-papers, formal and informal, used and unused, in connection with the said election may be made by the Committee of Elections and Qualifications of the said Assembly; that a re-count of the said ballot-papers and of the votes recorded thereby may be made by the said Committee; that it may be declared that Edwin Richards was guilty of bribery at the said election, that it may be declared that Edwin Richards was guilty of treating at the said election; that it may be declared that Edwin Richards was not duly elected to serve in the Assembly; that it may be declared and determined that Petitioner was duly elected to serve and to be a Member of the Assembly for the Electoral District of Mudgee, and is entitled to take his seat accordingly in the Assembly, or that it may be declared that the election was wholly void; and that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the Parliamentary Electorates and Elections Act, 1902.
- Ordered, on motion of Mr. Hogue, that the Petition be referred to the Committee of Elections and Qualifications.

VOTES NO. 37. THURSDAY, 1 DECEMBER, 1904.

8. COMMITTEE OF ELECTIONS AND QUALIFICATIONS (*Mudgee Election Petition—Haynes v. Richards*):—

(1.) Mr. Holman, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Committee of Elections and Qualifications, to whom was referred, on 11th October, 1904, the Petition of John Haynes, Esquire, against the return of Edwin Richards, Esquire, as Member for the Electoral District of Mudgee.

And the Report having been read at length by the Clerk, by direction of Mr. Speaker, as follows:—

“The Committee of Elections and Qualifications, duly appointed on 24th August, 1904, to whom was referred, on 11th October, 1904, a Petition from John Haynes, Esquire, against the return of Edwin Richards, Esquire, as Member for the Electoral District of Mudgee, have determined and do hereby declare:—

“(1.) That no evidence has been given to justify the charges of treating and bribery made in this Petition.

“(2.) That Edwin Richards, Esquire, the sitting Member, was duly elected for the Electoral District of Mudgee.

“(3.) That a serious irregularity was committed at the Mudgee Public School-house Booth, by the Presiding Officer at that Booth allowing a considerable number of ballot-papers to be signed or initialed by a person not authorised by the Act to sign or initial such ballot-papers.

“That the attention of the Colonial Secretary be drawn to the foregoing resolution.

“(4.) That the Committee make no award as to costs.

“(5.) That the Petition of John Haynes, Esquire, is not frivolous nor vexatious.

“(6.) That the expenses of the Witnesses summoned by the Committee be paid by the Government.

“No. 3 Committee Room, Legislative Assembly,  
“Sydney, 30th November, 1904.

“W. A. HOLMAN,  
“Chairman.”

Mr. Holman moved, That the Report and Minutes of Proceedings and Evidence be printed.  
Question put and passed.

(2.) *Adjournment of the Committee*:—Mr. Holman then moved, That the Committee of Elections and Qualifications have leave to adjourn *sine die*, the matters referred to them having been disposed of.  
Question put and passed.

1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

ELECTION PETITION—HAYNES *v.* RICHARDS—MUDGEES.

REPORT FROM THE COMMITTEE  
OF  
ELECTIONS AND QUALIFICATIONS.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS, duly appointed on 24th August, 1904, to whom was referred, on the 11th October, 1904, a Petition from John Haynes, Esquire, against the return of Edwin Richards, Esquire, as Member for the Electoral District of Mudgee, have determined and do hereby declare:—

1. That no evidence has been given to justify the charges of treating and bribery made in this Petition.
2. That Edwin Richards, Esquire, the Sitting Member, was duly elected for the Electoral District of Mudgee.
3. That a serious irregularity was committed at the Mudgee Public School-house Booth by the Presiding Officer at that Booth allowing a considerable number of Ballot-papers to be signed or initialed by a person not authorised by the Act to sign or initial such Ballot-papers. That the attention of the Colonial Secretary be drawn to the foregoing resolution.
4. That the Committee make no award as to costs.
5. That the Petition of John Haynes, Esquire, is not frivolous nor vexatious.
6. That the expenses of the Witnesses summoned by the Committee be paid by the Government.

W. A. HOLMAN,  
Chairman.

No. 3 Committee Room,  
Legislative Assembly,  
Sydney, 30th November, 1904.

1904.

(SECOND SESSION.)

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**MINUTES OF THE PROCEEDINGS OF THE COMMITTEE OF ELECTIONS  
AND QUALIFICATIONS.**

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*In the matter of the Petition which had been addressed to His Excellency the Governor from John Haynes, of Meadowbank, in the State of New South Wales, journalist, alleging that a General Election was held on the 6th August, 1904, for the return of Members to serve in the Legislative Assembly of the State, and Edwin Richards, of Newtown, and your Petitioner, John Haynes, of Meadowbank, were each nominated as candidates for election as Member for the Electoral District of Mudgee; that Petitioner is now and was before and at the time of such nomination and election a person duly qualified by law to be a candidate at such election, and to be elected a Member of the Assembly; that on the 8th August, 1904, the Returning Officer for the Electoral District of Mudgee declared the number of votes respectively polled for each of the candidates abovenamed to be as follows:—For Edwin Richards, two thousand seven hundred and thirty-one; for John Haynes, two thousand seven hundred and seventeen, and that there were thirty-three informal votes, and further declared Edwin Richards to have been duly elected a Member of the Assembly for the district, and afterwards endorsed on the writ the name of Edwin Richards as the person so elected, and duly returned the said writ; that Edwin Richards was not at the time of the nomination and election a person duly qualified by law to be a candidate at such election and to be elected a Member of the Assembly, he not being legally the holder of an Elector's Right; that the nomination of Edwin Richards as a candidate for election as a Member of the Legislative Assembly for the Electoral District of Mudgee was not in accordance with the requirements of the Parliamentary Electorates and Elections Act, and he should not have been deemed to be a candidate for election pursuant to that Act; that more than fourteen persons who were not then legally qualified to vote in and for the said district voted at the election, and double voting was exercised to the extent of more than fourteen votes; that at the election the votes polled in and for the district were incorrectly counted, and that some votes were counted for Edwin Richards which should have been rejected as informal, and other votes were rejected as informal which should have been counted for Petitioner;—that only one polling-place was appointed and gazetted for the town of Mudgee; that the Returning Officer, contrary to the provisions of the Act, took the poll at the election at three different polling-places in different localities in the town of Mudgee, one of such polling-places being at the Town Hall, Mudgee, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet A to F; another of such polling-places was at the Court-house, Mudgee, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet G to N; and the third polling-place was at the Public School, Mudgee, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet O to Z; that in consequence of these arrangements, which Petitioner contends were irregular, and in consequence of inadequate arrangements for polling, more than fourteen duly qualified electors were prevented from voting; that only one polling-place was appointed and gazetted for the town of Gulgong; that the Returning Officer, contrary to the provisions of the Act, took the poll at the election at two different polling-places in different localities in the town of Gulgong, one of which being at the Court-house, Gulgong, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet A to M; the other was at the Public School, Gulgong, and only those electors of the Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet N to Z; that the Returning Officer did not preside and take the poll at some one booth of such polling-place within the Electoral District of Mudgee in accordance with the Act; that the Deputy Returning Officer at Cullenbone Polling-place permitted to enter and remain for a long time in that polling-room during the taking of the poll several persons not being voters at the time actually engaged in voting, contrary to the Act, and voters were permitted to remain in the polling-booth after recording their votes, and some of such voters indulged in drinking and card-playing in the booth during the taking of the poll; that the Deputy Returning Officer at Cullenbone Polling-place did not immediately before taking the poll exhibit the ballot-box open and empty for the inspection of the Poll Clerk, but proceeded to take the poll in the presence of the Scrutineer acting for Edwin Richards, the only Scrutineer present, and in the absence of the Poll Clerk, the Deputy Returning Officer and the Scrutineer recorded their votes contrary to the Act; that Edwin Richards was guilty of bribery at the election; that Edwin Richards was guilty of treating at the election; that Petitioner has deposited in the City Bank of Sydney, to the credit of the Speaker of the Legislative Assembly of New South Wales in relation to this Petition, the sum of fifty pounds sterling, and that annexed to this Petition is a Bank deposit receipt showing that that sum has been so deposited; and Petitioner therefore humbly prays,—that this Petition may be dealt with according to law; that an inquiry may be made as to the various allegations contained in this Petition; that a search and scrutiny of all ballot-papers, formal and informal, used and unused, in connection with the said election may be made by the Committee of Elections and Qualifications of the said Assembly; that a recount of the said ballot-papers and of the votes recorded*

recorded thereby may be made by the said Committee; that it may be declared that Edwin Richards was guilty of bribery at the said election; that it may be declared that Edwin Richards was guilty of treating at the said election; that it may be declared that Edwin Richards was not duly elected to serve in the Assembly; that it may be declared and determined that Petitioner was duly elected to serve and to be a Member of the Assembly for the Electoral District of Mudgee, and is entitled to take his seat accordingly in the Assembly, or that it may be declared that the election was wholly void; and that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the Parliamentary Electorates and Elections Act, 1902.

TUESDAY, 18 OCTOBER, 1904.

MEMBERS PRESENT:—

Mr. Dacey,  
Mr. Brinsley Hall,  
Mr. Holman,

Mr. Oakes.

Mr. Levy,  
Mr. Macdonell,  
Mr. Morton,

In attendance:—

W. S. Christie, Acting Second Clerk Assistant.

1. On motion of Mr. Dacey, Mr. Holman was elected to the Chair.
2. The Clerk, by direction of the Chairman, read the Extracts from the Votes and Proceedings referring to the appointment of the Committee. [See Extract, page 3.]
3. The Clerk, by direction of the Chairman, read the Extract from the Votes and Proceedings, by which the Petition of John Haynes was referred to this Committee. [See Extract, page 3.]
4. Whereon the Clerk, by direction of the Chairman, read the Petition of John Haynes (together with the accompanying Bank Deposit Receipt), so referred to this Committee, as follows:—

To His Excellency Sir HARRY HOLDSWORTH RAWSON Admiral of the Royal Navy Knight Commander of the Bath and Governor of the State of New South Wales.

The Humble Petition of John Haynes of Meadowbank in the State of New South Wales journalist

SHEWETH:—

1. That a General Election was held on the sixth day of August one thousand nine hundred and four under the Parliamentary Electorates and Elections Act of one thousand nine hundred and two for the return of Members to serve in the Legislative Assembly of the said State and Edwin Richards of Newtown in the said State and your Petitioner John Haynes of Meadowbank in the said State were each nominated as candidates for election as Members of the said Assembly for the Electoral District of Mudgee.

2. That your Petitioner is now and was before and at the time of such nomination and election a person duly qualified by law to be a candidate at such election and to be elected a Member of the said Assembly.

3. That on the eighth day of August one thousand nine hundred and four the Returning Officer for the said Electoral District of Mudgee declared the number of votes respectively polled for each of the candidates above named to be as follows:—

For the said Edwin Richards .....	2,731
For the said John Haynes.....	2,717

And the said Returning Officer then declared that there were thirty-three informal votes and further declared the said Edwin Richards to have been duly elected a Member of the said Assembly for the said district and afterwards endorsed on the writ for the said election the name of the said Edwin Richards as the person so elected and duly returned the said writ.

4. That the said Edwin Richards was not at the time of such nomination and election a person duly qualified by law to be a candidate at such election and to be elected a Member of the said Assembly he not being legally the holder of an Elector's Right under the Parliamentary Electorates and Elections Act one thousand nine hundred and two.

5. That the nomination of the said Edwin Richards as a candidate for election as a Member of the Legislative Assembly for the abovenamed Electoral District of Mudgee was not in accordance with the requirements of the said Parliamentary Electorates and Elections Act one thousand nine hundred and two and the said Edwin Richards should not have been deemed to be a candidate for election pursuant to the said Act.

6. That more than fourteen persons who were not then legally qualified to vote in and for the said district voted at the said election and double voting was exercised to the extent of more than fourteen votes.

7. That at the said election the votes polled in and for the said district were incorrectly counted and that some votes were counted for the said Edwin Richards which should have been rejected as informal and other votes were rejected as informal which should have been counted for your Petitioner.

8. That for the said Electoral District of Mudgee at the said election only one polling-place was appointed and gazetted for the town of Mudgee. The said Returning Officer contrary to the provisions of the Parliamentary Electorates and Elections Act one thousand nine hundred and two took the poll at the said election at three different polling-places in different localities in the said town of Mudgee one of such polling-places being at the Town Hall Mudgee and only those electors of the said Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet A to F; another of such polling-places was at the Court-house Mudgee and only those electors of the said Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet G to N; and the third polling-place was at the Public School Mudgee and only those electors of the said Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet O to Z.

9. That in consequence of these arrangements which your Petitioner contends were irregular and in consequence of inadequate arrangements for polling more than fourteen duly qualified electors were prevented from voting.

10. That for the said Electoral District of Mudgee at the said election only one polling-place was appointed and gazetted for the town of Gulgong. The said Returning Officer contrary to the provisions of the Parliamentary Electorates and Elections Act one thousand nine hundred and two took the poll at the said election at two different polling-places in different localities in the said town of Gulgong one of which places for polling being at the Court-house Gulgong and only those electors of the said Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet A to M. The other polling-place was at the Public School Gulgong and only those electors of the said Electoral District were allowed to vote at this polling-place whose initial surname came within the letters of the alphabet N to Z.

11. That the said Returning Officer did not preside and take the poll at some one booth of such polling-place within the Electoral District of Mudgee in accordance with the Parliamentary Electorates and Elections Act one thousand nine hundred and two.

12. That one W. R. Train who was the Deputy Returning Officer at one of the polling-places in and for the said district named at Cullenbone permitted to enter and remain for a long time in the polling-room at Cullenbone during the taking of the poll several persons not being voters at the time actually engaged in voting contrary to the Parliamentary Electorates and Elections Act one thousand nine hundred and two and the said W. R. Train permitted voters to remain in the said polling-booth after recording their votes and some of such voters indulged in drinking and card-playing in the said booth during the taking of the poll.

13. That one W. R. Train who was the Deputy Returning Officer at one of the polling-places in and for the said district namely at Cullenbone did not immediately before proceeding to take the poll at Cullenbone exhibit the ballot-box open and empty for the inspection of the Poll Clerk W. D. Owen duly appointed to take the poll at Cullenbone for the purpose of preventing the stuffing of the ballot-box but proceeded to take the poll in the presence of the Scrutineer who was acting for the said Edwin Richards the only Scrutineer present and in the absence of the said Poll Clerk the said Deputy Returning Officer and the said Scrutineer recorded their votes contrary to the Parliamentary Electorates and Elections Act one thousand nine hundred and two.

14. That the said Edwin Richards was guilty of bribery at the said election.

15. That the said Edwin Richards was guilty of treating at the said election.

16. That your Petitioner has in accordance with the Act aforesaid deposited in the City Bank of Sydney to the credit of The Speaker of the Legislative Assembly of New South Wales in relation to this Petition the sum of fifty pounds sterling and that annexed to this Petition is a Bank deposit receipt showing that the said sum has been so deposited.

Your Petitioner therefore humbly prays—

That this Petition may be dealt with according to law.

That an inquiry may be made as to the various allegations contained in this Petition.

That a search and scrutiny of all ballot-papers formal and informal used and unused in connection with the said election may be made by the Committee of Elections and Qualifications of the said Assembly.

That a re-count of the said ballot-papers and of the votes recorded thereby may be made by the said Committee

That it may be declared that the said Edwin Richards was guilty of bribery at the said election.

That it may be declared that the said Edwin Richards was guilty of treating at the said election.

That it may be declared that the said Edwin Richards was not duly elected to serve in the said Assembly.

That it may be declared and determined that your Petitioner was duly elected at the said election to serve and to be a Member of the said Assembly for the said Electoral District of Mudgee and is entitled to take his seat accordingly in the said Assembly or that it may be declared that the said election was wholly void.

And that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the Parliamentary Electorates and Elections Act one thousand nine hundred and two.

And your Petitioner will ever pray &c.

Dated at Sydney aforesaid, this sixth day of October in the year one thousand nine hundred and four.

JOHN HAYNES,  
Petitioner.

NOT TRANSFERABLE.

No. 5519.

THE CITY BANK OF SYDNEY.  
HEAD OFFICE, 166, PITT ST., SYDNEY.  
£50.

6th October, 1904.

RECEIVED from William McCourt, Esq., Speaker, Legislative Assembly, the sum of Fifty pounds Stg., as a Fixed Deposit for—Months to bear Interest for that period at the rate of Two per Cent. per Annum, and repayable

190—.

Entd., W. J. L.

H. H. SCARB,  
Accountant.

FOR THE CITY BANK OF SYDNEY,  
FRED. STRACHAN,  
P. Manager.

5. The Clerk submitted a letter from the Honorable the Speaker, enclosing a letter which had been received from Edwin Richards, the sitting member for Mudgee, giving notice of his intention to defend his seat,—which he read as follows:—

1904/129.

“The Speaker’s Room, Legislative Assembly, Sydney, 17 October, 1904.

“To the Committee of Elections and Qualifications,—

“Gentlemen,

“I have the honor to transmit to you herewith a copy of a letter which has been received by me from Edwin Richards, Esquire, the sitting Member for Mudgee, giving notice of his intention to defend his return, against which a Petition is now under your consideration.

“I have, &c.,

“WILLIAM McCOURT,  
“Speaker.”

[Enclosure.]

Sir,

Sydney, 15 October, 1904.

In accordance with the 129th section of the Parliamentary Electorates and Elections Act of 1902, I have the honor to inform you that it is my intention to defend my seat as Member for the Electoral District of Mudgee before the Committee of Elections and Qualifications, to whom was referred a Petition from John Haynes touching the validity of my election and return as Member for the said Electoral District.

The Honorable the Speaker, Legislative Assembly.

I have, &c.,  
EDWIN RICHARDS.

6. Parties called in.

Present:—John Haynes, Esquire (*the Petitioner*).

W. E. Hawkins, Esquire (*Solicitor for Petitioner*).

Edwin Richards, Esquire (*the Sitting Member*).

(7. *Mr. Thomas Rose, Solicitor for Mr. W. C. a'Beckett, intimated to the Committee that his client would not be ready to proceed for a fortnight, and asked for a postponement of the case, which application was granted.*)

The Committee decided to proceed with the Petition of Mr. John Haynes.

8. Ordered that the Chairman be authorised to issue summonses as desired by the Parties.

9. The Committee decided that Mr. Richards' application, in accordance with a statement of the practice of the House of Commons, contained in May, on page 82, that Mr. Richards be informed that it would be contrary to such practice for Mr. Levison to act in his case.

10. The Committee adjourned till Thursday next, at 11-30 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

THURSDAY,

THURSDAY, 20 OCTOBER, 1904.

MEMBERS PRESENT :—

The Hon. J. H. Young, in the Chair.

Mr. Brinsley Hall,		Mr. Dacey,
Mr. Morton,		Mr. Oakes,
Mr. Macdonell,		Mr. Waddell,
Mr. Holman,		Mr. Levy.

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

- The Clerk read a letter from the Chairman, stating his inability to be present at the meeting of the Committee, and asked that a Deputy Chairman be appointed. In the absence of the Chairman, the Hon. J. H. Young called to the Chair.
- The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
- Parties called in.  
*Present* :—John Haynes, Esquire (*the Petitioner*).  
W. E. Hawkins, Esquire (*Solicitor for the Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire (*Counsel for Sitting Member*).
- Richard Aldous Arnold (*Clerk of the Legislative Assembly*) called in, sworn, and examined.  
Witness produced the Writ of Election, certifying to the return of Edwin Richards, as Member for Mudgee.  
Witness also produced a parcel containing the ballot-papers, &c., used at the election, which he had received from the Returning Officer for Mudgee.  
Witness withdrew.
- The Chairman entered the room, and took the Chair.
- Mr. James (*Counsel for the Sitting Member*) applied that the Petitioner be required to give the names of the fourteen persons alleged in paragraph 6 of the Petition not to be qualified to vote, and who did vote at the election.
- Room cleared, and the Committee deliberated.  
It was decided that the Committee would not at this stage compel the disclosure of the names; but that the Committee felt that as far as possible arrangements should be made between counsel for the mutual disclosure of everything which would facilitate the case on either side.
- Parties called in and informed.
- William James Kessell (*Clerk in the office of the Attorney-General*) called in, sworn, and examined.  
Witness handed in an original document signed by Mr. Richards and Mr. McDougall, containing questions and answers in respect of an application for an elector's right.  
Butt of an original elector's right, dated 14th February, 1901, issued to Mr. Richards.  
A declaration of Mr. Richards, made by him when receiving a substituted right, on the 27th June, 1904; a cancelled substituted right, No. 260,801 (*Appendix A*), and produced a letter from the Electoral Registrar at Newtown to the Electoral Registrar at Mudgee, dated 30th June, 1904.  
Committee deliberated.  
Adjourned till Tuesday next, at 11 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

TUESDAY, 25 OCTOBER, 1904.

MEMBERS PRESENT :—

Mr. Holman in the Chair.

Mr. Dacey,		Mr. Morton,
Mr. Brinsley Hall,		Mr. Macdonell,
Mr. Levy,		Mr. Oakes,
	The Hon. J. H. Young.	

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

- The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed. Committee deliberated.
- Parties called in.  
*Present* :—John Haynes, Esquire (*the Petitioner*).  
C. G. W. Davidson, Esquire (*Counsel for Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire, and D. R. Hall, Esquire (*Counsel for Sitting Member*).
- William James Kessell, recalled, and further examined.  
Witness handed in the butt of a transferred elector's right issued to Mr. Edwin Richards, dated 30th June, 1904, No. 260,801. (*Appendix B*).  
Witness withdrew.
- John Haynes (*the Petitioner*) sworn, and examined.  
Witness handed in a *Gazette* notice showing the polling-places for the Electoral District of Mudgee (*Appendix C*); also, a sketch showing the position of the polling-booths at Mudgee (*Appendix D*).  
Witness withdrew.
- Percival Stuart Garling, called in, sworn, and examined.  
Witness produced a roll used at the General Election, for the Electorate District of Mudgee, held on the 6th August, 1904.  
Witness withdrew.

6. Mr. Davidson (*Counsel for the Petitioner*) applied for an adjournment for a week for the purpose of taking the evidence by Commission of some of the country witnesses.  
Mr. D. R. Hall (*Counsel for the Sitting Member*) opposed the application.
7. Room cleared. Committee deliberated.
8. Parties called in and informed.  
*Re* application to take evidence on Commission, the Committee postpone decision; but will consider matter at later stage, should it be necessary to complete petitioner's case.  
*Re* first ground mentioned in paragraph 6, that more than fourteen persons not qualified to vote, voted, the Committee at present are not disposed to attach any weight to the question of voters being wrongfully retained on the roll; but this remark does not apply to those who voted on red rights. Committee will welcome any evidence of double voting.  
Committee adjourned till Thursday next, at 11 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

THURSDAY, 27 OCTOBER, 1904.

MEMBERS PRESENT :—

Mr. Holman in the Chair.

Mr. Dacey,		Mr. Levy,
Mr. Oakes,		Mr. Macdonell,
Mr. Morton,		Mr. Waddell,
	The Hon. J. H. Young.	

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

- The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
- Parties called in.  
*Present* :—John Haynes, Esquire (*the Petitioner*).  
A. B. Piddington, Esquire.  
C. G. W. Davidson, Esquire (*Counsel for Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire.  
D. R. Hall, Esquire (*Counsel for the Sitting Member*).
- John Haynes (*the Petitioner*) recalled and further examined.  
Witness withdrew.
- James Harvey (*Senior-sergeant of Police, Mudgee*) called in, sworn, and examined.  
Witness withdrew.
- Mr. Piddington produced the Mudgee voters' rolls, entries 1314 and 1315, showing that the voter numbered 1314, namely, Margaret English, had voted at the Mudgee Town Hall and at Pipe Clay Creek, and handed in a letter written by Mr. Edwin Richards, and published in the *Daily Telegraph* of 12th August, 1904. [*Appendix E.*]
- William David Owen (*Poll Clerk, Cullenbone*) called in, sworn, and examined.  
Witness withdrew.
- William McIntyre (*Chief Electoral Officer*) called in, sworn, and examined.  
It was arranged by Counsel, for the Petitioner, that Mr. McIntyre produce certain papers before the Committee at the next meeting.  
Witness withdrew.
- Committee adjourned till to-morrow, at half-past 10 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

FRIDAY, 28 OCTOBER, 1904.

MEMBERS PRESENT :—

Mr. Holman in the Chair.

Mr. Dacey,		Mr. Macdonell,
Mr. Brinsley Hall,		Mr. Oakes,
Mr. Levy,		Mr. Waddell,
	Mr. Morton.	

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

- The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
- Parties called in.  
*Present* :—John Haynes, Esquire (*the Petitioner*).  
A. B. Piddington, Esquire, and C. G. W. Davidson, Esquire (*Counsel for Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire, and D. R. Hall, Esquire (*Counsel for Sitting Member*).
- George John Clarence Pauling (*Butcher*), Mudgee, called in, sworn, and examined.  
Witness withdrew.
- Ordered on motion of Mr. Dacey,—“That a plan be obtained from the Department of Education, showing the construction of the Public School building at Mudgee, used as polling-booth on 6th August, 1904.”

5. William McIntyre (*Chief Electoral Officer*) recalled, and further examined. Witness handed in a letter from the Returning Officer at Mudgee, in which he stated that the voting at the General Election held on 6th August, 1904, proceeded smoothly and uninterruptedly in each booth all through the day (*Appendix F*); also, a butt of an elector's right issued to Bridget Guest for the Electoral District of Mudgee (*Appendix G*), and produced a document showing the used and unused ballot-papers at the General Election held at Mudgee on 6th August 1904.

Witness withdrew.

6. John Albert Pitt (*Labourer*) Mudgee, called in, sworn, and examined.

Witness withdrew.

7. William James Carmichael (*Builder*) called in, sworn, and examined.

Witness withdrew.

8. Mr. Piddington applied for an amendment of the Petition on the grounds that more than the number of people, stipulated in the Act, were allowed in the polling-booth at one time; also, that no ballot-box was provided at Stony Creek polling-place.

The application was reserved for further consideration. Mr. Piddington raised the question with regard to qualifications of electors.

The Committee decided not to admit evidence, which practically meant revising the Rolls.

Mr. Piddington tendered a list of open voters at the Mudgee Public School. Mr. James objected, and asked that the objection be noted.

John Tarrant called in, sworn, and examined.

Witness withdrew.

Committee adjourned till Tuesday next, at 10:30 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

TUESDAY, 1 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Holman in the Chair.

Mr. Dacey,  
Mr. Brinsley Hall,  
Mr. Levy,

Mr. Oakes,  
Mr. Waddell,  
The Hon. J. H. Young.

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

1. The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
2. Committee deliberated.
3. Parties called in.
 

*Present*:—John Haynes, Esquire (*the Petitioner*),  
A. B. Piddington, Esquire, and C. G. W. Davidson, Esquire (*Counsel for Petitioner*),  
Edwin Richards, Esquire (*the Sitting Member*),  
A. James, Esquire, and D. R. Hall, Esquire (*Counsel for the Sitting Member*).
- (4. *Mr. Ellis, of the firm of Ellis and Button, applied for a further postponement in case W. C. a'Beckett v. Hugh Macdonald.*)
- (5. *The Committee granted an adjournment for one week.*)
6. The Committee considered the question of allowing an alteration of the grounds of the Petition, or admitting evidence not covered by the grounds of the Petition, and decided not to allow it. The feeling of the Committee was, that the purpose of the Act was to fix a statutory limit of eight weeks during which time the grounds relied upon for unseating a Member must be made known; the Committee, therefore, were bound to confine the parties to the grounds of which notice had been given. With regard to Allegation No. 9, contained in the Petition, the Committee were of opinion that no evidence tendered so far was not covered by the second part of that paragraph.
7. Thomas Patterson (*Labourer, Mudgee*) called in, sworn, and examined.  
Witness withdrew.
8. George Frederick Oram (*Farmer, Mudgee*), called in, sworn, and examined.  
Witness withdrew.
9. Urias Scoble (*Miner, Mudgee*) called in, sworn, and examined.  
Witness handed in a programme of a race meeting, held at Leadville, on the 6th August, 1904.  
*Appendix "H."*  
Witness withdrew.
10. Louisa Payne (*Mudgee*) called in, sworn, and examined.  
Witness handed in a plan of the Public School building at Mudgee, used as a polling-booth at the General Election, held on 6th August, 1904. *Appendix "I."*  
Witness withdrew.
11. Henry Lord (*Dairyman, Mudgee*) called in, sworn, and examined.  
Witness withdrew.
12. Committee adjourned till to-morrow, at 11 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

WEDNESDAY,

WEDNESDAY, 2 NOVEMBER, 1904.

MEMBERS PRESENT :—

Mr. Holman in the Chair.

Mr. Dacey,  
Mr. Brinsley Hall,  
Mr. Levy,

Mr. Oakes,  
Mr. Waddell,  
The Hon. J. H. Young,

Mr. Morton.

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

1. The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
2. Committee deliberated.
3. The Committee have decided not to extend their inquiry into the question of the retention in the roll of voters who have ceased to retain their qualification, but who were not challenged at the polls. In delivering the determination of the Committee to exclude this important class of evidence I feel that it is desirable to place on record the reasons which animate the Committee in arriving at their view.

Section 23 of the Act undoubtedly declares that retention of the qualifications of residence is an essential element of the right to vote, but the only provisions made by the Act for the ascertaining of those who do retain such qualification are those contained in the sections dealing with the collection of the rolls and the issue of rights, the lodging of objections, and the challenging of unqualified voters at the poll.

The Act provides a certain machinery for ascertaining which voters have ceased to retain their qualification and for preventing them from voting. Parliament has attempted to achieve this object by,—

1. The appointment of Revision Courts.
2. Provisions for the reception of objection to the names of erstwhile voters who have ceased residence.
3. Provisions for the challenging of such voters in the polling-booth, and for testing them by proffering a declaration.

This is the system specifically provided under various sections of the Act for this purpose.

Section 80 provides that on the fulfilment of two conditions erstwhile voters shall be prohibited from voting. These conditions are,—

1. That such voters shall be challenged in the booth.
2. That on being challenged they shall refuse or omit to make the prescribed declaration.

The Committee hold that general prohibition of voters who have lost qualification in Section 22 must be read in conjunction with and subject to the special prohibition of Section 80. The terms of this latter Section necessarily imply that if such a voter (now no longer in possession of his qualifications),—

Be not challenged, he is still entitled to vote,

The Committee feel that this result, inequitable though it may be in certain cases, is in accord with the general policy of the Act as it now stands. The policy of the Act is to substitute the system of registration for mere inherent qualifications. The tests of the right to vote are not, as has been suggested in the course of argument manhood and residence, but the registration of these qualities. An adult citizen with full residential qualifications who does not apply for his right is not a qualified voter, and the clear intention of the Act is to make the registration and not the inherent qualification the test. The Act shows the rolls and the rights, supplemented by the declarations of challenged voters as forming the basis upon which the election is to be conducted. The Committee feel that they are bound to accept that basis and that they cannot go behind it. If any person who is not on the roll, who has not a right, or who has not taken the proper declaration on having been challenged, has been allowed to vote, this is a matter which affects the validity of the election and comes clearly within the purview of the Committee. But while voters are confined to those who have satisfied the conditions of registration (*i.e.*, are on the roll, have the right, and are not challenged), the Committee feel that nothing has occurred which calls for their investigation. This view is further supported by reasons of practical convenience which need not be enumerated here.

4. Parties called in.

*Present* :—John Haynes, Esquire (*the Petitioner*).

A. B. Piddington Esquire, and C. G. W. Davidson, Esquire (*Counsel for Petitioner*).

Edwin Richards, Esquire (*the Sitting Member*).

A. James, Esquire, and D. R. Hall, Esquire (*Counsel for the Sitting Member*).

5. Ordered, on motion of Mr. Dacey, that Mr. Crossing, Returning Officer, Mudgee, Mr. Webb, Presiding Officer, Mudgee, and the Constable on duty in the porch at the Public School, Mudgee, on 6th August, 1904, be summoned to give evidence next meeting.
6. Oliver Lewis Milling (*Constable*) stationed at Gulgong, called in, sworn, and examined. Witness handed in a Sketch of part of the town of Gulgong, showing the position of the polling booths. (*Appendix J.*) Witness withdrew.
7. Mr. Piddington (*Counsel for the Petitioner*) informed the Committee that he had closed his case.
8. Mr. James (*Counsel for Mr. Richards the Sitting Member*) addressed the Committee, and asked that the Petition be dismissed.
9. Mr. Piddington addressed the Committee.
10. The Committee reserved its decision *re* dismissal of Petition.
11. Committee adjourned till Tuesday next, at 10.30 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

TUESDAY,

15

TUESDAY, 8 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Dacey, Mr. Brinsley Hall, Mr. Levy,	The Hon. J. H. Young in the Chair.	Mr. Oakes, Mr. Macdonell, Mr. Morton,
	Mr. Waddell.	

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

- The Clerk read a letter from the Chairman, regretting that he would be unable to be present at the meeting to-day, in consequence of a long standing engagement in the Arbitration Court.
- Mr. Macdonell moved,—“That the Hon. J. H. Young take the Chair.”  
Mr. Young took the Chair accordingly.
- The Clerk, by direction of the Acting Chairman, read the Minutes of the previous Meeting, which were confirmed.
- Parties called in.  
*Present*:—John Haynes, Esquire (*the Petitioner*).  
A. B. Piddington, Esquire, and C. G. W. Davidson, Esquire (*Counsel for the Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire, and D. R. Hall, Esquire (*Counsel for the Sitting Member*).
- Mr. Ellis, of the firm of Messrs. Ellis and Button, applied for a further postponement in case *W. C. a'Beckett v. Hugh Macdonald*.)
- The Committee granted an adjournment till Tuesday next at 10:30 o'clock.)
- Duncan M'Rae (*First-class Constable, Mudgee*) called in, sworn, and examined.  
Witness withdrew.
- Peter Nolan (*Police Constable, Mudgee*) called in, sworn, and examined.  
Witness withdrew.
- Percival Adrian Webb (*Presiding Officer, Mudgee*) called in, sworn, and examined.  
Witness withdrew.
- Henry Crossing (*Returning Officer for the Electoral District of Mudgee*) called in, sworn, and examined.  
Witness withdrew.

Committee adjourned to Thursday next, at half-past 10 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

THURSDAY, 10 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Dacey, Mr. Brinsley Hall, Mr. Levy,	The Hon. J. H. Young.	Mr. Macdonell, Mr. Morton, Mr. Oakes,
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In the absence of the Chairman, the Hon. J. H. Young called to the Chair.

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

- The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
- Committee deliberated, and decided that they could not agree with Mr James' application, that there was no case to defend.
- Parties called in.  
*Present*:—John Haynes, Esquire (*the Petitioner*).  
C. G. W. Davidson, Esquire (*Counsel for the Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire, and D. R. Hall, Esquire (*Counsel for the Sitting Member*).
- On the application of Mr. James, the Committee granted an adjournment to Thursday next.
- On the motion of Mr. Oakes, the Committee adjourned to Thursday next, at 11 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

THURSDAY, 17 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Dacey, Mr. Waddell, Mr. Brinsley Hall,	The Hon. J. H. Young.	Mr. Morton, Mr. Macdonell, The Hon. J. H. Young.
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- In the absence of the Chairman, The Hon. J. H. Young called to the Chair.

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

- The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
- Parties called in.  
*Present*:—John Haynes, Esquire (*the Petitioner*).  
A. B. Piddington, Esquire, C. G. W. Davidson, Esquire (*Counsel for Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire, D. R. Hall, Esquire (*Counsel for Sitting Member*).

4. Mr. James applied that Mr. Macdonald (*Deputy Returning Officer, Mudgee*) be allowed to examine the Check Rolls, with a view to giving evidence to show that voters residing in portions of the electorate outside Mudgee voted at the Mudgee Public School.
5. Room cleared; Committee deliberated.
6. Parties called in.
7. The Committee decided to hear Mr. Macdonald's evidence on other points before examining the Check Rolls.
8. Donald Rankin Macdonald (*Deputy Returning Officer, Mudgee*) called in, sworn, and examined. Witness withdrew.
9. Peter Nolan (*Police Constable, stationed at Dubbo*) recalled, and further examined. Witness withdrew.
10. Duncan McCrae (*First-class Constable, stationed at Mudgee*) called in, sworn, and examined. Witness withdrew.
11. Donald Rankin Macdonald re-called, and further examined. Witness withdrew.
12. Mr. Piddington addressed the Committee.  
Mr. James addressed the Committee.
13. The Chairman (*Mr. Holman*) entered the room, and took the Chair.
14. The Committee adjourned till to-morrow, at 11 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

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FRIDAY, 18 NOVEMBER, 1904.

MEMBERS PRESENT :—

The Hon. J. H. Young in the Chair, Mr. Dacey, Mr. Brinsley Hall, Mr. Macdonell,		Mr. Morton, Mr. Oakes, Mr. Waddell, The Hon. J. H. Young.
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In the absence of the Chairman, the Hon. J. H. Young called to the chair.

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

1. The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
2. Parties called in.  
*Present* :—John Haynes, Esquire (*the Petitioner*).  
A. B. Piddington, Esquire, C. G. W. Davidson, Esquire (*Counsel for Petitioner*).  
Edwin Richards, Esquire (*the Sitting Member*).  
A. James, Esquire, D. R. Hall, Esquire (*Counsel for Sitting Member*).
3. Mr. James addressed the Committee.  
Mr. Piddington addressed the Committee.
4. Motion made (*Mr. Morton*),—That the Committee meet on Tuesday next, at 11 o'clock, to settle case *a'Beckett v. Macdonald*.
5. The Committee adjourned to Tuesday next, at 11 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

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TUESDAY, 22 NOVEMBER, 1904.

MEMBERS PRESENT :—

Mr. Brinsley Hall, Mr. Macdonell, Mr. Waddell,		Mr. Levy, Mr. Oakes, The Hon. J. H. Young.
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1. In the absence of the Chairman, the Hon. J. H. Young called to the Chair.

In attendance,—

Mr. W. S. Christie, Acting Second Clerk Assistant.

2. Committee decided to proceed in case *Haynes v. Richards* on Tuesday next.
3. The Committee adjourned till Tuesday next, at 12 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

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TUESDAY, 29 NOVEMBER, 1904.

MEMBERS PRESENT :—

Mr. Dacey, Mr. Brinsley Hall, Mr. Levy, Mr. Macdonell,		Mr. Morton, Mr. Oakes, Mr. Waddell, The Hon. J. H. Young.
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In the absence of the Chairman, the Hon. J. H. Young called to the Chair.

In attendance :—

Mr. W. S. Christie, Acting Second Clerk Assistant.

1. The Clerk, by direction of the Chairman, read the Minutes of the previous Meeting, which were confirmed.
2. Motion made (*Mr. Morton*),—That no evidence has been given to justify the charges of treating and bribery made in this Petition.

3. The Chairman entered the room, and took the Chair.
4. Motion made (*Mr. Morton*),—That no evidence has been given to justify the charges of treating and bribery made in this Petition.  
Question put and passed.
5. Motion made (*Mr. J. H. Young*),—That in consequence of the irregularities which took place at the Public School booth, and the inadequacy of the arrangements made by the Returning Officer, the election be and is hereby declared void.  
Question put.  
The Committee divided.

Ayes.  
Mr. Levy,  
Mr. Morton,  
Mr. Oakes,  
The Hon. J. H. Young.

Noes.  
Mr. Dacey,  
Mr. Brinsley Hall,  
Mr. Holman,  
Mr. Macdonell,  
Mr. Waddell.

And so it passed in the negative.

6. Motion made (*Mr. Macdonell*),—That Edwin Richards, Esquire, the sitting Member, was duly elected for the Electoral District of Mudgee.  
Question put and passed.
7. Motion made (*Mr. Levy*),—That a serious irregularity was committed at the Mudgee Public School-house booth, by the Presiding Officer at that booth, allowing a considerable number of ballot-papers to be signed or initialled by a person not authorised by the Act to sign or initial such ballot-papers.  
Question put and passed.
8. That the attention of the Colonial Secretary be drawn to the foregoing resolution.
9. Motion made (*Mr. Holman*),—That the Committee make no award as to costs.  
Question put and passed.
10. Motion made (*Mr. Holman*),—That the Petition of John Haynes is not frivolous nor vexatious.  
Question put and passed.
11. Resolved,—That the Committee recommend the payment of Witnesses summoned by the Committee by the Government.  
Question put and passed.
12. Resolved,—That the conclusions at which the Committee has arrived at, be embodied in a report and presented to the House, and that the Chairman move that the Committee have leave to adjourn *sine die*.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

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The following table shows the results of the experiment. The first column is the number of trials, the second column is the number of correct responses, and the third column is the percentage of correct responses. The data shows that the percentage of correct responses increases as the number of trials increases, indicating that the subject is learning the task.

Number of Trials	Number of Correct Responses	Percentage of Correct Responses
10	5	50%
20	12	60%
30	18	60%
40	25	62.5%
50	30	60%
60	35	58.3%
70	40	57.1%
80	45	56.25%
90	48	53.3%
100	50	50%

The results of the experiment show that the subject's performance is stable, with a consistent level of accuracy across different trial counts. This suggests that the subject has reached a plateau in learning the task.

**COMMITTEE**  
OF  
**ELECTIONS AND QUALIFICATIONS.**

**ELECTION PETITION—HAYNES v. RICHARDS—MUDGE.**

THURSDAY, 20 OCTOBER, 1904.

Present:—

Mr. Dacey, Mr. Brinsley Hall, Mr. Holman, Mr. Levy, The Hon. J. H. Young in the Chair.		Mr. Morton, Mr. Oakes, Mr. Macdonell.
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Mr. W. E. Hawkins appeared as Counsel for the Petitioner, Mr. J. Haynes.  
 Mr. A. James appeared as Counsel for the sitting Member, Mr. E. Richards.

Richard A. Arnold, called in, sworn, and examined:—

1. *Chairman.*] You are Clerk of the Legislative Assembly? Yes.
2. You produce a writ showing the result of the election for Mudgee? Yes, endorsed with the name of Mr. Edwin Richards.
3. The writ is signed by the Returning Officer in the proper form? Yes.
4. Do you produce the ballot-papers used at the election? Yes.

(At this stage Mr. Holman took the Chair.)

William James Kessell, clerk in the Attorney-General's Department, called in, sworn, and examined:—

5. *Mr. Hawkins.*] You produce an original document, signed by Mr. Richards and Mr. McDougall, containing questions and answers in respect of an application for an elector's right? I produce the butt of an original elector's right, dated 14th February, 1901, issued to Mr. Richards, a declaration of Mr. Richards, made by him when receiving a substituted right, on the 27th June, 1904; a cancelled substituted right, No. 260801, and a letter from the Electoral Registrar at Newtown to the Electoral Registrar at Mudgee, dated 30th June, 1904. (*Vide Appendix A.*)
6. These are produced by you from the Attorney-General's Department? Yes. Mr. McDougall is the Electoral Registrar of Mudgee; he is Clerk of Petty Sessions also.
7. As an officer of justice he sends them to your Department? Yes.

TUESDAY, 25 OCTOBER, 1904.

Present:—

Mr. Dacey, Mr. Levy, Mr. Oakes, Mr. Brinsley Hall, W. A. Holman, Esq., in the Chair.		Mr. Macdonell, Mr. Morton, Hon. J. H. Young.
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Mr. C. G. W. Davidson appeared as Counsel for the Petitioner, Mr. John Haynes.  
 Mr. James and Mr. D. R. Hall appeared as Counsel for the Respondent, Mr. Edwin Richards (the sitting member).

William James Kessell, Clerk in the Attorney-General's Department, recalled, and further examined:—

8. *Mr. Davidson.*] You produce certain documents signed by Mr. Chapman, of the Newtown Electoral Office? Yes, I hand in the butt of a transferred elector's right issued to Mr. Edwin Richards, dated 30th June, 1904, No. 260801. (*Vide Appendix B.*)

John Haynes, called in, sworn, and examined:—

9. *Mr. Davidson.*] You were a candidate at the recent election at Mudgee? Yes.
10. On what dates were you present at Mudgee? I was at Mudgee for some time previous to the election, and I was also there on the day of the election, 6th August.
11. Did you see the polling-booths in Mudgee on that day? Yes, I visited each of them.

Witness—J. Haynes, 25 October, 1904.

12. Will you describe where they were? There were three of them, and they were located,—one at the Court-house, another at the Town Hall—half a mile apart—and one at the Public School, which is about three-quarters of a mile from the Court-house, and nearly the same distance from the Town Hall. They were divided alphabetically in the usual way.
13. The booths were split up into various letters of the alphabet? Yes.
14. Do you know what letters represented each particular booth? I do not remember exactly, but I hand in a copy of the *Government Gazette* showing the polling-places. (*Vide Appendix C.*)
15. I believe you have been concerned in numerous other elections? Yes.
16. What was done at Mudgee with regard to the polling-places? The polling-places were located, as I have stated,—one at the Court-house, another at the Town Hall, and another at the Public School. The Public School polling-booth was three-quarters of a mile from the others. Towards the afternoon a crush occurred. It was first noticed at the Court-house and the Town Hall. I was present and saw it; I represented the state of affairs to the Returning Officer. It appeared as though a large number of persons were unable to vote.
17. *Mr. Macdonell.*] At what hour did you see the Returning Officer? Half-past 2 or 3 o'clock. I heard that the crush, although bad at two of the polling-places, was the worst at the Public School. I visited each place about twenty times over. I obtained a vehicle, and drove backwards and forwards after the Returning Officer, demanding that the voters who would probably be disfranchised should be permitted to vote at either polling-booth, the town having been gazetted as a polling-place, or else that he should make some provision whereby one booth should be provided to enable the electors to vote. I proceeded then to the Public School, and found that there was a complete collapse or stagnation of operations there, in consequence of the construction of the building and the number of voters present.
18. *Chairman.*] You say there was a stagnation;—do you mean that there were so many voters that they could not be let in? Yes. The Public School is approached by a narrow corridor, which runs along for about 5 feet, and then turns at a sharp angle along the corridor 2 or 3 feet into a room, and it is lighted by a small window at the end, which gives a very dim light in the daytime. On the day in question the light was rather dull. When I went to the Public School I found a number of persons attempting to get in; the corridor was crammed tight and there was no possibility of people moving backwards; they could not get out.
19. *Mr. Macdonell.*] Was there only one entrance? Yes.
20. What about the exit? It was on the other side. When I saw the state of affairs there, I obtained a vehicle and drove back to the Returning Officer, and demanded that something should be done. The Returning Officer was not presiding at any booth, but was moving about from one booth to the other. I drove up to him and asked him to come and see what was going on at the Public School. He did so, and I drove after him. About half an hour had elapsed, and when I came back I found the same persons in the corridor who were there previously. I spoke to several of them; I found they were not able either to advance or get out. I called the attention of the Returning Officer to the matter, and he said: "I think the thing will go along all right, and if it does not I will make some provision later by which they will be able to vote. I will either allow them to vote at the other places, where the crush is lessening, or I will make some provision whereby they may all vote together." I then went back to the other places, and I found the complaint with regard to the crush, about 3 o'clock in the afternoon, pretty general. I found the crush distinct at the Court-house. The people were crammed in trying to get to vote. I went to the Town Hall again, and found the same condition of affairs there, although the crush was lessening. I made a circuit of the booths about twenty times, and every time I came to the Public School I found the same crush. In one hour I found the same persons in the corridor trying to reach the booth. I then drove back again to Mr. Crossing, the Returning Officer, and demanded that he should give the people facilities for voting. I followed him to the place. This was repeated three or four times. I insisted on the Returning Officer coming down. On the last occasion I came down, I went round to the back of the building, and found that some persons, associated with Mr. Richards' party, had introduced voters by the back way. I saw it.
21. *Chairman.*] Tell us exactly what you saw? I saw persons being directed into the back of the booth by a gentleman named Mr. Cohen; that was at the Public School. I did not think that was any great irregularity at that time. I saw two persons, one of whom I knew was against me, and another man named Robson, who had been injured by some burning accident, and was accompanied by an elderly woman, who could not face the crush in the vestibule; and I suggested that they might be introduced into the room by the back way, as others had been. I found that several persons had been admitted in that way, and I saw several persons who had been so admitted. When I returned to the corridor again, the people complained to me of others being admitted, and that they could neither get in or come out. I saw several persons—five or six at least—come to the place, look at the corridor, and go away.
22. *Mr. Davidson.*] Were you present at the closing of the poll? Yes. I was standing at the back towards the close of the evening—5 o'clock or half-past. Judging from what I saw, the crowd in the corridor moved about 5 feet in an hour. I went to the back of the booth, and saw through the door that the place was in partial darkness.
23. *Mr. Morton.*] Do you mean the voting place? Yes. They had a lamp, and the people were crowding around and trying to get their votes recorded. There was really no light, the window and the lamp being small. I called out to the Returning Officer to hurry up, as there were fifty or sixty people who had been in the corridor for a long time, and could not vote. I demanded that something should be done. Mr. Crossing at that time, in accordance with a promise, sent his son down to see if he could assist in lighting up the booth. There were numbers of the small voting compartments which had no light.
24. *Chairman.*] You say this was the Public School booth? Yes. The place being practically in darkness, I sent a man away to purchase candles. I paid 2s. for, I think, two candles; it was rather a high price. The candles were cut up and put in different places. The place was then fairly lighted, but still the congestion remained. Mr. Crossing's son then said, in my hearing, that he was his father's deputy, and he called on his father to give facilities for the voting to take place, as they could not get through with it at the Public School. He asked his father if he would allow the voters to go to the other booth and endeavour to vote there, or if he would arrange for a place where all alphabetical numbers might be taken.
25. *Mr. Levy.*] With regard to the Town Hall, were there separate booths there, or were only people whose surnames ran from A to F allowed to vote there? That is all.
26. There were no polling-booths there? No.

27. There was only one place? That is so. There was room for half a dozen or a dozen booths at the Town Hall as we work them in Sydney, but there was only one booth at each of these places with alphabetical distinctions.
28. *Chairman.*] And provision for only one voter at a time? Yes; one at each place.
29. *Mr. Levy.*] People whose surnames ran from A to F were allowed to vote at the Town Hall? Yes.
30. And from G to M at the Court-house? Yes.
31. And from O to Z at the other place? Yes. The Returning Officer was standing at my side, and I challenged him about the situation, and I distinctly told him that if the voting was close his arrangements would break down, and that there would be need for another election, as there would be a collapse of the voting. I told him that the people were there to vote, and that they were not permitted to vote.
32. *Mr. Morton.*] What time was this? Between 5 and 5.30. He deliberated for a moment, and said, "I think I will appoint another place for them to vote at in the town." After a few moments, he said, "No, I do not think I can do that; I am afraid it will vitiate the election," and so the proceedings went on. I was there when the poll closed.
33. At which booth? I am speaking of the Public School. When the poll closed there were at least five or six persons—probably ten—in the polling booth waiting to vote, and the ballot-box was closed by the direction of the Returning Officer, and those who were in the booth were prevented from voting. There were several who were not allowed to vote. Immediately afterwards, the people seeing the booth was closed, melted out of the corridor. Up to that time two policemen were at the door keeping the crowd from crushing in. The pressure behind was great. I saw a child taken away from a woman by a policeman. When the people got out of the corridor I saw several women leaning against different places for support; they were practically in a state of exhaustion—one of them particularly so—and they stated that they had been there for a considerable time—most of the afternoon. I saw at least forty persons unable to vote. I should say that the corridor would hold twenty to twenty-five persons, and they were jammed up tight. I went right to the edge of the crowd, and found they could not move backwards or forwards, and women in the corridor were crying out to be allowed to get out. I saw one woman come out of the place after being there, as she stated, an hour or an hour and a half. Her dress was torn, and she was walking up and down, endeavouring to get breath. Men fought in the corridor for a considerable time. I am able to state that I saw people in the corridor for one hour, and they did not vote. I met several persons who had come to the booth to vote at 3 o'clock in the afternoon. I remarked to them, "I will assist you to get your vote"; it made no difference to me for whom they voted. They went over to see what chance they had. There was no prospect of voting, and they went away. Some returned, but they did not vote. I am aware that some persons, although they attended early in the afternoon, were unable to vote, and secured vehicles, or were driven by others from Mudjee to vote at Limestone, a distance of 7 miles. Although Mudjee was proclaimed a polling-place they were unable to vote there, and were driven to Limestone. Those who were poor and had no vehicle or friends to drive them were unable to record their votes.
34. *Mr. Davidson.*] Were you at any other polling-place besides Mudjee? In the early part of the morning, about half-past 10, I went to Cullanbone. I was back at 12 o'clock.
35. Where is Cullanbone? It is about 6 or 7 miles out.
36. Did you see anything take place there? No; I did not see much there. At the Mudjee Court-house I heard complaints that the people there were being prevented from voting, and the presiding officer there allowed all persons who were in the booth at 6 o'clock to vote. He said, "I will take the votes of those persons who are in the building at the time when the poll should be closed"; but those who were in the Public School at the time the polling was closed were not allowed to vote.
37. *Mr. Morton.*] Do you mean the people who were in the room where the voting was taking place? Yes.
38. *Chairman.*] At which of these places were you at the time of closing of the poll? At the Public School. I put in a plan showing the locality of the polling-places (*Vide Appendix D*).
39. *Mr. Davidson.*] Is that a correct plan? Yes.
40. Do you say that at the Town Hall only those whose initial surnames ran from A to F were allowed to vote there? That is so.
41. And at the Court-house only those whose surnames ran from G to M were allowed to vote there? Yes.
42. And at the Public School only those whose initials ran from O to Z were allowed to vote there? That is so. I distinctly asked the Returning Officer, in view of the crush that was occurring at the three places, and later on at the Public School, to have one polling-place where all persons who could not be accommodated might vote. I stated that the people were there to offer their votes, and that they were being deprived of the franchise. The crush did not occur from a sudden rush; it occurred all the afternoon. Three votes, I think, were taken every twenty-five minutes, or something like that.
43. *Mr. Morton.*] How far is the Town Hall from the Public School? About a mile.
44. *Chairman.*] How many votes could be taken together at each of these places; for instance, take the Public School;—how many people could vote there at once under the arrangements made by the Returning Officer? It is difficult to say. Certain things occurred which deprived them of the facility for voting.
45. But how many voting places or little covers were erected? About a dozen.
46. *Mr. Levy.*] How many compartments were there? About a dozen.
47. But there was no alphabetical division there? No.
48. *Mr. Davidson.*] Were you at Gulgong on the election day? No.
49. *Mr. James.*] The three voting places to which you have referred are in Mudjee? Yes.
50. And the greatest distance one is from the other is less than half a mile? More than that. It is nearer a mile from the Court-house to the Public School.
51. Have you measured it off on the plan? Yes; it is about three-quarters of a mile.
52. Mudjee is about a mile square, I believe? Yes.
53. And is not the Public School nearly in the centre of the town? It is hardly in the centre.
54. But it is not far from it? No; not far.
55. Do you not know that particulars concerning these booths were advertised in the local papers for more than a fortnight before the day of election? They may have been.
56. Do you not know that they were? No.
57. You did not see the advertisements in the newspapers? No.
58. And the matter was not brought to your knowledge? No.

Witness—J. Haynes, 25 October, 1904.

59. Did you not know that these booths were advertised as the polling centres? I did not.
60. You have been up for election at Mudgee before? Yes.
61. Were not these places used as polling-places or booths at the other elections? Not the Public School.
62. Two of the places, then? Yes; the Court-house and the Town Hall. I applied for the same thing at Wellington, and it was refused, because they were not gazetted.
63. Had you scrutineers at the Public School? Yes.
64. When did you appoint them? They would be appointed early in the morning.
65. On the day of the election? Yes.
66. Do you not appoint scrutineers before the day of the election? I was away, I think, and I had to sign with them.
67. Did you speak at Mudgee the night before the election? The night before the election, or on the morning of the election I signed the scrutineers' papers.
68. *Mr. Levy.*] Had you one scrutineer at each of the three places? Yes.
69. *Mr. James.*] You know that, according to the Act, not more than six people are allowed in a booth at one time? Yes.
70. So that, no matter how many crowded in the corridor, not more than six could be admitted at a time into the room? Yes.
71. And policemen were there to prevent more than six getting in? Exactly; but six could not get in.
72. You have raised no point in your petition concerning certain people being wrongfully introduced into the booth from the back? No.
73. You say you saw a number of people waiting for an hour in the corridor? Yes.
74. Can you give their names? One was Adam Spies, another a man named Oram. I know a lot of these people by sight, and I could not give their names.
75. Are you going to call any of them to prove that they could not vote? Yes; a man named Falling was at the booth at 3 o'clock, if not earlier. He went away and came back three times, and found the same congestion there, and could not vote.
76. How had the polling gone on at the booths you visited prior to 3 o'clock? Soon after luncheon there was a congestion of voters at the Court-house. People were standing about there complaining that the rush was very great, and complaint was made to the Returning Officer.
77. According to your statement, only those whose surnames ran from A to F could vote there, and there were twelve compartments inside to which the people could obtain admission? I do not know about the Court-house; I did not see in there.
78. Still, all the congestion occurred among the people whose surnames ran from A to F? Yes; and afterwards those persons were accommodated; they were got through.
79. How had the polling gone on before that time:—was it not pretty slack before lunch? Fairly good, but not in any way sufficient to cause a block.
80. What was to prevent anybody from keeping back supporters to the last, and then sending up from 200 to 300 voters suddenly to cause a rush;—could not that be done easily enough? Yes; but you could not get one-fourth nor one-fifth of the votes which would be legitimately offered in Mudgee if anything occurred similar to that which occurred at the Public School.
81. You used the expression "legitimately offered";—it is not until they come to the officer inside the booth that you know whether they have a right to vote or not; that might be an arrangement to block the voting; you could easily put a number of people there who had no right to vote at all, and then endeavour to upset an election on the ground that people could not vote? As I have stated, I believe the total number who voted was about three every twenty-five minutes.
82. You admit that at the other two booths the people voted? Yes.
83. Although in one instance the door was closed with people inside and those inside were allowed to vote? Yes.
84. Were you present at the time? No.
85. At which booth were most votes polled? At the Town Hall, I think. I understand that the numbers are available.
86. Were not the least votes polled at the Public School? Yes; I believe that the number of those who went there, and departed without voting on account of the crush, was nearly 100.
87. That is hearsay evidence? It is not hearsay.
88. *Mr. Levy.*] Did the Returning Officer have a deputy at each place? Yes; he did not preside at any place.
89. How many polling clerks were there at each place? One at each, so I understand.
90. *Mr. Morton.*] Did the Returning Officer take no part in connection with the voting? He did not preside; he was travelling up and down.
91. He did not act officially in any of the booths? No; he was going backwards and forwards.
92. *Mr. Levy.*] But he was available? Yes.
93. Was he in the town of Mudgee all day? Yes.
94. *Mr. Morton.*] I suppose you were not travelling about together? No; I was generally a little distance behind him.
95. *Mr. Macdonell.*] Can you give any reason for the block at the Public School;—you say that only about three people voted in twenty-five minutes;—what was the cause of the delay? There was no provision for lighting. The room was lighted by a small, obscure, church-like window; there was a little lamp in the place, and from what I could see the whole business was congested. I was told that people had had wrong numbers given to them.
96. Was the lamp burning all day? From about 2 o'clock in the afternoon. When I looked in, there were officers and voters all round the table. I understand that the Returning Officer objected to their being all round the table, and thus preventing the secrecy of the ballot. When I saw that that was going on, I purchased the candles, cut them up into pieces, and sent them in and lighted up the place in order to facilitate the voting.
97. *Chairman.*] When were the candles supplied? About 5 o'clock. I stood at the exit door, and was surprised to find that a considerable time elapsed before anyone came out. I began to imagine that I could not be at the exit door of the booth. I could not make it out at all.

98. Was that in the early morning? No; in the afternoon. My attention was then drawn to the fact that the people were not permitted to vote—that the arrangements prohibited them from doing so, although they were crammed in the corridor. Some of the witnesses will give evidence on that point.
99. *Mr. Davidson.*] How long did the congestion last at the Public School? For three hours.
100. And how long at the Town Hall? About two hours.
101. And how long at the other polling-place? About two hours.
102. You were not concerned in any way in the polling arrangements? Certainly not. I stood at the back door and called on the Returning Officer about forty times, demanding that the people should be permitted to vote. At last I got the Returning Officer's deputy—I think he must have been his deputy, or he would not have been permitted to enter the building—I refer to the Returning Officer's son,—and asked him to call upon his father to provide another place, as there was no prospect of getting the people in to vote. The Returning Officer said he would provide a place for them, or allow them to vote at one of the other places. Afterwards I told him that if he did not provide a place it would vitiate the election, as the people were there to vote, and he had not provided them with the means for voting.
103. *Mr. Morton.*] You say you purchased candles? Yes.
104. Were they used? Yes.
105. To whom did you give them? To the police; and I saw them cut in pieces and placed in the different compartments.
106. Were they used by the Returning Officer or his clerks? Yes.
107. *Mr. J. H. Young.*] Did I understand you to say that some people were allowed to vote after 6 o'clock? Yes.
108. Some people who were in the building at the time of the close of the poll were allowed to vote? Yes. At the Public School the order was given by the Returning Officer to close the ballot-box nine minutes after 6 o'clock.
109. Do you know that of your own knowledge? Yes. I may explain that it was arranged that the polling should stop simultaneously at all places on the firing of the gun. Either the gun did not go off, or it did not sound loud enough.
110. *Mr. Morton.*] What gun was that? They have a gun at Mudgee. At any rate, it was to go off on this occasion; but whether it did so or not I do not know. The sound of it, however, was not heard at the Public School.
111. *Chairman.*] Which of the booths was open after 6 o'clock? The Public School.
112. And you were there at 6 o'clock? Yes; I was there, and we compared watches, and it was nine minutes after 6 when they closed.
113. Were you there when they closed? Yes; I was there for the last three-quarters of an hour.
114. *Mr. Levy.*] Can you say if any votes were tendered after 6 o'clock? Yes. The Returning Officer was then at the back door, and we compared watches, and he gave notice that he was about to close the booth; and I then saw six, eight, or ten persons in a cluster in the booth. Some of them were voting.
115. Were their votes taken? Most undoubtedly some were taken after 6 o'clock.
116. *Chairman.*] You say that some people went out to Limestone to vote there? Yes.
117. Have you got their names? Yes.
118. Will you be able to produce any of them as witnesses? Yes.
119. *Mr. Davidson.*] Do you know the numbers polled at the election? The total votes polled at Mudgee were—Richards, 933; Haynes, 825.
120. *Mr. James.*] Do you say that young Crossing was the deputy in charge of the Public School? No; the Returning Officer told me he was the deputy, and he was in the room all the evening.
121. Who was the Deputy Returning Officer? Mr. Webb.
122. Was he present during the time of the congestion? Yes; Mr. Crossing, junior, was brought down by his father to facilitate the voting, and he called upon his father to provide means of voting elsewhere, as they could not proceed. His father said, in my hearing, that he would do so.

Percival Stewart Garling, called in, sworn, and examined:—

123. *Mr. Davidson.*] I believe you are part proprietor of the *Western Post* newspaper, Mudgee? Yes.
124. Do you remember 6th August last, the day of the general election? Yes.
125. Where were you during that day? I was at various places during the forenoon, but throughout the afternoon I was at the Mudgee Court-house, one of the polling-places.
126. What did you do there? I was watching Mr. Haynes' interests there.
127. In what respect? Seeing that there was no interference with voters or anything of that sort, and during the last couple of hours, at the request of the Returning Officer, I was giving people their numbers, so as to facilitate the voting, because there was a considerable crush there.
128. How many booths were there? Three in the town of Mudgee.
129. At the Court-house, the Town Hall, and Public School? Yes.
130. Can you say anything as to the facilities for voting at the Court-house? All the voting was got through at the Court-house.
131. Was there any congestion of voting there? Yes; for two or three hours.
132. At what time? From about 3 o'clock, or a little before.
133. For how long? It was about ten minutes to 6 before we finally got through.
134. Were you at that polling-place when the poll was closed? Yes.
135. What time was it closed? Six o'clock.
136. *Chairman.*] That is at the Court-house? Yes.
137. *Mr. Davidson.*] Can you give any evidence as to the polling at any other of the booths? No.
138. Did you see Mr. Haynes during the day? Yes.
139. When? I saw him a couple of times during the afternoon at the Court-house; the last time I saw him was about 5 o'clock.
140. What took place on that occasion? I saw him speaking to Mr. Crossing, the Returning Officer. The Returning Officer came there, and Mr. Haynes followed shortly afterwards, and was complaining about the block at the Public School.
- 141.

Witness—P. S. Garling, 25 October, 1904.

141. What took place then? Mr. Crossing and Mr. Haynes went away. Mr. Henry Lord was with Mr. Haynes at that time.
142. Who is Mr. Henry Lord? A resident of Long Paddock—a farmer.
143. Did you see Mr. Crossing, the Returning Officer, during the day? Yes; at that particular time.
144. Did you see him on any other occasion? Yes; I think I saw him twice during the afternoon at the Court-house.
145. Can you say if he remained at one booth for the whole of the time? No; because I saw him come to the Court-house and go away.
146. Once, or several times? A couple of times during the afternoon. I know that on one occasion he asked me to give voters their numbers. Then, later on, I saw Mr. Haynes complaining to him about the crush at the Public School.
147. Can you say that at the booth where you were, there were any people unable to vote on account of the congestion? I saw a couple of people go away, but whether they came back or not I could not say. One was Mr. Howarth, a volunteer, in uniform. He was really the only one whom, I think, did not vote. He might possibly, however, have voted subsequently without me seeing him.
148. Were you at Gulgong or any other of the polling-places during the election? No; I was at the Town Hall for a little time during the forenoon. I did not stay at any of the polling-places, but I was between my own office and the Town Hall. I was knocking about all over the place in the forenoon, but I remained at the Court-house throughout the afternoon.
149. With regard to paragraphs 4 and 5 of Mr. Haynes' petition, dealing with the nomination, do you remember being in the electoral office at Mudgee during June last? Yes, on the 27th June.
150. Who else was there on that occasion? Mr. Richards and Mr. Gangey were on the same side of the counter as I was, and on the opposite side was Mr. McDougall, the Registrar, and his clerk, Mr. Aubrey Hardwick.
151. What took place on that occasion? Mr. Richards stated that he required a right, and Mr. McDougall asked him if he could show the necessary qualification of residence.
152. Who is Mr. McDougall? The Registrar. Mr. Richards said that he could. The question Mr. McDougall asked him was if he could state whether he had his principal place of abode in Mudgee three months prior to that date.
153. *Mr. Dacey.*] Was he asking for a substituted right? I took it, at first, that he was wishing to get his name on the roll as an original voter, because I happened to pass a certain remark at the time. Mr. Richards said he previously had a right for Mudgee, and I told him that if it was one of the old red rights he would be entitled to an original right, but after Mr. Richards explained matters, Mr. McDougall stated that he would issue a right to him under section 30 of the Act.
154. *Chairman.*] That is in regard to substituted rights? Yes. At the same time he explained to Mr. Richards that, by appearing at the next Revision Court, he could get his name on the Mudgee roll, just the same as though it were an original right being issued to him.
155. *Mr. Levy.*] Was not his name then on the Mudgee roll? His name was not then on the Mudgee roll. It had been struck off two or three years previously.
156. *Mr. Dacey.*] Prior to the 27th June last, Mr. Richards' name was not on the Mudgee roll? No.
157. *Mr. Morton.*] You say it was struck off;—who struck it off? I understand it was struck off at the Revision Court in 1901.
158. *Chairman.*] You were not in Court when it was struck off? No. I have with me a roll for the electoral district of Mudgee, and Mr. Richards' name is not upon it. That is one of the rolls which was used at the election.
159. *Mr. Davidson.*] What took place after that? When the question of residence was being talked about, Mr. Richards stated that he claimed Mudgee as his residence, because he had a furnished room at Langridge's hotel, where he was living, and that this room was never occupied by anyone but himself. He stated that, although his daughters lived here, that was their residence and not his. He said that all his ties were at Mudgee, and that he claimed Mudgee as his residence.
160. Do you know if Mrs. Richards was residing in Mudgee at that time? I saw her there very frequently for a month or two prior to that, but for exactly how long I could not state.
161. Can you say that the roll to which you have referred was one used by the scrutineers? Yes; it was used by one of our Gulgong scrutineers.
162. Did you send that list out? No, but I received it back. It was returned to me through the post.
163. *Mr. Macdonell.*] There is no one, as far as you know, entitled to vote at the election, except those whose names are on the roll? No. I know that during the election some people came there with their rights, but were blocked from voting because their names did not appear. They had been omitted.
164. *Mr. Davidson.*] Can you say whether Mr. Richards' name was on the rolls used at the time of the election? No, it was not.
165. *Mr. D. R. Hall.*] You did not see it there? No. I have been through them, and his name does not appear.
166. On the 27th June, when you heard the conversation to which you have referred, did you have a conversation with Mr. Richards earlier in the day? A few minutes previously I did.
167. You, at that time, were a political opponent of his? Yes.
168. Your newspaper opposed him too? Yes, for this election; but on the two previous elections we supported him.
169. Did Mr. Richards say anything on that day about you having slandered him at a place called Hargreaves? He asked me if I had been telling a couple of people out there that he had been guilty of shady practices, and I told him I had not.
170. You were present when Mr. Richards went to apply for this right? Yes.
171. By accident? I was seeing Mr. McDougall on other business.
172. And he made this application in the most public way? Yes.
173. Did he say anything about his wife living in Mudgee? I do not recollect his wife being mentioned, but I recollect his stating that his daughters were living here.
174. Did he say anything about members of his family living at Mudgee? What he said was that his daughters had a place "down below." He gave the impression that his daughters were living here, and that he was living in Mudgee.

175. Did he say anything about claiming a dual residence? I do not recollect that. I may state that I did not remain to see the final issue of the right to him. I had finished my business and I left.
176. Did you leave in the midst of a conversation? The right was being filled in, but I did not remain to see it signed.
177. Throughout the whole of this interview you never saw any attempt at concealment on Mr. Richards' part? No, he stated most openly that Mudgee was his residence. He was very emphatic about it.
178. And that he required a substituted right because he had lost his previous one? Yes.
179. *Mr. Levy.*] Was there anything at the Court-house to show that only those whose initial surnames ran from G to M. could vote there? Yes, there was a calico sign outside the door containing the information. A sign was also posted at the Town Hall. I could not say what was done at the Public School, because I was not there.
180. Could anyone have gone into these places without seeing the letters? No; I know several people who went in whose names did not begin with the initials mentioned, and they were not allowed to vote there. Several people came out complaining about it.
181. *Mr. Macdonell.*] Where was the heaviest polling? I could not say, but I fancy at the Town Hall.
182. *Chairman.*] You were at the Court-house at 6 o'clock? Yes.
183. *Mr. Morton.*] What were the lighting arrangements like? I heard no complaint about them at the Court-house.
184. *Mr. Dacey.*] What was the principal polling-booth? The Town Hall is generally looked upon as the central polling-booth.
185. The principal booth is generally the one at which the Returning Officer declares the result of the poll? I do not think he declared it from any of the booths—he declared it from the door of his own office.
186. *Chairman.*] Was Mudgee the administrative centre for the electorate? Yes.
187. *Mr. Dacey.*] And on the night of the 6th August, when the poll closed, he made no declaration of the Mudgee returns? I did not hear him. As far as I know all the returns were given at his own office on the side of the street opposite to the Town Hall.
188. And that is where he declared the poll? Yes.
189. *Mr. Macdonell.*] Do you know the school-house? Yes.
190. Do you think there would be reasonable facilities there for polling one-third of the votes cast in Mudgee, namely, 600 votes? I could not say, but I think they should have been able to record their votes as fast there as at the other places.
191. There is nothing in the shape of the building to prevent them? There is a porch way to the building, and there is the same at the Town Hall, as well as at the other building.
192. You see no reason, except the fact of a number of people going there late, why every vote which should have been polled was not polled? Not unless there was something going on to prevent the people getting in.
193. *Mr. D. R. Hall.*] Were you in Mudgee during the Federal election? Yes.
194. Were there three or two booths on that occasion? Three I think—I am not positive.
195. And the people had to vote for the Senate, the House of Representatives, and the referendum? Yes.
196. Had they any trouble in getting through? I heard no complaint, but I do not think such a heavy poll was recorded then.
197. That poll was not on a Saturday? No.
198. *Mr. Davidson.*] Do you know whether these three places were registered in the *Gazette* as polling-places? On looking at the *Gazette* I see only Mudgee gazetted.
199. What about the Federal election? I could not say.
200. *Chairman.*] Were the same three places used for the Federal election? I think so, although I am not positive that the school-house was one, but to the best of my belief it was.
201. *Mr. D. R. Hall.*] Were the three booths advertised in the ordinary way? Yes, in the local papers.
202. Four weeks in advance? Yes, they appeared in two issues of the newspaper, if I remember rightly.
203. *Mr. Dacey.*] Adverting to the conversation you heard in the Registrar's office—did you hear the Registrar tell Mr. Richards that he could not get a substituted right unless he resided there three months? No. As near as I can remember, Mr. McDougall asked Mr. Richards if he could show the necessary residential qualification.
204. Did he refer to "three months residence"? Yes, the words "three months" were used during the course of the conversation.
205. *Mr. Davidson.*] In asking the questions? Yes.
206. *Mr. Oakes.*] What do you consider were the defects in connection with the arrangements of the election on polling-day? I can only speak for the Court-house, and with one exception everything was all right. I saw one man there who complained of the crush, but so far as I know, everyone there recorded their votes. Mr. Crossing asked Mr. Madden and myself if we would facilitate the voting by giving out the numbers outside. Some one went across to Mr. Kellett's store, and got a table, and we sat at the table and gave people their numbers as they went in to vote.
207. *Mr. Davidson.*] Do you know anything of the Cullanbone polling-booth? No, except that it was advertised to be held at the Public School.
208. Do you know anything which took place in connection with the voting there? Personally, I do not, I only know from hearsay. Of course, there were complaints about crushes, but the only place in regard to which I have heard definite complaints was the Public School. I took the names of thirty to forty people who called on me at my office subsequent to the election with complaints.

THURSDAY, 27 OCTOBER, 1904.

Present:—

Mr. Dacey,  
Mr. Macdonell,  
Mr. Oakes,  
Mr. Waddell,

Mr. Levy,  
Mr. Morton,  
Hon. J. H. Young.

W. A. Holman, Esq., in the Chair.

Mr. A. B. Piddington and Mr. C. G. W. Davidson appeared as Counsel for the Petitioner, Mr. John Haynes. Mr. A. James and Mr. D. R. Hall appeared as Counsel for the sitting Member, Mr. Edwin Richards.

John Haynes, recalled, and further examined:—

209. *Mr. Piddington.*] I think that evidence has not been given of your having been qualified by law to be a candidate at the last general election? That is so. I have never been off the roll, and I hold an elector's right.

Senior-sergeant John Harvey, Mudgee, called in, sworn, and examined:—

210. *Mr. Piddington.*] Do you know a woman named Bridget Guest? Yes.  
211. Do you know where she was living in January last? I am not quite sure where she was living in January, but I think that, in January or February, she left Mudgee.  
212. Where for? Portland.  
213. Is that out of the electorate? Yes.  
214. Do you know a man named William Mason, living at Stony Creek? I know some Masons living there; I do not know their Christian names.  
215. Were you present at the Cullenbone polling-booth during the election? Yes.  
216. Were you there at the opening of the poll? Not exactly at the opening. I got there a little before 9 a.m.  
217. Were you there all day? Pretty well.  
218. Were you at Mudgee that day? Not until late in the evening.  
219. Do you know of a number of persons having been in the Cullenbone booth at one time? Yes.  
220. How many? I should think three or four, or five or six.  
221. How long did they stay there? I could not say, because they were in and out.  
222. About how long? Sometimes for four or five minutes, and sometimes for ten minutes.  
223. *Chairman.*] Did you see any voters enter the booth after they had already been there? Yes.  
224. Do you mean that you saw the same persons going in and out? Yes.  
225. That is, going out, and afterwards going in again? Yes.  
226. How often did that occur? Three or four times, I think.  
227. Was that going on throughout the day? I cannot say that it was going on throughout the day; but I noticed it particularly in the afternoon.  
228. *Mr. James.*] Where was the poll held? At the Public School.  
229. How was the school divided? There was a screen at the far end of the school-room.  
230. And behind that screen the people registered their votes? Yes.  
231. And the people you saw were walking in and out of the school? Yes; in and out of the portico next to the door.  
232. But not near the screen? Not near the screen at all.  
233. *Mr. Piddington.*] Do you know whether they went in and out of the actual polling-booth? I could not say. The officers were next to the polling-screen. They had tables a little distance from it. By the officers, I mean the presiding officer, the poll clerk, and the scrutineer.  
234. It was that part of the building where people went in and out? Yes; between where they were sitting and the door.  
235. *Chairman.*] Did you notice any card-playing or drinking? I saw a pack of cards there.  
236. *Mr. Levy.*] Where? Lying on the school desks.  
237. *Mr. Piddington.*] Did you see anybody playing cards there? Yes; I saw two people playing cards.  
238. *Mr. Levy.*] Were you playing yourself? Yes; I had one game.  
239. *Mr. James.*] Was there much voting there that day? I forgot the number who polled.  
240. It was pretty slow, was it not? Very slow.  
241. Whereabouts did you play cards? Just behind the door in the school-room.  
242. How far were you from any of the officers? I should think about 6 or 8 yards.

William David Owen, Mudgee, called in, sworn, and examined:—

243. *Mr. Piddington.*] I believe you were acting at the Cullenbone polling-booth? Yes.  
244. In what capacity? As poll clerk.  
245. Did you see the ballot-box open and empty before the beginning of the polling? No.  
246. When did you come to the polling-booth? About a quarter to 8 o'clock.  
247. Had any persons voted then? When I went to the booth I helped Mr. Train, the Deputy Returning Officer, to fix up the booth. Then he asked me to take the horse and trap back to "Payne's Hotel." I did so, and then walked back to the booth. Mr. Train and Mr. Keats were outside, and said they had voted.  
248. Did you see their votes marked off on the roll when you returned? They asked me to tick their names off.  
249. And you did so? Yes.  
250. And their votes had been given before you returned? Yes.  
251. And the ballot-box was never shown to you open and empty? No.  
252. Who were in the booth when you returned? No one. Both Mr. Train and Mr. Keats were outside.  
253. Who is Mr. Keats? Mr. Richards' scrutineer.  
254. Were they the only persons present? Yes.

255. And the only persons whose votes you were asked to tick off? Yes.
256. *Mr. Levy.*] Had Mr. Haynes a scrutineer there? No.
257. Had he one there at all during the day? Not to my knowledge.
258. *Mr. Piddington.*] Can you tell us what took place during the day with regard to persons coming into the booth;—were you there the whole of the day? Not the whole of the day. It was a very cold day, and we were in and out.
259. But you were either in the booth or at the door? Yes.
260. Tell us what took place in the booth? In what way?
261. In regard to persons other than officials being in the booth? Well, Mr. Frape, the schoolteacher, came in, and voted, and was standing about talking. Sergeant Harvey was also there for a time. In the afternoon Mr. Dixon came in; and later on, towards night, when we were drawing the poll to a conclusion, three or four people—I do not know their names—were standing about, from about half-past 5 till closing time, 6 o'clock.
262. Did any persons remain in the booth for any considerable time? Yes; in the afternoon voting was a bit slow, and there was no reading matter about, so someone proposed we should have a game of cards. Mr. Frape and Mr. Train played Mr. Keats and myself a four-handed game of euchre.
263. Were any persons in the polling-booth after recording their votes? Yes.
264. Were any persons in the polling-booth, not for the purpose of voting? No.
265. I mean people who might have voted somewhere else, and did not mean to vote there? I could not say about that.
266. Was there any drinking there? Yes, there was some drinking.
267. I mean, drinking by persons other than the officials having their normal refreshment? We had occasional refreshers.
268. Apart from the officials, were any other persons drinking there? I would not be certain about anyone else drinking. I think Sergeant Harvey had a drink by invitation, and I think Mr. Frape had a drink, but I would not be certain.
269. *Mr. James.*] Was Mr. Haynes there that day? Yes.
270. Did he share in the refreshment? Not to my knowledge.
271. *Mr. Piddington.*] Was Mr. Haynes in the polling-booth? I cannot say.
272. *Mr. Levy.*] Were you the only poll clerk at this booth? Yes.
273. Was it your duty to give the persons voting their numbers on the roll? Yes.
274. So that no one could have voted without your seeing them? Mr. Train and Mr. Keats voted and asked me to find their numbers and tick them off.
275. That was after voting? Yes. As I have explained, Mr. Train and myself fixed up the booth. Mr. Train then asked me to take the horse and sulky back to "Payne's Hotel," and it was on my return that Mr. Train and Mr. Keats told me they had voted. I remarked, "I will go and vote," and Mr. Train then said, "Tick our names off, and then you can tick your own off and vote."
276. *Mr. James.*] And you did vote? Yes.
277. *Mr. Piddington.*] You had no opportunity whatever of knowing what was in the ballot-box when you got back on that occasion? No; it was not shown to me.
278. *Mr. James.*] But you were not present when the box was opened; you were at the hotel? Yes.
279. Was the ballot-box in full view of all present in the booth after that? Yes.
280. And as far as you know, the Returning Officer or the deputy kept the key of the box? Yes.
281. When you went into the booth, did you take sufficient interest in the matter to see if there were any votes in the box at all? No; that was the first occasion I was ever at a booth.
282. *Chairman.*] Had the box a glass panel in the side? I think it was all of wood.
283. *Mr. James.*] Was not the box three sides wood and one glass? I could not swear to that.
284. *Mr. Morton.*] When the poll was over, did you count the number of ballot-papers and compare it with the number you ticked off the roll? Yes.
285. And they checked? Yes.
286. *Chairman.*] Did you keep the rolls during the day? Yes.
287. Are these the rolls you used? I know I ticked mine in the same way as is done here.
288. Were the rolls used by the scrutineers supplied by the Returning Officer? Yes.
289. And one to you as poll clerk? Yes.
290. *Mr. Morton.*] Do you say the scrutineers were supplied with rolls by the Returning Officer? By Mr. Train.
291. *Chairman.*] Did you count the number of ticks you made on the roll as people who had voted? Yes.
292. And did you find it come to 116? 116 or 117—I forget which. Whatever the number was, it came out perfectly correct.
293. *Mr. Macdonell.*] Do you think any voter was prevented from recording his vote in any way by the presence in the booth of voters who had already voted? No, I think not.
294. Everyone who wanted to record a vote could go in and record it without being interfered with by anyone in the booth? Yes; I do not think anyone was interfered with.

William McIntyre, Chief Electoral Officer, sworn and examined :—

295. *Chairman.*] Are you in a position to produce various papers and reports which will be asked for later on, if you have a list of them given you now? Yes; if they are amongst the records of the office.
296. *Mr. Piddington.*] Can you produce the butts showing the substituted rights that were issued to electors in the Mudgee Electorate, these butts having upon them, so I understand, the answers made by applicants? They will be with the Registrar at Mudgee.
297. Did Mr. Crossing, the Returning Officer at Mudgee, make a report to you about the complaints of crowding at the Mudgee Public School? He may have reported to Mr. Gibson, the Under Secretary, but I have not received it.
298. *Mr. J. H. Young.*] Could you obtain the report for the purposes of the inquiry? I understand that a report was made, but it was not sent to me; still, I could produce it.

Witness—W. McIntyre, 27 October, 1904.

299. *Mr. Waddell.*] Were the Returning and Presiding Officers, in the instructions you issued to them, warned against allowing anyone to vote on red rights? I do not think they were particularly warned. It is a long time since these red rights became obsolete by Act of Parliament. We had an election in 1901 with blue rights, and it was not thought that red rights would be used three years later.
300. Were they warned against allowing electors to vote on red rights? They would be warned, and if anyone referred to the matter in speaking to me, I should say something to them about it, but no specific instructions were issued. It was well known that they had been obsolete for about four years.
301. *Mr. Piddington.*] Were any instructions sent out to Returning Officers with regard to holding polling-places in more than one part of a town, unless declared gazetted? There were no special instructions about that. It is usual to hold them in one building. It is a very unusual thing to see polling-places in different rooms, unless they are very close together. I have known them to be on opposite sides of the street.
302. And then they are practically in the same locality? Yes.
303. *Mr. Morton.*] Is it unusual to have the polling in three buildings in one town? Yes. The Returning Officer at Waringah proposed to do this, and to have three different polling-places in the Mosman municipality. These were to be a mile apart. One was to be at the ferry, and one at the top of the hill, there being a good distance between the two. I recommended, however, that he should have separate polling-places gazetted.
304. *Chairman.*] He proposed to do that on the strength of the gazettal of a single polling-place? Yes.
305. And you condemned it? Yes.
306. *Mr. Piddington.*] Did not the same thing occur at Dubbo? It did not occur at Dubbo.
307. Did the Returning Officer ask permission and was refused? He proposed to have three different polling-places in the town of Wellington in different buildings, some distance apart, and I simply objected. I thought it was not a proper thing to do.
308. *Mr. Levy.*] Mudgee, I believe, is gazetted as a polling-place? Yes.
309. You say there should only have been one building there? I do not say there should have been one building, but I say it is usual to have only one.
310. In which the voting is carried out? Yes.
311. *Mr. James.*] Do you say that is usual at Mudgee? That is the usual practice; I do not know that it is usual at Mudgee.
312. Do you not know that for ten or fifteen years they have always had two buildings at Mudgee? I do not.
313. Do you know how the Federal election was conducted in regard to the different polling-places? I do not know anything about the Federal election.
314. *Mr. Piddington.*] You are not offering any opinion as to the legality of the matter? No.
315. *Mr. Morton.*] Was it the duty of the Returning Officer at Mudgee to move from one polling-place to the other, or to stop at one particular booth? He is supposed to preside at one of the booths. If he wishes to visit other booths, he may appoint a deputy to relieve him.
316. *Mr. Waddell.*] But he would have a Presiding Officer in each booth? Yes; and he might go in one himself. He could have a man to relieve him whilst he went and looked at the different booths.
317. *Mr. Morton.*] That would be part of his duty? Yes.
318. *Mr. Oakes.*] In the event of a number of persons being in a polling-booth at 6 o'clock, and the hour is notified by the Returning Officer, what instructions are given by your office as to the voting rights of the persons in the booth at the time? There are no actual instructions given, other than verbal instructions. The advice or instruction I give is to close the doors at 6 o'clock, and to allow those who are in, in the course of voting, to complete their voting.
319. *Mr. Waddell.*] Are not printed instructions issued to each Presiding Officer and Returning Officer, telling them when to close the booth? Yes; they draw attention to all the sections of the Act relating to elections under the heading of "Duties of Returning Officers," but we do not frame a new clause or anything like that. It would be a dangerous thing for me to attempt to frame a new clause to an Act. I simply give them the Act as it stands, with instructions.
320. *Mr. Morton.*] The Act says the polling shall close at 6 o'clock, and you allow those who are in the building to record their votes after that time? No; those who are in the booth.
321. Not more than six can be in the booth at the same time, but there may be fifty in the building? Yes.
322. Then those who are in the act of voting can vote even if it is after 6 o'clock? That is in the discretion of the Returning Officer. Of course, a man would not be allowed to take a paper out of the booth.
323. *Mr. James.*] You say the instructions are only verbal? Those are all the instructions we give. Of course, there is the Act as well.
324. *Chairman.*] Have you the names of the Presiding Officers in the different booths in the Mudgee electorate? Yes; they are on record in the Chief Secretary's Office; the whole of the declarations are sent there under the Act.
325. *Mr. Oakes.*] Is it the practice to use ballot-boxes made of three sides wood and one side glass, or is it the practice to use ballot-boxes made altogether of wood? There is no rule. We have three different kinds of boxes. We have one with an outside cover of cedar. Then we have a box inside that with glass sides, with a cleft in it. That opens at the top, and you can use the inside box, and in some cases they do so. The ballot-papers can be seen dropping in, but there are very few of those about now. It is an old class of box, and of late years we have used wooden ones.
326. *Chairman.*] With no glass panel? No glass panel.
327. *Mr. Piddington.*] Under the Act all Presiding Officers have to make a declaration? Yes.
328. They are not gazetted as Presiding Officers? No; they are appointed by the Returning Officer.
329. And their appointments are, I suppose, a matter of record? The Returning Officer sends them in by way of record.
330. Can you produce that record and the declarations of the Presiding Officers? Yes.

FRIDAY.

FRIDAY, 28 OCTOBER, 1904.

Present:—

Mr. Dacey,		Mr. Brinsley Hall,
Mr. Levy,		Mr. Macdonell.
Mr. Oakes,		Mr. Waddell.
W. A. Holman, Esq., in the Chair.		

Mr. A. B. Piddington and Mr. C. G. W. Davidson appeared as Counsel for the Petitioner,  
Mr. John Haynes.

Mr. A. James and Mr. D. R. Hall appeared as Counsel for the sitting Member, Mr. Edwin Richards.

George John Clarence Pauling, butcher, Mudgee, called in, sworn, and examined:—

331. *Mr. Piddington.*] Were you present at the O to Z booth at the Public School, Mudgee, on the day of the election? Yes.
332. Are you a qualified voter? Yes.
333. Did you attempt to vote there? Yes.
334. At what time? About 3 o'clock.
335. What did you find when you got there? There was a big crowd, and I could not get into the polling-booth. I stayed there until about five past 4.
336. During all that time, were you waiting your turn to get into the polling-place? Yes.
337. You were not going away and returning, but you were continuously amongst the crowd waiting to get in? Yes.
338. What did you do at five past 4? I returned to my shop and stayed there until about 5 o'clock.
339. Did you then go back to the polling-place? Yes.
340. What was the state of things there when you got back? About the same as when I first went.
341. What did you do? I forced my way into the crowd, the same as I did before, and stayed there until 6 o'clock.
342. Were you able to vote? No.
343. You stayed there until the doors were closed? Yes.
344. When the doors were closed, how many people were amongst the crowd? About fifty.
345. Were they persons known to you as residents of Mudgee? Yes.
346. And to all appearances they were trying to get to vote? Yes.
347. Did you hear any expressions amongst the crowd? I heard one woman sing out that she was suffocating.
348. Did you hear any expressions of indignation, or anything of that sort? Only people singing out that they wanted to vote.
349. Were there some ladies amongst the crowd? Yes, several.
350. Was the crowd pretty dense and big? Yes.
351. When you went to the place at 3 o'clock, how many people were there? Eighty or ninety, if not more. There was a terrible crowd when I first went there.
352. Could you tell us the rate at which the votes were being taken? I saw one man there with a watch. Three men were let in, and when another three were let in, he called out it had taken twenty-five minutes.
353. Do you think that was about the time. Yes.
354. It took that time to poll three men? Yes.
355. Were three admitted at a time? Yes, on that occasion. That was at the finish. It was close on 6 o'clock when I noticed that.
356. Amongst those who were shut out at the conclusion of the poll, were there some who had been there a considerable time? There were some who were there when I went a second time.
357. Amongst those who were finally shut out, were there people who had been there as long as you on the second occasion? Yes.
358. A good many? Yes.
359. Did it amount to this: that only a few who were at the front of the crowd on the second occasion were able to vote? That is all.
360. All the rest of the crowd were excluded? Yes.
361. *Mr. D. R. Hall.*] Are you a qualified voter? Yes.
362. Have you a right? Yes.
363. You say you went to the Public School about 3 o'clock and stayed until five past 4? Somewhere about that.
364. Was there a good deal of crushing whilst you were there? There were a good few people there.
365. Were you all crowded as closely as you were when this lady fainted? Yes; a lot of us were together then.
366. Did the people come out of the booth by the same door as they went in? No, by another door.
367. Can you swear that they only went in at the rate of three every twenty-five minutes? I am only speaking of one particular occasion. I could not tell what went on when I first got there.
368. Was the door open from inside to let people in? Yes; it was pulled open from the inside—I could not say by whom.
369. Can you say whether that rate of voting was continued during the whole time you were there? I cannot.
370. Would you be surprised to learn that, during the whole of the crush, the average rate of voting was three every five minutes? I could not say what was the time. I have only referred to one occasion when the man held the watch.
371. You saw him hold the watch? Yes.
372. *Mr. Piddington.*] You were not surprised to learn that twenty-five minutes had elapsed when the time-keeper said so? No.
373. *Chairman.*] What time was that in the afternoon? About half-past 5.
374. Was it at half-past 5 that he began to reckon the time? Yes.

Witness—G. J. C. Pauling, 28 October, 1904.

375. Then it would be nearly 6 when he made the announcement? Yes.
376. *Mr. Waddell.*] Are you quite certain that a considerable number of people were not able to vote owing to the necessary conveniences not being provided? A great many were turned away at 6 o'clock, the same as myself.
377. How many do you think were unable to record their votes? About fifty were there, but I could not say whether they all wanted to vote or not.
378. Did they make reasonable efforts during the afternoon to record their votes? I know I was trying, and they were doing the same.
379. Had you to vote in accordance with the letters of the alphabet for that particular booth? Yes.
380. You could not have gone to another booth? No.
381. How many do you say were unable to record their votes? There were somewhere about fifty there at 6 o'clock.
382. *Mr. Levy.*] When the crowd was so dense, did you notice any policemen there to prevent people getting in? I saw policemen there.
383. Were they allowing the people to go in although the crowd outside was dense? Yes; through the gate and then along the porch.
384. *Chairman.*] Can you describe the structure of the building;—when you get through the porch, what do you find yourself in? The porch leads to the door of the school. I have never been inside.
385. Where were the eighty to ninety people? They were jammed from the porch to the gate outside.
386. *Mr. Dacey.*] How far was the gate off the porch? Thirty or forty yards.
387. And was there a block of people from the gate to the porch? Yes, on the first occasion there was.
388. They were simply blocked from the porch? Yes; and a few were scattered outside the porch.
389. *Mr. Piddington.*] From the porch backwards? Yes.
390. *Mr. Macdonell.*] Have you seen elections in the country before? Yes.
391. Is it not a common thing for a man, after he has recorded his vote, to go back and join the crowd? Yes.
392. Is it not possible that a number of the fifty people to whom you have referred had recorded their votes and were hanging about to hear the final result of the poll? If that were so, you would not expect to find them jammed up in the porch.
393. You do not think that any of those who had already recorded their vote formed any of those you saw there on the last occasion? Not unless they were trying to block people from voting.
394. Do you think there were a number of those persons? I could not say that.
395. *Mr. Piddington.*] So far as you could see, was the crowd wanting to vote? Yes; they were very anxious to vote.
396. *Mr. D. R. Hall.*] What is the size of the porch? I could not say.
397. The crowd whom you say turned away were in the porch? Most of them; not all of them. I was right on the door when they sang out that the time was up.
398. Were any people preventing others coming through the gate? No.
399. Anyone who wanted to have a yarn about the election could come through the gate into the passage? Of course they could be there as well as I was.
400. Was the election conducted in the infants' or the boys' school? I could not say; but it was conducted at the end of the school, near the dwelling-house.
401. *Mr. Piddington.*] You did not see inside, and do not know what the facilities for voting were? No.
402. *Mr. Oakes.*] What number were at the booth when you came down a second time to vote? Sixty or seventy.
403. How long did you stay there? Until 6 o'clock.
404. And you were then notified that the time had arrived when you could not vote? They called out from inside.
405. You did not see the Presiding Officer there? No.
406. You did not hear him make any statement as regards the reason people were disfranchised? No.
407. *Mr. Waddell.*] You say it took twenty-five minutes for three people to vote? I heard a man call that out.
408. And yet 500 voted there during the day? I do not know how many voted.

William McIntyre, Chief Electoral Officer, recalled, and further examined:—

409. *Chairman.*] Do you produce the different documents you were asked for yesterday? I put in Mr. Crossing's report on the polling at Mudgee (*Vide Appendix* ).
410. Have you the figures showing the number of votes recorded at each booth for each candidate? They are amongst the papers already furnished to the Committee. This is the state of the poll at the Mudgee Public School: Richards, 273; Haynes, 223; informal, 4. That is signed by the Presiding Officer.
411. *Mr. Piddington.*] What is the meaning of the word "unused" on that return? It means ballot papers which are unused. We supply them with a certain number.
412. I take it, that the 500 who voted and the 53 ballot-papers which were unused is the total provision which the Returning Officer made for that object? Yes. The official return shows that at the Mudgee Town Hall the voting was: Richards, 338; Haynes, 288; informal, 2; total, 628; unused ballot-papers, nil; 600 received; typewritten, 28.
413. *Mr. Macdonell.*] Are type-written ballot-papers allowable? Yes. Of course they have to be properly initialled.
414. *Mr. Dacey.*] Mr. Piddington put a question to you with regard to the total number of ballot-papers the Returning Officer had, and I understood you to say that the number of used and unused ballot-papers constituted the number the Returning Officer received? Yes; but there might have been an odd one impounded or spoilt. A return of the ballot-papers is furnished by every Deputy Returning Officer.
415. And is that the number they give? Yes.
416. *Chairman.*] And that would be a check on anyone forging papers and stuffing the ballot-box with them? Yes.
417. Because from the Returning Officer there would a surplus of unused papers? Yes.
418. That is to say, that if the Returning Officer is provided with 500 papers, and there are 300 in the box, he must only show a balance of 200? Yes.

419. *Mr. Dacey.*] Has it frequently come under your notice that electors have walked off with ballot-papers? No; no one is allowed to go out of a booth with a ballot-paper.
420. I do not say it was done wittingly;—has such a thing come under your notice? No. I may state that I have never been in a booth except to vote. Of course I am not allowed to be in except to vote. The returns from the Court-house, Mudgee, show that the polling was as follows:—Richards, 322; Haynes, 314; informal, 5; total, 641; number of ballot-papers used, 641; unused, 84; received, 725; written, nil. I wired to the Electoral Registrar, Mudgee, yesterday, and he sent me down 200 butts of substituted rights. I have marked them on a copy of the roll.
421. *Mr. Piddington.*] Is the butt of Bridget Guest's right amongst them? Yes; I produce the butt of Bridget Guest's substituted right. (*Vide Appendix* .)
422. Do you produce a list of the Presiding Officers at the different polling-places? I have not been able to obtain it, on account of the declarations having been mislaid by the Chief Secretary's Department. They were posted to the Under Secretary on the 7th August, and we cannot find them at present, but the names of those officers could be obtained from the papers already with the Committee. The returns of ballot-papers will show the names of the officers. There is a complete batch of papers showing the ballot-papers used and unused. I have the Returning Officer's general statement on the ballot-papers.
423. *Mr. Dacey.*] Under section 69 of the Act, is it not imperative that every Returning Officer should preside and take the poll at some booth? Yes, at one booth, which we call the principal polling-place.
424. Does your Department sanction Returning Officers ignoring this? We know Returning Officers cannot preside at one booth all day long. If there are a number of polling-places they naturally like to go and see what is going on. It is an unusual thing for a Returning Officer to preside the whole day at any one booth.
425. As a matter of fact, has the Department told Returning Officers that they have simply to go through the form of taking their seat, polling a vote, and getting up and going away? No.
426. If Returning Officers say they have been advised to that effect they say what is not true? Yes. Returning Officers have asked me personally if they should preside, and I have told them that they must.
427. Then it is openly ignored by the Returning Officers? Yes.
428. You say that the Returning Officers are not advised by your Department that they need not preside further than to go through the formality of doing so? No; I have advised them that by the Act they are supposed to preside. They are directed by the Act to preside at one of the booths.
429. *Mr. Macdonell.*] Do you mean that they should never leave that booth? No.
430. What do you mean by preside? Preside in a booth and take the poll.
431. *Mr. Dacey.*] The section of the Act says: "The Returning Officer shall preside and take the poll at some one booth of such polling-place within the district as he sees fit"? Yes.
432. You hold that it is not necessary for him to sit there polling the votes? It is necessary, but he has a substitute, and he has the power to appoint a deputy to take his place.
433. *Mr. Oakes.*] Is not there one principal polling-booth in every electorate, and is not that supposed to be the Presiding Officer's booth? Yes.
434. And he puts his deputy there when he is controlling the election elsewhere? Yes.
435. *Mr. Dacey.*] What standing has a Returning Officer in any other booth but the one at which he is supposed to preside? I do not think he has any standing.
436. As a matter of fact, the Deputy there could order him out? Yes; I daresay he could.
437. *Mr. Macdonell.*] Supposing he has authority to appoint a deputy, he would require that deputy to make a declaration before he could legally proceed? Yes; he would make the prescribed declaration before the Returning Officer himself.
438. *Mr. D. R. Hall.*] Are the declarations made by Deputy Returning Officers sent to you? No; to the Colonial Secretary, under the Act.
439. Can you say how long Mr. Crossing has been a Returning Officer? Under this Act, since it was passed. He was appointed in 1893 or early in 1904, but I daresay he was Returning Officer under the Act of 1880, but I am not aware what date he was appointed under that Act.
440. *Chairman.*] What kind of roll is this (*produced*)? A check roll.
441. You see blue pencil marks upon it. What do they indicate? That certain people have voted.
442. Who would those marks be put on the roll by in the ordinary course? The Deputy Returning Officer.
443. *Mr. Levy.*] He puts them on as he gives out the ballot-papers? Yes.
444. *Chairman.*] You see the roll (*produced*) which came in the Pipeclay packet? Yes; that is the check roll and would be in the hands of the Deputy Returning Officer.
445. Would the check marks in blue have the same significance? Yes.
446. Is that a regular recognised way of indicating who has voted? Yes; by a horizontal mark with a blue pencil opposite the name.
447. *Mr. Dacey.*] What do the red marks indicate? That the electors have been transferred to another electorate.
448. *Chairman.*] Can you explain what happens to the check rolls after the Returning Officer has finished his duty at each booth? All the rolls are done up in a separate parcel.
449. What, for instance, would the Returning Officer at Pipeclay do at the close of the day? He would do up the used ballot-papers in a parcel. He would do up the unused papers in another parcel. All the papers then—the rolls and other papers connected with the election—would be done up in a third parcel and would be endorsed with the name of the poll-clerk and signed by the presiding officer. The packet is then sent to the Chief Returning Officer.
450. Does the Chief Returning Officer open it? No.
451. What does he do with it? He takes the ballot-papers which have been used and puts them up in one parcel. He makes one parcel of all the smaller parcels and sends them to the Clerk of the Legislative Assembly.
452. So that, from the close of the poll, the parcel is sealed up? Yes.
453. *Mr. Piddington.*] There is no opportunity for anyone to get at the parcels? No; the state of the poll is signed by the Returning Officer.
454. *Chairman.*] If we open two of the parcels now and find on the check roll of two separate polling-places, indicated by the horizontal blue mark, that the same person has voted at each of those places, it means that, so far as the Returning Officers of those two booths knew, a vote was tendered at each booth in the name of that person? It would not be certain, because Returning Officers make mistakes in marking off the rolls.

Witness—W. McIntyre, 28 October, 1904.

455. If the Returning Officer were called as a witness, I suppose that all he could say would be, "I did that to the best of my ability?" Yes; but it very often occurs, when there are two people of the same name, that in marking off the name quickly, he will mark the wrong one.
456. Supposing there was only one such name? He might make a mistake when there is only one. If you found it marked on the two different rolls, it would be a very fair proof that the voter voted twice.
457. Or that someone had voted in his name, and there had been personation? Yes.
458. *Mr. Levy.*] The Act says something about a certified copy of the roll. What is the meaning of that? The Returning Officer certifies to each copy of the roll he supplies. He certifies that the roll is correct.
459. That is not the check roll? No.
460. But the check roll seems to have been used in all these cases;—is that the roll the Presiding Officer is supposed to use? It is not usual to mark the check roll. A Returning Officer or his deputy are the only persons who can have a check roll.
461. They are only for reference and not to be marked? They need not mark them. The blue, plain roll is the one the Returning Officer certifies to.
462. *Mr. Piddington.*] And which should be used to record votes upon? Yes.
463. *Mr. Levy.*] Is it not customary for the Presiding Officer, as he hands the ballot-paper to the voter, to put a blue pencil-mark against his name? No, I think the poll-clerk does that. The Act directs the poll-clerk to do it.
464. *Mr. Dacey.*] Have you any knowledge of the number of the polling-booths at Mudgee? There were three booths in different buildings.
465. Have there always been three? Not that I am aware of. In fact, I did not know that more than one building had been used until after the election. I protested against more than one building being used unless they are very close to one another.
466. Do you know whether the Public School was used at previous State elections? No; but I could ascertain. I would point out that section 81 of the Act says that the Returning Officer's deputy or poll-clerk shall thereupon make a mark on a certified copy of the roll against the name of such person, in the prescribed manner.
467. *Chairman.*] Who certifies that to be a copy of the roll? The Returning Officer of the district. Sub-section 2 of section 81 of the Act says: "The Returning Officer, deputy, or poll-clerk," so that it does not matter who does it.
468. *Mr. Oakes.*] Was there only one Presiding Officer at the Public School? I do not know, but the returns of the voting at that particular booth would show it.
469. You know that when a booth is divided up into the letters from O to Z there is only one officer in that particular booth? That is so.
470. *Chairman.*] Your way of looking at it is, that the Public School was only one booth? Yes.
471. *Mr. Levy.*] There was no further subdivision? No.
472. *Mr. Oakes.*] The Returning Officer says he made provision for 900 votes to be recorded in that booth;—do you think it is possible to take 900 votes in ten hours? No. I do not think it has ever been done. Newtown is the highest I have ever heard of. I do not think they have exceeded 500 anywhere.
473. *Chairman.*] Would the situation be this: that every voter who came into the Public School booth would have to see one man and get his right from him? Yes.
474. Under no circumstances would two voters be voting there together? Yes; they could take six into a booth at a time.
475. *Mr. Levy.*] But only one man would give out ballot-papers to those who voted? Yes.
476. *Mr. Oakes.*] And he has to puncture them before they are filled up? Yes.
477. And initial the right as well? Yes.
478. And there would be one man to do all that? Yes; only one man. Of course the papers will prove there was only one man there.
479. *Mr. Brinsley Hall.*] Do you say 500 is a record vote for one man? I examined the Newtown records the other day. There were four booths there, and the highest poll was under 500.
480. *Mr. Piddington.*] What becomes of the list of open voters? They are put in with the other papers and given to the clerk of the Legislative Assembly.

John Albert Pitt, labourer, Mudgee, called in, sworn, and examined:—

481. *Mr. Piddington.*] At the last general election you were the legal holder of an elector's right, and qualified to vote on the Mudgee roll? Yes.
482. You voted at the Public School? Yes.
483. At what time? The polling-booths closed just after three of us got in.
484. You were amongst the last three admitted? Yes.
485. How long had you been at that polling-place before you were admitted? One hour and ten minutes.
486. Were you attempting to get into the booth the whole of that time? Yes; getting through the porch and into the Public School.
487. Were there any other persons in the same position? Yes, a good number. The porch was full the whole time.
488. Could you see, before you went in, how many people were in the crowd trying to get in? A rough estimate would be sixty or seventy.
489. They were apparently trying to vote? Yes, they were each doing their level best to get in.
490. Did you see any ladies there? Yes.
491. Was there any complaint from them? Yes, they were complaining about the suffocation during the time they were in the porch. It was a very hot day.
492. Did you hear any complaints about people not being able to vote? Yes, I heard a number complain about not being able to get in.
493. Did you see many people there for a long time? Yes.
494. Was it practically the same crowd all the time you were there? Yes, there was a continual flow all the time.
495. And, excepting those who got in to vote, the same crowd remained trying to get in? Yes; they kept on coming.

496. Can you tell us anything about the rate of voting during the last hour of the poll? It was awfully slow, there is no doubt about that.
497. Did you notice anything in particular? Yes; a man named James Sawyers timed them, as they were letting the people in three at a time. As the door opened he looked at his watch, and said, "I will see how long it takes those three to record their votes," and he afterwards said it was twenty-five minutes before the next three were let in.
498. Did you see any reason to doubt his statement? Not at all.
499. Did you see a lady removed from the crowd? No, but I heard a woman scream. They might have taken her away through the door ahead of us, but I did not see it.
500. *Mr. D. R. Hall.*] Were the majority of the crowd of sixty or seventy in the porch? Yes; the porch would hold, roughly speaking, about sixty persons. It is about 15 or 16 feet long and 7 or 8 feet wide, and they were packed as closely as they could be packed.
501. Was the fact that the voting was so slow due to them not opening the doors to let the people in? Yes. Two policemen were at the door to keep the crushes back, and of course, as the door was opened, the crush made for it. The door was kept partly open a portion of the time on account of the crowd crushing against it.
502. How many were in the booth when you were in? Roughly speaking, a dozen.
503. Can you say that the lady who screamed was not brought back? She was not. She might have been taken on through the door.
504. She could not have been brought back without you seeing her? No.
505. Were you in a position to see every time the door opened? Yes.
506. Then she could not have been taken forward without you seeing her? She might have been; they might have carried her through.
507. *Mr. Macdonell.*] How many people were admitted to the booth during the hour you were there? I could not say—of course everyone was not twenty-five minutes in voting—but perhaps, not more than a dozen or fifteen.
508. *Mr. Brinsley Hall.*] When you were inside were you delayed in any way recording your vote? No, not more than the usual time.
509. Were you handed your paper at once? There was some little delay. It was getting dark, and someone procured candles, and we had to light them.
510. *Mr. Macdonell.*] The only obstacle in the way of polling the votes was that you could not get in at the door. There was no obstruction outside? No.
511. Were any of those who were conducting affairs inside known to be strong partisans in the election? Not that I am aware of.
512. *Mr. D. R. Hall.*] How long was it from the time you go in to the time you got out of the booth? Eight or ten minutes.
513. *Chairman.*] How many were admitted with you? Two others.
514. *Mr. Oakes.*] If you were eight or ten minutes in the booth, what was the cause of the delay? We waited a little time for the papers to be given to us, and there was some difficulty in finding the numbers on the roll owing to the darkness.
515. It took ten minutes for you to record your vote? Yes, and after I got my number, I had to wait some time for my elector's right.
516. *Mr. Piddington.*] Do you attribute the delay to the fact that the place was ill-lighted, and that there was a lot of trouble finding the numbers? Yes.
517. *Mr. D. R. Hall.*] Was there a kerosene lamp there? There was a lamp on the table where the Presiding Officer was sitting.
518. Was it alight? I could not say.
519. *Mr. Waddell.*] Were there any signs of drink about? None whatever.

William David Carmichael, builder, Mudgee, called in, sworn, and examined :—

520. *Mr. Piddington.*] Were you a fully qualified voter at the Mudgee election? Yes.
521. Did you occupy any official position in connection with the election? Yes, I was poll-clerk at the Court-house booth, Mudgee.
522. How far is the Town Hall from the Court-house? About 400 yards, I think.
523. Were you able to vote at the election? No, not without leaving my position.
524. Have you previously acted as a poll-clerk? I acted as a poll-clerk at the Federal election.
525. Were you able to vote on that occasion? Yes.
526. Did you make a request at the recent Mudgee election to be allowed to record your vote at the Court-house? Yes.
527. To whom? To Mr. Crossing, who told me I could not vote there, as my surname initial did not correspond with those at that particular place. He said that that was the law.
528. If all the booths had been at the one building, you would have been able to get leave of absence to vote? I am not supposed to leave the booth I am employed in.
529. But you would have only been absent about five minutes? Yes.
530. You could always get that indulgence? Yes.
531. Did you see any persons come into the booth who were sent away and not able to vote there? Only one.
532. Do you remember who it was? Yes, Mr. Cadley. He had a wrong right, and a wrong letter as well.
533. *Mr. D. R. Hall.*] Were you in the booth all day? Yes.
534. Were things rather dull in the morning? Yes.
535. The people did not roll up very quickly? No, very slowly in the morning.
536. Up to what time? Dinner-time—half-past one o'clock.
537. Did they come in fairly fast through the afternoon? Very fast.
538. Had you any difficulty in putting them all through? We put them all through, but they came very fast.
539. Could you have polled a great number more if they had rolled up fast in the morning? Yes.
540. How many more do you think you could have polled? About 200 more in the morning, if we had been as fast as we were in the afternoon.

Witness—W. D. Carmichael, 28 October, 1904.

541. You polled about 641 votes, and you could have polled 200 more? I think so.  
 542. *Mr. Dacey.*] You say there was one man who was not allowed to record his vote—how was that? He had a red right, and the Presiding Officer told him it was a wrong one, and that he would have to go to "C" booth.  
 543. If he had had a proper right, and had been in the correct booth, had he time to vote? Yes. That was in the morning.  
 544. Was there anyone at the booth where you were stationed who was prevented from voting? No. He was the only man who was told to go to another booth.  
 545. *Mr. Levy.*] The letters at your booth were A to F? Yes.  
 546. Was there any further subdivision inside? No.  
 547. *Mr. Oakes.*] There was one Presiding Officer, and you were the poll clerk? Yes.  
 548. At what time of the day was the polling the heaviest? From 2 to 5; it was pretty well the same all that time.  
 549. What was the rate of polling per hour in the morning—from 8 to 11 o'clock? We only got about 170 votes up till dinner time. We had about twenty papers left out of 200.  
 550. *Chairman.*] That would mean 170 votes from 8 a.m. to 1 p.m.—five hours? Yes.  
 551. *Mr. Macdonell.*] You are quite sure you had not polled 200 up to 1 o'clock? Yes.  
 552. *Mr. Levy.*] What was the largest number of people in the polling-room at any one time? There was a string of them sometimes right from the door to the table.  
 553. *Mr. Piddington.*] Would there be more than six at a time? Yes.  
 554. Was that constantly happening? Yes, there was a string of them all the time after dinner.  
 555. Were they admitted actually into the booth? There was a little gate between the door and the table we were at.  
 556. *Mr. Levy.*] Where were you sitting? At the end of the court table—the furthest end from the door.  
 557. *Mr. Piddington.*] And there was a continuous stream of people? Yes, all the while.  
 558. *Mr. Macdonell.*] Did that crowd in any way interfere with those who were recording their votes? No. There was only one at a time coming past me.  
 559. *Mr. Oakes.*] 641 votes were recorded at this booth? Yes.  
 560. And 170 of those were recorded up to 1 o'clock? About that.  
 561. That leaves over 500 recorded in the five hours after 1 o'clock? About 470.  
 562. An average of close on 100 votes per hour? Yes.  
 563. Do you think it is possible to record such a number correctly? Yes, I am sure it is. We have done over that.  
 564. That would mean a continuous stream from 1 p.m. to 6 p.m.? I did not say all the time.

John Tarrant, forwarding agent, Mudgee, called in, sworn, and examined:—

565. *Mr. Piddington.*] Were you Deputy Returning Officer at Stony Creek at the last general election? I was.  
 566. *Chairman.*] That is, you were Presiding Officer there? I was Deputy Returning Officer at Stony Creek.  
 567. You were the chief man at that place? Yes.  
 568. *Mr. Piddington.*] Was there any ballot-box provided with a lock and key for the reception of the polling-papers? No; there was no ballot-box there?  
 569. The ballot-papers were received into an improvised box without a lock or key? It was without a lock or key. It was nailed down securely with a slot in it; we had a job to get it open at the finish.  
 570. *Mr. James.*] Did you make that ballot-box yourself? No.  
 571. You saw it after it was made? Yes; the poll-clerk went across to an old man he knew and got it made.  
 572. Was it a secure box? Yes.  
 573. Did you preside the whole of the time? Yes.  
 574. Was the box tampered with in any way? No; not at all.  
 575. It served the purpose as well as any other box could have done? Yes; the poll clerk and scrutineer were perfectly satisfied with it.  
 576. *Mr. Piddington.*] Were any of the candidates there? Only Mr. Haynes. We were very careful in regard to the box. The poll-clerk and the scrutineer counted the ballot-papers and found that they tallied with the marked roll.  
 577. *Mr. Dacey.*] Had Mr. Richards a scrutineer at the booth? No.

TUESDAY, 1 NOVEMBER, 1904.

Present:—

Mr. Brinsley Hall,	Mr. Oakes,
Mr. Dacey,	Mr. Waddell,
Mr. Levy,	Hon. J. H. Young.
W. A. Holman, Esq., in the Chair.	

Mr. A. B. Piddington and Mr. C. G. W. Davidson appeared as Counsel for the Petitioner, Mr. John Haynes.

Mr. A. James and Mr. D. R. Hall appeared as Counsel for the sitting Member, Mr. Edwin Richards.

Thomas Patterson, labourer, Mudgee, called in, sworn, and examined:—

578. *Mr. Piddington.*] Were you a qualified voter at the time of the last general election? Yes.  
 579. Where did you vote? At the Town Hall.  
 580. Had you voted at the Town Hall at previous elections? Yes.  
 581. Did you go into the voting-room? No; I went to the table, but not to the voting apartment.

582. What did you do at the table? I produced my right, and the man at the table told me I could not vote there. I said, "I have always voted here"; and he replied, "You cannot vote here now; you will have to go to the School-house." I went to the School-house.
583. What time was it when you went to the Town Hall? About 2 o'clock or a little after.
584. Did you go to the Public School directly after this conversation took place? Yes.
585. What did you find when you got there? I found that the place was crowded, and that there was no possible hope of getting to vote.
586. What did you do? I tried to get in, but found it was of no use, so I walked outside and waited for two or three hours.
587. Did you wait until closing time? Yes.
588. Did you, from time to time, try to get in to vote? I was in the crowd for a few minutes on one occasion, and, when I found it was of no use going into the porch, I waited outside till I thought there might be a chance.
589. Then did you try again? Yes.
590. On the second occasion on which you joined the crowd, did you stay there for some time? No.
591. Did you wait about until closing-time for an opportunity to get in to record your vote? Yes.
592. And did you vote? No.
593. During that time was there a constant crowd of people trying to get in to vote? Yes.
594. Did you see people go away altogether after trying to vote? Yes.
595. Did you see any ladies amongst that number? Yes.
596. When the doors were closed, did you do anything with regard to the number of people in the porch? Yes; I stood back and counted thirty-six people going away. With myself, the number was thirty-seven. That was the number who could not vote.
597. To all appearance, they were people who had been trying to vote? Yes.
598. Could you form any idea of the number in the crowd on the occasion you first went there? From sixty to seventy were in the porch and on the verandah.
599. Did you hear any complaints? I heard people saying that it was not a fit place at which to vote, and that there was a great deal of trouble in voting, and that they were crushed about by a lot of men, and clothes torn off them.
600. Who were making these complaints? Women who had children in their arms.
601. Was the voting slow? Yes; very slow.
602. *Mr. D. R. Hall.*] You say you went straight to the Public School from the Town Hall, after 2 o'clock;—I suppose you would be at the Public School at 2:30? Between 2:30 and 3.
603. Did you stay there until 6 o'clock? Yes.
604. Did you go down to Langridge's? No.
605. I suppose you saw plenty of people who had a chance to vote before 6 o'clock? The time I was there they could not vote. When I went to the porch I found it was of no use trying to get in. I could not get in unless I made some disturbance and pushed my way in.
606. You could not get in straight away, but could you not have done so if you had persisted? Not unless I had knocked ladies on one side, or done something of that kind.
607. Will you say they did not record those sixty or seventy votes during the afternoon from 2 to 4 o'clock? I would not say that.
608. Then they did record them? I would not say they did.
609. As a matter of fact, were there not smaller men than you who recorded their votes, and who came there at the same time as you did? No—not men who came with me.
610. Then you say that the sixty who were there could not vote? From the time I was there till the time I left I met with men there, and I came away with them, and they never voted.
611. How many do you think voted during the afternoon? I could not give an idea, for I did not take that much interest in the matter.
612. You have stated that the voting was slow? What do you mean by slow;—for instance, how many voted during the afternoon by slow voting? I could not say. During the time I was there not more than ten or twelve an hour voted.
613. That would mean that fifty voted during four hours of the afternoon? Yes.
614. Where were you standing when you counted the thirty-six? At the door of the porch.
615. How big is the porch? 12 or 13 feet long, and about 10 feet wide.
616. Do you think it would be big enough to hold a spring-cart? A certain portion of it would. There is an arch in the centre of it.
617. Would it hold the body of a cart? The body would not go through the door.
618. Supposing the front of the porch were removed, would the area be large enough for it then? Yes.
619. *Mr. Dacey.*] Would there be room enough for two carts? No.
620. *Mr. D. R. Hall.*] Were the sixty or seventy people whom you saw there when you first went all in the porch? No, some were on the verandah.
621. Of the thirty-six who went away, could you say whether there were any, like yourself, who did not care to battle and crush all the time? I could not.
622. You cannot say they were all crushing for more than an hour? When I walked in, there was a crush, and I walked out again.
623. When you walked out could you see inside the porch? Certainly, I stood at the end of the verandah.
624. Could you see the constable inside? No, there was no constable stationed permanently at the door until between 4 and 5 o'clock.
625. But within the door of the porch, there was a constable to keep the people in order, and you could see him pretty well all the time? Yes.
626. Was it Constable M'Namara? I could not say.
627. Do you know him? Yes.
628. *Mr. Fiddington.*] Between the verandah and the porch proper, was there a sort of wooden partition with hat pegs? I could not say.
629. Was there only one space, walled in, into which the people were crowded? There was one little space, so to speak, and then there was an arch which made a narrow space between one porch and the other.

Witness—T. Patterson, 1 November, 1904.

630. You are familiar with counting mobs of sheep? Yes; when I was butchering I generally counted the mobs out of the yard.
631. *Mr. Oakes.*] How long were you at the School-house booth? From between 2:30 and 3 till 6 o'clock.
632. And there were between sixty and seventy people in the porch waiting to vote? Yes; on the porch and verandah.
633. Was that number continually at the door until closing time? No, they slackened off.
634. But there was always a crowd at the door? Yes, the porch was crowded all the time.
635. You stated that the polling was slow; had you any means of knowing how the people were voting? I was at the back for about half an hour, and not more than three or four came out during that time.
636. You state that you were there for over three hours;—how many do you think were polled per hour? From the way they were coming out, when I was standing at the back door of the school-room, not more than twelve or thirteen per hour.
637. And the back door was the only means of exit after voting? Yes.
638. *Mr. Levy.*] How many polling compartments were there in this room? From what I saw from the back door, there were three or four.
639. *Mr. Waddell.*] How many electors do you think were prevented from voting at this place for the want of sufficient means of putting them through quickly? I counted thirty-six, and then there was myself.
640. *Chairman.*] They were left at the end of the day? Yes.
641. *Mr. Piddington.*] And before that you saw others go away? Yes.
642. *Mr. Levy.*] Can you say there were thirty-six who did not vote? They were in the porch trying to get in, and they went away dissatisfied.
643. *Mr. Brinsley Hall.*] Do you think the fifty or sixty people were there during the whole time you were there? A few got in afterwards. They slackened off towards the latter part of the evening.
644. Do you not think that if you had followed in, and kept tailing up, your turn would have come before 6 o'clock? No.
645. Do you mean to say it took the whole afternoon to poll a porch full of people? At the rate they were going I could not get in, and many went away.
646. Were not others continually coming? Yes.
647. *Chairman.*] As far as you could see, was the porch full the whole of the afternoon? Yes, up to 6 o'clock.
648. *Mr. D. R. Hall.*] You were not there in the morning? No.
649. *Mr. J. H. Young.*] Were fresh people coming up to try and get into the porch when you went there at 3 o'clock? Yes, an odd one now and again.
650. *Mr. Waddell.*] Is it not usual for people who have voted in the morning to come back in the evening near the time for the closing of the poll to hear the result declared? I could not say.
651. *Mr. Oakes.*] Did the Returning Officer at this particular booth declare the result of the poll at that booth at 6 o'clock? I could not say that, because as soon as 6 o'clock came they shut the door.
652. Do you know whether he took the results of the polling to the main booth? I could not say.
653. He did not declare anything while you were there? No.
654. So that anyone who assembled there did not assemble to hear an official intimation? No.
655. *Mr. Levy.*] Was there not a little table on the verandah from which the numbers were given to voters? Yes.
656. Can you say whether the people you saw in the porch had already been to that table to get their numbers? Two or three, I know, were at the table. I was not there when the whole of these people got their numbers.
657. Did you get your number? Yes.
658. Before you went into the porch? Yes.
659. Can you say whether the majority of the people you saw there got their numbers? I could not, but they were in the porch.
660. *Mr. Piddington.*] You were moving about from place to place? Yes.
661. And on one occasion you went to the back? I did.
662. Were you directed to count the people? No; I said to a friend, "I will count and see how many there are who did not go in to vote."
663. *Mr. Levy.*] From what you could see, at any rate, the majority of the people in the porch intended to vote;—they were not there from idle curiosity? No.
664. *Mr. Piddington.*] They were complaining about not being allowed to vote? Yes.

George Frederick Oram, farmer, Mudgee, called in, sworn, and examined:—

665. *Mr. Piddington.*] At the time of the last general election you were qualified as a voter? Yes.
666. Where were you until after dinner of the election day? Before dinner I was at the Mudgee Court-house.
667. What were you doing there? I was looking after the interests of Mr. Haynes.
668. Did you try to vote at the Court-house? No.
669. The letters at the Court-house were, I believe, G to M? Yes; I know my initials were not there.
670. At what time did you go to vote? About half-past 3.
671. Where did you go? To the Public School.
672. What time did you get there? About 3:30.
673. What did you find when you got there? A block.
674. In what parts of the premises were the people? In groups about the yard, on the verandah, and in the porch. The porch was completely blocked to the door.
675. Did some of the people in the crowd ask you to do anything? Not at the time.
676. Were any complaints made at that time? No.
677. What did you do? I saw Mr. Haynes, and told him I did not think it was possible for the people to record their votes.
678. What did he do? He saw the Returning Officer.
679. Did you see the Returning Officer? I was close by the Returning Officer at the time Mr. Haynes was speaking to him.

680. Did the Returning Officer ask a question? I would not be sure, but I answered the question of the Returning Officer, so to speak, but whether he asked it or not I could not say.
681. What was it? I told the Returning Officer it was impossible for the people to vote at the Public School.
682. Did he say anything about the prospect of the crowd abating? He did make reference to that in this way: that is, if it did not abate by 5 o'clock he would erect a general booth, or something to that effect.
683. Where did you go after this interview with the Returning Officer? Back to the school.
684. What did you find when you got there? I found the same block, only more so.
685. What class of voters were there then? Workmen in most cases, and in a great many cases women.
686. Did you hear any complaints? I did.
687. What were the people complaining of? There seemed to be a big possibility of the people not recording their votes. It was then a pretty well open secret that they would not be able to vote.
688. Did you hear any complaints of people having been there before, and unable to vote? Yes; in two cases.
689. What were the complaints? One complaint was made to me by a man who works in a store. He said he had been there three times and could not record his vote. Another man, a butcher, said he had been there three or four times and could not record his vote. I persuaded him to stop till the last, which he did, and then he could not vote.
690. Did you see Mr. Crossing's son? Yes.
691. What did he do? He went to the front entrance of the Public School polling-booth.
692. Did he come out that way? No. If he came out at all he did so by the exit.
693. You did not see him? No. According to the people who were standing there it was pretty well understood that something was going to be done in putting on fresh officers to take the vote or putting in some more chairs.
694. Did you see any people going away? I did.
695. Where any ladies amongst them? Yes. Whether they came back and recorded their votes I could not say, but they got out of the crush.
696. Were there a lot of hat pegs in the Public School porch? Yes.
697. Did you hear people complaining about the ventilation?
698. Did you do something in regard to the window? I tried to raise one in the porch, but found it was impossible.
699. Did you place some men on a table at the verandah? Some men had a table there.
700. To give voters their numbers? Yes.
701. In order to save that amount of time inside? Yes.
702. Had that any effect, as far as getting the people in any sooner was concerned? I could not say that it had.
703. Did you succeed in voting yourself? I did not.
704. Were you amongst the people in the porch at the final close of the poll? I was there till the very last, right in the porch.
705. Did you take down some names? I did.
706. What names, and at whose request? I have the names with me marked on the rolls I had in my pocket at the time. I could not say from memory who they were.
707. At whose request did you take them down? At the request of persons mentioned on the rolls.
708. They asked you to take down their names? Yes.
709. Did they say why? They did not think it was altogether fair that they should be disfranchised against their will.
710. Was that the reason they gave for asking you to take their names? Yes.
711. You took down some names, and something was said in the crowd and you desisted and did not take any more? Yes.
712. What about the voting as far as pace was concerned? I could not say.
713. Was it fast or slow? It appeared to be slow.
714. How many voters were admitted at a time when the door was opened? I could not say. It was too far from the porch to the entrance door to the room, and there was a crowd of people in the room.
715. You could only have seen that if you had been near the door? Yes.
716. I believe there is practically an outer angle in the porch? There is a door leading into the porch, and a door leads from the porch to the school.
717. *Mr. Levy.*] Was not the door leading from the verandah to the porch open all day? Yes.
718. *Mr. Piddington.*] But the one which was open and shut was the one leading from the porch to the school? Yes.
719. And you could not say what number of persons went through that door at a time? No.
720. Were you there when the polling ceased? Yes.
721. Was there still a pack of people there then? Yes.
722. Did you see people leave during the afternoon? I saw people coming out from the porch, but whether they returned after I could not say. The heat seemed to be intense. I saw one man with an injured arm, and a woman with a child, who would not be crushed, and who came out, and so did some other ladies, but whether they returned or not I could not say.
723. When the doors were closed, how many people were left, apparently trying to record their votes? Between thirty and forty.
724. Had you a conversation with Mr. Patterson, the last witness, about his counting the numbers? I said something to him about counting them as they went out, and he afterwards told me he had made thirty-seven of them. It was very dark at that time.
725. All the time the crowd was there were complaints being made about not being able to vote, and that kind of thing? In the porch complaints were being made.
726. *Mr. D. R. Hall.*] Were you at the other polling-booths during the day? Yes.
727. At the Court-house and Town Hall? I was at the Town Hall early in the morning, and I was at the Court-house all the forenoon.
728. What time in the afternoon was it when young Mr. Crossing came down? I could not say, but it would be late. It must have been between 5 and 6 o'clock.

Witness—G. F. Oram, 1 November, 1904.

729. And you saw him go inside the booth? Yes. I saw him come to the door of the porch, and of course he must have got there.
730. And of course he disappeared? Yes.
731. Did you try to vote during the morning? No.
732. Were you helping to give people their numbers at the Public School during the afternoon? Yes.
733. Were the voters coming up at a fair rate during the afternoon? Yes; they were coming at a faster rate than they did at the Court-house in the forenoon.
734. Were any of the crowd who were there when you went to the Public School amongst the disappointed ones at 6 o'clock? Yes.
735. They had been trying to vote from 3 to 6? From 3-30 to 6.
736. How many people do you think got their numbers from you between 3-30 and 6 o'clock? Not many from myself, but from the men I put at the table, several.
737. How many is that? Not being there myself, I could not say.
738. You were there all the afternoon, and could see how fast fresh people were coming to the booth? I could from 3-30.
739. How many fresh voters came up from 3-30 to 6 o'clock? I could not say, because there are always a good many people about a polling booth who stand about all day long.
740. Do you think there were 100? I do not think so. There were not many more than that number recorded at the Public School altogether, although, of course, there might have been.
741. At any rate, the general report was that the voting at the Public School during the morning was slow? I never heard that report; but the people were slow coming to the booth in the morning.
742. *Mr. Piddington.*] That is, judging by what was going on at the Court-house? Yes.
743. *Mr. D. R. Hall.*] Of those who came to the Public School after you got there, did many vote? Some of them did. They pushed their way in. That is, according to their own statement. I know several people who did not vote who say that they did; but I know different. I never told anyone myself that I did not vote until the day I left for Sydney.
744. Can you give an estimate of the rate of voting per hour, during the afternoon, at the Public School? I was on the eastern side of the school, and could not see the people as they came out.
745. But you could see them going in? No.
746. Could you see the doors opening to admit the people? No; it would be impossible on account of the crowd in the porch. If you were standing in the yard or on the verandah, the porch would be higher, and you could not tell.
747. Did the door open fairly often? When I saw it late in the evening, it did not open often enough for my fancy.
748. What was your fancy? My fancy was that all the people should have voted.
749. Would you say it opened ten times in half an hour? I could not say that.
750. How long did you push? I did not push at all.
751. How long did you stand among the crowd? I tried my level best for the last hour to get to the front.
752. And up to 5 o'clock you were waiting for the crowd to abate? Yes; I was there, but I did not put myself forward.
753. You could not give an estimate of how many voted in the last hour? No.
754. *Mr. Dacey.*] You say you put some men on the verandah to give numbers to the electors? Yes—three men.
755. Was there an outside poll-clerk on the verandah besides these men? Not that I am aware of.
756. *Mr. Levy.*] Who made the arrangements about the table outside? It was there when I came. We procured a table on our own account at the Court-house.
757. Was the table at the Public School there all day? It was there when I came at 3-30.
758. *Mr. Dacey.*] Was the table, prior to your putting the men at it, being used? Yes.
759. Who by? There was a man representing both candidates, and they were giving the electors their numbers on the roll.
760. *Chairman.*] There was no one officially appointed at this table? No.
761. *Mr. Levy.*] So far as you were concerned, you did not intend to go away as soon as you recorded your vote;—you came there to watch Mr. Haynes' interests generally? Not there. I was a Court-house man; but I had to go to the Public School to record my vote.
762. *Mr. Piddington.*] If you had voted when you went there, you would have gone back to your work at the Court-house? Yes; I daresay I should.
763. What kept you was looking after the getting over of this difficulty? Yes.
764. *Mr. D. R. Hall.*] When you got to the Public School you commenced to help others to vote? Yes; when I saw the crush I did what I could to get them through, by fixing up their numbers. The people who were at the table representing each candidate had vacated the table altogether when I got there, and I put two men on, and then another who took the place of one who had to go away. Those men were purely volunteers.
765. *Mr. Levy.*] What do you think was the length of the porch from the verandah? About 16 feet.
766. By about 6 feet? Yes; about that.
767. *Mr. Waddell.*] Was the porch full when 6 o'clock came? Yes.
768. *Mr. Levy.*] You told us before that there were between thirty and forty people there? Yes; inside the porch and outside.
769. Would forty people fill the porch? I could not say how many would fill it. It was pretty crowded. I did not swear all the people were inside the porch.
770. *Mr. Oakes.*] Have you any idea how many persons voted during the time you were at the Court-house? I could not give any estimate.
771. *Chairman.*] You say twelve or thirteen an hour, or something of that kind? I could not give any figures, because I really do not know.
772. How long were you there in the afternoon? From 3-30 to 6, with the exception of once when I went to the Court-house, which is half a mile, and back.
773. *Mr. Oakes.*] How long were you in the porch? From 5 to 6.

774. Was the procedure in the porch the opening of the door, the letting in of three persons to vote, and then the closing of it again? The procedure was to allow some in, but I could not give you the number.
775. *Mr. Waddell.*] You ought to have been able to form some idea of the rate of voting if you were in the porch? It was very dark at that time, and although I could see the door opening I could not see the people going in.
776. *Chairman.*] You mentioned the name of a butcher who did not vote;—do you know who he is? Mr. Pauling.
777. What time did you place these men at the table? About 5 o'clock. There were two men there at the table when I got in at about 3-30. They remained giving numbers for some time. The table was vacant for some time, and I put two men at it.
778. Were either of the men you found there at 3-30 acting in Mr. Haynes' interest? One of them was.
779. *Mr. Levy.*] Did you take a list of the people who complained they were unable to vote? I took the names of those who asked me.
780. How many names did you take? Eight or nine.
781. *Mr. Piddington.*] And then you desisted because of something that was said in the crowd? Yes.
782. *Mr. Oakes.*] You say you were in the porch from 5 to 6? Yes.
783. If there were forty or fifty persons there trying to get in to vote, you must have some idea of the number of people who were being admitted into the polling-place;—cannot you give us some idea? I cannot. I can only tell you that the polling appeared to be slow.
784. Would you call one in five minutes, or one in a minute, slow? I go by what has been done at other elections.
785. What was done then? At the Mudgee polling-booths at the time of the Federal election, there was no block at all. You simply walked in, recorded your vote, and walked out.
786. *Mr. Waddell.*] Was there the same Presiding Officer on that occasion? I could not say.
787. *Mr. Oakes.*] Do you think forty persons went through the door within the hour? I could not say how many went through. The crush did not seem to get any easier.
788. *Mr. J. H. Young.*] Did you not find the crowd much less dense? No; there was no relief. The crowd behind would account for that.
789. *Mr. Waddell.*] But you found yourself getting closer to the door? Yes, I admit that.
790. *Mr. J. H. Young.*] How much nearer did you get to the door? A pace or two.
791. Then in a full hour you did not move 6 feet? If I did, I moved no more.
792. *Mr. Levy.*] Could you tell me whether anyone was stationed at the exit door? No.
793. You do not know whether Mr. Haynes had anyone there? No.
794. *Mr. D. R. Hall.*] Do you know who presided at the Public School? No.
795. Do you know Mr. Percy Webb? Yes.
796. Is he a good business man? I think so.
797. What is his position in Mudgee? A solicitor and hotelkeeper. At any rate, he works in a solicitor's office, and works as a clerk there.
798. *Chairman.*] I suppose he inherited the hotel? That is right.
799. *Mr. Piddington.*] Does he run the hotel? I could not say.
800. Is it the "Paragon Hotel"? I think so.
801. *Mr. Dacey.*] Would you say he was a competent man to be Presiding Officer? As far as I know him, I should say he is.

Urias Scoble, miner, Leadville, sworn and examined:—

802. *Mr. Piddington.*] Were you connected with a race committee shortly before the Mudgee election? Yes.
803. Was that with regard to some races to be held at Leadville? Yes.
804. Can you tell us what occurred with regard to the offering of prizes and donations? Yes. Mr. Horne, a selector outside of Leadville, went to Mudgee.
805. Can you tell us anything that took place at the committee meetings? Mr. Hall came to Mudgee, and proposed a race meeting for Leadville.
806. Can you tell us whether Mr. Horne has shown any interest in racing before? No, he had not; not the slightest.
807. What was resolved by the committee? Mr. Hall proposed that there should be a meeting to get up races at Leadville, and he said that people in Mudgee had promised £5 towards it. He also promised that £5 out of the amount of money collected for the races should go towards a lottery prize for lady voters.
808. Was the lottery prize advertised and given? Yes.
809. *Mr. James.*] Out of this money? Yes, out of the money collected for the races.
810. *Mr. Piddington.*] Before the lottery prize was resolved upon, did you get a particular donation of any sort? Not directly for the lottery, but the lottery was taken out of the amount.
811. What was the amount? I think about £20 was collected in the district.
812. But there was some particular donation on some particular day;—can you tell us anything with regard to that? We got £5 sent out from Mudgee on the Friday before the polling day.
813. Whose money was it? I saw the cheque, but not to examine it.
814. Were you a member of the committee? Yes. One of the committee asked what was the cheque, and they said "Mr. Cohen's." The whole of the committee did not examine it, but it was handed in to the secretary.
815. Do you know whether before Mr. Cohen's cheque was sent to the committee any action was determined upon by the committee with a view to getting a donation? There was a committee meeting on the 3rd of August, and it was said that money which was promised by the *Guardian* people was not sent out.
816. Was that matter discussed? Yes.
817. Is the *Guardian* Mr. Richards' paper? I have been given to understand so.
818. You say that on August 3rd it was mentioned that a subscription promised by the *Guardian* people had not been received? Yes.
819. Did Mr. Horne proceed to do anything? He said that money was not forthcoming. He said, "I think I had better wire into the *Guardian* people in the morning, telling them that a strong Haynes party is being formed. It will soon come out then."
820. And, on the Friday, it did come? It came on the Friday night.

Witness—U. Scoble, 1 November, 1904.

821. And you offered a prize of £2 2s. for lady voters, and it was given? Yes.  
 822. Do you know who Mr. Cohen is? No; I have seen him once or twice, but I am not acquainted with him.  
 823. Do you know who the Mr. Cohen referred to in the conversation was? No.  
 824. Was this lottery largely advertised? Yes.  
 825. Were handbills posted? Yes.  
 826. Have you got one of them? Yes. [*Vide Appendix I.*]  
 827. *Chairman.*] That handbill was circulated? Yes.  
 828. *Mr. Piddington.*] You have told us that as a matter of fact the prize was awarded to some person? Yes.  
 829. Do you know who it was;—was it one of the voters at the election? Yes.  
 830. Was any proof insisted upon by the committee that the person claiming to win the lottery had voted? No. The committee appointed to carry it out had simply to see that the lady had an elector's right.  
 831. Was this elector's right to be marked in any way? No.  
 832. And you say that the lady who won the prize produced an elector's right? Yes.  
 833. *Mr. James.*] Were you a member of the committee who awarded the prize, or was it a special committee? I was a member of the race committee.  
 834. But you say the committee decided that some lady was entitled to it;—were you one of those who decided on the lady who won? Yes.  
 835. Can you say whether she was an elector of the Mudgee electorate? I cannot swear it, I can only swear she had an elector's right.  
 836. She might have been an elector of Liverpool Plains? I could not say.  
 837. *Mr. Levy.*] Did you examine the ladies elector's right? No. It was a condition that the lady must hold a right.  
 838. *Mr. Piddington.*] A right for the Mudgee electorate? I would not say that.  
 839. *Mr. James.*] Was there not a booth at Leadville for the Liverpool Plains electorate? Yes.  
 840. Did they "compete," if we can call it so, in this lottery? No; the lady was to hold an elector's right.  
 841. Is Mr. Horne an elector of Mudgee? No.  
 842. Was there any profit out of the race meeting? A slight profit.  
 843. Was there a sum of money divided between the two churches? Yes.  
 844. Does not the *Guardian* circulate over a large area? Yes.  
 845. Is it not, as a rule, interested in anything which interests the people? I expect so.  
 846. Did many people attend the race meeting? Yes, it was an exceptionally large meeting for the place.  
 847. Did you yourself approach Mr. Richards or Mr. Haynes in connection with any donation? No.  
 848. Was anything said at the committee meeting about Mr. Haynes or Mr. Richards being interested in the race meeting? No.  
 849. *Mr. Piddington.*] Is not the *Guardian* Mr. Richard's paper? So we understood,—that it was coming from that source.  
 850. *Chairman.*] Have you any recollection when this committee meeting, where these remarks were made, and at which the race meeting was decided upon, took place? About three or four weeks before the day of the election.  
 851. When was the lottery resolved upon? At the second meeting.  
 852. How long was that before the day of election? About a fortnight.  
 853. Could you fix the date? No.  
 854. *Mr. Levy.*] When was the lottery drawn? At 3:30 on polling-day.  
 855. Do you know who won the prize? Mrs. Richard Ross.  
 856. *Mr. Dacey.*] Do you know where she lives? At Uarbry.  
 857. *Mr. Piddington.*] Where is that? Portion in the Mudgee electorate, and portion in the Liverpool Plains electorate.  
 858. *Mr. Dacey.*] Do you know which electorate Mrs. Ross lives in? No.

Louisa Payne, Mudgee, sworn and examined:—

859. *Mr. Piddington.*] You were an elector in the Mudgee electorate at the time of the last general election? Yes.  
 860. At what time of the day did you first go to vote? About 3 o'clock.  
 861. Where did you go to record your vote? To the Public School.  
 862. Did you record your vote at that time? No, I was not able to do so.  
 863. Why? Because so many people were there that I was unable to get in. I thought I would call again.  
 864. Was there a crowd about the polling-booth at that time? Yes.  
 865. Of persons apparently endeavouring to vote? Yes.  
 866. Did you wait some little time there? Yes.  
 867. How long? About ten minutes.  
 868. Did the crowd during that time diminish to any extent? A little, but there were persons still coming.  
 869. You went away then? Yes.  
 870. Do you live far from the polling-booth? Not very far—about three minutes' walk.  
 871. When did you return? About 5:15.  
 872. What did you see then? A number of people were there. The porch was crowded.  
 873. Did you join the crowd? Yes.  
 874. Did you remain there until the poll was over? Yes.  
 875. Were you able to record your vote? No.  
 876. After you joined the crowd on your second visit, did you remain with it until the closing of the poll? Yes.  
 877. As far as you could see on the second occasion, what were the people in the crowd doing? They were trying to get through to record their votes, the same as I was.  
 878. At this time how was the crowd, so far as its density is concerned? We were crushed. 879.

879. On what part of the premises were you? After pushing my way through I got into the porch, but I could not get any further.
880. Would you say that this plan (*vide Appendix J*) shows the construction of the premises as they were on polling-day? Yes.
881. Whilst you were there did you hear complaints being made by people? Yes, they thought they ought to be allowed to vote, even if they could not get in by 6 o'clock.
882. Did you notice whether the voting was slow? Yes, that is what people complained of.
883. Did you see how often people were admitted to vote? Yes.
884. How often? It took about five or more minutes to get a couple in.
885. How many were admitted at a time? Two, as far as I know.
886. And you say it took five minutes or more before the door would be opened again? Yes.
887. Did you see any shoving or anything of that sort? Yes, the people were trying to push the door open, but there were too many policemen about for them to stand a chance of getting it open.
888. Did you see the crowd at the end of the polling? Yes.
889. Were they persons who had been in the crush in the porch? Yes, whilst I was there.
890. About how many do you think were left at the close of the poll trying to get in? Between twenty and thirty.
891. *Mr. Levy.*] Are you speaking only of those in the porch? Yes.
892. *Mr. Piddington.*] Did you see any persons leave the crowd? Yes, one person went home. A sister of hers was at home minding the voter's children until she came back. Some people who had left their babies in their carts, said they were not going to stop to record their votes.
893. Were they people who had been staying there some little time? They were there whilst I was there.
894. Apart from them, did you see persons going away from the crowd? No.
895. How long were you in the porch? From 5.15 to 6.
896. Did the men make way for you to get in? No, not this time.
897. You say you shoved your way in? As far as we could get. The men did not study the women much this time.
898. *Mr. James.*] Did you go straight into the porch when you went in the second time? I got in, but I had to shove.
899. Did you get straight into the porch? Yes.
900. Were the policemen keeping guard and letting people from the porch into the polling-booth? Yes.
901. *Mr. Oakes.*] Can you give any idea of the number of people who were admitted from the porch into the building between 5.15 and 6 o'clock? There must have been over twenty.
902. *Mr. Levy.*] I think you said there were thirty people in the porch when the polling closed? Between twenty and thirty.
903. From what you could see, were they all trying to get in to vote? Yes.
904. Were there any people outside the porch? Yes, on the verandah.
905. Were they also trying to get in? Yes, they would have gone in if they thought they could get.
906. *Mr. Dacey.*] Did you get in? No, I only got as far as the porch.
907. And how far were you away from the door? About 2 yards, I think.
908. Could you see the door open every time? Yes.
909. Could you see how many went in? Yes.
910. How many went in at one time? Two.
911. Never more than two? Not as far as I know.
912. Did you take notice that there were only two going in each time? Yes.
913. You would not say three went in each time? No.
914. How long do you think elapsed between one opening of the door and the next? Between five and ten minutes.
915. Did you count the number who went in during the three-quarters of an hour you were there? No.
916. *Mr. Oakes.*] You say you were in the porch three-quarters of an hour? Yes.
917. How many persons went into the room in that time? I could not answer that question, because I was too far out to be aware.
918. *Mr. Levy.*] Did you get your number from the man seated at the table? Yes.
919. Had the people in the porch at 6 o'clock got their numbers as well? Yes.
920. They had all made up their minds to vote? Yes.
921. *Mr. Oakes.*] You have stated in reply to Mr. Dacey that you saw persons going through the door two at a time;—do you still adhere to that statement?—Yes.
922. You saw two persons going in at one time; but you cannot say how many went in during the three-quarters of the hour? No.
923. *Mr. James.*] Did you see the door open many times? Yes; it opened a good many times, but I could not tell you how many.
924. Will you swear that only two went in each time? No; I would not swear to that.
925. *Chairman.*] Can you recollect the last half hour before the poll closed? Yes.
926. You would have been there one quarter of an hour, then? Yes.
927. Do you remember how many couples voted during the first quarter of an hour after you arrived? No.
928. Can you say how many were admitted from 5.30 to 6? No.
929. Do you think there were more admitted during the last half hour than during the first quarter of an hour? There seemed to be less, because the polling seemed to be slower.
930. During the last half hour it seemed to slacken off? Yes.
931. Do you mean that they did not seem to be let in so rapidly during the last half hour? Yes.
932. Had you a watch with you? Yes; but I did not time them.
933. Did anyone else time them whilst you were there? I heard someone remark that they were timing them.
934. *Mr. Levy.*] Were most of the people in the porch residents of Mudgee? Yes.
935. *Chairman.*] And neighbours of yours? Not all.
936. Any of them? I know them by sight, but I do not know their names.

Henry Lord, dairyman, Mudgee, sworn and examined :—

937. *Mr. Piddington.*] You were driving about on election day in Mudgee? Yes.
938. When did you first come to see or hear anything about the Public School? I first noticed the crowd increasing about 1 o'clock or 1.15.
939. When did it reach the point that you did something? At 3 o'clock.
940. What did you see then? I saw they were blocked at the Public School, and drove down the street towards the Court-house, and saw Mr. Crossing ahead of me in a sulky. I drove after him and told him there was a block at the school.
941. What did he say? He said he would see about it.
942. Did he say what he would do? No. I saw Mr. Haynes a few minutes afterwards at the Court-house, and I drew his attention to the block, and Mr. Crossing, after me speaking to Mr. Haynes, drove to the school. Mr. Haynes and I followed him in a sulky. I cannot say what conversation Mr. Haynes had with Mr. Crossing about the block, but I heard Mr. Haynes say it was a serious matter. He said this on two or three occasions.
943. How long did Mr. Crossing stay at the Public School? About half an hour.
944. Did you stay long in the vicinity? Yes.
945. Could you see the approach to the polling-place? Yes.
946. Can you tell us what was the state of things during that half-hour? The place was absolutely blocked.
947. What were the people doing in the crowd? Trying to crush in.
948. In what part of the premises was that? The porch going into the main building, which they were using as a polling booth. They were ticking off the number of the voters on the verandah, and the block was in the porch.
949. Did you go in? No.
950. All you could see would be a doorway and persons blocking in? Yes.
951. *Mr. Dacey.*] Did you see the door leading to the polling-place? I saw where the constable was standing, and the crush was on the other side of him, trying to record their votes.
952. *Mr. Piddington.*] Did you stay in the sulky all the time? No.
953. What did you do? I went round to the back of the building.
954. You stayed there about half an hour? Yes, on the first occasion.
955. During that time what did you do? I was knocking about amongst the crowd.
956. Did you hear any complaints? About 3 o'clock I spoke to Mr. Pauling, and asked him if he recorded his vote, and he said "No." There were others outside—in fact there were several. I spoke to one young man with a crippled arm, and he said it was of no use him trying to get in with a crippled arm.
957. Did you go round to the back? Yes.
958. Did you see people coming out of the booth? Yes.
959. Did you stay there any length of time? I was there at different times.
960. I would take a run to the Court-house or Town Hall, and then come back again? I was at the back of the building two or three times.
961. Were you able to form an idea of the rate of voting by people coming out at the back? I had no means of timing them, but they seemed to be coming through terribly slow.
962. Did the crush last all the time you were there during the half-hour? Yes.
963. Where did you go when you drove away? To the Town Hall.
964. Did you do anything there with reference to the Public School block? No; Mr. Haynes asked me where Mr. Crossing was. We drove to the Town Hall, and I saw Mr. Crossing's sulky at his office on the opposite side of the street.
965. At what time of the day was it that you saw Mr. Crossing's trap at his office? At about twenty minutes to 4.
966. Did you go back to the Public School at any stage? Mr. Crossing went to the Court-house, and we followed on, and then back to the Public School.
967. How were things at the Public School when you got there the second time? We could see some of those people who were in the back of the crowd on the former occasion. They were still there.
968. Did anything take place on the second visit? Mr. Haynes spoke to Mr. Crossing on two or three different occasions about the seriousness of the matter.
969. Did you see young Mr. Crossing there? Yes; near closing time.
970. Was that a further visit still? Yes.
971. Where did you see him? At the back door. He came and spoke about several of the electors being at the back door.
972. Was anything said about the electors getting in at the back door? Young Mr. Crossing said that they would have to stop sending the electors in at the back door.
973. He made that announcement? Yes.
974. Were you there at closing time? Yes.
975. What was the state of things then? Still blocked.
976. When the poll closed, how many people were in the crush? At what we call the porch there would be between thirty-five and forty. I did not count them. There were others who had gone away prior to that, and there were others standing between the verandah and the school palisading.
977. Did you see any people leave the crush? I saw a number standing back watching the crush, and they saw there was no hope of getting in.
978. Did you see any ladies leaving? Yes; I saw one in particular, with a little child in her arms.
979. Where did she come from? Out of the back door after recording her vote.
980. *Chairman.*] What time was that? About ten minutes before closing time.
981. *Mr. Piddington.*] Did you see any ladies leaving the crush at all? No. I was at the front all the time. We were making trips backwards and forwards.
982. Did you hear Mr. Crossing say anything about what he would do? No. I saw Mr. Crossing, senior, get a table and an ordinary lamp as if he intended to do something; but whether he did anything or not I could not say.
983. *Mr. James.*] Did you not buy some candles? Yes, for Mr. Haynes.
984. How much did you get to buy those candles? Has it anything to do with the case?

Witness—H. Lord, 1 November, 1904.

985. We should like to know what became of the change? I will not answer that question—not because I cannot.
986. Where did you buy the candles? I got them off a child in the street. The child was sent for the candles.
987. How did they get the candles inside? They were handed through the back door.
988. *Chairman.*] What time was it you heard young Mr. Crossing say voters were not to be admitted through the back? About twenty to 6.
989. It was past 5:30? Yes.
990. How long had you been at the back before this? About ten minutes—perhaps a little longer.
991. Did anyone go into the polling-booth from the back whilst you were there before Mr. Crossing made this announcement? Yes.
992. Who were there? Two ladies, but I could not say who they were.
993. Was one of them carrying a child? No; the one who was carrying the child had come through the front door.
994. Two ladies went in at the back door whilst you were waiting? Yes.
995. Were you there when Mr. Crossing came up and made that announcement? He made the announcement from the inside, and I was standing at the back and heard him.
996. Would you know the two ladies who went to the back door? I could not identify them now.
997. Did anyone accompany them? I cannot remember.
998. Did anyone seem to be guiding them or bringing them to the back way? I could not say. It is quite probable that some one was with them. I hardly think they would come round alone.
999. *Mr. Dacey.*] Did you see anyone piloting them round? Yes, Mr. Cohen on one occasion. There were two lots who went through.
1000. What time did you see the other lot? About 5:30.
1001. *Chairman.*] At twenty to 6 Mr. Crossing made this announcement. You had then been there about ten minutes. Now you say you were there at an earlier period of the afternoon? Yes.
1002. What was that earlier period? About 4 o'clock.
1003. Were you at the back at 4 o'clock? No.
1004. At what hour were you at the back beside the hour of 5:30? At different times from 4:30 to 5:30. I was there at 5 o'clock.
1005. When were you last at the back before 5:30? I do not think I was there before 5:30.
1006. Do you remember seeing Mr. Larry Cohen come with two ladies to the back? Yes.
1007. Was that on the same occasion you have spoken about—when you were there at 5:30? It was between 5:30 and the close of the poll.
1008. Those were two other ladies? Yes. In fact there was a lady who went in alone at the back, and Mr. Haynes asked who she was.

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WEDNESDAY, 2 NOVEMBER, 1904.

Present:—

Mr. Brinsley Hall,	Mr. Oakes,
Mr. Dacey,	Hon. J. H. Young,
Mr. Levy,	Mr. Waddell.
Mr. Morton,	
W. A. Holman, Esq., in the Chair.	

Mr. A. B. Piddington and Mr. C. G. W. Davidson appeared as Counsel for the Petitioner,  
Mr. John Haynes.

Mr. A. James and Mr. D. R. Hall appeared as Counsel for the sitting member, Mr. Edwin Richards.

Oliver Louis Milling, police constable, stationed at Gulgong, called in, sworn, and examined:—

1009. *Mr. Piddington.*] Do you know the places where the polling was taken at Gulgong? Yes.
1010. How far apart were they? About a quarter of a mile.
1011. Is the plan (*produced*) a correct plan of the position of the streets and the two polling-places—the Public School and the Town Hall? Yes.

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TUESDAY, 8 NOVEMBER, 1904.

Present:—

Mr. Dacey,	Mr. Brinsley Hall,
Mr. Levy,	Mr. Macdonell,
Mr. Morton,	Mr. Oakes.
Mr. Waddell,	

The Hon. J. H. Young in the Chair.

Mr. A. B. Piddington and Mr. C. G. W. Davidson appeared as Counsel for the Petitioner, Mr. John Haynes  
Mr. A. James and Mr. D. R. Hall appeared as Counsel for the Respondent, Mr. Edwin Richards (the sitting member).

Duncan McRae, police constable, Mudgee, sworn, and examined:—

1012. *Chairman.*] Were you in the polling-booth at the Mudgee Public School on the day of the election? Yes.
1013. Were you there all day? Yes.
1014. Were you inside? I was at the door of entry.
1015. I understand there was a door of exit? Yes.

Witness—D. McRae, 8 November, 1904.

1016. Was the stream of voting fairly regular? No, not until 3 o'clock. Until 3 o'clock it was slow.  
 1017. Was there a great pressure after that time? Yes; after 3 o'clock there was a rush.  
 1018. Did you allow the people to come in in batches of three? Yes, three at a time.  
 1019. Does that mean that when three voters were in the compartments, three more were allowed to come in? Yes.  
 1020. So that there were six people inside at once? Yes.  
 1021. Can you give us any idea as to how long it took three persons to get their numbers, record their votes, and go out? Seven or eight minutes.  
 1022. Seven or eight minutes for each batch of three? Perhaps ten minutes for the six.  
 1023. There is a passage before you come to the entrance door? Yes.  
 1024. It has been stated that towards the end of the polling it took three persons twenty-five minutes to vote? There was an open vote some time after 3 o'clock, which took up some time.  
 1025. That means that it took some time for a man who could not read or write to record his vote? Yes.  
 1026. What delay would that cause? About twelve minutes.  
 1027. We have had evidence from one person to the effect that he saw the time taken by a watch, and that twenty-five minutes elapsed between one batch of three and another batch of three being admitted to the booth;—do you think that is correct? No, that is not true.  
 1028. In your opinion that is an exaggerated statement? Yes.  
 1029. You think at the utmost it would be ten minutes? Ten or twelve minutes.  
 1030. One witness has stated that it took him an hour to move 6 feet along the passage? If he had cared to push himself forward he could have got in.  
 1031. Would not that have meant keeping someone else back? Yes.  
 1032. Did you see the crush in the passage way at all? Yes, I was right at the door.  
 1033. *Mr. Dacey.*] In the porch? Yes.  
 1034. *Chairman.*] I thought you were at the door inside the polling-booth? Yes.  
 1035. Then when you opened the door you could see how much the passage was crowded? Yes.  
 1036. Was the crowd very dense? Yes.  
 1037. Some elbowing their way through others? Yes.  
 1038. For what length of time did that occur? From about 3 o'clock.  
 1039. From 3 o'clock to 6 the crush remained? Yes.  
 1040. Have you any means of judging what number of people were not able to record their votes at 6 o'clock? Twenty-five to thirty.  
 1041. They were waiting to vote, and could not get in by 6 o'clock? Yes.  
 1042. Do you know how long they were waiting? No.  
 1043. I believe there was a door of exit as well as a door of entry? Yes.  
 1044. *Mr. Dacey.*] Who was in charge of the door of exit? No one until about closing time.  
 1045. *Chairman.*] To your knowledge, were any voters allowed in by the door of exit? No.  
 1046. Are you in a position to say they were not? Yes; none were allowed to enter by that door.  
 1047. *Mr. Dacey.*] If Mr. Haynes stated that they were and that he saw them, what would you say? I could not say whether any came in or not.  
 1048. Do you know a man named Larry Cohen? Yes.  
 1049. Do you know whether he took any people there to get them in by the back way? No.  
 1050. *Chairman.*] Mr. Haynes was asked the question:

Tell us exactly what you saw?

His reply was:

I saw persons being directed into the back of the booth by a gentleman named Mr. Cohen; that was at the Public School. I did not think that was any great irregularity at that time. I saw two persons, one of whom I knew was against me, and another man named Robson, who had been injured by some burning accident, and was accompanied by an elderly woman, who could not face the crush in the vestibule; and I suggested that they might be introduced into the room by the back way, as others had been. I found that several persons had been admitted in that way, and I saw several persons who had been so admitted. When I returned to the corridor again, the people complained to me of others being admitted, and that they could neither get in nor come out. I saw several persons—five or six at least—come to the place, look at the corridor, and go away.

Mr. Haynes states very plainly that some people were admitted by the door of exit;—in the face of that evidence, can you say that no such thing occurred? No; I could not say that anyone came in by the back door.

1051. But could you say that they did not? No.  
 1052. They may have come in without you knowing it? Yes.  
 1053. Were you there the whole of the day? I was relieved from 12 o'clock to 1 o'clock by another constable.  
 1054. I suppose there had been no crush up to that time? No; there were very few voters—hardly any.  
 1055. Have you attended booths at election times before? Yes.  
 1056. With the same Presiding Officer? Yes.  
 1057. Have you ever had experience of any other Presiding Officer? Yes; I was stationed at Gulgong on one occasion, and attended the booths there.  
 1058. Judging from your experience, was the taking of votes going on as quickly as might reasonably be expected? Yes.  
 1059. There was not one slow man interrupting the proceedings in any way? No.  
 1060. *Mr. Levy.*] Were you there when the poll closed? Yes.  
 1061. How many were in the booth then? Six.  
 1062. Mr. Haynes has stated that when the poll closed there were at least five or six persons, probably ten, in the polling-booth, waiting to vote, and were not allowed to vote; he also states that the ballot-box was closed by the Returning Officer, and that those in the booth were prevented from voting? We allowed six voters in just on closing time, and at that time there were three going out of the pits or compartments.  
 1063. Did those six vote? Yes.  
 1064. *Mr. Dacey.*] At what rate did the polling go along in the morning? Very slowly.  
 1065. How many do you think polled up to 12 o'clock when you left for luncheon? Eighty or ninety.  
 1066. Not more than 100? I think not.

1067. You have no knowledge as to how the polling went between 12 and 1 o'clock? No.
1068. Did you come back at 1 o'clock? Yes.
1069. How did the voting go from 1 to 2 o'clock? Very slack.
1070. The rush came at 3 o'clock? Yes.
1071. Was the crowd closely packed in the porch? Yes.
1072. Did any one faint there? I did not hear of it.
1073. Do you think reasonable facilities were offered to the people there to vote? I should say so.
1074. *Mr. Macdonell.*] You say there were twenty-five or thirty people who were unable to vote;—have you any idea how long they were in attendance prior to the closing of the poll? No.
1075. Do you know any of those who were unable to vote? Yes.
1076. Can you say whether they were there for any length of time prior to the closing of the poll? No.
1077. Then they may have come there only five minutes before the poll closed? Yes.
1078. *Mr. Levy.*] How many voting compartments were there inside the booth? Five or six.
1079. *Chairman.*] You are sure there were not more than six? Yes.
1080. *Mr. Oakes.*] You have stated that the polling commenced to be busy about 3 o'clock, and that in the morning there was practically little voting;—you have also stated that between 3 and 6 o'clock six votes were recorded every ten minutes? About that number.
1081. That means thirty-six votes per hour, or a total of 108 in three hours;—as 500 votes were recorded at the booth, that would leave 392 votes recorded in the morning? (*No answer.*)
1082. *Chairman.*] One of the witnesses has stated:

When the poll closed there were at least five or six persons—probably ten—in the polling-booth waiting to vote, and the ballot-box was closed by the direction of the Returning Officer, and those who were in the booth were prevented from voting. There were several who were not allowed to vote. Immediately afterwards, the people seeing the booth was closed, melted out of the corridor. Up to that time two policemen were at the door keeping the crowd from crushing in. The pressure behind was great. I saw a child taken away from a woman by a policeman. When the people got out of the corridor I saw several women leaning against different places for support; they were practically in a state of exhaustion—one of them particularly so—and they stated that they had been there for a considerable time—most of the afternoon. I saw at least forty persons unable to vote. I should say that the corridor would hold twenty to twenty-five persons, and they were jammed up tight. I went right to the edge of the crowd, and found they could not move backwards or forwards, and women in the corridor were crying out to be allowed to get out. I saw one woman come out of the place after being there, as she stated, an hour or an hour and a half. Her dress was torn, and she was walking up and down, endeavouring to get breath. Men fought in the corridor for a considerable time. I am able to state that I saw people in the corridor for one hour, and they did not vote. I met several persons who had come to the booth to vote at 3 o'clock in the afternoon. I remarked to them, "I will assist you to get your vote"; it made no difference to me for whom they voted.

Would your position in the doorway enable you to speak as to the truth of that statement? When we allowed three in we had to close the door to prevent the rest squeezing in.

1083. Had you to close the door with violence? Yes, it took one all his time shoving against it.
1084. *Mr. Macdonell.*] And you could not see what was taking place outside until you opened the door? That is so.
1085. *Mr. Dacey.*] Could you have heard if there had been any noise outside? No, the people were all talking.
1086. Are the walls of the building of brick? Yes.
1087. How many would the porch hold? About thirty.
1088. Would you clear it in an hour? Yes.
1089. Is it true that the same persons were in the porch for an hour trying to vote? If they had tried, I suppose they could have done so; they could have pushed themselves in.
1090. Do you think the porch was emptied every hour;—if there had been thirty people there, could they have gone through? Yes; a strong man could have worked his way up.
1091. But if the porch contained thirty people, could you clear it in an hour? Yes.
1092. The statement that the same people would be there over an hour would not be true? No.
1093. Do you know of any demand being made of the Returning Officer to provide better facilities for voting? I never heard of any.
1094. Was any demand made in your hearing? No.
1095. *Mr. Macdonell.*] Did there seem to be any tendency on the part of anyone to delay the voting of those inside the booth? No.
1096. You have seen voting conducted in other booths? Yes.
1097. Did the voting seem to be conducted in this particular booth as you have seen it conducted in other booths? Yes.
1098. Were there three or six voting compartments in the booth? Six.
1099. Can you explain how, in a booth where they only polled 500 votes, twenty or thirty voters were denied the opportunity of voting? If they had come in time, they could have voted easily.
1100. *Mr. Levy.*] Did you open the door at regular intervals whenever the three people inside had finished? Yes.
1101. *Chairman.*] A lady voter gave strong evidence to the effect that only two voters were admitted at a time;—are you positive that three were admitted? Yes. I got instructions from Mr. Webb to admit three at a time.
1102. *Mr. Brinsley Hall.*] You say that on one occasion it took people twelve minutes to vote because of the presence of an open voter; afterwards, it was suggested that it took about ten minutes to get six voters through;—was that the usual thing after 3 o'clock? I should say so.
1103. It took ten minutes each time? Yes.
1104. *Chairman.*] I suppose the construction of the building did not make the voting slower;—under any circumstances the people who were officiating at the table could not have got through a larger number of voters? No.
1105. They were not kept waiting on account of the narrowness of the passage leading to the door? No.
1106. I suppose that when you opened the door you did not open it wide. Only wide enough for one person.
1107. Did it ever happen that, on account of the scuffling outside, some time elapsed before three persons were able to be admitted? When I opened the door there was a crush behind it, and the people had to come through.
1108. But was there a fight between people to come through? Yes.

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1109. As a matter of fact, then, pressure outside would delay people getting in? There was no delay in getting them in. After three persons got their ballot-papers, I would have three more ready to take their places.
1110. *Mr. Levy.*] We have been told by a lady witness, who seemed to be certain about it, that during the last half-hour you were not letting the people in so rapidly as you had been previously;—is that correct? I was relieved about half-past 3 o'clock by another constable.
1111. *Mr. Oakes.*] Did you notice any difference in the rate of admission of the people in the afternoon compared with the morning;—were they being admitted more quickly in the afternoon than they were in the morning? Yes.
1112. Were you admitting them three at a time all day long? Yes.
1113. In the morning had people to wait ten minutes whilst others were voting? No, they would walk in and go right through. I do not think six persons were in the booth at one time in the morning.
1114. *Mr. Macdonell.*] Were there times in the morning when you were actually doing no polling at all? Yes.
1115. What would be the longest period which elapsed in the morning between one voter and another casting his vote? Fifteen to twenty minutes sometimes. Sometimes during that period no votes at all were recorded.
1116. *Mr. Dacey.*] That is to say, that for a space of fifteen to twenty minutes the booth was standing idle? Yes.
1117. *Chairman.*] Were there any lights in the polling-booth in the evening? Yes.
1118. And in the passage-way? No, it was in darkness.
1119. About what time did it get dark? Between 5·30 and 5·45.
1120. *Mr. Macdonell.*] Would not you have had greater difficulty in recording votes between 5 and 6 o'clock if Mr. Haynes had not provided lights? I could not say that.
1121. The light was not good? No.
1122. And it would have been worse if candles had not been provided? Yes, they could not have voted without the candles.
1123. And the Returning Officer had not made any provision for lighting? I could not say.
1124. Can you state whether there were any lamps or candles except those brought in by Mr. Haynes? I could not say who brought in the candles. There was a lamp on the table.
1125. *Chairman.*] Was that lamp a fairly large one? Yes.
1126. *Mr. Dacey.*] What light was there where the people were voting? There was a window. Candles were lighted about 5·40.
1127. If a short-sighted person went into a compartment, what sort of light was there to assist him to vote? There was sufficient light in the daytime. I should say there was sufficient light up to 5·30 or 5·45.
1128. Was there sufficient light after that? No, not after that.
1129. Was any light provided after that? I think candles were provided.
1130. Were those candles provided by Mr. Haynes? I could not say by whom.
1131. *Mr. Macdonell.*] Did the Returning Officer declare the result of the poll at that particular booth? Yes.
1132. Were many people hanging about for the result? No; they left.
1133. *Mr. Levy.*] So far as you could see, were the people in the porch at 6 o'clock people who wanted to vote? Yes.
1134. They did not go there out of curiosity to listen to the result of the poll? I could not say; but I suppose they came there to vote.
1135. *Mr. Macdonell.*] You did not notice any person who had already voted coming back to join the crowd to hear the result of the poll? No.
1136. *Mr. Dacey.*] Did the Returning Officer mount a rostrum and tell the people how many votes were polled? No. As soon as the booth was closed he dispensed with our services.
1137. *Mr. Levy.*] Were the ballot-papers counted in the booth? I was not there, and could not say.
1138. *Mr. Piddington.*] I understand you were on duty inside, with instructions, given you at the beginning of the day, to admit only three persons at a time? Yes.
1139. And I may take it that, from 3 o'clock to 6, you had to see sharply to it in order to carry out your instructions? Yes.
1140. That is to say, that, if you had not been there, and people could have opened the door, there would have been a scene of great confusion? Yes.
1141. People would have poured in to vote instead of being allowed in three at a time? Yes.
1142. I understood you to say that, before you left the booth at 12 o'clock, 90 or 100 people had voted, and that, after you came back at 1 o'clock and until 2 o'clock, the voting continued slowly? Yes.
1143. Then about 3 o'clock the crush set in? Yes.
1144. That means that from 3 to 6 o'clock there would be 400 votes recorded, less the number polled between 12 o'clock and 1 o'clock? Yes.
1145. You were admitting the people three at a time, and you say that three were admitted every five minutes, or six every ten minutes? That is so.
1146. The admission of three people every five minutes would mean that thirty-six people voted per hour? Yes. Of course, I never timed them.
1147. So that there would be 108 people coming through the door you were guarding from 3 o'clock to 6? More than 108 came through during that time.
1148. Say 120 or 150, if you like;—do you not think now that the heavy voting from 3 to 6 o'clock can only be accounted for by people coming in at the back door as well as at the front? No. I do not think many would come in through the back door.
1149. But you do not know; your duty was at the other door? Yes.
1150. And I suppose you were looking after your duty? Yes.
1151. You have made use of this expression: "That none were allowed to come in at the back door";—did you hear anything said about people coming in at the back door? Yes; I went to the back door.
1152. And what did you do? I prevented them from coming in.
1153. Then, but for your presence there at that time, people would have come in? Yes.
1154. Did you do that under any instructions from any one? Yes, from the Presiding Officer.

1155. Did he tell you to stop people coming in at the back door? He told me that people were coming in.
1156. And to go and stop them? Yes.
1157. Do you remember seeing a kerosene lamp in the booth? Yes; on the table at which the officials were sitting.
1158. Were the Presiding Officer, poll-clerk, and scrutineers sitting there? Yes.
1159. And they, of course, would be looking after the giving out of the ballot-papers? Yes.
1160. Was the lamp lighted before you went off duty? Yes; it was lighted about 5:30.
1161. Was that when you went off duty? I was relieved from the front door, and went on duty at the back.
1162. And had not the lamp been lighted before you went from the front to the back? Yes.
1163. How long? I could not say exactly—perhaps about ten minutes.
1164. Does not the room in which the polling was carried on face the east? The door faces the east.
1165. And there is only one window in the eastern wall of the room? I did not take particular notice of that.
1166. On the western side of that room, is not there another room? Yes.
1167. So that it would fall pretty dark on the eastern side of the room rather early? Yes.
1168. How far was the table on which the lamp was placed from the voting compartment? About 10 feet or less.
1169. Do you think it would throw much light on the voting compartment? No, not at all.
1170. What time elapsed between the lamp being lighted and the candles being brought in? About a quarter of an hour.
1171. And during that quarter of an hour, although there was light on the table, there was no artificial light in the voting compartments? Only the window.
1172. And that is a narrow, church-like window? Yes.
1173. Were the whole of the voting compartments along one wall? Yes.
1174. Were not two of them along the wall by the window? Yes.
1175. And four in another place? No; they were all along one side.
1176. Were they of the usual breadth, and sufficient to enable a person to walk in comfortably? Yes.
1177. What is the breadth of the window? About 2 feet.
1178. Did you see the voters round the table get their ballot-papers? No; but I saw them handing in their rights.
1179. And then the Returning Officer and others would, I suppose, be looking out their names and seeing that everything was in order? Yes.
1180. And whilst the people were showing their rights, and getting their ballot-papers, they would be standing at the table where the light was? Yes.
1181. And then they would go away from a place which was lighted to a place which was not lighted? Yes.
1182. Why were you relieved at 5:30? On account of the crush.
1183. Your work had been so hard? Yes.
1184. You had to shut the door and keep order when you opened it? Yes.
1185. And I suppose, as the chairman put it, that when people are crowding into any place they really get in slower in consequence? Yes.
1186. You have no doubt that there was more than the usual crush of voters from 3 to 6 o'clock? Yes.
1187. You have never seen anything like it at an election before? No.
1188. And you have never seen anything like twenty-five to thirty people left outside at closing time? No.
1189. You have stated that just on closing time you admitted six people? Yes.
1190. Do you mean that you admitted six in a batch or two lots of three? Two lots of three.
1191. *Chairman.*] You say you were relieved during the last half hour? I went back to the door at 6 o'clock.
1192. *Mr. Piddington.*] To help the other constable? Yes.
1193. I suppose people were getting pretty furious then? Yes.
1194. Did you hear people talking about not getting to vote? Yes; there was a lot of squabbling going on in the passage.
1195. And people were growling? Yes.
1196. I suppose you only saw the crowd on the occasions you opened the door? Yes.
1197. So that you cannot tell us of your own knowledge how long individual voters had been there? No.
1198. *Mr. James.*] How many constables were in the booth? Two, and, towards the evening, three.
1199. How many were at the door from 3 to 5:30? Only one—myself.
1200. You succeeded in doing all that was necessary yourself? Yes.
1201. Were you always inside the door? Not quite inside—at the door.
1202. You were half in the porch and half within the door, were you not? Yes.
1203. And you closed it sufficiently to prevent others coming in? Yes.
1204. You did not shut it tight? No.
1205. And you only had six in the booth at a time? Yes.
1206. Do you say that there were always six there, right through? That is all I noticed.
1207. You say you took care that there were only six at a time inside? Yes; through my door.
1208. Did you look round the booth at all? No.
1209. Did you look behind you at all? No.
1210. Could you have seen, at 5:30, to mark out a name from a ballot-paper without any lamp? Yes; there were three large windows at the end of the door.
1211. Did they throw any light where the balloting was going on? No.
1212. Could you have seen to mark a ballot-paper? Yes; where I was standing.
1213. I suppose you did not go into the compartments? No.
1214. But the candles were put there? Yes.
1215. And would give ample light for the marking of ballot-papers? Yes.
1216. I suppose it is guess-work to say that three persons voted every five minutes? Yes.
1217. The Returning Officer, and the Deputy Returning Officer, could tell us better? Yes.
1218. Was there any rush at the back door when you went there? No; only people going out.
1219. Did you see any one trying to go in? No; there were a few standing at the back.
1220. And you sent them away and told them not to stand about there? Yes.

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1221. *Mr. Levy.*] Can you say whether any one actually came into the booth by way of the back door and voted? I never saw any one.
1222. Did you see Mr. Larry Cohen there on that day? Yes, outside.
1223. At what time? Before 1 o'clock.
1224. Did you see him after 1 o'clock? No.
1225. *Mr. Macdonell.*] Could you see the back door from the front door at which you were standing? Yes, but my back was to it.
1226. But you could see it if you liked? Yes.
1227. Do you think it is possible that any considerable number of people—twenty to thirty—could have come through that door in the course of the day without you noticing them? No.
1228. *Chairman.*] I understood you to say that you were sent to the back by the presiding officer to see that no one came in? That was between 5.30 and 6.
1229. Had any one been guarding the back door before that? No.
1230. Can you give any reason at all why the presiding officer sent you there at that time? He said there were some coming in.
1231. But you, of your own knowledge, do not believe anyone did come in? I could not say.
1232. *Mr. Macdonell.*] Do you think it is possible that any considerable number could have come in? No.
1233. You are positive no considerable number came in? Yes.
1234. *Chairman.*] When you were relieved at the front door did you go off duty? No, I went on duty at the back door.
1235. How long did you remain there? About ten minutes.
1236. *Mr. Macdonell.*] Whilst you were at the back door was there any crowd? No, a few were [standing about.
1237. Who relieved you at the front door? Constable Nolan.
1238. How long have you been in Mudgee? Two years.
1239. *Mr. Dacey.*] I suppose that when you let three people in you naturally turned round;—had you not then in view those who were in the booth? Yes.
1240. Did it ever strike you that anyone was there whom you had not let in? No; I was watching the table as it was cleared.
1241. But a person might be standing there, and you would not notice whether he had come through your door? Yes.
1242. *Mr. Piddington.*] The question was put to you as to whether a considerable number could have got in without you seeing;—do you mean by that a considerable number at a time, or filtering in one by one? At a time.
1243. Then a considerable number could not have come in at a time without you noticing them? That is so.
1244. But one might have come in without you seeing? Yes.
1245. You say the door was not tightly shut? It was about 3 inches open.
1246. And you were holding the door back against the crush? Yes.
1247. So that most of the time your face would be turned towards the door where you were standing? Yes.
1248. And one man might easily come in at the back without you seeing? Yes.
1249. And that sort of thing might go on until, in the course of an afternoon, a good many came in? Yes.
1250. *Mr. Levy.*] Would not the people seated at the table see anyone coming in from the back door? Yes; the table was closer to the back door than to the door where I was.
1251. *Mr. Piddington.*] And the presiding officer told you that they were coming in by the back door, and he sent you to stop them? Yes.
1252. *Mr. Macdonell.*] When you let three people in, did you keep the door closed until you got instructions from the Returning Officer, or did you exercise your own discretion about letting other three people in? I used my own discretion.
1253. And then you would have to turn your back to the crowd, and you would see inside? Yes.
1254. And if men came in by way of the back door you would observe them? Yes.
1255. Do you think that during the whole of the time you were on duty twenty or forty men came into the booth through the back door? No, I should have noticed that.
1256. Could forty men have got in without you seeing them? No.
1257. Could twenty? Yes, they might have got in.
1258. Could thirty have got in? No.
1259. You had to look round to see when three men had voted, so as to allow three others to come into the booth? Yes.
1260. Then, if other men were coming in at another door, you could not have helped noticing it? Yes.
1261. *Chairman.*] And you never noticed anything of that sort? No.
1262. And yet you say twenty might have come in? They might.
1263. Without you noticing? Yes.
1264. *Mr. Macdonell.*] Even if you had not seen them come in at the back door, would not you have noticed them when they came up to vote? Not very well.
1265. *Mr. Dacey.*] When you looked at the table to see who was there, would you not have noticed a man who had not passed you? Yes.
1266. Did you ever notice anyone? No.
1267. *Mr. Macdonell.*] But, still, some might have come in that way whilst you were not on duty? That would be in the morning, when I was relieved for an hour.
1268. But if you let three men in at the front door, you could not have helped noticing if three others also came in at the same time by the back door? No.
1269. Could people have come in by the back door and taken part in the voting without you noticing them? Yes.
1270. *Mr. James.*] That means that, at that rate, there might have been nine voters in the room at once? Yes; but there were not nine in the room at once.
1271. *Mr. Macdonell.*] You have stated that you admitted three men at a time, and that you watched them to see when they had finished voting, so as to allow others in;—I want to know how others could come

come in at any other door without you noticing them, especially as you say there were never more than six in the booth at a time? The ballot-box was between me and the other door, and I could see those who had voted coming up to put their papers in it.

1272. *Chairman.*] If you let three in, and, subsequently, other three, you must have noticed whether any one came in from the back door? They were pretty well in a string all along.

1273. If the string were broken, and there were four people there when there ought to have been three, would you have noticed it? Yes.

1274. And you did not notice anything of the kind? No.

1275. *Mr. Morton.*] Could they have come in at the back door without you seeing them? Yes.

1276. *Mr. Macdonell.*] Were the compartments in sight from the door you were guarding, or did the ballot-boxes obscure them? They were in sight.

1277. But you, standing at the door, could at any time tell whether more than six people were in the room? I could, but I never noticed; I never counted.

1278. *Mr. Piddington.*] You never noticed that? No.

1279. *Mr. Macdonell.*] But still, if you had liked to do so, you could have ascertained whether there were more than six in the room at a time? Yes.

1280. *Mr. Piddington.*] Your attention was really concentrated on your duty at the door? Yes.

1281. And you never counted to ascertain whether there were six people in the booth, or how many were voting in the compartment? No.

1282. *Mr. Macdonell.*] Did you think that your duty was simply to remain at the door and watch the three men whom you admitted at the time, with a view to ascertaining when they had finished? I glanced round to see when they had finished.

1283. Then you felt it to be part of your duty to look at the table to ascertain how they were getting on, so as to allow others to come in? Yes.

1284. *Mr. Morton.*] You say that when you were relieved in the evening you came back at 6 o'clock? Yes.

1285. Where were you at 6 o'clock sharp? At the front door. I came back on account of the rush.

1286. Were you inside? Yes.

1287. At what time was the ballot-box closed? Somewhere after 6 o'clock, I think.

1288. How long after? I could not say.

1289. Was it a minute after? Perhaps five minutes, but I could not say exactly.

1290. *Mr. Morton.*] Were those who were in the booth at 6 o'clock allowed to vote? Yes.

1291. But no one was admitted after that time? No.

1292. Do you think there were many in the room at that time? There were six, I think.

1293. *Mr. Dacey.*] Where did you get the time from;—did you look at your watch? No; the Presiding Officer told us to close the door.

1294. *Chairman.*] Was a gun fired? No; I went by the flour-mill whistle.

Peter Nolan, police constable, Dubbo, sworn and examined:—

1295. *Chairman.*] Were you on duty at Mudgee on the day of the election? Yes.

1296. At what place? In different places. I was patrolling the town and attending to the polling booths as well.

1297. Were you at the Public School during part of the day? I went there about 12:30.

1298. What duty did you perform there? I relieved one of the constables there.

1299. What duty was he looking after? He was looking after the polling.

1300. When did you first go inside the Public School Polling-place? I went into the Public School and relieved Constable McRae from 12:30 to 1:30.

1301. Did the polling go on regularly during that time, and was it brisk? No, it was not brisk.

1302. Were you stationed at the door of exit at any time? I returned to the Public School booth about 5:15 in the evening. I saw Mr. Haynes at the front, and he asked me to go round to the back door.

1303. Did you go round? Mr. Haynes spoke to me and the Returning Officer as well. I saw a number of people at the back door, and I requested them to go away. I told them that they were not allowed to go in by the back door, and that, if they wanted to vote, they would have to go in by the front entrance.

1304. Did you see any one going in through the back door? No. A number of people were congregated about the back door.

1305. How many? I do not remember exactly, but perhaps eight or nine.

1306. Was there any evidence, to your mind, that any of them had been in by that door? Mr. Crossing said to me that there were some people at the back door who were trying to get in, but I did not see any one trying to get in.

1307. Was it at Mr. Crossing's request that you went there? Yes, in the first instance.

1308. And he gave you a reason—to prevent people coming in? Yes.

1309. Did he say at that time some people had already come in? I do not remember him saying that.

1310. Afterwards I think you relieved the constable at the front door? I assisted him from 5:15.

1311. Did you remain there until 6 o'clock? Yes.

1312. Did you see what took place in the passage? Yes.

1313. Was there a great crowd there? There were a good few there.

1314. How many do you suppose were in the passage? I have not any idea. It was only a porch on the outside of the door, and that would only hold, perhaps, twelve or twenty people.

1315. Was not there a passage leading to the porch? It was open outside the porch to the school-yard.

1316. Did you take any notice of the rate at which people were allowed in to vote? I did not take any particular notice, except that things seemed to be going on all right.

1317. Were the people showing impatience to get in? No, not particularly. There was some rushing about, and people were trying to force their way in ahead of others.

1318. When the door was opened to admit three people, was there a crush of people desirous of being amongst the three? There were a number of people up against the door. I remained there with McRae, and we allowed them to go in two or three, or four or five, at a time, as directed by the Presiding Officer. We took our directions from him. When the people who had voted went out, he would say, "Let two or three in"; and perhaps he said, "Let three or four in," and we let them in accordingly. 1319.

Witness—P. Nolan, 8 November, 1904.

1319. Did you hear him say that you were to admit two or three, or four or five? Yes.
1320. What were his exact words? He would say, "Let two in," "Let three in," or whatever number there was room for.
1321. On every occasion? Yes.
1322. Could you say how many you admitted in the course of half an hour? I have no idea. The voters went in regularly to vote.
1323. Supposing you admitted three or four at one particular time, how long would it be before you admitted another batch? I was watching the people vote, and they seemed to go through the voting part of the business regularly.
1324. Supposing you allowed three in, how long would it be before another went in? I do not think it would take half a dozen people more than five minutes to record their votes, but I could not say exactly. They went through the routine of voting in the ordinary way.
1325. Have you had any experience of voting at other places? Yes. I have attended polling-booths at different times in Sydney.
1326. But I suppose you were only outside the booths there? I have attended several booths in Sydney.
1327. You are quite clear that whilst you were at the back door no one was allowed to enter there? There were some people near the back door, and I requested them to go away, as they were not permitted to enter by that way. They went away. It was then getting on for 6 o'clock. There were a number of people about the front door, so I assisted Constable McRae to check them and prevent them rushing in.
1328. Did you leave anyone in charge of the back door at that time? No.
1329. Then it is possible there might have been someone going in at that time, or before you went there? There might have been, during the time I was at the front door, but I do not think there was, because I paid attention to the back door as well as to the front door, and I did not see anyone going in.
1330. You think, then, that after you left the back door they did not take advantage of your absence and come in? Not to any great extent. There might possibly have been one or two come in.
1331. But you do not know it of your own knowledge? No; I did not notice it.
1332. *Mr. Levy.*] How many people do you think were in the porch at 6 o'clock? I have a good idea. As the gong went at 6 o'clock, I was walking out behind the crowd who were in the porch. A man named Charles Wilton said to me, "There are not so many who have not voted after all." I replied, "There does not appear to be very many," and I counted them. I counted the number of people going out to the street from the porch. I do not remember the number exactly, but it was something like twenty-two or twenty-three.
1333. *Mr. Macdonell.*] And those were all would-be voters? Probably. I could not say; but they seemed to be about the porch. Probably they wanted to vote.
1334. *Mr. Morton.*] When the man Wilton spoke, had there been some speculation as to how many were waiting to vote? Yes. I noticed a number of people going about talking and complaining about there not being accommodation for people to vote.
1335. How long have you been in Mudgee? For two years.
1336. Do you know any one who was standing in the porch waiting to vote;—for instance, do you know a man named Pitt? No.
1337. Do you know a man named Pauling? Yes.
1338. Did he vote there? I do not know.
1339. You do not know any one who was standing in the porch who had been waiting there a long time in order to vote? I only went there at 5:30.
1340. Do you think any man or woman was waiting for three-quarters of an hour to vote? I have no idea.
1341. *Chairman.*] Are you in a position to say whether any number of people had gone away before you counted the twenty-three or twenty-four, and had given up the chance of voting? I do not think so. There seemed to be an impression that the polling booth would be kept open until these people voted.
1342. *Mr. Piddington.*] That was the impression amongst the crowd? Yes.
1343. *Chairman.*] As far as you could judge, all those who intended to vote remained until the last, and you counted twenty-three or twenty-four? Yes.
1344. *Mr. Levy.*] It has been stated that from 5:30 to 6 the people were not admitted so rapidly as they had been previously;—is that correct? I can only speak of the time I was there.
1345. Were you given instructions as to how many you should let in at a time, or did you look to the presiding officer from time to time, and receive instructions from him to let in two or three, as the case might be? Yes.
1346. You were not given any specific instructions? There was no one to give me instructions.
1347. *Mr. Waddell.*] Have you had much experience of the speed with which voting is carried on at polling-booths? I have been in the Police Force for six years, and I have attended polling-booths on several occasions.
1348. Do you think the polling proceeded during the time you were there as quickly as, according to your experience, it does at other places? Yes.
1349. *Mr. Macdonell.*] When did you relieve Constable McRae? I could not say whether it was 12:15 or 12:30.
1350. At any rate, you were there an hour;—do you know how many men and women voted during that time? There might have been two or three.
1351. Not more? Scarcely any one voted. I remained there talking to the polling-booth officials; and I remember the remark being passed as to how slow the polling was. I do not know how many voted, but I know the number was very few.
1352. Less than a dozen? There were not a dozen.
1353. You went to the front door about 5:15? Yes.
1354. Where was McRae then? At the front door.
1355. From 5:15 to 6? Yes.
1356. You say that during the last three-quarters of an hour the front door was never opened, except under instructions from the Returning Officer? I could not say that it was always open according to instructions. The Returning Officer simply let us know when there was room for people to vote.
1357. And you never opened the door until you heard from the Returning Officer that there was room? Naturally, I looked round to him and to the table to see if there was room. 1358.

1358. Do you remember any instance in which, during the three-quarters of an hour, you admitted any one without getting intimation from the Returning Officer that there was room? No.
1359. Constable McRae told us that up to 5.15 he opened and closed the door when he thought there was room, and without instructions from the Returning Officer;—are we to judge that there was a different arrangement when you came to the door? I do not know that there was any different arrangement; I do not know what was done before I went there.
1360. But you are satisfied that the door was never opened from 5.15 to 6 except on receiving intimation from the Returning Officer that there was room for more voters? Yes. It might be possible that when the booth was empty we let two or three in to continue the voting, but we did not allow anyone to go into the booth whilst there was a crowd there.
1361. But did you open or close the door under instructions, or did you exercise your own judgment? We did not open or close the door under instructions; we were simply guided by the Returning Officer.
1362. You did not open or close the door except on an intimation from the Returning Officer? Yes.
1363. You think that during the three-quarters of an hour you were there, the people polled at the rate you have mentioned—six every five minutes? Yes.
1364. Do you think everything was done, as far as you could judge, to enable voters to get through in time? Yes. Everything possible was done so far as I could see. Everything seemed to go along all right. There did not seem to be any hitch.
1365. And yet you have told us that there was a fear, for some time prior to the closing of the poll, that a number of people would be denied the right of voting? Yes, I did hear that rumour. Mr. Haynes mentioned that matter to me. He said people could not vote there, and he asked me to go round to the back door after I had spoken to Mr. Crossing. I judged, from what I saw going on there, that there had been some excitement amongst some of his supporters and sympathisers, and I imagined, from what I saw, that there had been an insinuation that people would not have an opportunity to vote.
1366. Did Mr. Haynes suggest that you should prevent any one going in at the back door? No; he spoke to me about the people not being able to get in to vote, and he drew my attention to the crowd.
1367. He was under the impression that some people were improperly getting in at the back, to the exclusion of those who were at the other door? It appeared so, from what he told me.
1368. Anyhow, he wanted you to go there, and to see that no one got in by the back door? Yes.
1369. And the Returning Officer gave instructions that no one was to be allowed through the back door? Yes.
1370. Would not you gather from his instructions that some people had previously come in that way, or had attempted to do so? It would appear that some one had gone in, or wanted to go in.
1371. *Mr. Oakes.*] When were you removed from Mudgee to Dubbo? About six weeks ago.
1372. Had your removal anything to do with the election? No.
1373. Were any complaints made by the people in connection with the action of the police officers at the election? I have heard a lot of rumours.
1374. Were any official reports sent in? I believe so, but I do not know anything about them.
1375. *Mr. Dacey.*] What intimation did the presiding officer give you that you were to let more people in? I got no intimation to let more people in.
1376. When three went in, what happened before you let other three in? The Presiding Officer simply called out, "Let two or three in."
1377. Was there anyone at the table voting when he called out to you? There might have been.
1378. Would there be a cessation of actual voting whilst he told you to let more in? No. It would only take a second for him to turn round and call out "Let two, or three, or four in," as the case might be.
1379. Was there any delay caused by this method;—had he to wait for the people coming to him? No. As the last of the three persons was recording his vote, he would call out "Let three or four more in."
1380. And before he was finished with that voter, the others were at the table waiting their turn? Yes; the others would be at the table by the time the last voter had left.
1381. There was no pause at any time for the voters to come? No.
1382. *Mr. Macdonell.*] You say the Returning Officer called out "Let three or four in";—did you ever let four in at a time? I cannot remember exactly. As far as I can recollect, we let them in by threes.
1383. *Chairman.*] From the evidence before us they were let in by batches of three at a time? As a rule.
1384. The previous witness has stated that they were let in constantly in batches of three. Under those circumstances are you prepared to say that that rule was departed from, and that sometimes you admitted four? It was a rule to admit three at a time; but when they were a little slow about voting perhaps the Presiding Officer called out "Let two in."
1385. *Mr. Dacey.*] You have a distinct recollection of him telling you to let two in? I cannot say positively about the number. It was customary, during the time I was there, to allow three in at a time.
1386. Have you a distinct recollection of letting more or less than three in at any particular time;—can you call to mind any instance in which you let two, or four, or five in? No.
1387. *Mr. Morton.*] When 6 o'clock came, did you go inside the booth at all? No.
1388. You do not know what took place in the booth at 6 o'clock? No.
1389. Were a number of people let in at 6 o'clock? No; the voters were turned away at 6 o'clock.
1390. Was there much trouble about the lighting arrangements;—had they to send for lamps or candles? Not to my knowledge.
1391. Do you know a man named Oram? Yes.
1392. Did you see him about there? I do not remember doing so.
1393. Did you see anyone taking the names of those who had not voted? No.
1394. *Mr. Macdonell.*] But that could have been done without your knowledge? Yes.
1395. *Mr. Morton.*] Do you know whether Louisa Payne was about at that time wanting to vote? No.
1396. Did you see any women struggling and screaming, anxious to vote? No.
1397. *Mr. Dacey.*] Did you close the door at 6 o'clock? I pulled it to as I was going out.
1398. How do you know it was 6 o'clock? I heard the gong go. I also heard the Returning Officer remark to the Presiding Officer that it was 6 o'clock.
1399. *Mr. Morton.*] Did you look upon the sound of the gong as a signal to close down? Yes.
1400. And do you think the Returning Officer did the same? Yes.

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1401. *Mr. Dacey.*] Was the gong, or whatever it was, in the room? No, it was some distance away.
1402. *Mr. Morton.*] Are you sure that the gong was not a gun? It might have been.
1403. *Mr. Macdonell.*] Was the sounding of the gong the signal for the simultaneous closing of the booths? I suppose it was.
1404. *Mr. Brinsley Hall.*] I suppose the Presiding Officer gave instructions for the closing of the booth from the time by his own watch? Possibly.
1405. *Mr. Piddington.*] You say that some of Mr. Haynes' sympathisers and supporters said something to you;—how do you know they were his sympathisers and supporters? I only judged from what Mr. Haynes remarked to me.
1406. Did you not take a lively interest in the election? I took no interest whatever in it.
1407. You do not know whether the townspeople sympathised with Haynes or Richards? I had a good idea.
1408. And it was from your good idea that you knew these people were Mr. Haynes' sympathisers? I only judged by the gossip.
1409. Did you ever tell Mr. Richards that you could give evidence about this matter? No.
1410. Did you ever tell him anything about what happened at the election? No.
1411. Did you ever tell him that, at the most, not more than thirty-five electors lost their right to vote? Certainly not.
1412. Did you tell him there was no ground for complaint as regards the lighting of the booth? No.
1413. What constables were on duty at the school-room when you got there in the forenoon;—were there only yourself and McRae? Constable Macnamara came to the booth with me.
1414. Was he on duty at the booth? No.
1415. Then McRae and yourself were the only constables at the booth from 5.15 to 6 o'clock? That is so.
1416. Was McRae at any time on duty at the back door for five or ten minutes at a time? I do not think he was there for five or ten minutes. We both paid attention to the back door.
1417. Did you hear the presiding officer tell McRae to go to the back door at any time? No.
1418. And yet McRae would be either at the front door with you or at the back door during the whole of the time you were in the booth? Yes.
1419. And you did not hear the Presiding Officer give McRae any instructions to go the back door to keep people from coming in? No.
1420. Did you remain continuously at the back door for any length of time? No. I was at the back door for a few minutes, and I went back to it between 5.15 and 6, and had a look round. I then went to the front door again.
1421. Did you take McRae's place at the front door and let him go the back door? No.
1422. After you had been a short time at the back door, did you change places with McRae? No; I simply went to the front door to assist him. He may possibly have gone away for a time.
1423. What were you to assist him to do? To keep the crowd from coming in.
1424. Was there need for two constables at the one door? There was no great necessity for it, except that there was a crowd trying to get in, and I thought it advisable to assist him.
1425. The polling-booth was closed by means of some signal;—did you see how many persons, other than officials, were in the polling-booth at the time the door was closed? I could not say definitely.
1426. Did you see any person voting in the booth after the door was closed? I went away when the signal was given.
1427. Did you go directly? Very soon after.
1428. How long after? I waited a minute or two.
1429. If you had opened the door immediately after it was closed, would people have tried to get in? No.
1430. Are they too good for that sort of thing at Mudgee? I do not say that; but I told the people who were waiting to vote that we had got the signal to close, and they all turned away, and I followed them out.
1431. You say you closed the door and remained inside—for how long? I pushed the door to, and hesitated for a minute or so to see that everything was clear inside.
1432. Do you now remember whether you saw any persons after the door was closed engaged in voting? No; I saw no one.
1433. You saw no one voting after the door was closed? No.
1434. You are quite certain of that? Yes.
1435. Do you think anyone could have voted after the door was closed without you seeing them? Of course, it was possible for some to have come in after I had gone away.
1436. But I am talking of those who were in the booth at the time; you say you looked round to see that everything was clear, and then you went outside and counted the people;—could you say whether, when you looked round to see that everything was clear, any of the persons then in the booth could have voted without you seeing them? Every one had gone out by then except the officials.
1437. Who asked you to come here to give evidence? I was instructed by the Inspector-General to come here.
1438. Did you receive any subpoena from anyone? No.
1439. You came on the direct instructions of the Inspector-General? Yes.
1440. *Mr. Macdonell.*] Would it not be possible for a number of the would-be voters to have left the booth before you left the room and went outside and proceeded to count them? They would not have had time.

Percival Adrian Webb called in, sworn, and examined:—

1441. *Chairman.*] You were the Presiding Officer at the school-house booth on the occasion of the last election in Mudgee? Yes.
1442. Were you there the whole of the day? Yes.
1443. Absolutely the whole of the day, and not out of the room? Yes.
1444. Were many people offering their votes in the morning? Very few.
1445. You know exactly how the polling took place during the whole of the day? Yes.
1446. From what hours was the polling slack and slow? It was very slack indeed from 8 a.m. until 1 p.m.

1447. Did you keep a record of the votes polled about that time? I counted the votes about 12:40.
1448. And how many had been recorded at that time? Ninety-one.
1449. And how many were recorded during the whole of the day? Five hundred.
1450. When did the voting begin to be active? About 3 o'clock.
1451. Can you tell us how many votes were recorded between 1:30 and 3? No; but I should imagine that at 3 o'clock about 200 votes had been recorded altogether. The number might have been a few more.
1452. That would leave 300 in the last three hours? Approximately.
1453. I believe you did not allow more than six voters in the booth at one time? No; those were my instructions.
1454. Did the policeman act on his own initiative as to calling them in, or did he wait for a signal from you to admit a fresh batch? He waited at times until I told him.
1455. And you waited until three had gone out before other three were admitted? Yes.
1456. Did they come in by batches of three? It all depended on who was in the room.
1457. There was no regularity on that point? No. If there were only two in the booth, four would be admitted. If there were four in the booth, two would be admitted. My instructions to the police were to allow no more than six in the booth.
1458. And you left it to them to carry out your instructions without waiting for fresh orders from you? Yes.
1459. Were you working very quickly to get through the voting towards the end of the day? Yes, especially from 3 to 6.
1460. You did not have a moment to waste? No.
1461. Do you remember whether there was any open voting at that time? Yes, of people who could not read or write.
1462. Were there many of those? As far as I can recollect there were eighteen or twenty.
1463. During the last three hours? Yes, mostly.
1464. Can you give any estimate as to how much delay one of those votes would cause; of course, you could not put them through as quickly as you could the others? No.
1465. How long would it take? Two or three minutes, I should say, for each.
1466. You would not know what crushing was going on outside the entrance door? No.
1467. And you could not hear anything of it? No.
1468. Was it represented to you at any time that the conveniences for voting were not sufficient for the number of people? I do not think so. I was doing my best to get them through.
1469. But was the matter represented to you by any one? The Returning Officer made some remark about getting another clerk to assist me, but that was between 5:30 and 6.
1470. Tell us what took place? The Deputy Returning Officer asked me if he should get another clerk to assist me.
1471. What official position does Mr. Crossing's son hold? I think he was the Deputy Returning Officer.
1472. You consider him to be an authority, at any rate? Yes.
1473. And he asked you whether you required any additional help to get through the votes? Yes.
1474. What did you tell him? I asked him if he had another check-roll, and he said he had not.
1475. And that made it impossible to make any use of an extra man? Yes.
1476. Did he give any reason why he asked you whether you required any assistance? He said there was a crowd outside.
1477. And then suggested giving you assistance to dispose of it? Yes.
1478. Was there sufficient light in the room up to 6 o'clock? As far as I was concerned, I had sufficient.
1479. Had you a kerosene lamp? Yes.
1480. As Presiding Officer, was it not your duty to see that neither you nor the voters were inconvenienced for want of light? I had no time to look into those matters.
1481. But had you made any preparation beforehand? I had not. The Returning Officer came to the booth about 5 o'clock, and provided me with a lamp.
1482. Do you know that candles were brought in from outside before 6 o'clock? No.
1483. Then, you took no stock of what was going on? I had no time from 5 to 6.
1484. Was there any exit door through which voters who had given their votes went? Yes; that was when the rush occurred. After 3 o'clock I instructed them to come in at one door and go out by the other. Previous to that, they came in and went out of the front door.
1485. Do you know if any voters were allowed to go in through the back door? I believe they were.
1486. What is the reason for your belief? I saw them come in.
1487. About how many? I could not say.
1488. Was this after 3 o'clock when the rush was on? Yes.
1489. Can you say whether there were fifty, forty, or thirty? No.
1490. You can express no opinion? I really had not time to look. When I was taking the votes, between 4:30 and 6, I had not time to see them.
1491. Did you give any instructions to any police constable to stop it or to watch the back door? No; but I think Mr. Crossing did.
1492. If they came in irregularly through the back door, would there be more than six persons in the booth at one time? I do not think there were more than six persons in the booth at one time.
1493. You say you do not think; but you are not in a position to state;—we have it in evidence that the constable at the door of entrance allowed people to come in three at a time, and it is understood that as three went out three came in, leaving six in the booth at once; if they came in irregularly through the back door, would not there be more than six in the room at some time or other? I do not think there were more than six at any time.
1494. But you could not be certain? I would not swear it.
1495. Your attention was closely applied to what you were doing? Yes. I instructed the police at the door not to let more than six in at a time.
1496. When did you give those instructions? The first thing in the morning.
1497. Did you repeat them? When the crush occurred I did.
1498. What brought it into your mind to do it then? I could hear them at the front door making a noise.
1499. And you repeated the instruction? Yes.

-Witness—P. A. Webb, 8 November, 1904.

1500. You did not give any instructions for any disabled or sick person to be allowed in by the back door No.
1501. Did any one make application to you? No.
1502. *Mr. Dacey.*] Did you initial all the ballot-papers? Yes.
1503. You are sure no one initialled any but you? Yes.
1504. Are you clear on that point? Yes.
1505. *Mr. Oakes.*] It was your duty to initial all the ballot-papers? Yes.
1506. What initials did you use? "P.A.W."
1507. With a pen or pencil? Pencil, I think.
1508. *Mr. Dacey.*] I asked you if you initialled all the ballot-papers, and you said you did? I am not clear on the point. I think that before 6 o'clock, when the rush was on, Mr. Crossing's son initialled a few. He was acting as his father's deputy.
1509. Who gave orders to close the doors at 6 o'clock? As soon as the gun went, I gave orders, and so did Mr. Crossing, senior.
1510. What do you mean by the gun? A time-gun was fired that night at 6 o'clock.
1511. Who fired it? I could not tell you.
1512. Was it a cannon? Yes; a cannon was fired to close the booths.
1513. You do not know whether the cannon went off according to standard time? It went off at 6 o'clock, all right.
1514. How many people were in the booth when the gun went off? Four or five.
1515. Were they allowed to vote? Yes, I took their votes.
1516. Did you do that under the instructions of the Returning Officer? Yes.
1517. Have you read the instructions issued to Presiding Officers? Yes.
1518. Were you not aware that the polling was to cease at 6 o'clock? My idea is, that the instructions are to the effect that the people in the booth at 6 o'clock can vote. That is how I read the instructions in the Act.
1519. *Mr. Oakes.*] How many votes do you consider were polled between 3 and 6 o'clock? It is hard to say, but I should think between 270 and 300.
1520. That is on the assumption that only 200 were polled up to 3 o'clock? Yes.
1521. Were you presiding at the booth between 3 and 6 o'clock? Yes.
1522. You handed the electors their ballot-papers as they came up between 3 and 6 o'clock, and your poll-clerk checked the roll? Yes.
1523. What is the largest number you reckon you could poll per hour going at full pressure? It all depends on the electors themselves.
1524. A statement has been made to the effect that it took three persons five and ten minutes to record their votes? In that case we ought, I think, to be going on yet.
1525. Mr. D. R. Hall asked one of the witnesses the question: "Would you be surprised to learn that during the whole of the crush the average rate of voting was three every five minutes?"—do you think that is a fair statement to make? At times it would be that. It all depends on the electors themselves.
1526. But you say you were going at top pressure between 3 and 6;—do you think that three in every five minutes was the number of votes recorded during that time? No; not on the average.
1527. What would you say was the average? Eighty or ninety an hour.
1528. Do you know whether, as a matter of fact, it is the duty of a Presiding Officer to initial the ballot-papers? Yes.
1529. You have stated in reply to Mr. Dacey that you thought Mr. Crossing, junior, signed some of the ballot-papers in this particular booth? Yes. He came into the booth just before 6 o'clock.
1530. How many papers would he sign? Not many.
1531. Would he sign 100? No.
1532. Would he sign ten? He might have signed ten.
1533. Did you see the initials on the ballot-papers? Yes, he put my initials upon them; he was alongside me at the time.
1534. You are certain he put the initials "P.A.W." on the ballot-papers? Yes. He used a blue pencil, and I used ink.
1535. *Mr. Dacey.*] What does section 76 of the Act say? That the polling should close at 6 o'clock.
1536. Is there anything in that section about closing the doors? It says "finally close at 6."
1537. Close what? The polling closes at 6.
1538. Is it not a fact that there is nothing in the Act about closing the doors? My instruction as Deputy Returning Officer was that the doors were to be closed at 6.
1539. And were you instructed that those inside the booth at 6 o'clock were to vote? Yes.
1540. Did Mr. Crossing give you those instructions? Yes.
1541. Did you peruse the Regulations before taking upon yourself the duty of Presiding Officer? Yes.
1542. And to the best of your knowledge you carried out the polling in accordance with your instructions? Yes.
1543. How many voting compartments were there in the school? About eight I think, but I would not swear to it.
1544. Did you count them? No.
1545. How were the compartments lighted? There was a window at one end of the room, and a door opposite.
1546. Whilst a man was voting, was the light at his back? Yes.
1547. When did you light the lamp? Mr. Crossing lighted it before 5-30.
1548. Did you experience any difficulty in conducting the voting for the want of a lamp prior to that? Not as far as I was concerned.
1549. Did you hear any complaints about people not being able to mark their ballot-papers by reason of the partial darkness? I heard one or two say that it was getting dark in the voting compartments.
1550. Did you do anything to remedy it? No; Mr. Crossing was there.
1551. So far as you are aware, there was no provision made for lighting? I did not know there was a light there until after 6 o'clock.

1552. How many voted after 6 o'clock? Three or four. There were three or four in the room immediately the gun went.
1553. Do you know of any attempt to prevent the people from voting? No.
1554. How many votes could one man record in a day? Between 700 and 800, if the voting was regular.
1555. You reckon that you polled about 100 an hour during the last three hours? Very nearly. We were going at full speed.
1556. Have you ever acted as Presiding Officer before? Yes; on several occasions.
1557. Where? At the same booth, and at other places.
1558. How long has the school room been a booth? I was Presiding Officer there at the last federal election.
1559. Was it a booth in a former State election? I do not think so.
1560. So that you have only acted once prior to this? No; I have acted in other places in the electorate.
1561. Where? At Hargraves.
1562. Have you ever acted before in the town of Mudjee at a State election? Not as Presiding Officer.
1563. Or as poll-clerk? I was poll-clerk several years ago at the Court-house.
1564. How many booths were there in the town of Mudjee at the State election prior to the last? Two—the Court-house and the Town Hall.
1565. Has the alteration of the boundaries largely increased the number of voters? Yes; the women's franchise has.
1566. Irrespective of the women's franchise, has the number been increased by the alteration of the boundaries? Yes.
1567. Much? Yes, most decidedly.
1568. *Chairman.*] For that particular polling-place? Yes; for Mudjee proper.
1569. *Mr. Dacey.*] You think that the male voters are larger in number than they were before? Yes.
1570. And there were two booths under the old order of things? Yes.
1571. In view of the increased number of electors, do you think adequate provision was made by only adding one more booth to the number hitherto provided? Ample, I think.
1572. Do you know who was in charge of the back door at the school-room? I could not say. There was no occasion, except during the last two hours, to look to it.
1573. Were you told by the Returning Officer that his son was his deputy? He said, "My son is here, and perhaps he can assist you."
1574. Did the Returning Officer himself see his son putting your name on the ballot papers? I do not think so.
1575. What did you understand the Returning Officer to mean by saying, "My son will assist you";—did you understand him to mean that his son would discharge the duties of Presiding Officer in conjunction with you? Yes; it was only just before 6 o'clock that he initialled a few ballot-papers.
1576. And you had no objection to people assisting you and signing your initials? I tried to get through with the crush..
1577. Was there anyone else besides Mr. Crossing, junior, who had anything to do with the ballot-papers? No.
1578. When a voter came to the table, did you see that the number on his elector's right tallied with the check roll on every occasion? Yes.
1579. How long did you say it would take a voter to vote from the time he came to the table, you asking who he was, and he producing his elector's right? About a minute, if he were on the roll for the Mudjee Division.
1580. *Mr. Oakes.*] You say that Mr. Crossing, junior, signed your name to a number of ballot-papers? He put my initials on some.
1581. Why did he do that? To assist me.
1582. Did you leave the room? No.
1583. What work were you doing which prevented you signing the ballot-papers? Finding the names on the roll.
1584. Had you a poll clerk? Yes.
1585. What was he doing? He was finding them too. Mr. Crossing was there about three minutes.
1586. How many times did he put your initials on the ballot-papers? He did a certain batch.
1587. Were you sitting at the same table? He was standing alongside me.
1588. And you saw what he was doing? Yes.
1589. How many ballot-papers do you say he signed? Not more than a dozen.
1590. Would you say he did not sign more than twenty? I do not think so.
1591. Say thirty? No, he did not sign thirty.
1592. Have you any idea of the number at all? I should say that he did not sign more than twelve.
1593. Do you know what he signed them with? With a blue pencil.
1594. Do you know what he signed? "P.W." I think.
1595. Did you see one of the papers? I did at the time.
1596. Did you see it afterwards? As I handed it to the elector, I did.
1597. Did you notice then what he signed? My recollection is that he signed "P.W."
1598. And you do not think he signed more than a dozen? I do not.
1599. *Chairman.*] Would you be able to identify those ballot-papers upon which initials were not placed by yourself? I can identify every one which has my initials.
1600. Can you discriminate between those initialled by Mr. Crossing and by yourself? Certainly.
1601. *Mr. Morton.*] How many people do you think came in by the back door? I do not know.
1602. But you know there were some? Yes.
1603. Is it a fact that candles were brought in for your use? I never knew there was a candle in the place until after the booth was closed.
1604. Was it an understood thing that all the polling-booths in Mudjee were to close at 6 o'clock? Yes.
1605. And that the signal was to be the firing of the gun? Yes.
1606. And you depended entirely on the firing of the gun as to when you should close? Yes.
1607. So that you did not know by your own watch whether it was 6 o'clock or five minutes past when the booth closed? No.

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1608. From whom did you receive instructions to stop when the gun was fired? From the Returning Officer.
1609. Do you know how many votes were polled at the A to F booth? 628.
1610. And at the Court-house the number was 640? Yes.
1611. Can you give any reason why you should only poll 500 votes, whilst the other booths polled 640 and 628? Simply because the people were not there for me to take their votes.
1612. Were any complaints made to you that a number of people were waiting to vote and could not? Not until about 5 o'clock.
1613. Did Mr. Crossing, senior, come to see you many times during the day? Yes; but I do not know how many times.
1614. Have you any idea what brought him? No.
1615. Do you think it was his ordinary official duty which brought him? Yes.
1616. Did you send for him? No.
1617. Did any one send for him officially from your booth? No.
1618. Then you do not know what he came there for except in the discharge of his ordinary official duty? No; I presume he came to have a look round.
1619. Were any red rights used in your booth? No; I refused two or three which were tendered.
1620. *Mr. Oakes.*] When you returned the ballot-papers, used and unused, to the Principal Returning Officer, did you seal them up? Yes.
1621. Did you use a seal? I used sealing-wax.
1622. But did you put a seal on the wax? I did not put any distinct mark upon it.
1623. *Mr. Levy.*] Did they provide you with a seal? No.
1624. *Chairman.*] Did you count the votes at your booth? Yes.
1625. And give the numbers to the Principal Returning Officer? Yes.
1626. The Presiding Officer at Gulgong evidently put a seal on the back of his parcel? I did not put any on mine.
1627. *Mr. Macdonell.*] Were the lighting facilities as good in the voting compartment as they were at the table where you were sitting? The voting compartments were not 3 yards from my table.
1628. And, as far as the lighting arrangements are concerned, they would be as good in the compartments as where you were? Yes.
1629. But no better? No.
1630. You say that at 5.30 a lamp was brought, and that it was of some service to you;—you could not, I suppose, have gone on until 6 o'clock without a light? No.
1631. Did it not occur to you that it was your duty to see that those who were to vote should have facilities for seeing to do so? But Mr. Crossing, senior, the Returning Officer, was there as well as myself.
1632. How long was he there? From 5.15 to 6.
1633. Then you allowed him to make all arrangements for lighting? Yes.
1634. You did not think it was your duty to see that the booth was properly lighted? No.
1635. And yet you realised that it would be useless for you to find the numbers and hand the ballot-papers to voters, if, when they received them, they were unable to see to record their vote;—by doing so you would not be getting further forward? No.
1636. Did it not strike you that you would be furthering the voting facilities by seeing that the compartments were properly lighted? The people were voting regularly enough, whether they voted in the dark or not. When I closed the booth, I found that candles were there, but I did not know they were until after 6 o'clock.
1637. Supposing Mr. Crossing had not been there, would you have done anything to have the place lighted? Probably.
1638. Did you rely, to some extent, upon Mr. Crossing seeing that matters were properly attended to? Yes; when he saw the rush there.
1639. *Mr. Piddington.*] I understand that you have acted before at State elections, but not as Presiding Officer? I have acted as Presiding Officer at Hargraves, but not in Mudgee.
1640. Your idea seems to be that in the last three hours of the polling you got through something like 300 votes, including eighteen or twenty open votes? The majority of the eighteen or twenty open voters voted in the last three hours.
1641. Have you ever kept up a pace like that at any other election? No; I have never had occasion.
1642. Have you ever seen anything like that pace kept up for three hours? No.
1643. After 12.40 p.m. you had nothing to go by but your estimate, so far as ascertaining the number of voters is concerned? That is so.
1644. As a matter of fact, was not the crush of voters from 3 to 6 something the like of which you had never seen before? It was.
1645. And there was no attempt whatever inside the booth to impede the voting? No.
1646. They were all trying to get the work though? Yes.
1647. You did not think it was any part of your duty to see to the lighting arrangements? I did not.
1648. You thought everything was to be provided for you to enable you to discharge your duties as Presiding Officer? Yes.
1649. You did not depart from your duty as Presiding Officer of handing out ballot-papers and scrutinising electors' rights and numbers to do anything in the way of providing lights? No; I did not leave my duty.
1650. And, as a matter of fact, you did not provide yourself with a lamp? No.
1651. Although it fell dark somewhere about 5 o'clock? Yes, or a little after.
1652. Did Mr. Crossing bring you a lamp after 5 o'clock, at your request? No.
1653. He brought it on his own account? Yes.
1654. Did he tell you that anyone had said that it was likely to be dark? No.
1655. Did he bring it as if he intended to bring it all along? Yes.
1656. And before the lamp was brought it was falling dark? I was not impeded in any way.
1657. But were you finding a difficulty in doing your duty? The lamp was necessary when it came.
1658. But only just necessary? Yes.
1659. You were so busy looking after your duties that you did not even notice that candles were brought into the booth? No.
1660. You know they were not there when the voting started? Yes.

1661. And some one brought them in and lighted them without you noticing them? Yes.
1662. I may take it that during the last hour you were working as hard as ever you did in your life? I was.
1663. You say you heard people making a noise? Yes.
1664. And they were making a noise about getting in to vote? I suppose so.
1665. And that was fully an hour before the polling closed? Yes.
1666. Did you hear Mr. Haynes' voice outside? Yes.
1667. What was he saying? I heard him, at the back door, saying "Hurry up." He made that remark once or twice.
1668. Was the rate of voting sensibly greater from 5 to 6 than at any other time? No; we were going as hard as we could.
1669. It was ding-dong voting? Yes.
1670. At what time did you first notice that people were coming in the back way? Not until about 5 o'clock.
1671. Did you stop it as soon as you saw it? Yes; Mr. Crossing came then, and I asked him to stop it.
1672. How long was it after you noticed the people coming in at the back door before Mr. Crossing, senior, arrived? It was about 5 o'clock when he came.
1673. Was it accidental that he came in the nick of time, just as you noticed the back-door arrivals? I did not say that he came in at the nick of time. I tried to stop it.
1674. Did it occur in this way: that you looked up when Mr. Crossing came in and had a chat with him? I had a word with him—not a chat.
1675. Was it at that time, when he came in, and you spoke to him hurriedly, that you first noticed the arrivals by the back door? No. I had seen Mr. Crossing a couple of times before that.
1676. You say that Mr. Crossing came at 5 o'clock with a lamp? Yes.
1677. And he remained until the closing of the poll? Yes, as far as I know.
1678. Was it when Mr. Crossing came with the lamp about 5 o'clock that you, for the first time, noticed people coming in at the back door;—is not that how it occurred? Probably.
1679. You were so busy that it was not until the short interruption caused by Mr. Crossing coming in with the lamp that you noticed people coming in at the back door? Yes; there is no doubt they came in before that.
1680. But not to your knowledge? No. I saw one or two coming in when I told Mr. Crossing.
1681. Previous to the interruption caused by Mr. Crossing's arrival with the lamp, you were so busy that you did not notice people coming in at the back door? I noticed a few.
1682. But subsequently you noticed them coming in more strongly? Yes.
1683. And then you got Mr. Crossing to put a stop to it? I noticed them coming in before Mr. Crossing brought the lamp, and when he brought it I asked him to stop it.
1684. Where was your table situated? About opposite the exit door, and nearer to the exit door than the entrance door?
1685. How many windows were there in the room? Two in one wall and one in another.
1686. The people who were voting in the compartment would be standing with their backs to your table? Yes.
1687. And how many feet away from your table were the compartments? The first compartment would be about 3 or 4 yards away.
1688. Do you think a man standing with his back to the table, and a kerosene lamp 3 or 4 yards away, would have any light from the lamp? The kerosene lamp was of no use to people in the compartment.
1689. *Mr. Levy.*] Did any voters complain that they could not see? Not to me.
1690. *Mr. Piddington.*] But you said in your examination-in-chief, "I heard one or two say it was getting dark";—were they in the voting compartments? They were not talking to me.
1691. But they were complaining—growling, if you like to put it in that way? We will put it in that way.
1692. Do you know how many candles were in the compartment? No; but I think each one had a piece of candle.
1693. Did you notice the position of the constables towards the end of the voting? No. Constable McRae was at the front door.
1694. Did you see him stationed at the back door at any time? No.
1695. You were not attending to that matter, I suppose? No.
1696. *Mr. James.*] Did the voting slacken off between 5 and 6 o'clock, or did it keep up at the same rate? It kept up at the same rate.
1697. Is it true that during the last half-hour less people voted than in the previous half-hour? No.
1698. They kept up pretty well all through? Yes.
1699. Is it true that three votes were taken every twenty-five minutes whilst the crush was on? No.
1700. Were the people inside the booth delayed at all in voting? No.
1701. They got their papers and voted in the ordinary course without any delay or block inside? Yes; there was no block inside.
1702. I suppose there would have been a block if they had been allowed to come in more than six at a time? Yes.
1703. What, in your opinion, was the reason some people left without voting? Simply because they did not come in the morning and vote regularly all day.
1704. Is it a fact that there were not more than a dozen or fifteen persons admitted into the booth during an hour? Not unless it was in the morning.
1705. The question was asked of one of the witnesses: "How many people were admitted to the booth during the hour you were there?" The answer given was: "I could not say—of course, every one was not twenty-five minutes in voting—but, perhaps, not more than a dozen or fifteen";—is that true? No.
1706. Is it a fact that any one, after getting their number, had to wait any length of time for their elector's right? No.
1707. Did you retain anyone's elector's right after they had got their number? No.
1708. Is it a fact that not more than twelve or thirteen people polled per hour during the last three hours? No; that is not true.

Witness—P. A. Webb, 8 November, 1904.

1709. I suppose that scrutineers were present representing each candidate? Yes.
1710. What happened to the scrutineers in regard to keeping check? They could not keep time.
1711. Did they not get all behind, and were unable to keep up? Yes. About half-past 4 o'clock they closed their rolls.
1712. Who was your poll-clerk? Mr. Travers, an ex-constable of police.
1713. Was he a good poll-clerk? Yes; he was the smartest man I have had.
1714. Could he keep up with you? Yes.
1715. *Mr. Piddington.*] Apart from challenging votes, what would a scrutineer be doing? Marking the names off the roll.
1716. And about 4:30 they got tired? They could not find the names fast enough.
1717. Do you think they gave it up because it was dark? No.
1718. It was simply because you and the poll-clerk outpaced them? Yes.
1719. You could do all you had to do in less time than they could find the names and mark them off? Yes.
1720. Were they enjoying the same light as you at the same table? Yes.
1721. *Mr. Dacey.*] With regard to the votes which were initialled by Mr. Crossing, junior, who checked the rights by the check roll? I did; he simply initialled them, and I handed out the ballot-papers after checking the number on the roll.
1722. You checked the number on the check roll? Yes, in every case. He simply initialled the ballot-papers for me.
1723. Are you aware that the parcels of voting papers have to be sealed with a seal before they are sent to Sydney? No. I had no seal to put on; but I sealed the paper with sealing-wax.
1724. The Act says that you shall "seal up the several parcels"? I took that to mean sealing up the parcel. I had no seal, but I had sealing-wax.
1725. *Mr. Oakes.*] Who suggested that these ballot-papers should be signed by Mr. Crossing, junior? He did it himself. He suggested to me whether it could be done, shortly before 6 o'clock. He told me there were a good few waiting outside.
1726. At what time? 5:45.
1727. With the idea of assisting you in the control of the election, he suggested that he should sign the ballot-papers? Yes.
1728. What answer did you give? I said "All right."
1729. Did he take the ballot-papers away? No; he stood by the side of me, and put his initials on, and I handed them to the electors as I found their names on the roll.
1730. Did he initial all the ballot-papers from 5:45 to 6? No; only a certain number, and then he left then and went out.
1731. You initialled some between 5:45 and 6? Yes.
1732. And all that Mr. Crossing did was to initial some of them between 5:45 and 6? Yes; he initialled for about two minutes and left the papers with me.
1733. *Mr. Levy.*] Did he initial them before the voters came up to vote? Certainly.
1734. *Mr. Piddington.*] What time could be saved by that, except the mere act of your scrawling the words "P.A.W.";—how often do you think you could write your initials in a minute? A good few times.
1735. And all that Mr. Crossing did by way of expediting things was to sign your initials for you on ballot-papers before voters came to the table? Yes.
1736. At the close of the poll, had you any ballot-papers so initialled left over? No.
1737. Were the people coming up to the table so fast that you needed another man to sign your initials? No.
1738. Was there any difficulty with the women who were voting with which you had to cope? No, nothing out of the way.
1739. Did it not sometimes occur that the women were very crowded whilst voting, and that you had to see that they came up separately? I had to go to the compartments two or three times to prevent two women going in together.
1740. Ignorant of the fact, I suppose, that they could only go into separate compartments? Yes.
1741. Barring that, had you any trouble with the women voters? No, only with the open voters.
1742. Did Mr. Crossing, senior, suggest that you should have another poll-clerk? Yes.
1743. And you asked him if he had another check roll? Yes.
1744. If you had had another poll-clerk and check roll, would that have made any difference in the voting? I do not think so.
1745. *Mr. James.*] You would still have had to issue the ballot-papers? Yes.
1746. *Chairman.*] And you would only have six people in the booth at a time? Yes.
1747. *Mr. Oakes.*] How many ballot-papers did you have from the Returning Officer to carry on the election at the school-house? About 600, I think.
1748. I understand that the number of ballot-papers transmitted to you was 500? That may be right.
1749. Fifty-three ballot papers were written? I did not write them.
1750. Five hundred ballot-papers were used, and that left fifty-three unused? Just before 6 o'clock Mr. Crossing brought up some type-written ballot-papers.
1751. You sent out evidently to get type-written ballot-papers? Mr. Crossing thought of that, and brought fifty-three type-written papers along. I simply used the number I got—500.
1752. What time was it when Mr. Crossing thought you might need extra papers? A little after 5 o'clock.
1753. *Mr. Macdonell.*] Did you give any instructions to the officers in charge of the door only to admit men, on an intimation from you that there was room, or had they authority themselves to allow men to come in when there was space for them? I told them that they were to let them in when there was space for them.

Henry Crossing, called in, sworn, and examined :—

1754. *Chairman.*] You were the Returning Officer at Mudgee on the occasion of the last election? Yes.  
 1755. On the 13th August last, you wrote a letter on the subject of the polling to the Under Secretary? Yes.  
 1756. Will you look at the letter and see whether you desire to qualify it in any way? No; it is correct.  
 1757. I suppose you also saw a letter from Mr. Richards which was published in the *Daily Telegraph*? I do not think I did.  
 1758. Do you recognise this letter [*Mr. Richards' letter produced*]? Yes; I believe I have seen that letter before.  
 1759. Do you endorse the statements made in that letter? I do not know that I do. I have never read it with the idea of endorsing them.  
 1760. Read the letter and see if you can endorse it? There is nothing very much to object to in it.  
 1761. How long have you been a Returning Officer? Well on to twenty years.  
 1762. Then, you will have conducted seven or eight or more general elections? Yes.  
 1763. Have your arrangements ever been complained of before? Not that I am aware of.  
 1764. You knew, when the last general election was to take place, that the constituency had doubled in consequence of the female vote? Yes.  
 1765. And you supposed that you had made sufficient provision for all that? Yes.  
 1766. Have you any reason to doubt that you had made sufficient provision? No; I am quite satisfied.  
 1767. It is evident, according to the evidence, that many people were not able to vote at 6 o'clock? A few, not many, were unable to vote at the Public School.  
 1768. With that knowledge, you still think that your provision was quite ample? I am quite satisfied it was. They should have attended in time.  
 1769. You mean that they should have attended in a regular stream throughout the day instead of voting during the last three hours? Yes.  
 1770. How many polling-places had you before the last election? Two booths.  
 1771. Were they working up to their full capacity? No; one polled 486 votes, and the other 439 votes—total, 925.  
 1772. You had knowledge, of course, that these numbers would be doubled? No; I did not think the women voters would add more than 50 per cent. or 60 per cent. They voted more freely than I thought they would. At the same time, we were prepared to take 800 to 900 voters at each voting place—that is, as long as there was no hitch.  
 1773. You have had experience as a Presiding Officer before? Yes. I think good officers are capable of taking at least 100 votes an hour. They say, at the Court-house, on this occasion 200 votes were polled in an hour and five minutes. That statement was made by one of Mr. Haynes' scrutineers.  
 1774. Then, you must consider the officials very smart men? It is pretty good work; of course, I do not know anything about it myself.  
 1775. Mr. Haynes has stated in his evidence :—

When I saw the state of affairs there, I obtained a vehicle and drove back to the Returning Officer, and demanded that something should be done. The Returning Officer was not presiding at any booth, but was moving about from one booth to the other. I drove up to him and asked him to come and see what was going on at the Public School. He did so, and I drove after him. About half an hour had elapsed, and when I came back I found the same persons in the corridor who were there previously. I spoke to several of them; I found they were not able either to advance or get out. I called the attention of the Returning Officer to the matter, and he said: "I think the thing will go along all right, and if it does not I will make some provision later by which they will be able to vote."

? I thought that if I could help them in any way I would do so.

1776. In what way? By putting another officer there to assist.

1777. But you saw that there was a block there at that time? Yes, there was a block.

1778. Mr. Haynes continued :

I then went back to the other places, and I found the complaint with regard to the crush, about 3 o'clock in the afternoon, pretty general. I found the crush distinct at the Court-house. The people were crammed in trying to get to vote. I went to the Town Hall again, and found the same condition of affairs there, although the crush was lessening. I made a circuit of the booths about twenty times, and every time I came to the Public School I found the same crush. In one hour I found the same persons in the corridor trying to reach the booth. I then drove back again to Mr. Crossing, the Returning Officer, and demanded that he should give the people facilities for voting. I followed him to the place. This was repeated three or four times. I insisted on the Returning Officer coming down. On the last occasion I came down, I went round to the back of the building, and found that some persons, associated with Mr. Richards' party, had introduced voters by the back way.

I suppose you know nothing about the latter part of that? I know a little.

1779. But what about the conveniences of voting;—does that evidence properly describe the position? I think something of the kind mentioned took place.

1780. Tell us what you know? I saw that voters were coming in by the back door. When I saw them, Mr. Haynes was round there, and if he had any objection he never said anything about it to me. I suppose he knew something about it; that is my conclusion, at any rate. I went there a second and third time, and Mr. Haynes was there on two occasions, when odd voters were walking in. I put a stop to it. I put a constable there, but he did not remain there.

1781. Did you give him instructions not to allow anyone to come in by that way? Yes; he went there and stopped them. When I went there on the second occasion the same thing was going on, and that is why the people were delayed so long in the porch. A good few voters went in that way, I believe.

1782. Mr. Haynes also stated :—

The Returning Officer was standing at my side, and I challenged him about the situation, and I distinctly told him that if the voting was close his arrangements would break down, and that there would be need for another election, as there would be a collapse of the voting.

? I think that is correct.

1783. Further on, Mr. Haynes said :—

He deliberated for a moment, and said, "I think I will appoint another place for them to vote at in the town." After a few moments, he said, "No, I do not think I can do that; I am afraid it will vitiate the election"; and so the proceedings went on.

Is that correct? Yes; something of that kind. There was also a little crush at the other two places, and yet they polled well there. At the Court-house 641 votes were taken, and only two votes were recorded during the last fifteen minutes.

Witness—H. Crossing, 8 November, 1904.

1784. What about the conveniences of getting into the polling-booths? There was just as much convenience at one place as at the other.

1785. Mr. Haynes says in his evidence :—

I should say that the corridor would hold twenty to twenty-five persons, and they were jammed up tight. I went right to the edge of the crowd, and found they could not move backwards or forwards, and women in the corridor were crying out to be allowed to get out. I saw one woman come out of the place after being there, as she stated, an hour or an hour and a half. Her dress was torn, and she was walking up and down, endeavouring to get breath. Men fought in the corridor for a considerable time. I am able to state that I saw people in the corridor for one hour, and they did not vote. I met several persons who had come to the booth to vote at 3 o'clock in the afternoon. I remarked to them, "I will assist you to get your vote"; it made no difference to me for whom they voted. They went over to see what chance they had. There was no prospect of voting, and they went away.

Can you deny or affirm that? I know there was a crush in the porch.

1786. Had you any reports made to you as to the number who were not able to vote? No. I went out immediately afterwards and counted those who were about, and there were twenty-five; but whether they all wanted to vote or not I do not know.

1787. Do you think the fact that the three polling-places were a considerable distance from one another caused any delay in voting? No.

1788. I mean as to the people knowing which was the proper place at which to vote? I have heard of one person going to the wrong place; but I think everything was well known.

1789. What steps did you take for making the matter public? Advertising in the local newspapers.

1790. Were there any posters in the town? No. The different polling-places had letters placed over them. The places were generally known. I never heard anyone say they did not know them. I am quite satisfied there was not a vote lost through that.

1791. We have it in evidence that towards the evening some delay was caused at the schoolroom through want of light? When I went there and found the light was getting a little dull, I got the woman who looks after the building to take a lamp in.

1792. But you did not make any arrangements in the morning for the time when it must necessarily become dark? No; it was the Presiding Officer's duty to see that he had light there.

1793. The Presiding Officer does not seem to think so? I never troubled about it before, anyhow.

1794. We have evidence of something being done by your son;—what position did he hold during the election? I sent him up to assist the Presiding Officer in any way he could.

1795. What was his official position;—was he sworn in for any particular position? Yes; as assistant Presiding Officer, I think. I told him to assist in any way he could.

1796. *Mr. Oakes.*] Who was your Deputy Returning Officer? Mr. P. A. Webb.

1797. He was the Presiding Officer;—had not you a Deputy Returning Officer? I had an assistant, Mr. McDonald, but he was presiding at the Town Hall.

1798. What was the official position held by your son? I hardly know what position he held.

1799. *Mr. Oakes.*] When you supplied the return to the Colonial Secretary's Department, what position did you describe your son to hold in that return? I am not sure whether it was assistant poll-clerk or not. At any rate he signed a declaration.

1800. Can you tell me what fee he got for the day? I do not remember.

1801. *Chairman.*] What did he do;—what were his duties? He went there to assist Mr. Webb in any way he could.

1802. Was that all he did during the day? Yes.

1803. He was not at any other booth? No; he was only there for, I think, about half an hour.

1804. He was not anywhere continuously? No.

1805. *Mr. Oakes.*] When you received the writ in regard to the holding of the election, did you take a room in Mudgee? No; I used my own office.

1806. Are you always in that office? If I am not there, my deputy is.

1807. Who is your deputy? Mr. McDonald.

1808. And he was sworn in as your deputy to take the nominations at your office? Yes; and to do anything in my absence.

1809. Then Mr. McDonald was elected to that duty, and not your son? Yes.

1810. *Chairman.*] What arrangements did you make for closing the poll? I think they were to go by the gun-time.

1811. Is a gun fired in Mudgee every night at 6 o'clock? Yes; and I had arranged with the telegraph master to be precise about it, and I took the time as well.

1812. Did you give any instructions as to whether those who were in the booth at 6 o'clock were to be allowed to vote or not? I did not give any instructions about it. Personally, I should never favour anyone voting after 6 o'clock, but I suppose that those who are in a booth should vote, if necessary, after 6 o'clock.

1813. Mr. Haynes was asked a question :—

You were not concerned in any way in the polling arrangements?

His answer was :—

Certainly not. I stood at the back door and called on the Returning Officer about forty times, demanding that the people should be permitted to vote. At last I got the Returning Officer's deputy—I think he must have been his deputy, or he would not have been permitted to enter the building—I refer to the Returning Officer's son—and asked him to call upon his father to provide another place, as there was no prospect of getting the people in to vote. The Returning Officer said he would provide a place for them, or allow them to vote at one of the other places. Afterwards I told him that if he did not provide a place it would vitiate the election, as the people were there to vote, and he had not provided them with the means for voting.

In spite of all this evidence, which you do not deny, you still say that, in your opinion, you had made sufficient arrangements for the election? I am quite sure about it, to take not only 600 but 800 or 900 votes.

1814. *Mr. Oakes.*] You had a booth at the Town Hall, at which you were the Presiding Officer;—did your son assist there? No; nowhere, except at the schoolroom, and I do not know what he did there.

1815. *Chairman.*] Another witness, Mr. John Clarence Pauling, was asked the following questions :—

Were you present at the O to Z booth at the Public School, Mudgee, on the day of the election? Yes.

Are you a qualified voter? Yes.

Did

- Did you attempt to vote there? Yes.  
 At what time? About 3 o'clock.  
 What did you find when you got there? There was a big crowd, and I could not get into the polling-booth. I stayed there until about five past 4.  
 During all that time, were you waiting your turn to get into the polling-place? Yes.  
 You were not going away and returning, but you were continuously amongst the crowd waiting to get in? Yes.  
 What did you do at five past 4? I returned to my shop and stayed there until about 5 o'clock.  
 Did you then go back to the polling-place? Yes.  
 What was the state of things there when you got back? About the same as when I first went.  
 What did you do? I forced my way into the crowd, the same as I did before, and stayed there until 6 o'clock.  
 Were you able to vote? No.  
 You stayed there until the doors were closed? Yes.  
 When the doors were closed, how many people were amongst the crowd? About fifty.  
 Were they persons known to you as residents of Mudjee? Yes.  
 And to all appearances they were trying to get to vote? Yes.  
 Did you hear any expressions amongst the crowd? I heard one woman sing out that she was suffocating.  
 Did you hear any expressions of indignation, or anything of that sort? Only people singing out that they wanted to vote.  
 ? I never heard anything about that. There was a crush; but I do not think there would be anything like half that number there.  
 1816. Did anyone but Mr. Haynes complain to you that day? Yes; Mr. Richards, and several others when the crush was on; but I could not see any way of altering matters then. At nearly every election there is a crush for an hour or two in the afternoon. Most people do not go to vote until after dinner.  
 1817. Had you ever a crush like this before? I do not think so.  
 1818. The whole of the arrangements were left absolutely in your hands? Yes; and I made quite sufficient provision for the conduct of the election. Of course, if people choose to keep away until the last two or three hours, it is their own fault.  
 1819. Whilst you have been acting as Returning Officer, you have had people wishing to record their votes openly? Yes.  
 1820. How long do you think it ought to take an ordinary Presiding Officer to get through a vote of that kind? About a couple of minutes. I have often taken them.  
 1821. I suppose something depends on the amount of intelligence of the parties? Yes. I have seen some of them go through very quickly.  
 1822. *Mr. Dacey.*] Were you in the Public School when the poll closed? Yes.  
 1823. Did you see people voting there after 6 o'clock? There were two or three votes after 6 o'clock. I told the presiding officer to close by the gun. I stood with my watch in my hand at the door, and I said, "I want to stop this immediately at 6 o'clock; we will listen for the gun." Neither of us heard it, and when it was three minutes past 6, I slipped out to the front and asked someone if they had heard the gun, and they said yes. We had been listening for the gun, and we did not hear it. I called to the Returning Officer to close, as time was up.  
 1824. The votes polled after 6 o'clock, then, were not polled with your sanction? Any polled up to that time were. I do not know what votes were polled after 6 o'clock.  
 1825. Had you been there all the time you would not have allowed anyone to vote after 6 o'clock? No; except one or two who might have been in the booth.  
 1826. Did you furnish a seal to the officers? Yes.  
 1827. Did you furnish one to Mr. Webb? I expect so.  
 1828. If he says you did not, would he be correct? He might be; I am not positive about it. Nearly all this detail work I leave to my deputy. I supervise matters, and everything is put before me before it is sanctioned.  
 1829. With regard to the lighting of the school—the people who went into the balloting compartments had the light at their back? No, in front, I think. I know there are some windows where the compartments were. It was not too well lighted, but it was fairly lighted.  
 1830. Have you a distinct recollection of seeing a window where the compartments are? I will not be sure.  
 1831. But you were there when it got dark? Yes, and they were using candles and lamps.  
 1832. Did you order candles? No, I ordered lamps. I carried one lamp in myself, and I asked a woman in charge of the place to get another.  
 1833. Had the people who were in the compartment sufficient light at that time? I think so. It was not as good as it is here, but it was fair lighting.  
 1834. I suppose you will admit that if it was necessary to have a light for the Presiding Officer, it was also necessary for the voters? I think it was necessary at that time in all the booths.  
 1835. Was it possible, under the circumstances of the abnormal rush, for the Presiding Officer to furnish lights? It was enough for him to call for a light if he wanted it. He did not want it, I suppose.  
 1836. Whom did you put in charge of the back door? One of the constables.  
 1837. What time was that? Between 4 and 5 o'clock.  
 1838. And prior to that, there was no one guarding the back door? No.  
 1839. Did you make any provision for the Presiding Officers to study their instructions? Yes, they all got their books some days before the polling.  
 1840. If the Electoral Officer in Sydney says it was a fair thing for a Presiding Officer to poll 500 votes in ten hours, would you say that it is a fair thing to poll 1,000? I would not say 1,000.  
 1841. Were you at the Court-house during the heavy polling there? Yes. On this occasion, many people did not take the trouble to send in their numbers which would have been a great help. I had to make arrangements. We have nothing to do with that; it is the candidate's work.  
 1842. Would you be surprised to know that in every polling-booth in Sydney they had an outside clerk? We have never done it until this occasion.  
 1843. You have never had an authorised man outside? Never.  
 1844. Still you recognise how it facilitates the voting if a reliable number is handed to the presiding officer? Yes.  
 1845. How many votes were polled in Mudjee at the State election in 1901? 925 votes at two booths.  
 1846. And how many were polled on the last occasion? 1,769 votes.  
 1847. Nearly double? Yes.

Witness—H. Crossing, 8 November, 1904.

1848. In view of the number of electors being doubled, do you think it was reasonable accommodation to make to only give them one extra booth? I think so. I think it would make things much worse to have all the booths in one building.

1849. What is the size of the Court-house? It is a large building.

1850. Was there anything to prevent your having all the booths there? I think there would have been a greater crush than ever if they had been there.

1851. Seeing that in Sydney we poll 2,000 or 3,000 votes in one building, should there be any difficulty about it? There must be, unless you have a great many ways in and out. I think it is a mistake to bring the people together too much.

1852. You do not think it is likely to cause a person to lose his vote by going to one place at the last moment, and then discovering he should have gone somewhere else? I do not think one vote was lost in that way.

1853. When you divided the Mudgee electorate into letters, on what basis did you act? In order as near as possible to divide the number of votes equally.

1854. What made you send 700 voting-papers for the initials G to N, and only 500 for the initials O to Z? We sent 600 to each place, but I had to provide some more.

1855. You sent 700 voting-papers for the letters G to N, and 500 for the initials O to Z; that is according to your own return;—some were retained at both polling-places? I think 600 were sent to each place. I think there must be some mistake.

1856. What were Mr. Webb's duties at the school-house as Presiding Officer? To take the votes.

1857. What would you expect him to do if an elector came in? He had to initial the ballot-papers.

1858. Is anyone else empowered to initial them? No, he is supposed to initial them.

1859. No one is authorised to initial the ballot-papers but Mr. Webb? I never authorised anything in the matter, but it is generally understood that the Presiding Officer should do it.

1860. You stated, in your return, that you made provision for 800 or 900 votes being polled at the school-house? Yes.

1861. Mr. McIntyre, Chief Electoral Officer, gave the following evidence:—

The Returning Officer says he made provision for 900 votes to be recorded in that booth. Do you think it is possible to take 900 votes in ten hours? No. I do not think it has ever been done. Newtown is the highest I have ever heard of. I do not think they have exceeded 500 anywhere.

? There is proof against that at the Court-house. They did not take many votes in the early part of the day.

1862. Later on Mr. Brinsley Hall asked Mr. McIntyre the question:—

Do you say 500 is a record vote for one man?

The answer was:—

I examined the Newton records the other day. There were four booths there and the highest poll was under 500.

Your returns for the previous elections were 486 votes and 439 votes? Yes, and they were taken without any trouble. I have always noticed that just after luncheon there is a bit of a rush.

1863. *Mr. Piddington.*] Do you know this section of the Act:

The Returning Officer or Deputy, the poll-clerks, and the scrutineers, and not more than six voters being at the time actually engaged in voting, to be designated, if necessary, by the Returning Officer or Deputy, shall be permitted to enter or remain at any one time in any polling-room during the taking of the poll.

? Yes.

1864. In the teeth of that did you send your son into the polling-room? Yes.

1865. Persons entitled to be present in the polling-room are the Returning Officer or his Deputy. Your son was not a deputy? No.

1866. And he was not a poll-clerk? I hardly know his position, but you can see by his declaration.

1867. Can you say whether he was a poll-clerk or not? You can see by his declaration.

1868. Cannot you tell the Committee? I cannot tell you. I sent him there in a hurry, and I do not know what he signed.

1869. Will you tell the Committee whether or not your son was a poll-clerk? I cannot tell you.

1870. You swear positively that you do not know? I do not know positively just now, but his declaration will show.

1871. Have you not already sworn that you sent him there to assist in any way? Yes.

1872. And in the teeth of that, do you still say he may have been a poll-clerk for all you know? I do not know what declaration he signed. It was done in a hurry.

1873. I am asking what you sent your son there to do? To help in any way he could.

1874. Not specially as a poll-clerk? In any way he could.

1875. And he was not a scrutineer? No.

1876. And he was not one of six voters "at the time actually engaged in voting"? No.

1877. And you sent him into the polling booth under those circumstances? To assist in any way he could, and no votes were lost through it.

1878. At what hour of the day did you send him? About 5-30.

1879. Was not the reason why you took this extreme step of sending your son there at that hour of the day the fact that there was every prospect of a collapse of the voting? Yes.

1880. And the only reason you can give for the comparatively small vote at the Public School is, that people did not come there in time to vote? Yes.

1881. Is there any provision in the Act obliging people to come earlier than 3 o'clock? No. There is nothing to prevent them coming at the last hour.

1882. You know, as a matter of fact, that under the Act people can come at any hour they like? Yes.

1883. And, as a matter of practice, the majority come in the afternoon? Yes.

1884. If you had provided four instead of three booths, would there have been any voter whatever unable to record his vote? None whatever if we had the same facilities.

1885. Then if their had been four booths, every voter would have been able to record his vote? Very likely.

1886. What calculation did you go upon with regard to the women voters increasing the polling? I thought we should have an increase of about 50 per cent.

1887. Have you any reason in the world for supposing that, when the number of voters was practically doubled by the inclusion of women, the total vote would only be increased by 50 per cent.? Yes. I did not consider women would be very likely to take it up at the first, and that was the general opinion.
1888. Have you paid any attention at all to the question of women voting? A little. They voted more freely than I thought they would.
1889. Do you not know, as a matter of fact, that in every State where women has had a vote, they have always voted at the first election more heavily than men? No.
1890. Do I understand you to say that you leave most things to your deputy, Mr. McDonald? Yes.
1891. You would not give up the whole of you time to them? Certainly not—not the whole of it; it is not likely.
1892. You leave your arrangements to your deputy officer? Yes; and he is the most competent man in the State.
1893. Did you leave to him the arrangement of the number of booths? I sanctioned everything.
1894. Did you leave the matter of arranging for three booths to the deputy, or did you determine upon it yourself? I determined upon it myself.
1895. And you determined on having the Public School as the polling-booth? He might have recommended that.
1896. Has it not been your experience at every election, that by far the greater majority of votes is cast in the afternoon? Yes.
1897. So that, taking twice the number of persons who voted in 1901—that is 925—there would be an expected poll of 1,850? Yes.
1898. You made your choice of three polling-booths in the expectation that the women vote would only add 50 per cent. to the total polled? Yes. I consider the other two booths were capable of taking the lot as far as that goes.
1899. That is, if people would start at 8 o'clock and vote at the same regular rate all through the day? Yes.
1900. Have you ever in your life known any election where that took place? No.
1901. At double your poll for 1901, you would have expected 1,850 voters;—did you expect that number? No.
1902. You did not expect 1,759? I did not think there would be as many.
1903. Did you form any estimate as to what would be the total poll of those on the roll for the Mudgee division? About 50 per cent., but it was really more—about 60 per cent.
1904. You did not make provision for all the electors recording their vote, but for only one-half? Not for the whole of them.
1905. I suppose you know that at times some elections are more keenly contested than others, and that during the last week the keenness of the contest increases? Yes.
1906. And yet you say you deliberately made provision for only one-half the electors to vote? Yes; because I have it on the best of authority that in the most keenly contested elections not more than 50 to 60 per cent. of the voters on the roll are recorded.
1907. You say you are certain that nobody, by reason of the different booths being at a distance from each other, was unable to vote? I do not think they were.
1908. As a matter of fact, during the last hour, were you not continuously at the Public School? Up to the last half-hour, at any rate.
1909. You have spoken about the vote at the Court-house;—are you aware that during the whole of the afternoon voters were allowed in the Court-house without any restriction in regard to them? I do not think so.
1910. Were you in the Court house booth during the afternoon? Yes.
1911. How often? Three or four times.
1912. For how long at a time? Two or three minutes, or a little more.
1913. Is it true that during the afternoon there was a string of voters from the entrance of the Court-house polling-booth to the table where Mr. Carmichael was sitting? I do not think so.
1914. Will you contradict it on oath? No; I never saw anything to complain about, or I would have drawn attention to it.
1915. Taking the same number of voters in the Mudgee Division as there were last election, would you dream of conducting an election again with only three polling-booths? I am sure it would go through right enough. I make a provision for another now, but, still, I think, three is sufficient.
1916. Is it true that the crush at the school-room was going on from 3 o'clock to 6? Yes.
1917. If the statement that thirty-five electors lost their right to vote is true, do you seriously say there is nothing to quarrel with about the election? Their votes could have been taken as you can see by the polling at the other two places.
1918. Do you seriously say that with thirty-five persons excluded from voting, ample provision was made for taking the poll? Yes, I still say so.
1919. Some of those persons after waiting an hour, went away and returned, and you say they had nothing to complain of? The police constable can tell you that some of the men who gave evidence here were walking about there for hours without giving their votes. A man named Patterson, for instance, was walking about for two or three hours.
1920. Do you say seriously that you believe every elector in the Mudgee division who took reasonable pains to vote, had an opportunity of voting? You can quite understand that if they went in reasonable time they had plenty of opportunity for voting.
1921. If they took reasonable and ordinary pains to vote? They must know that they should go in fair time. I say they had sufficient time.
1922. That is to say that no elector who took reasonable pains to vote was excluded from voting? Yes.
1923. You seriously say that? Yes, I do.
1924. Why do you laugh when you say it? Because I cannot see anything in it.
1925. *Mr. James.*] From 8-20 to 1 o'clock, ninety-one people voted. I suppose you could have taken thirty-five votes extra? I should think so.
1926. And yet because there is this rush at the end, you are asked to say there are not sufficient arrangements, and you did not say so? No; I am quite satisfied with the arrangements.

Witness—H. Crossing, 8 November, 1904.

1927. You have had experience of a rush before? I have often seen a little rush after dinner.
1928. Have you ever had 500 voters trying to cram in between 3 and 6 o'clock? No.
1929. Nor 300 voters in three hours? No.
1930. Did Mr. Haynes complain to you about anything in the Court-house? No.
1931. And they got through 630 votes? Yes; and only two were taken during the last fifteen minutes.
1932. And there were about 200 voted before lunch? Yes.
1933. And that accounts for all the difference? Yes.
1934. You say you made provision for 50 per cent. extra votes? Yes. I think the booths could have taken 700 or 800 voters easily.
1935. Do you refer to 50 per cent. of those on the roll, or 50 per cent. extra? I took it that there would be an increase of 50 per cent. in the voting. I discussed the matter with my deputy.
1936. How long has your deputy been acting? For many years—as long as I have been acting, and before. He gives the whole of his time to the matter.
1937. *Chairman.*] How long is it since you have given up presiding at a booth yourself? I do not think I have presided during the last two elections.
1938. Did you get any instructions on that point? No.
1939. *Mr. Morton.*] Mr. McIntyre, the Chief Electoral Officer, was asked the following questions:—  
*Mr. Dacey.*] Under section 69 of the Act, is it not imperative that every Returning Officer should preside and take the poll at some booth? Yes, at one booth, which we will call the principal polling-place.  
 Does your Department sanction Returning Officers ignoring this? We know Returning Officers cannot preside at one booth all day long. If there are a number of polling-places they naturally like to go and see what is going on. It is an unusual thing for a Returning Officer to preside the whole day at any one booth.  
 ? They cannot preside at all if they have to move about.
1940. Have you been in the habit since you have been a Returning Officer of appointing deputies and moving about the different booths yourself? I have always had a deputy, but lately I have refrained from sitting myself. I found I was handicapped so often by appeals to me, that it became a nuisance, so now I do not preside at all.
1941. Do you ever go out of Mudgee during polling-time? No.
1942. *Mr. Oakes.*] When do you swear your officers in? As soon as we get instructions, we begin to fix matters up.
1943. You swear them in individually? Yes, and we allow no one to act until the declarations are sent in.
1944. *Chairman.*] I suppose you can say without doubt that your son was not the poll-clerk at the Public School;—was there a poll-clerk besides him at that particular place? Yes.
1945. You remember sufficiently to be able to state that he was not the poll-clerk appointed for that particular polling-place? No, he was not. I sent him there in a hurry.
1946. *Mr. James.*] At Mr. Haynes and Mr. Richards' request? Yes; they were all pressing me to do something.
1947. *Mr. Macdonell.*] Was the light where the Presiding Officer sat in the polling-booth as good as it was where the people voted in the compartments? They had the advantage of a good lamp.
1948. I mean before there were any lamps at all? It was light enough.
1949. Was the light as good at the table as in the compartments? I think it was quite as good.
1950. When you brought a lamp to the Presiding Officer, why did you not provide a light for the compartments where the people had to vote? I did not notice any complaint about it. When I went into the room I saw the light was getting a little dull, and I thought they would want a light soon. As I have already explained I went to find one, and asked the woman in charge of the school to get me a lamp. She got one, and then I asked here to get another.
1951. *Mr. James.*] I suppose the lamp would throw light generally about the room? Yes.
1952. *Mr. Macdonell.*] Was it not the Presiding Officer's duty to see that not only himself, but the voters had light;—he tells us that he was so concerned with the task of looking up the check rolls and initialling the papers that he had no thought for anything else? If he found that the light was so bad that he could not do his work, he would naturally ask for a light.
1953. But he tells us he considers that was part of your duty? It was not. It was not my duty to run about carrying candles or lights.
1954. Have you ever had any experience of Mr. Webb acting as a Presiding Officer before? Yes. He has acted for years, and has always done his work well and given satisfaction.
1955. Do you not think that he has a little to learn if he conceives it to be your duty to see that proper light is available for people to vote? You would find a good deal of difference of opinion if you questioned all the officers about many things. I never had an inquiry about the matter before.
1956. *Chairman.*] Did you make the same arrangements in the other booths? Yes; and I never heard any complaints.
1957. *Mr. Morton.*] Was any complaint made to you of anyone voting twice? No; and I do not believe anyone did. There has been a good deal of talk about it, but there is very little in it.
1958. *Mr. Piddington.*] Is gas laid on at the Town Hall and Court-house? Yes.
1959. And you did not provide any other light there? No; I have never provided lights anywhere. I never thought of it.

THURSDAY, 17 NOVEMBER, 1904.

Present:—

Mr. Dacey,		Mr. Macdonell,
Mr. Brinsley Hall,		Mr. Waddell.
Mr. Morton,		
The Hon. J. H. Young in the Chair.		

Mr. A. B. Piddington and Mr. C. G. W. Davidson appeared for the Petitioner, Mr. J. Haynes.  
Mr. A. James and Mr. D. R. Hall appeared for the respondent, Mr. Edwin Richards, the sitting Member.

Donald Macdonald, Mudgee, called in, sworn, and examined:—

1960. *Mr. James.*] I believe that at the last State election you were the Deputy Returning Officer at Mudgee? I was the substitute Returning Officer.
1961. What booth were you presiding at? At the Town Hall.
1962. How long have you been connected with elections in Mudgee? About fourteen years.
1963. In what position? As Deputy Returning Officer principally.
1964. You have had large experience in connection with the Mudgee elections? Yes.
1965. How many booths have been used in Mudgee on occasions prior to the last election? Two booths up to the last Federal election.
1966. Where were they? The Town Hall and Court-house.
1967. How many were there at the Federal election? Three.
1968. Were they the same as those used at the last State election? Yes.
1969. The Public School was one of them? Yes.
1970. Had you the conduct of the last Federal election? Yes.
1971. Can you say how many voted in Mudgee at that election? Yes, 1,247.
1972. At the three booths? Yes.
1973. How were the votes divided at the three booths? At the Town Hall, 436; at the Court-house, 430; and at the school, 381.
1974. How were the booths lettered on that occasion? As far as I can remember, they were lettered in the same way as at the last State election. There may have been a difference of a letter or two, but they were practically the same.
1975. Was there any difference in the number of polling-places outside Mudgee in connection with the two elections? Yes. In the area included in the last State election several places were added which were not polling-places at the Federal election.
1976. In close proximity to Mudgee? Yes.
1977. What are the names of the polling-places which were added for the State election? Grattai was one, and Pipeclay another.
1978. *Chairman.*] What distance are these places from Mudgee? Pipeclay is 5 miles away, and Grattai between 12 and 13 miles away.
1979. *Mr. James.*] What other places were added? There were a number of others, a lot of them being some distance away. The two I have mentioned were the two nearest. Guntawang was a polling-place 15 miles away, and Leaning Oak was another, 13 miles away.
1980. Where would the Guntawang, Grattai, and Leaning Oak people vote if they did not vote at Mudgee? Naturally the Guntawang people would vote at Cullenbone. The Leaning Oak people would probably vote at Merinda. The Pipeclay people would naturally come to Mudgee.
1981. Did you suggest the arrangements at the last State election? Yes.
1982. On what basis did you work it out as to the numbers voting? On the basis of the information gained at the Federal elections, and on the numbers of voters on the roll. In all previous elections the number on the roll has always been in excess of the number of votes polled.
1983. And at the Federal election you had the women's vote? Yes; that was the first occasion on which the women exercised the vote.
1984. Having had experience at the recent election, do you consider that the arrangements in Mudgee were adequate or inadequate? I consider they were adequate.
1985. *Chairman.*] Even now you consider they were adequate? Yes.
1986. *Mr. James.*] Have you heard that up to 12:40 only ninety-one votes were polled at the school-house, and that the crush set in from 3 to 6, and that during that time nearly 300 votes were polled;—that being so, how was it that twenty-six people were crowding about the school-house evidently trying to vote, and did not get a chance of doing so? I account for it in this way: that a great many people left the recording of their votes until the afternoon, consequently some of them were left out.
1987. *Mr. Dacey.*] Was the sole conduct of the election in your hands? Practically. Of course, I submitted everything to Mr. Crossing.
1988. *Mr. James.*] Has it ever happened before at any of the booths that such a crowd should turn up between 3 and 6 o'clock? No.
1989. *Chairman.*] I suppose that all you can say is "Not to your knowledge"? My experience has been that during some hour of the day there has always been heavier voting than at other hours.
1990. You were, I believe, presiding at the Town Hall? Yes.
1991. Had you a rush there? Yes.
1992. When did the rush begin? Between 1 and 2 o'clock.
1993. Did you cope with it? Yes.
1994. By what time did you practically clear the rush? Not until five or six minutes of 6 o'clock.
1995. Did you get through? Yes.
1996. I suppose you had the same facilities as they had at the other booths—yourself and a poll-clerk? Yes.
1997. Had you any lights at the Town Hall? Yes, gas.
1998. So that there was no need to make any extra provision? No.
1999. Do you know most of the electors in Mudgee? I know a great many of them.
2000. And round about Mudgee as well? Yes.

Witness—D. Macdonald, 17 November, 1904.

2001. Could you, if you examined the check rolls, tell the Committee whether people living outside Mudgee, who should have voted at other polling-places, voted at Mudgee? I know, as a matter of fact, that several votes of that kind were recorded at my booth.
2002. But supposing you went through the check rolls used at the Public School, could you give information as to people, who could have voted at one of the other booths which were provided for them? Yes.
2003. In making provisions for the election, did you take into consideration the fact that some people from outside Mudgee might vote in Mudgee? We naturally expected that people would vote in their proper polling-places, but a certain allowance is always made. It was anticipated that this would be a keen contest, and it was considered that there would be more people come from outside than usual.
2004. Did you make allowance for that? Yes.
2005. And if you go through the check rolls you will be able to say whether more people voted in Mudgee than you expected? Yes.
2006. *Mr. Paddington.*] What number of expected voters from outside Mudgee did you allow for? I could not fix the number. The principal guide was the experience of the Federal election. I think 150 extra ballot-papers were supplied to each booth in the town. That was considered sufficient to meet all requirements.
2007. You supplied 150 extra ballot-papers to each booth for expected outsiders? To meet contingencies.
2008. You informed Mr. James that you made allowance for persons whom you expected would come in from outside Mudgee? Yes.
2009. What number did you allow for? We did not allow for any definite number.
2010. Mr. James asked you whether you made allowance for persons voting whose residences were outside Mudgee;—I suppose you know that people living outside Mudgee had a perfect right to vote in Mudgee? Yes.
2011. You know that voters from outside frequently flock into the principal town to vote? Yes.
2012. It is a very common experience in country towns? Quite common.
2013. I understand you to say that you cannot mention any definite number of ballot-papers which you allowed for such a contingency? No.
2014. Therefore, it would be impossible for you to ascertain whether the allowance you made was exceeded? Yes, if you put it in that way; but as I have stated, about 150 extra ballot-papers were allowed for each booth, and that in a general way was considered ample to cover any extra voters who might come in.
2015. You admit that you cannot state that any definite number was allowed for what we will call visiting voters? No.
2016. Could you possibly say from an examination of the check rolls that the allowance was exceeded? I do not think I said I could do that.
2017. Could you possibly say that the number allowed was exceeded? No; not if you put it in that way.
2018. You have told us that you determined on these three polling-places from your experience of the Federal elections and the number on the roll? Yes.
2019. Was that the only thing which guided you in considering what polling-places you should have in Mudgee? Yes.
2020. You did not even take into consideration the votes which had been cast at the State election, 1901? No; I would not go so far back as that, as there has been an election since that time.
2021. In other words, whether it was a mistake of judgment or not, as the basis of your calculation of the requirements of the Mudgee people, you took into consideration the Federal election, and not the State election? Exactly.
2022. You know, as a matter of fact now, that at the State election of 1901, 925 persons voted when there were only male voters? I cannot say from memory.
2023. You have not looked at the figures since? No.
2024. As a matter of fact, 925 persons voted at the State election in 1901; at the Federal election, with the women's vote added, there were only 1,247 votes;—you made no calculation based on that discrepancy? No.
2025. At any rate, you did not make your preparations having in view a possible doubling of the men's vote in 1901? No.
2026. Is it not your experience, when elections are conducted on a Saturday, that the heaviest polling takes place in the afternoon? Yes; as a general rule it is heavier in the afternoon.
2027. Do you remember how many ballot-papers were supplied to the Town Hall? Yes; 700 originally.
2028. And how many were supplied to the Court-house? 600.
2029. And how many to the Public School? 500.
2030. Have you noticed that at the Public School a much smaller number of persons voted than at the other two places? Yes.
2031. Were not a number of extra ballot-papers supplied to the Public School during the day? I understand they were, but I cannot say so from my own knowledge. Mr. Crossing came to me during the afternoon and got a number from me.
2032. You do not know anything about the lighting arrangements at the Public School? No.
2033. You did not arrange for lighting beforehand? No.
2034. Do you know that a number of persons went from Mudgee and voted at Pipeclay? I do not know it except from hearsay. I heard that a number of people went.
2035. Previous to the Pipeclay booth being established, what place would the people there vote at? Most of them, I think, at Mudgee.
2036. You do not know of your own knowledge that a number of persons living in Mudgee voted at Pipeclay? No.
2037. Have you examined the Pipeclay check roll? No; I have not had access to it.
2038. Before the Pipeclay booth was established, what was the nearest booth for the Pipeclay people to vote at? There is very little difference between Mudgee and Long Paddock; there used to be a polling-place at Long Paddock.
2039. The Long Paddock polling-booth was used at previous elections but was not at the last election? Yes.
2040. And the Long Paddock booth was as near to the Pipeclay voters as to Mudgee? Yes.
2041. It was as convenient to them as was Mudgee? Yes, to most of them. Pipeclay takes in a fairly big area, and some of the people would be nearer to one booth and some nearer to the other.

2042. But with regard to most of them, whilst the Long Paddock booth was utilised, the Pipeclay people would go to that as much as to Mudgee? Probably.
2043. You have stated that the Gratti people previously voted at Collingwood? Yes. Collingwood was the handiest place for them to get to.
2044. Far handier than Mudgee? Yes.
2045. I believe Collingwood is 8 miles nearer to Grattai than to Mudgee? About 6 miles.
2046. You say that at the Town Hall there was a rush of voters during the whole of the afternoon until shortly before closing time;—do you know that the same state of things obtained at the Court-house? Yes.
2047. It comes to this: that from 1.30 or 2 o'clock there was a great and unprecedented rush at all three booths? Yes.
2048. You have never had anything like it in Mudgee before? Just so.
2049. You do not think this rush was the result of any concerted action on anyoody's part? I have no reason to think so.
2050. It was simply the result of the way the voters came up? Yes.
2051. Do you think it is a satisfactory thing for officials or voters that polling-booths should be working at a red hot rate like that during the whole of the afternoon? It would be far pleasanter to have it otherwise—to have the people going in in a moderate stream.
2052. And would it not be far more satisfactory to the public? I daresay it would.
2053. And people would be less likely to be shut out from voting? Yes.
2054. And if the letters of the alphabet were divided into four groups instead of three, the result would be that pressure would be taken off all the three? Yes, undoubtedly.
2055. And it would be still more convenient if there were five divisions;—and if you were in the same office when the next State election comes round, would not your advice be to have four polling-places in Mudgee instead of three? Of course, after an experience like that, it naturally would be.
2056. That is to say, that knowing what you now know, your voice would be raised in favour of four polling-places and not three in Mudgee? I hardly know, I think three booths ought to take all the votes there if they come up in any regular way.
2057. *Mr. James.*] How many votes did you poll in the morning at the Town Hall? I do not think we reached 200.
2058. And yet you got through more than 600 in the day? Yes.
2059. How many ordinary electors could you and a poll-clerk put through in a day? It entirely depends on the way they come up, but I am quite confident I could deal with 900 votes in the polling hours if the voters would come up in a regular stream.
2060. *Chairman.*] And if they did not keep you waiting? Yes.
2061. Did not the women voters take up a little more time than the men? I think that, as a rule, they were quicker and better to deal with.
2062. You have an intimate knowledge of the three different polling-booths? Yes.
2063. Were the conveniences of entry and exit as good at the Public School as they were at the Court-house and Town Hall? Yes; I think they were quite equal; I think I would just as soon take one booth as another.
2064. Was it generally known throughout Mudgee and district that those three polling-places would be available, and that voters with certain initials would be taken at the Public School, or would it be possible for any voters in Mudgee, or coming from another place to go first to the Court-house, and then to the Town Hall, before finding they had to vote at the Public School? The matter was well advertised in the local newspapers. As a matter of fact, there are always some people who come up, no matter what you do, to the wrong booth. There were very few at the place where I was acting who had to be directed to the Court-house or school-room—of course, I refer to those who came in.
2065. But no one would be allowed in unless their initials corresponded with the initials of the booth;—did you find it out after they came into the booth? Yes; at times.
2066. *Mr. Dacey.*] Was there no outside poll-clerk? No.
2067. *Chairman.*] And this did not happen frequently? No. It must be borne in mind that in the afternoon Mr. Crossing arranged to have people outside directing the voters.
2068. What time did that take place? About 3 o'clock.
2069. In the afternoon at each of the booths someone was stationed to tell people outside the proper places at which to vote? Not to tell them that, but to give them their number on the roll, so as to facilitate the voting inside the booths.
2070. *Mr. Dacey.*] Have you never had a poll-clerk outside the booths to issue authentic tickets to persons giving their numbers? No; not an officially-appointed poll-clerk. It used to be a common thing for each candidate to appoint some person to do that.
2071. If the same facilities for voting were offered to the people at Long Paddock as at Pipeclay, what was the reason for changing the booth from Long Paddock to Pipeclay? Long Paddock used to be a fairly important polling-place in the mining days, and as the mining industry went down population departed, and the vote got so small at last that it was recommended that the booth be cancelled.
2072. What was the number of votes polled there on the last occasion a booth was established there? I cannot say, but I think there were very few—fifteen or sixteen, or something like that.
2073. What was the number at Pipeclay? 138.
2074. Did you say that the booth at Long Paddock would relieve a strain on Mudgee just as much as would a booth at Pipeclay? Not under present circumstances. As I have explained, the population which made the vote at Long Paddock in years past was the mining vote.
2075. How far is Long Paddock from Mudgee? About 6 miles.
2076. About the same distance as Pipeclay? Yes.
2077. In fixing the number of booths for the election, can you give no reason why you did not refer back to the polling of 1901? No; not more than that I considered the vote at the Federal election was a better guide, being a later one.
2078. Did you make any allowance for the amount of interest taken in one election more than in another? Yes. Of course, a good deal of allowance was made in that way. Nearly 600 more ballot-papers were provided for the town of Mudgee alone.

*Witness*—D. Macdonald, 17 November, 1904.

2079. In reply to a question by the Chairman, you have stated that you divided the roll about equally between the three booths? As near as I could judge.
2080. How is it that you only sent 500 papers to the school and 600 to the Court-house? I certainly anticipated rather more at the Town Hall than at either of the other two booths; as a matter of fact, the Town Hall voting was a few less than the Court-house voting. You cannot regulate these matters to a nicety.
2081. What I want to get at is this: If you divided the roll equally, why were not the same number of ballot-papers sent to each booth? You cannot divide them equally. You cannot split up the people whose names are under one letter.
2082. According to the way in which you send out the papers, there was a difference of 100 between one booth and another? Yes; 700 papers were sent to the Town Hall. I thought that if one of the other booths ran short, a message could be sent there for a further supply.
2083. If you examined the check-roll and found that forty or fifty people voted at the school-room who might have voted somewhere else, would you be able to say that such a thing did not occur on any previous occasion? No, not without examining the rolls of previous elections. Of course, in a general way I know that at all elections people are inclined to use the head centre of the electorate, and many people come into town rather than poll where they are residing.
2084. *Chairman.*] That applies to every election? Yes.
2085. *Mr. Dacey.*] Was the Federal election held on a Saturday? No; on a Wednesday.
2086. Do you think that would make any difference? Not much.
2087. Was there any complaint to you, in your official capacity, as to the slowness with which votes were polled at the school-room? No.
2088. Would you say that the Presiding Officer at the school-room would be able to take as many votes as you could? I think so. I always give him credit for being able to do so. He has acted a great many times, and has always been looked on as a good officer.
2089. Was it with your concurrence that young Mr. Crossing went into the school-room booth? No; I knew nothing of it.
2090. What occupation do you follow in Mudgee? I am a farmer and grazier.
2091. Then I suppose you know everybody? I know a great many people. I have been there a great many years.
2092. What is the nearest polling-place to Pipeclay? Mudgee.
2093. Then the people there would not poll anywhere else? No.
2094. Supposing they went in another direction, which would be the nearest place for them? Stony Creek.
2095. How far is that from Pipeclay? 7 or 8 miles.
2096. Then Mudgee is closer than Stony Creek? Yes.
2097. And what distance is the nearest poll in another direction? There is a polling-place at a place called Linburn.
2098. Is there any polling-booth within 5 miles of Pipeclay except Mudgee? No; Mudgee is the nearest place, unless you pick out the very outside Pipeclay voters.
2099. But, generally speaking, Mudgee is the nearest by 2 or 3 miles? Yes.
2100. You have stated that the same crush took place at the Court-house and Town Hall as is supposed to have taken place at the school? Yes.
2101. Mr Crossing, in his evidence, stated that there was a little crushing at the other two places, and yet they polled well; at the Court-house 641 votes were recorded, and only two people voted during the last fifteen minutes;—does not that seem to prove that there was not a crush at the Court-house? I must answer "No" to that, because my own experience bears it out.
2102. What happened at the Town Hall then? There was a heavy crush there.
2103. Right up to the last minute? No; only up to five or six minutes to 6. We had not a voter inside some minutes before 6.
2104. How many votes do you say you could take in a day if they kept coming up in a moderate stream? 900.
2105. Do you know that at the Court-house they were taking them at the rate of 1,800 a day during one hour? I have heard something to that effect.
2106. The statement was made that they took 200 votes in an hour and five minutes;—is it possible to do it? I do not think so.
2107. Could you do it? I would not undertake to do it.
2108. You have stated that at the Federal election 1,250 people voted;—was there very keen interest in that election? In comparison with the recent State election it was not so keen.
2109. Did the women vote at the Federal election? Yes.
2110. And you had two booths then? Yes.
2111. Did you judge from what took place at the Federal election that there would be a similar number of voters at the State election? I judged there would be more, and that there would be keener interest.
2112. Could you give any idea as to how many more you expected would vote, seeing that 1,250 voted at the Federal election? I thought that if I provided for 600 extra votes it would cover everything. There were 1,250 votes polled at the Federal election, and we supplied the Mudgee booths with 1,800 ballot-papers.
2113. You anticipated that there would be 600 more votes? Yes.
2114. Did you think three booths were sufficient considering that you expected 600 more votes? Yes.
2115. You considered that you provided fully for all possibilities? Yes; judging from the votes recorded at previous elections. I considered that the extra number of voters could be taken fairly easy.
2116. And that would be a very heavy vote at Mudgee? Yes.
2117. The largest percentage you have ever had? Yes; the last vote was the heaviest.
2118. *Mr. Waddell.*] In view of the fact that at the Federal election every voter had to vote, not only for the House of Representatives, but also for the Senate, whilst at the State election they voted to elect only one man, how much longer do you think it would take 100 voters to vote during the Federal election as compared with the voting at the State election? There were some things connected with the Federal election which took up a great deal of time.

2119. I suppose you mean that inasmuch as a voter had to select the names of the senators as well as of the representatives of the other House that would necessarily take up more time than would the selection of one out of two candidates for the State? Yes.
2120. Would it take up twice as long? Yes; because provision was made there for absent voters.
2121. And when there are twelve or thirteen candidates for the Senate the voting necessarily takes up times? Yes; in addition to that, the Referendum vote had to be dealt with.
2122. Do you not think then that at the State election 100 voters ought to vote in half the time they would vote at the Federal election? Yes, I do.
2123. *Mr. Macdonell.*] Are you also taking into account that at the Federal election voters had not to produce electors' rights? Yes, I am bearing that in mind. There were other things connected with the Federal election which wasted time much more than checking the electors' rights.
2124. I suppose that the State elections in Mudgee have been pretty keenly contested for a number of years past? Yes.
2125. And a heavy vote has been expected? Yes.
2126. *Chairman.*] We have it in evidence that Mr. Crossing, junior, took some part in the election;—do you know what position he held there? Yes.
2127. What was it? He was acting as poll-clerk.
2128. Was he sworn in as poll-clerk? Yes.
2129. For what booth? The Public School.
2130. Were you present when the oath was administered to him? No.
2131. Did you keep a record of these matters? I included his declaration with all the other declarations made in connection with the election, and sent the lot to the Colonial Secretary.
2132. Apparently your recollection tells you that he was sworn in as a poll-clerk for the school-house? Yes.
2133. Is it not, also, in your recollection that some other person was sworn in as poll-clerk for the school-house? Yes.
2134. Are you not allowed only one for each booth? No; the Returning Officer can appoint more than one.
2135. For each booth? Yes, if he thinks it is necessary. Personally, I do not see the benefit of it. I do not think there was any necessity for more than one. But Mr. Crossing thought, when he saw the crush at the Public School, that his son could assist in expediting matters, and he appointed him.
2136. *Mr. Morton.*] Were you entirely in charge of the arrangements for the election, subject, of course, to the authority of Mr. Crossing? Practically so. The appointment of the officers was not entirely in my hands.
2137. But the control of the arrangements was? Yes.
2138. Including the hiring of halls, and fixing matters up generally? Yes.
2139. Have you been in the habit of doing that since you have been with Mr. Crossing? Yes.
2140. Does he generally leave the details to you? Yes.
2141. And if you put a document before him, he would sign it as an arrangement made by you? Yes.
2142. And he was not presiding himself at any booth? No.
2143. But he was generally supervising what was going on? Yes.
2144. Do you know whether every polling-booth closed at one time? Every polling-booth should close at one time.
2145. Was any signal given? Yes; it has been the custom in Mudgee for a number of years to close the booth on the firing of the time gun.
2146. Did you close your booth by the time gun? Yes.
2147. Did you hear it? Yes.
2148. Do you know whether one of the booths was not closed for some five minutes after that? No.
2149. As far as you are aware, they all closed by that signal? Yes; as far as I am aware.
2150. Your booth did anyhow? Yes.
2151. *Mr. Dacey.*] Who was supposed to make provision at the school-house for lighting the building? I do not know exactly how that was arranged. The Deputy Returning Officer should have seen to that.
2152. Do you think it comes within the scope of your duties? Mr. Crossing went to see that the place was fixed up, and it was not considered necessary that I should go as well.
2153. Is not provision made the day before the election for such things as that? It would be impossible for me to see to the lighting arrangements.
2154. Do you think it would be reasonable to expect that you should look after the lighting arrangements? I should have thought the light available at the school-room was sufficient.
2155. You did not think it necessary to provide artificial lighting there? Personally, I did not think about the matter.
2156. *Chairman.*] Have you, during the last few minutes, looked over the check-roll used at the Public School, Mudgee, during the election? Yes.
2157. From your examination, can you tell us whether an unusual number of people came in from beyond the immediate neighbourhood of Mudgee to give their votes at that particular place? I have taken out the numbers, and I find there are sixty names of people who were able to vote outside Mudgee. Some of them live a considerable distance away.
2158. There are the names of sixty people who might have voted at nearer polling-places than the Public School? Yes.
2159. Can you tell us, of your own knowledge, whether that is more than the usual number? I think it is, although I have never analysed the matter before.

Peter Nolan, police constable, Mudgee, recalled, and further examined:—

2160. *Mr. James.*] You stated, in your evidence, that in addition to being on duty at the Public School, Mudgee, you were patrolling about it? Yes.
2161. Did you observe any crowd about the porch;—did you, for instance, see certain people amongst the crowd? I might remember some of them; but, of course, it is a long time since.
2162. Did you see a man there named G. Wells? I do not remember.
2163. Did you see Paterson or Lord? Yes.

Witness—P. Nolan, 17 November, 1904.

2164. Did you see a man named Robinson? Yes—Teddy Robinson.  
 2165. Was he amongst the crowd? Yes.  
 2166. Was a man named C. Wilton there? Yes; I spoke to him outside.  
 2167. Do you remember a man named Robertson? No.  
 2168. Did you see a man named Vale? I know a man of that name, but I do not remember seeing him there.  
 2169. Did you see a man named Spies there? Yes, I was speaking to him.  
 2170. Did you see a man named J. Kellett there? I do not remember him.  
 2171. *Mr. Dacey.*] Did it occur to you that there were a number of people in the porch who ought to have voted at some outside polling-booth? No, it never came under my notice. I do not know whether the people who were there were voting or not.  
 2172. Do you know where any of the people live? I saw country people there, but I do not know whether they were voting there.  
 2173. Was there a fair number of people in the porch who came from outside Mudgee? There did not seem to be many. There did not appear to be any noticeable number.  
 2174. *Mr. Piddington.*] During the last three-quarters of an hour of the polling you were in the booth? At the door of the booth. I went to the back door as well.  
 2175. Can you mention the name of any particular elector from the country whom you saw there? Lord comes from the country.  
 2176. Do you mean the man Lord who gave evidence? I believe he gave evidence. He comes from a place called Urungary.  
 2177. Was he driving Mr. Haynes about? I do not remember seeing him doing so.  
 2178. Is he the only man you can mention from those outside whom you saw during the last hour of the poll? I do not remember any other.

Duncan McRae, police constable, Mudgee, recalled, and further examined:—

2179. *Mr. James.*] Do you think, if I mentioned the names of certain people, you would be able to tell me whether you saw them round the door of the school-house when you were on duty there on 6th August? Yes.  
 2180. Did you see a man named Birrell there? Yes.  
 2181. Did you see a man named Stacey there? No.  
 2182. Do you know a man of that name? Yes; but I did not notice him.  
 2183. Did you see William Rope there? Yes.  
 2184. Was he there all the time? I could not say that he was.  
 2185. Did you see a man named T. Belcher? I cannot remember.  
 2186. *Mr. Piddington.*] What time was it when you saw Birrell last? About a quarter to 6.  
 2187. Where was he then? In the passage.  
 2188. Near to you? No.  
 2189. Near enough for you to make him out? He was half-way down the passage, leading to the front door.  
 2190. Do you mean the porch? Yes.  
 2191. How far was he away from you? Seven or 8 yards.  
 2192. *Mr. James.*] Was he there for long? He was there all the afternoon.  
 2193. *Mr. Morton.*] In your former evidence you stated that twenty-five to thirty people were unable to vote? Yes.  
 2194. Have you any idea whether they were principally townspeople;—do you know them, and can you give any idea where they came from? There were some from the country, and from the town as well.  
 2195. From how far out? I could not say.  
 2196. Do you know the country people personally? No.  
 2197. *Mr. James.*] You know the townspeople? Yes.  
 2198. And there were some people there whom you did not know, and that is why you say they were country people? Yes.  
 2199. *Mr. Piddington.*] They may have been townspeople although you did not know them? There may have been some country people there.  
 2200. Do you know their names? No.  
 2201. *Chairman.*] How do you define townspeople;—would you call a man living 2 or 3 miles out of Mudgee a town man? No.  
 2202. *Mr. James.*] You cannot give the names of any of these people? No.  
 2203. *Mr. Morton.*] You cannot say really whether a number of the people who were there came in from the country, or were townspeople? There were a number of country people there.  
 2204. How do you judge of that;—was it because you did not know them? I knew them by sight.  
 2205. Do you know every man in Mudgee? No.  
 2206. Not by sight? Yes, I know them by sight.  
 2207. And you know that a number of the people who voted there were not what you call Mudgee townspeople? Yes.  
 2208. Were there many of them? A good few.  
 2209. Were you ever at a State election in Mudgee before? Yes.  
 2210. Did there seem to be any difference in the circumstances surrounding this election compared with any previous election? Yes; several country people came in.  
 2211. Do you think that was due to the fact that the election was held on a Saturday? Yes; I think they came in on account of its being Saturday and market day.  
 2212. Have you formed any opinion since you last gave evidence in regard to the people who were supposed to have come in by the backway;—you were asked the question whether any voters were allowed in by the door of exit, and you said "No";—have you formed any opinion since as to whether many voters came in by that way? No.  
 2213. You have no fresh evidence to offer on that point? No.

## ELECTION PETITION—HAYNES v. RICHARDS—MUDGEES.

## APPENDICES.

## Appendix A.

No. 260801.

ELECTORAL DISTRICT OF MUDGEES, MUDGEES DIVISION.

Name of Holder—Edwin Richards, M.L.A.

Residence—Mudgees.

Received from Patrick Daley, 1st Class Constable, my Elector's Right, numbered as above.

Signature—EDWIN RICHARDS

Place—Mudgees.

Date—14th February, 1901.

P. DALEY, 1st Class Constable (Witness).

[Cancelled.—Substituted.—Issued, 27/6/04.—D. G. McD.]

No. 260801.

ELECTORAL DISTRICT OF MUDGEES, MUDGEES DIVISION.

Name of Holder—Edwin Richards.

Residence—Mudgees.

- (1) What are your Christian names, surname, residence (including the street, and the number or name [if any] of the house in which he resides), and occupation?—Edwin Richards, M.L.A., Mudgees, Journalist.
- (2) Are you of the full age of twenty-one years?—Yes.
- (3) Are you a natural-born or a naturalised subject, and which?—Yes, natural born.
- (4) (If a natural-born subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year immediately prior to the date of your application for an Elector's Right?—Yes.
- (5) Have you resided or had your principal place of abode in this Electoral District for a continuous period of ["one month" in case of a transferred right and "three months" in case of an original or substituted right] immediately prior to this date?—Yes, for three months.
- (6) Have you before received an Elector's Right in any District in New South Wales?—and [if the answer be "Yes"] in what district?—Yes; Mudgees, but lost it.

Date—14th February, 1901.

D. G. McDOUGALL, Registrar.

EDWIN RICHARDS, abovenamed.

[Substituted.—Issued, 27/6/04.]

No. 260801.

NEW SOUTH WALES, ELECTOR'S RIGHT, RESIDENTIAL QUALIFICATION.

ELECTORAL DISTRICT OF MUDGEES, MUDGEES DIVISION.

The holder hereof, Edwin Richards, of Mudgees, whose name is signed hereunder, is, if enrolled, entitled to vote at Elections of Members of the Assembly in the above District, being qualified in respect of Manhood and of Residence in such District.

The 14th day of February, 1901.

D. G. McDOUGALL, Registrar.

EDWIN RICHARDS, abovenamed.

[Cancelled.—Right issued for another District.—E. Chapman, Registrar, Newtown.] [Substituted.—Issued 27/6/04.]

## FORM I.

Electoral Registrar's Office, Enmore, N.S.W., July 30, 1904.

Sir,—A transferred Right has been issued to Edwin Richards, late of Mudgees. Be good enough to inform me, in accordance with Section 29 of the "Parliamentary Electorates and Elections Act, 1902," whether he is duly enrolled for the Mudgees Electoral District. The cancelled Elector's Right is forwarded herewith.

I have, &amp;c.,

E. CHAPMAN,

Registrar, Electoral District of Newtown.

Recd., 2/7/04. Report sent in negative, 2/7/04.—A.K.L.

## Appendix B.

No. 260801.

ELECTORAL DISTRICT OF NEWTOWN.

Name of Holder.—Edwin Richards.

Residence.—22 Marion-street.

- (1) What are your Christian names, surname, residence (including the street, and the number or name [if any] of the house in which he resides), and occupation?—Edwin Richards, 22 Marion-street, Journalist.
- (2) Are you of the full age of twenty-one years?—Yes.
- (3) Are you a natural-born or a naturalised subject, and which?—N.B.
- (4) (If a natural-born subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year immediately prior to the date of your application for an Elector's Right?—Yes.  
(If a naturalised subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year since your naturalisation, and immediately prior to the date of your application for an Elector's Right? —
- (5) Have you resided or had your principal place of abode in this Electoral District for a continuous period of ["one month" in case of a transferred right and "three months" in case of an original or substituted right] immediately prior to this date?—Yes.
- (6) Have you before received an Elector's Right in any District in New South Wales?—and [if the answer be "Yes"] in what District?—Yes; Mudgees.

E. CHAPMAN, Registrar.

EDWIN RICHARDS, abovenamed.

Date—30th June, 1904.

Appendix C.

## Appendix C.

Extract from *New South Wales Government Gazette*, 30th June, 1904.

## ELECTORAL DISTRICT OF MUDGEE.

Apple-tree Flat.  
Ben Buckley.  
Birriwa.  
Burrendong.  
Collingwood.  
Cullenbone.  
Canadian.  
Clarke's Creek.  
Euchareena.  
Gulgong.  
Home Rule.

Hargraves.  
Hill End.  
Kerr's Creek.  
Leadville.  
Linburn.  
Lower Muckerawa.  
Merinda.  
Mudgee.  
Maitland Bar.  
Pipeclay Creek.

Piambong.  
Stony Creek.  
Stuart Town.  
Sally's Flat.  
Stubbo.  
Tallawang.  
Two-mile Flat.  
Tambaroora.  
Upper Pyramul.  
Windeyer.

## Appendix D.

[Sketch.]

## Appendix E.

*The Daily Telegraph*, 12th August, 1904.

## THE MUDGEE ELECTION.

TO THE EDITOR.

Sir, Mudgee, August 10.

The telegraphed information in your issue of Tuesday, in reference to the Mudgee contest, is somewhat exaggerated. There certainly was a crush at one of the booths during the last two hours of the afternoon, but the electoral officers were in no way responsible for this. In the forenoon everything went most satisfactorily, and up to 2:30 p.m. Neither is it a fact that there was insufficient light for voters to see what they were doing. The table at which the officers and scrutineers were seated had been provided with a kerosene lamp, in readiness to be lighted. It is quite correct that candles were purchased at the instigation of one of Mr. Haynes' supporters, who was asked to go for candles, anticipating the approaching darkness. I have it on the authority of the officers in charge of the booth, my scrutineer, and a constable, that there was no ground for complaint as regards the lighting of the booth, and at the most no more than thirty-five electors lost their right to vote, simply because they neglected to vote earlier in the day. At the booth in question, I am told, not more than 150 votes were recorded up to 2 p.m., and the total for the day was 500. The returning officer, Mr. H. Crossing, who has had upwards of twenty years' experience, engages only the best of clerical men. The presiding officer on the occasion has had previous experience, and was in every respect highly capable for the duty. But the electoral officer cannot be held responsible for the lagging public, whilst a law provides for the hours of opening and closing of the poll. A capable officer should take two votes to the minute, even in a rush, and it is claimed that at times the voting was equal to this. As showing that due consideration had been given to meet the possible heavy voting, three booths were located in different parts of the town, as at the Federal election, when no difficulty was experienced, as the voting was more regular. On this occasion provision was made at the same booths, and they were presided over by the same officers. At the Town Hall 628 votes were recorded, at the Court-house 641, and the Public School 500; but it so happened that the majority who polled at that booth in the afternoon did not come along until within the last two hours. I claim this privilege to defend the officers in charge of the booth in question.

Yours, &c.,  
EDWIN RICHARDS.

## Appendix F.

Mudgee, 13th August, 1904.

Sir,

In compliance with request contained in your letter of the 10th instant, No. 04/14356, I have the honour to report that the arrangements for taking the Poll on the 6th instant were as follows:—

Three Polling Booths were provided,—one at the Town Hall, for letters A to F, one at the Court-house, for letters G to N, and one at the Public School, for letters O to Z. In each of these a similar staff of picked officers officiated, and the votes polled are as follows:—Town Hall, 628; Court-house, 641; Public School, 500. The voting proceeded smoothly and uninterruptedly in each booth all through the day. The statement in *Sydney Morning Herald* clipping, that at the Public School booth "the officials inside could not progress, and voting practically ceased, for nearly two hours" is absolutely untrue. The facts with regard to this booth are, that during the whole of the forenoon very few votes were recorded, and in the afternoon a heavy pressure of Electors took place, some twenty to thirty being unable to enter before closing time.

The figures above show that considerably more votes were polled in the Town Hall and Court-house booths, and this without the least hitch at either. A larger number could easily have been polled at the Public School, had the electors availed themselves of the facilities afforded them.

The votes polled in Mudgee at the Federal elections were 1,247 as against 1,769 on Saturday last, the 6th instant, and I consider the provision made on the latter occasion was sufficient for recording eight to nine hundred votes at each booth.

I have, &c.,  
H. CROSSING,

J. Gibson, Esq., Under Secretary, Sydney.

Returning Officer, Electoral District of Mudgee.

## Appendix G.

No. 573628.

## ELECTORAL DISTRICT OF MUDGEE, MUDGEE DIVISION.

Name of Holder—Bridget Guest.  
Residence—Mudgee.

- (1) What are your Christian names, surname, residence (including the street, and the number or name [if any] of the house in which she resides), and occupation—Bridget Guest, Mudgee; domestic duties.
- (2) Are you of the full age of twenty-one years?—Yes.
- (3) Are you a natural-born or a naturalised subject, and which?—Yes, natural born.

(4)

- (4) (If a natural-born subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year immediately prior to the date of your application for an Elector's Right?—Yes.  
 (If a naturalised subject) Have you resided or had your principal place of abode in New South Wales for a continuous period of one year since your naturalisation, and immediately prior to the date of your application for an Elector's Right?
- (5) Have you resided or had your principal place of abode in this Electoral District for a continuous period of ["one month" in case of a transferred right and "three months" in case of an original or substituted right] immediately prior to this date?—Yes; three months.
- (6) Have you before received an Elector's Right in any district in New South Wales? and [if the answer be "Yes"] in what district?—Yes; Mudgee, but lost.

A. K. LOFTUS, Asst. Registrar.  
 BRIDGET GUEST, abovenamed.

Date—8th September, 1903.

Substituted—6/8/04.

#### Appendix H.

RACES Admission to course free. RACES

To be held at LEADVILLE on Polling Day. (Unregistered.)

Handicappers: Messrs. J. Smith, U. Scoble, H. Dougherty.

Programme.—First race to start at 11 a.m.—Opening Handicap of £3 10s.; second horse, 10s. from the prize; distance, half-mile. Flying Handicap of £3; second horse, 10s. from prize; distance, half-mile. Leadville Handicap of £5 10s.; second horse, 10s. from prize; distance, 6 furlongs. Handicap Hack Race, of £2 5s.; second horse 5s. from prize; distance, half-mile. Town Plate of £3; second horse, 10s. from prize; half-mile. Help-Me-Home Handicap of — sovs.; distance half-mile. Lottery Prize of £2 2s., open free to all ladies present having recorded their vote. Time of drawing, half-past three. Mudgee Brass Band in attendance. Entries 5 per cent. on all races. Nominations, accompanied with performances, for Opening and Leadville Handicaps, close with the secretaries at 8 p.m. night before races. All horses to be entered under their proper name. Polling Booth for Gwydir and Mudgee Electorate. Ball at night in aid of English and R.C. Churches.  
 H. DOUGHERTY, T. BLANNING, Hon. Secs.

#### Appendix J.

[Two Sketches.]

[Three Sketches.]

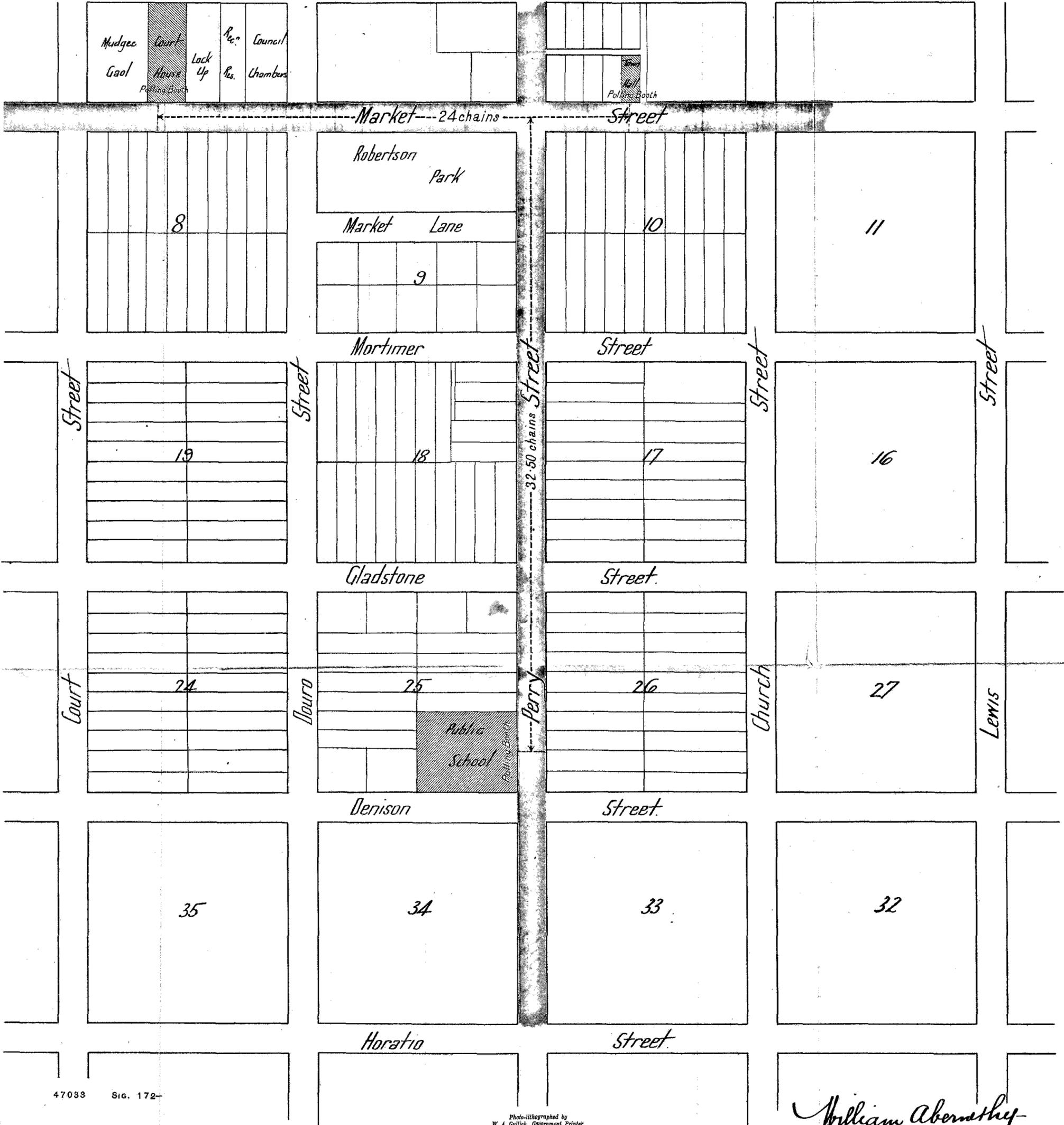


Appendix "D."

—SKETCH—  
—Part of Town of Mudgee—  
Showing position of Polling Booths

Note: Booths tinted Pink  
Distances between booths in Red.

Scale: 4 chs. to 1 inch.



William Abernethy  
Licenced Surveyor  
1<sup>st</sup> October 1907



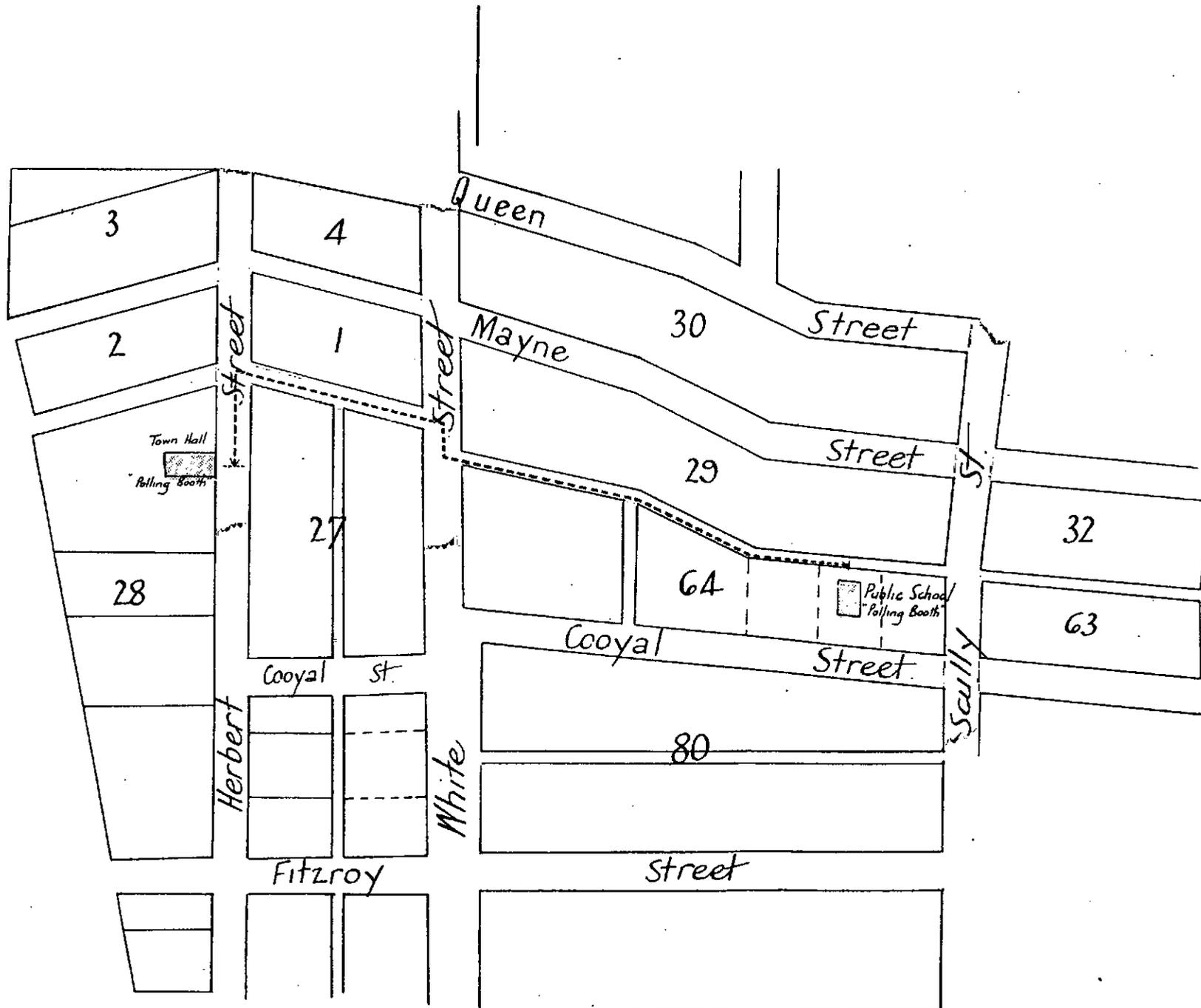


—SKETCH—

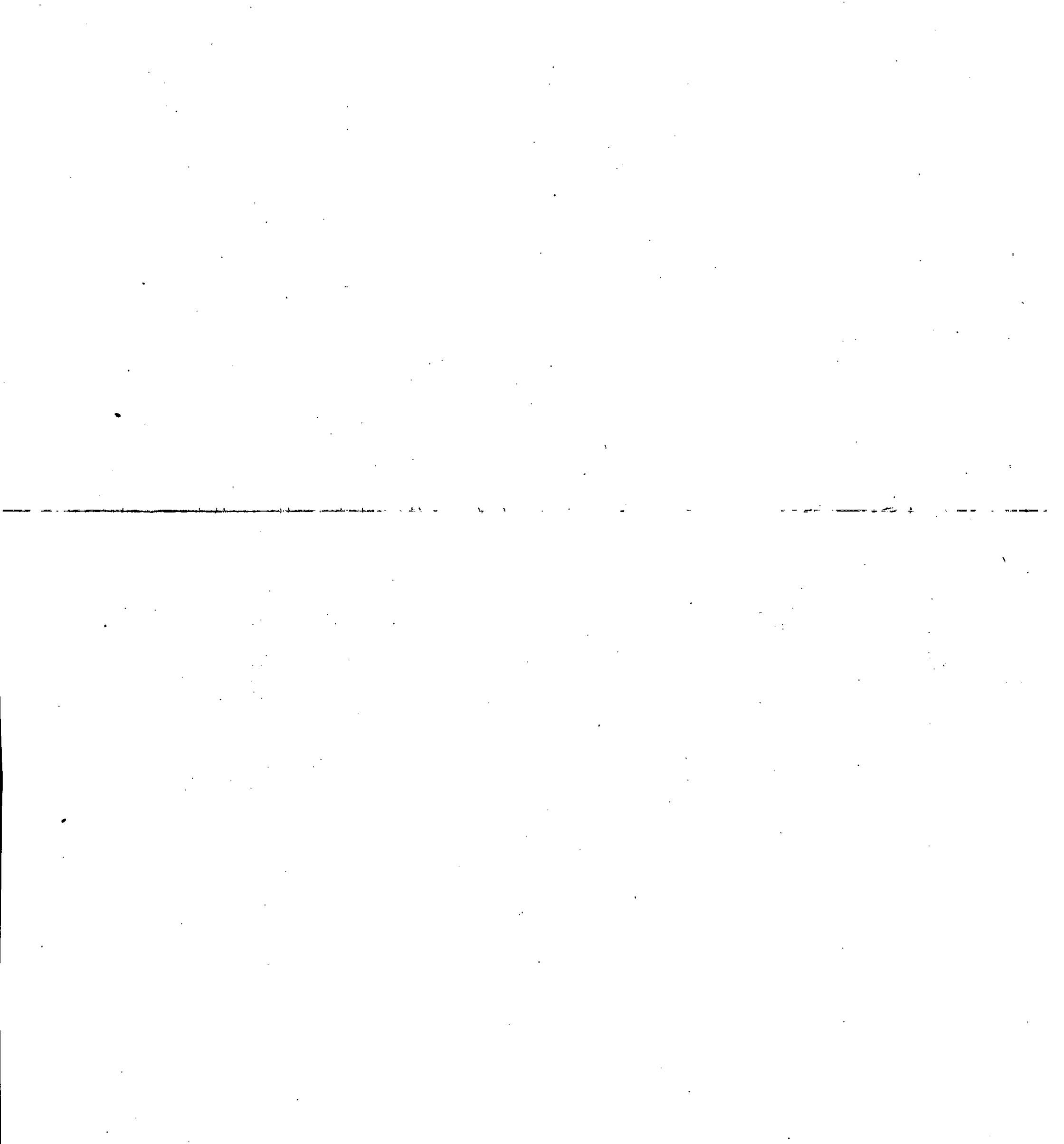
—Part of Town of Gulgong—  
—Showing position of Polling Booths—

Scale: 4 chs. to 1 inch.

Note.—Distance from Town Hall to School 27 chains  
shown by Red Broken lines.



William Abernethy  
Licensed Surveyor  
1872-1873



1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

ELECTION PETITION.—A'BECKETT *v.* HUGH MACDONALD—  
THE CASTLEREAGH.

---

REPORT FROM THE COMMITTEE

OF

ELECTIONS AND QUALIFICATIONS ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
22 November, 1904.

---

SYDNEY: WILLIAM APPEGATE GULLICK, GOVERNMENT PRINTER.

1904.

[1s. 3d.]

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1904.  
(SECOND SESSION.)

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

ELECTION PETITION.—A'BECKETT *v.* HUGH MACDONALD—  
THE CASTLEREAGH.

VOTES No. 2. WEDNESDAY, 24 AUGUST, 1904.

12. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Mr. Speaker, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy—

“ *By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia.*

“ PURSUANT to the power in that behalf vested in me, as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—

“ William Patrick Crick, Esquire,	Donald Macdonell, Esquire,
“ John Rowland Dacey, Esquire,	Mark Fairles Morton, Esquire,
“ Brinsley Hall, Esquire,	Charles William Oakes, Esquire, and
“ William Arthur Holman, Esquire,	Broughton Barnabas O'Connor, Esquire,—
“ Daniel Levy, Esquire,	

“ being Members of the said Assembly, to be Members of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid.

“ Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney,  
“ this twenty-fourth day of August, in the year of our Lord one thousand nine  
“ hundred and four.

“ WILLIAM McCOURT,  
“ Speaker.”

VOTES No. 6. WEDNESDAY, 21 SEPTEMBER, 1904.

3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—

(1.) *Maturity of Warrant reported*:—Mr. Speaker reported that his Warrant, appointing the Committee of Elections and Qualifications for the present Session, laid upon the Table on Wednesday, 24th August, 1904, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business, had now taken effect as an appointment of such Committee, and intimated that it was, therefore, open to Members of the Committee to be sworn at the Table by the Clerk, in accordance with the 117th section of the Parliamentary Electorates and Elections Act, 1902.

(2.) *Members sworn*:—William Patrick Crick, Esquire, John Rowland Dacey, Esquire, William Arthur Holman, Esquire, Daniel Levy, Esquire, Donald Macdonell, Esquire, Mark Fairles Morton, Esquire, and Charles William Oakes, Esquire, came to the Table, and were sworn by the Clerk as Members of the Committee.

5. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Mr. Speaker, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing the Honorable James Henry Young to be a Member of the Committee of Elections and Qualifications for the present Session, of which the following is a copy:—

“ *By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia.*

“ PURSUANT to the power in that behalf vested in me, as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—

“ The Honorable James Henry Young,

“ being a Member of the said Assembly, to be a Member of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid, in the room of Broughton Barnabas O'Connor, Esquire, whose seat in the Assembly became vacant on the twenty-ninth day of August last, by reason of his acceptance of the office of Minister of Public Instruction.

“ Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney,  
“ this twenty-first day of September, in the year of our Lord one thousand nine hundred  
“ and four.

“ WILLIAM McCOURT,  
“ Speaker.”

VOTES

## VOTES No. 8. TUESDAY, 27 SEPTEMBER, 1904.

9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Brinsley Hall, Esquire, came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

## VOTES No. 9. WEDNESDAY, 28 SEPTEMBER, 1904.

4. ELECTIONS AND QUALIFICATIONS COMMITTEE:—Mr. Speaker reported that he had received a letter from William Patrick Crick, Esquire, which he read to the House, resigning his seat as a Member of the Committee of Elections and Qualifications.

## VOTES No. 10. THURSDAY, 29 SEPTEMBER, 1904.

## 1. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—

(1.) *Maturity of Warrant reported*:—Mr. Speaker reported that his Warrant, laid upon the Table on Wednesday, 21st instant, appointing the Honorable James Henry Young to be a Member of the Committee of Elections and Qualifications for the present Session, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business, had now taken effect; and intimated that it was therefore open to Mr. Young to be sworn at the Table by the Clerk, in accordance with the 117th section of the Parliamentary Electorates and Elections Act, 1902.

(2.) *Member sworn*:—Mr. Young came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—Mr. Speaker, pursuant to the requirements of the Parliamentary Electorates and Elections Act, 1902, laid upon the Table his Warrant appointing Thomas Waddell, Esquire, to be a Member of the Committee of Elections and Qualifications for the present Session, of which the following is a copy:—

*“By the Honorable the Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia.*

*“PURSUANT to the power in that behalf vested in me, as Speaker of the Legislative Assembly of the State of New South Wales, in the Commonwealth of Australia, by the Parliamentary Electorates and Elections Act, 1902, I do hereby appoint—*

*“Thomas Waddell, Esquire,*

*“being a Member of the said Assembly, to be a Member of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Assembly aforesaid, in the room of William Patrick Crick, Esquire, resigned.*

*“Given under my hand, at the Legislative Assembly Chamber, Macquarie-street, Sydney, this twenty-ninth day of September, in the year of our Lord one thousand nine hundred and four.*

*“WILLIAM McCOURT,  
““Speaker.”*

## VOTES No. 14. TUESDAY, 11 OCTOBER, 1904.

## 2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS:—

(1.) *Maturity of Warrant reported*:—Mr. Speaker reported that his Warrant, laid upon the Table on Thursday, 29th September, 1904, appointing Thomas Waddell, Esquire, to be a Member of the Committee of Elections and Qualifications for the present Session, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business, had now taken effect; and intimated that it was therefore open to Mr. Waddell to be sworn at the Table by the Clerk, in accordance with the 117th section of the Parliamentary Electorates and Elections Act, 1902.

(2.) *Member sworn*:—Mr. Waddell came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

14. COMMITTEE OF ELECTIONS AND QUALIFICATIONS (*Appointment of First Meeting of Committee*):—Pursuant to the requirement of the 121st section of the Parliamentary Electorates and Elections Act, 1902, Mr. Speaker appointed the first meeting of the Committee of Elections and Qualifications to take place at Eleven o'clock, a.m., on Tuesday next, in No. 3 Committee Room.

## VOTES No. 14. TUESDAY, 11 OCTOBER, 1904.

4. ELECTION PETITION (*The Castlereagh*):—Mr. Hogue, *by command*, laid upon the Table an Election Petition, which had been addressed to His Excellency the Governor from William Channing a'Beckett, of Wellington, in the State of New South Wales, Esquire, alleging that, at the General Election, held on the 6th August, 1904, for the return of Members to serve in the Legislative Assembly, Hugh Macdonald, of Coonamble, journalist, and your Petitioner were severally candidates for election as Member for the Electoral District of The Castlereagh; that before the election Petitioner was duly nominated for election; that before and at the time of such nomination and from thence Petitioner was and is a person duly qualified by law to be elected; that there were forty-one polling-places in the Electorate duly appointed at which a poll was to be taken, and a poll was held at the several places as appointed; that Peter Aloysius Polin was the Returning Officer appointed for the Electoral District of The Castlereagh, to take such poll; that on the 11th August last the Returning Officer declared the number of votes polled to be as follows, namely:—For the said Hugh Macdonald, one thousand eight hundred and sixty-seven; and for your Petitioner, one thousand eight hundred and fifty-three; informal, fifty-three,—and thereupon declared Hugh Macdonald to be duly elected as a Member of the Assembly for the Electoral District of The Castlereagh; and afterwards endorsed on the writ the name of Hugh Macdonald as the person so elected, and returned the writ; that Hugh Macdonald has since taken his seat in the Legislative Assembly as Member for the district; that several persons who were not then legally qualified to vote in and for the District of The Castlereagh voted at the election for candidates for election as Members for the district; that one of the polling-booths at one of the polling-places duly appointed within the Electoral District of The Castlereagh was closed before the time prescribed by the Act, whereby several persons were disfranchised; that Richard A. Crossing, who was Presiding Officer in one of the polling-booths, did, on the evening of the sixth day of August last, the day of the election, hand over the ballot-box and contents thereof to Mrs. Rooke, of "Nevertire Hotel," Nevertire, a person not authorised by the Act to receive same, and that the ballot-box remained in her custody and out of the custody of Richard A. Crossing for a long time; that several persons were allowed to vote upon obsolete (red) rights; that several rights were delivered to persons other than those mentioned in the body of the writ; that Petitioner verily believes that at the election the votes polled in and for the district were incorrectly counted, and that some votes were counted for Hugh Macdonald which should have been rejected as informal, and other votes were rejected as informal which should have been counted for Petitioner; that Petitioner verily believes that many mistakes were made and irregularities arose in counting the ballot-papers and recording the votes at the several polling-places in the Electorate of The Castlereagh during the said election; that Petitioner has, in accordance with law, deposited in the Commercial Banking Company of Sydney, King-street Branch, to the credit of the Speaker of the Legislative Assembly of New South Wales, the sum of fifty pounds sterling, and that annexed to this Petition is a Bank deposit receipt showing that that sum has been so deposited, and Petitioner therefore humbly prays,—That this Petition may be dealt with according to law; that an inquiry may be made into the various allegations contained in this Petition; that a search and scrutiny of all ballot-papers, formal and informal, used and unused, in connection with the said Election, may be made by the Committee of Elections and Qualifications of the said Assembly; that a re-count of the ballot-papers and of the votes recorded thereby may be made by the Committee; that it may be declared that Hugh Macdonald was unduly elected to serve in the said Assembly, and that his return may be declared null and void; that it may be declared and determined that Petitioner was duly elected at the election to serve and be a Member of the Assembly for the Electoral District of The Castlereagh, and is entitled to take his seat accordingly in the Assembly; and that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the Parliamentary Electorates and Elections Act, 1902, or Acts amending the same.
- Ordered, on motion of Mr. Hogue, that the Petition be referred to the Committee of Elections and Qualifications.

## VOTES No. 33. TUESDAY, 22 NOVEMBER, 1904.

4. COMMITTEE OF ELECTIONS AND QUALIFICATIONS (ELECTION PETITION—A'BECKETT *v.* HUGH MACDONALD (*The Castlereagh*):—Mr. J. H. Young, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Committee of Elections and Qualifications, to whom was referred, on 11th October, 1904, the Petition of William Channing a'Beckett, in reference to the return of Hugh Macdonald, Esquire, as Member for the Electoral District of the Castlereagh.

And the said Report was read at length by the Clerk, by direction of Mr. Speaker, as follows:—

"The Committee of Elections, duly appointed on 24th August, 1904, to whom was referred, on 11th October, 1904, a Petition from William Channing a'Beckett, against the return of Hugh Macdonald, Esquire, as Member for the Electoral District of The Castlereagh, have determined "and do hereby declare:—

- "1. That Hugh Macdonald, Esquire, the sitting Member, has been duly elected.
- "2. That the Petition of William Channing a'Beckett is not frivolous nor vexatious.
- "3. That the sum of £10 10s. be awarded to the sitting Member towards his costs and expenses, such amount to be paid by the Petitioner to the sitting Member.

No. 3 Committee Room, Legislative Assembly,  
Sydney, 22nd November, 1904.

"J. H. YOUNG,  
"Chairman."



1904.  
(SECOND SESSION.)

---

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

ELECTION PETITION.—A'BECKETT *v.* HUGH MACDONALD—  
THE CASTLEREAGH.

---

REPORT FROM THE COMMITTEE  
OF  
ELECTIONS AND QUALIFICATIONS.

---

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS, duly appointed on 24th August, 1904, to whom was referred, on 11th October, 1904, a Petition from William Channing a'Beckett, against the return of Hugh Macdonald, Esquire, as Member for the Electoral District of The Castlereagh, have determined and do hereby declare:—

1. That Hugh Macdonald, Esquire, the sitting Member, has been duly elected.
2. That the Petition of William Channing a'Beckett is not frivolous nor vexatious.
3. That the sum of £10 10s. be awarded to the sitting Member towards his costs and expenses, such amount to be paid by the Petitioner to the sitting Member.

J. H. YOUNG,  
Chairman.

*No. 3 Committee Room,  
Legislative Assembly,  
22nd November, 1904.*

---

1904.

(SECOND SESSION.)

---

**MINUTES OF THE PROCEEDINGS OF THE COMMITTEE OF ELECTIONS  
AND QUALIFICATIONS.**

---

*In the matter of the Petition which had been addressed to His Excellency the Governor from William Channing A'Beckett, of Wellington, in the State of New South Wales, Esquire, alleging that, at the General Election, held on the 6th August, 1904, for the return of members to serve in the Legislative Assembly, Hugh Macdonald, of Coonamble, journalist, and your Petitioner were severally candidates for election as Member for the Electoral District of The Castlereagh; that before the election Petitioner was duly nominated for election; that before and at the time of such nomination and from thence Petitioner was and is a person duly qualified by law to be elected; that there were forty-one polling-places in the Electorate duly appointed at which a poll was to be taken, and a poll was held at the several places as appointed; that Peter Aloysius Polin was the Returning Officer appointed for the Electoral District of The Castlereagh, to take such poll; that on the 11th August last the Returning Officer declared the number of votes polled to be as follows, namely:—For the said Hugh Macdonald, one thousand eight hundred and sixty-seven; and for your Petitioner, one thousand eight hundred and fifty-three; informal, fifty-three,—and thereupon declared Hugh Macdonald to be duly elected as a Member of the Assembly for the Electoral District of The Castlereagh; and afterwards endorsed on the writ the name of Hugh Macdonald as the person so elected, and returned the writ; that Hugh Macdonald has since taken his seat in the Legislative Assembly as Member for the district; that several persons who were not then legally qualified to vote in and for the District of The Castlereagh voted at the election for candidates for election as Members for the district; that one of the polling-booths at one of the polling-places duly appointed within the Electoral District of The Castlereagh was closed before the time prescribed by the Act, whereby several persons were disfranchised; that Richard A. Crossing, who was Presiding Officer in one of the polling-booths, did, on the evening of the sixth day of August last, the day of the election, hand over the ballot-box and contents thereof to Mrs. Rooke, of "Nevertire Hotel," Nevertire, a person not authorised by the Act to receive same, and that the ballot-box remained in her custody and out of the custody of Richard A. Crossing for a long time; that several persons were allowed to vote upon obsolete (red) rights; that several rights were delivered to persons other than those mentioned in the body of the writ; that Petitioner verily believes that at the election the votes polled in and for the district were incorrectly counted, and that some votes were counted for Hugh Macdonald which should have been rejected as informal, and other votes were rejected as informal which should have been counted for Petitioner; that Petitioner verily believes that many mistakes were made and irregularities arose in counting the ballot-papers and recording the votes at the several polling-places in the Electorate of The Castlereagh during the said election; that Petitioner has, in accordance with law, deposited in the Commercial Banking Company of Sydney, King-street Branch, to the credit of the Speaker of the Legislative Assembly of New South Wales, the sum of fifty pounds sterling, and that annexed to this Petition is a Bank deposit receipt showing that that sum has been so deposited, and Petitioner therefore humbly prays,—That this Petition may be dealt with according to law; that an inquiry may be made into the various allegations contained in this Petition; that a search and scrutiny of all ballot-papers, formal and informal, used and unused, in connection with the said Election, may be made by the Committee of Elections and Qualifications of the said Assembly; that a re-count of the ballot-papers and of the votes recorded thereby may be made by the Committee; that it may be declared that Hugh Macdonald was unduly elected to serve in the said Assembly, and that his return may be declared null and void; that it may be declared and determined that Petitioner was duly elected at the election to serve and be a Member of the Assembly for the Electoral District of The Castlereagh, and is entitled to take his seat accordingly in the Assembly; and that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the Parliamentary Electorates and Elections Act, 1902, or Acts amending the same.*

*Ordered, on motion of Mr. Hogue, that the Petition be referred to the Committee of Elections and Qualifications.*

TUESDAY, 15 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Dacey,  
Mr. Brinsley Hall,  
Mr. Levy,

Mr. Oakes,  
Mr. Macdonell,  
Mr. Waddell,

The Hon. J. H. Young.

In attendance,—

W. S. Christie (Acting Second Clerk Assistant).

1. In the absence of the Chairman, the Honorable J. H. Young called to the Chair.
2. The Clerk, by direction of the Chairman, read the Extracts from the Votes and Proceedings referring to the appointment of the Committee.

3. The Clerk, by direction of the Chairman, read the Extracts from the Votes and Proceedings by which the Petition of William Channing a'Beckett was referred to the Committee.
4. The Clerk, by direction of the Chairman, read the Petition of William Channing a'Beckett, to which a bank deposit receipt was attached, as follows:—

To His Excellency Sir HARRY HOLDSWORTH RAWSON, Admiral in the Royal Navy, Knight Commander of the Most Honorable Order of the Bath, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

The Humble Petition of William Channing a'Beckett, of Wellington, in the State of New South Wales, Esquire,

SHOWETH:—

1. That at the General Election held on the sixth day of August, one thousand nine hundred and four, for the return of Members to serve in the Legislative Assembly of the said State, Hugh Macdonald, of Coonamble aforesaid, Journalist, and your Petitioner, William Channing a'Beckett, were severally candidates for election as Members of the said Assembly for the Electoral District of Castlereagh.

2. That before the said election your Petitioner was duly nominated for election as a Member of the said Legislative Assembly for the said Electoral District of Castlereagh, in accordance with the provisions of the Parliamentary Electorates and Elections Act of one thousand nine hundred and two (Act number thirty-three of one thousand nine hundred and two).

3. That before and at the time of the said nomination and from thence, your Petitioner was and is a person duly qualified by law to be elected a Member of the said Legislative Assembly.

4. That there were forty-one polling-places in the Castlereagh Electorate duly appointed at which a poll was to be taken at the said election, and a poll was accordingly held at the several places as appointed on the sixth day of August last past.

5. That one Peter Aloysius Polin was the Returning Officer appointed for the said Electoral District of Castlereagh for the purpose of taking such poll.

6. That the said Returning Officer on the eleventh day of August last past, the day of the Declaration of the Poll for the said Electoral District of Castlereagh, declared the number of votes polled to be as follows, namely—For the said Hugh Macdonald, one thousand eight hundred and sixty-seven (1,867); and for your Petitioner, one thousand eight hundred and fifty-three (1,853); informal fifty-three (53),—and thereupon declared the said Hugh Macdonald to be duly elected as a Member of the said Assembly for the said Electoral District of Castlereagh; and the said Returning Officer afterwards endorsed on the writ for the said election the name of the said Hugh Macdonald as the person so elected, and returned the said writ.

7. That the said Hugh Macdonald has since taken his seat in the Legislative Assembly as Member for the said district.

8. That several persons who were not then legally qualified to vote in and for the said District of Castlereagh voted at the said election for candidates for election as Members for the said district.

9. That one of the polling-booths at one of the polling-places duly appointed within the said Electoral District of Castlereagh was closed before the time prescribed by the said Act.

10. That owing to the early closing of such booth or polling-place, several persons were disfranchised.

11. That one Richard A. Crossing, who was Presiding Officer in one of the polling-booths in and for the said district, did, on the evening of the sixth day of August last, the day of the said election, hand over the ballot-box and contents thereof to Mrs. Rooke, of "Nevertire Hotel," Nevertire, a person not authorised by the said Act to receive same, and that the ballot-box remained in her custody and out of the custody of the said Richard A. Crossing for a long time.

12. That several persons were allowed to vote upon obsolete (red) rights.

13. That several rights were delivered to persons other than those mentioned in the body of the right.

14. That your Petitioner verily believes that at the said election the votes polled in and for the said district were incorrectly counted, and that some votes were counted for the said Hugh Macdonald which should have been rejected as informal, and other votes were rejected as informal which should have been counted for your Petitioner.

15. That your Petitioner verily believes that many mistakes were made and irregularities arose in counting the ballot-papers and recording the votes at the several polling-places in the said Electorate of Castlereagh during the said election.

16. That your Petitioner has, in accordance with the Act aforesaid, deposited in the Commercial Banking Company of Sydney, King-street Branch, to the credit of the Speaker of the Legislative Assembly of New South Wales, in relation to this Petition, the sum of fifty pounds sterling, and that annexed to this Petition is a Bank deposit receipt showing that the said sum has been so deposited.

Your Petitioner therefore humbly prays—

That this Petition may be dealt with according to law.

That an inquiry may be made into the various allegations contained in this Petition.

That a search and scrutiny of all ballot-papers, formal and informal, used and unused, in connection with the said election, may be made by the Committee of Elections and Qualifications of the said Assembly.

That a re-count of the said ballot-papers and of the votes recorded thereby may be made by the said Committee.

That it may be declared that the said Hugh Macdonald was unduly elected to serve in the said Assembly, and that the return of the said Hugh Macdonald as such Member may be declared null and void.

That it may be declared and determined that your Petitioner was duly elected at the said election to serve and be a Member of the said Assembly for the said Electoral District of Castlereagh, and is entitled to take his seat accordingly in the said Assembly.

And that such further or other relief in the premises may be granted as may be deemed just and necessary in accordance with the said Act or Acts amending the same.

And your Petitioner will ever pray, &c.

Dated at Coonamble, this twenty-ninth day of September, in the year one thousand nine hundred and four.

W. C. A'BECKETT,  
Petitioner.

Witness—

J. D. Y. BURTON,  
Solicitor, Coonamble.

King-street Branch, Sydney, 29 September, 1904.

Paid to the credit of The Speaker of the Legislative Assembly of New South Wales with the Commercial Banking Company of Sydney, Limited, the sum of Fifty Pounds. Cheque, £50. Total, £50. Teller—W. E. DYE.

By J. SHIEL<sup>c</sup>.

5. The Clerk submitted a letter from the Honorable the Speaker enclosing certified copy of a letter which had been received from Hugh Macdonald, Esquire, the Sitting Member for The Castlereagh, giving notice of his intention to defend his seat, which he read, as follows:—

1904/130.

"The Speaker's Room, Legislative Assembly, Sydney, 17 October, 1904.

"To the Committee of Elections and Qualifications,—

"Gentlemen,

"I have the honor to transmit to you herewith a copy of a letter which has been received by me from Hugh Macdonald, Esq., the Sitting Member for The Castlereagh, giving notice of his intention to defend his return, against which a Petition is now under your

"consideration.

"I have, &c.,

"WILLIAM McCOURT,  
"Speaker."

[Enclosure.]

[Enclosure.]

Sir,

Sydney, 15 October, 1904.

In accordance with the 129th section of the Parliamentary Electorates and Elections Act of 1902, I have the honor to inform you that it is my intention to defend my seat as Member for the Electoral District of The Castlereagh, before the Committee of Elections and Qualifications, to whom was referred a Petition from William Channing A'Beckett, touching the validity of my election and return as Member for the said Electoral District.

I have, &amp;c.,

HUGH MACDONALD.

The Honorable the Speaker, Legislative Assembly.

## 6. Parties called in.

*Present*:—C. J. Ellis, Esquire (*Solicitor for the Petitioner*).Hugh Macdonald, Esquire (*the Sitting Member*).D. R. Hall, Esquire (*Counsel for Sitting Member*).7. Richard Aldous Arnold (*Clerk of the Legislative Assembly*), called in, sworn, and examined.

Witness produced the Writ of Election, certifying to the return of Hugh Macdonald as Member for The Castlereagh.

Witness also produced three parcels containing the Ballot-papers, and other documents received from the Returning Officer for The Castlereagh.

Witness withdrew.

8. Henry Druitt (*Farmer*), Dubbo, called in, sworn, and examined.

Witness produced his Elector's Right.

Witness withdrew.

9. Robert William Fitzell (*Public School Teacher*), Belarbigill, called in, sworn, and examined.

Witness withdrew.

## 10. Susan Mary Druitt, called in, sworn, and examined.

Witness withdrew.

11. David Daniel Druitt (*Farmer*), called in, sworn, and examined.

Witness withdrew.

## 12. Henry Lamb, called in, sworn, and examined.

Witness withdrew.

## 13. Henry Edward Lamb, called in, sworn, and examined.

Witness withdrew.

## 14. Mr. Ellis applied for time to give evidence in reference to paragraph 8 of the Petition.

## 15. Room cleared; Committee deliberated.

## 16. The Committee decided that they could not depart from the decision that had already been given in connection with a similar application in a previous case.

## 17. Parties called in and informed.

## 18. Mr. Ellis addressed the Committee in reference to a recount of the votes.

19. Mr. Macdonald (*the Sitting Member*) also addressed the Committee.

## 20. Room cleared; Committee deliberated. The Committee decided not to grant a recount.

## 21. Ordered that Mr. Fitzhardinge and Mr. Brownlow be summoned to give evidence at next meeting.

## 22. The Committee adjourned to Thursday next, at Two o'clock.

W. S. CHRISTIE,

*Acting Second Clerk Assistant.*

THURSDAY, 17 NOVEMBER, 1904.

MEMBERS PRESENT:—

The Hon. J. H. Young,

Mr. Macdonell,

Mr. Waddell,

Mr. Dacey,

Mr. Morton,

Mr. Brinsley Hall.

In attendance:—

W. S. Christie (*Acting Second Clerk Assistant*).

## 1. In the absence of the Chairman, the Hon. J. H. Young called to the Chair.

## 2. The Clerk, by direction of the Chairman, read the minutes of the previous meeting, which were confirmed.

## 3. Parties called in.

*Present*:—C. J. Ellis, Esquire (*Solicitor for Petitioner*).Hugh Macdonald, Esquire (*the Sitting Member*).D. R. Hall, Esquire (*Counsel for Sitting Member*).4. Craven Hyde Fitzhardinge (*Solicitor*), Dubbo, called in, sworn, and examined.

Witness withdrew.

5. Frederick William Brownlow (*Poll-clerk*), Dubbo, called in, sworn, and examined.

Witness withdrew.

## 6. The Committee adjourned till To-morrow, at 11 o'clock.

W. S. CHRISTIE,

*Acting Second Clerk Assistant.*

FRIDAY, 18 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Dacey

Mr. Brinsley Hall,

Mr. Macdonell,

Mr. Oakes,

Mr. Waddell,

The Hon. J. H. Young.

In the absence of the Chairman, the Hon. J. H. Young called to the Chair.

In attendance:—

W. S. Christie (*Acting Second Clerk Assistant*).

## 1. The Clerk, by direction of the Chairman, read the minutes of the previous meeting, which were confirmed.

## 2. Parties called in.

*Present* :—C. J. Ellis, Esquire (*Solicitor for Petitioner*).  
 Hugh Macdonald, Esquire (*the Sitting Member*).  
 D. R. Hall, Esquire (*Counsel for Sitting Member*).

3. Mr. Hall made an application that there was no case to defend.  
 Mr. Ellis addressed the Committee.
4. The Committee reserved its decision.
5. The Committee adjourned to Tuesday next, at 11 o'clock.

W. S. CHRISTIE,  
*Acting Second Clerk Assistant.*

THURSDAY, 22 NOVEMBER, 1904.

## MEMBERS PRESENT :—

Mr. Brinsley Hall, Mr. Levy, Mr. Oakes,		Mr. Macdonell, Mr. Waddell, The Hon. J. H. Young.
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In the absence of the Chairman, the Hon. J. H. Young called to the chair.

In attendance,—

W. S. Christie (*Acting Second Clerk Assistant*).

1. The Clerk, by direction of the Chairman, read the Minutes of the previous meeting, which were confirmed.
2. Mr. D. Macdonell moved,—“That Hugh Macdonald, Esq., was duly elected as Member for the Electoral District of The Castlereagh.”
3. Mr. Levy moved,—“That the Petition of William Channing a’Beckett is not frivolous nor vexatious.”
4. Mr. Waddell moved,—“That the sum of £10 10s. be paid to Hugh Macdonald, the sitting Member, such sum to be paid by the Petitioner.

Question put.

The Committee divided.

Ayes, 5. Mr. Brinsley Hall, Mr. Levy, Mr. Macdonell, Mr. Waddell, The Hon. J. H. Young.		Noes, 1. Mr. Oakes.
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And so it was resolved in the affirmative.

Resolved,—“That the conclusions at which the Committee have arrived at be embodied in a Report, and presented to the House.”

W. S. CHRISTIE,  
*Acting Second Clerk Assistant*

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## COMMITTEE

OF

## ELECTIONS AND QUALIFICATIONS.

ELECTION PETITION—A'BECKETT *v.* MACDONALD—THE CASTLEREAGH.

TUESDAY, 15 NOVEMBER, 1904.

Present:—

Mr. Dacey,  
Mr. Levy,  
Mr. Oakes,Mr. Brinsley Hall,  
Mr. Maedonell.

The Hon. J. H. Young, in the Chair.

Mr. Ellis appeared for the Petitioner, Mr. W. C. a'Beckett.

Mr. D. B. Hall appeared for the Respondent, Mr. H. Macdonald (the sitting Member).

Richard A. Arnoid, Clerk of the Legislative Assembly, called in, sworn, and examined:—

1. *Chairman.*] Do you produce the writ of the election for The Castlereagh? Yes; it is endorsed by the Returning Officer, with the name of Mr. Hugh Macdonald as the gentleman returned to act in Parliament for the district. I also produce the ballot-papers, as received by me, used in connection with the election.

Henry Druitt, farmer, called in, sworn, and examined:—

2. *Mr. Ellis.*] Where do you reside? At Belarbigill, now known as Rawsonville.  
 3. You are an elector of the Castlereagh district? Yes.  
 4. Were you an elector at the date of the last election—August 6? Yes.  
 5. What is your number on the roll? 42, I believe.  
 6. Did you record your vote at the last election at the Belarbigill booth? No.  
 7. Did you attend the school-room there to record your vote? Yes, and I found the booth was closed.  
 8. How far do you live from the booth? It is about a quarter of a mile from my house to the booth.  
 9. I believe your land runs right up to the school until the house is within a quarter of a mile of it? Yes.  
 10. What time did you leave your house to go to the booth? I did not leave the house; I was working in the paddock.  
 11. What time did you leave your work? At 4:50 by my watch. My brother David was with me, and both our watches were about the same time.  
 12. Does your brother David live close by? About 2 or 3 miles away.  
 13. How long did it take you to get to the school from the place where you were working? Ten or fifteen minutes; it might have taken longer.  
 14. When you got to the school-house booth, what did you find? I found it closed.  
 15. You are quite certain it was closed? Yes, certain.  
 16. Are you prepared to say it was not 6 o'clock when you got there? Certainly it was not.  
 17. Can you give any reason why it was not 6 o'clock, other than the fact that your watch showed a certain time? The sun was in the sky, quite clear of the trees.  
 18. Did you look at your watch then, after seeing that the booth was closed? We had a little conversation with the schoolmaster and then I looked at my watch and drew his attention to it and to his own.  
 19. What is the schoolmaster's name? William Fitzell.  
 20. Was he at the polling-booth? Yes, at his house. He lives at one end of the school ground. From the house to the school is a distance of 40 yards.  
 21. Did you look at the watch then? Yes.  
 22. What did your watch show? 5:15.  
 23. Did Mr. Fitzell look at his watch? Yes, and he said that by his watch it was 5:15. Our time and his would be about the same, because we always go by his school-bell. If our time is out we set it in the morning by the school-bell.  
 24. Do you know who was the Presiding Officer at that booth? I was told it was Mr. Fitzhardinge.  
 25. Did you see him? No; but I saw him come in the morning.  
 26. Did you see him anywhere about after you looked at your watch? No.  
 27. Do you know of any one else who came there about the same time as yourself? My brother came with me.  
 28. Did anyone else come with you? Not at the same time, but my wife was there a little before me.

Witness—H. Druitt, 15 Nov., 1904.

29. You are quite satisfied that at the time you reached the booth it was not 6 o'clock? Certainly it was not.
30. Have you been in Dubbo any time prior to the election? Yes. About three days before that I was in Dubbo.
31. Did you set your watch by the Dubbo time? Yes, I always do.
32. I suppose you hold an elector's right? Yes, for the Coalbaggie Division.
33. Did you go to the booth with the intention of voting? Yes.
34. Then I suppose you are prepared to say that in consequence of the early closing of the booth you were prevented from recording your vote? Yes.
35. Have you got your elector's right? Yes (*produced*).
36. Is this the first time you have been put into the Castlereagh electorate? Yes.
37. Prior to this you always voted in the Dubbo District? Yes.
38. *Mr. D. R. Hall.*] I believe there is no railway at Belarbigill? No.
39. Is there a telegraph office there? No.
40. The only Government building there is the school? Yes.
41. And you all take your time from the school-bell? I do not know; but we do—from the school-bell and from Dubbo.
42. You were working in the fields on the day of the election? Yes.
43. Were you wearing your watch? I was not wearing it, it was in my waistcoat pocket.
44. Do you always carry your watch? Always.
45. Have you got it with you now? Yes.
46. What sort of a watch is it? It was sold to me as an English lever.
47. You left the place where you were working at 4:50? I think it was 4:50; I am nearly certain it was 4:50. I could give you a reason why I left at that hour, if it is of any use.
48. When you hear the school-bell, you set your watch accordingly? Yes, if the watch is not anywhere near the time the school-bell represents I do. I also set my clock as well as the watch.
49. You say you left at 4:50 and got to the booth between 5:10 and 5:15? Yes, I daresay I did get there in that time.
50. You say you got there in ten or fifteen minutes? Yes.
51. So that you arrived at the booth about 5:5? I do not say that I did, but that I could have done so. But certainly I was positive of the time when I looked at my watch.
52. Did you not say in reply to Mr. Ellis that you left the booth about 4:50? Yes.
53. And you went straight to the booth with your brother David? Yes.
54. And you would get there in ten or fifteen minutes? I should have got there in that time, but I did not examine the time to see exactly. I know, however, that when I found myself disappointed at the booth I looked at the time to be certain, and I am quite positive about it. I was annoyed at not getting my vote recorded.
55. Did you look at your watch immediately you got to the booth? No, we were there some time; we had a few words.
56. Then what time did you arrive at the booth? When I looked at my watch it was 5:15.
57. Did you ever make any statement different from that? No, not that I am aware of. I do not think so.
58. Here is a letter from Rawsonville, published in the *Dubbo Liberal*, alleged to be signed by you, three weeks after the election, August 31, in which you say, "I found I was too late to record my vote, which was a great surprise to me, as I understand, by publication, that the polling-booth did not close until 6 p.m., and it was only 5:30 p.m. by my time when I reached there." Did you write that? I do not think that is correct.
59. *Mr. Levy.*] Did you write it? My son wrote the letter for me.
60. *Chairman.*] At your dictation? Yes.
61. *Mr. D. R. Hall.*] And in that letter you said it was 5:30 by your time when you reached there? I did not say so. My son wrote the letter. I told him to write it and he wrote it. The time I have mentioned to you is the time I landed at the booth.
62. When you looked at your watch it was 5:15? Yes.
63. And it is not true that it was 5:30? No.
64. Did you tell your son to write that—that you reached there at 5:30? No; I am quite positive I did not. I asked him to write me a letter to the Returning Officer; of course, I told him the outlines, and he wrote it.
65. *Mr. Levy.*] You did not dictate the words as he went along? No; I told him to write me a letter to Mr. Polin, and he wrote it.
66. *Chairman.*] Did he read it over to you after he had written it? Yes.
67. And you were satisfied with it? Yes.
68. And were those figures in the letter at that time? I can almost swear that they were not.
69. *Mr. D. R. Hall.*] Do you swear those figures were not in the letter? To the best of my belief they were not.
70. To the best of your belief you never said the time was 5:30? Yes.
71. What you said was that the time was 5:15? Yes.
72. Did you write to the Dubbo newspaper afterwards complaining that you never received an answer from Mr. Polin? My son wrote that as well.
73. Where did he get the copy from? He must have copied from the old letter.
74. But the old letter had gone to Mr. Polin? He kept a copy of it.
75. Did you tell your son to write the other letter asking the newspaper to grant you space? Yes.
76. Did you see that letter before it went to the newspaper? No. My son wrote it, and posted it or took it in himself.
77. It was three weeks after the election when he took it in? I could not tell you.
78. Did you ever get a reply from Mr. Polin about that letter? No. There were a few words in the newspaper afterwards, so I heard, but I did not see them.
79. You did not see a letter in the newspaper from Mr. Polin stating that he never received any communication from you? I heard that was in the newspaper, but I did not see it.
80. Did you ever write to Mr. Polin contradicting his published statement about you? No.
81. You said you wrote to him, and he said you did not? Yes.
82. You never wrote to correct what was in the newspaper? No.

83. That closed the correspondence? Certainly. I was told he did not receive it, so it was no use writing further to him. I never bothered my head about it further, as I thought that was quite sufficient.
84. You say that when you got to the booth at 5:15 the sun was high in the heavens? Yes.
85. Right over the trees? Yes. Of course, the country is cleared pretty well there, and it was above the timber in the distance.
86. Did you not dictate this in the letter written by your son, "besides the sun was about a quarter of an hour high then";—did you tell him to write that? I do not remember, it is so long back. I told him to state that the sun was clear in the sky. I am certain about that.
87. But you admit he read the letter over to you afterwards? Yes.
88. And you passed it? Yes. I told him that would do.
89. You are not particular, I suppose, out there? How do you mean?
90. To a quarter of an hour or so? It would not do to pledge myself in that way. We go as near to the time as we can get to it.
91. You had set your watch by the Dubbo time a few days before? I was in Dubbo three or four days before, and my watch was similar to the Dubbo time. It was also the same as the schoolmaster's time, because we hear the bell every morning. It is only a quarter of a mile from my house to the school-house; in fact, it is not that.
92. You had the whole day in which to vote? Yes. I can give you my reason for not going earlier. I had 200 bags of wheat stacked in the paddock. The mice had got into some of the bags. I had sold the wheat two or three days before, and I wanted to put it into the bags in order to send it to the market. I left my vote over until I could hear the result of the poll.
93. Did you find the school-house locked when you got there? I did not look at the door to see.
94. You simply went up and found the place closed? Yes, the place was closed. And I went to the schoolmaster, and asked him where the ballot-box was; and he replied, "They are gone." I then remarked, "I am too late; I do not think that is correct," or words to that effect. I inquired the time, and he said that it was 6 o'clock when the poll was to be closed.
95. *Chairman.*] Did he tell you what the hour was by his watch at that time? No, not just then.
96. *Mr. D. R. Hall.*] You did not try the door yourself? No. Of course, I did not want to be taken up for housebreaking.
97. You took it from the schoolmaster? Yes; but there was no necessity. There was no sign of a man, a buggy, or vehicle of any kind about.
98. Was there anyone about waiting to hear the result of the poll? No.
99. *Mr. Levy.*] Was the Presiding Officer about? Nobody at all.
100. *Mr. D. R. Hall.*] Who was the Presiding Officer? Mr. Fitzhardinge. A young fellow was with him. I saw them come there in the morning, about sunrise; perhaps it was before sunrise.
101. Do you know who Mr. Fitzhardinge is? A solicitor.
102. Is he not a son of Judge Fitzhardinge? I do not know.
103. He is a reputable man—a man of good standing in Dubbo? Yes, I believe so.
104. How far is it from Dubbo to Belarbigill? Ten miles.
105. *Mr. Ellis.*] Do you know what time the sun disappeared in the sky about that date? To make certain, I looked at the almanac.
106. What almanac? Moore's.
107. What did that indicate? I am not certain, but I think 5:17; that is, here. There would be a difference of ten minutes later where we were.
108. A man working in the fields generally knows when the sun goes down? Yes.
109. What time did it go down about that date? Nearly 5:30.
110. You frequently go by the sun? Yes; most bush people are ruled by the sun.
111. So that, knowing the time the sun went down, you knew, apart from your watch, that it was not 6 o'clock? Yes.
112. Had the Returning Officer a buggy and pair of horses? I am not certain, but I think he had only one horse.
113. At all events, he was driving? Yes.
114. If he left the booth, say, at 5:30, would he get to Dubbo before dark? He ought to do so. He ought to go in three-quarters of an hour. We farmers generally take about an hour with our horses, and our horses are heavier. Mr. Fitzgerald says he can do it in fifteen or twenty-five minutes.
115. At all events, I suppose that if he left at 5:30 he would get to Dubbo before dark? Yes, he was in Dubbo before dark, so I was told.
116. Under ordinary circumstances, he could have got into Dubbo before dark, if he left when you say he must have left? Before it got very dark.
117. *Chairman.*] How long would it take him to drive? Three-quarters of an hour. We do it in an hour.
118. *Mr. Macdonell.*] Do you keep 10-mile-an-hour horses? It is not too fast trotting; it is a good road, including 8 miles of metal.
119. *Mr. Ellis.*] As flat as possible? Yes.
120. The reason you did not go to vote earlier was on account of your work? Yes. If I had gone in the morning I should have remained until I heard the poll declared. I was going at dinner-time, and should have done so, but for my son, who said "Do not go."
121. As a matter of fact, you made a complaint by causing a letter to be written? Yes.
122. Before the petition was lodged? Certainly. I think the letter was written only a few days after the poll.
123. At all events, did you make a complaint before you had any idea of there being a petition? Yes.
124. And as far as Mr. Macdonald is concerned, you have no feeling against him? I would just as soon vote for him as for the other man. I was undecided when I went to the poll as to whom I would vote for. It was the first time Mr. Macdonald stood for our electorate.
125. You did not really know either of the candidates? No.
126. And your reason for complaining was that you were deprived of your right to vote, and you might possibly have voted for Mr. Macdonald? I would just as soon have voted for either of them.
127. You never saw Mr. Macdonald until this morning? No.
128. *Mr. Macdonell.*] Were you in the field all the afternoon? Yes.

Witness—H. Druiitt, 15 Nov., 1904.

129. Is the school-house in view of the field? You can see part of it. There is a cowl, with a bit of timber uncleared. The church is between the school and the ground, and I was on the opposite side of it. You could see the top of the building.
130. Were you further away from Dubbo than is the school building? About equal.
131. Do you know where Mr. Fitzhardinge left his buggy and horse when he went to take charge of the booth? At the school.
132. If you had taken notice, could you have seen him drive away on his way back to Dubbo? He would have to come out at the corner and then turn round. If I had been looking just at the time, I could have seen him for a distance of 7 or 8 chains, but not more.
133. He might have gone away then without your noticing? Yes; he might have driven away just as I was going across the gully, and then I could not see him.
134. *Chairman.*] You generally keep your watch by Dubbo time? Yes.
135. How frequently do you go to Dubbo? Sometimes three or four times a week, and sometimes not once a month.
136. When comparing your watch with the Dubbo time, have you found it alter much? No. Sometimes I find it five minutes slow or fast.
137. Does it always go fast? No. The watchmaker tells me it is a gold balance watch, and in cold weather it goes fast, and in hot weather it goes slow.
138. But as a rule it keeps time pretty well with Dubbo? Yes.
139. Do you know how the schoolmaster checks the time? By the Dubbo time.
140. He does not keep it by your watch? No, by Dubbo time.
141. How often does he go to Dubbo? Nearly once a week, I think, and certainly once a month regularly.
142. *Mr. Macdonell.*] Were there any other people at the booth when you went there? No.
143. Do you know of any other people about there who failed to record their votes? Yes.
144. How many? Three.
145. They went there and were denied the right of voting? They did not go, but they were going.
146. *Chairman.*] Did you meet them and tell them they were too late? No.
147. *Mr. Macdonell.*] Did anyone go to the booth like yourself and fail to record his vote owing to the absence of the Presiding Officer? There was only one who went to the booth besides my brother and myself. As a matter of fact, my brother had voted. He only went with me to hear the poll declared.
148. *Chairman.*] Had your wife voted before you? No.
149. Did she go to the booth intending to vote? Yes.
150. And found herself too late? Yes.
151. *Mr. Macdonell.*] Then you could not swear positively that the Presiding Officer was not in the booth at the time you went there? I could swear that because the place was closed up, and the buggy which had been left on the other side of the building was gone. There could be no mistake about it.
152. *Mr. D. R. Hall.*] Would it be quite dark at 6:45 that night? I think it must have been dark then.
153. The sun sets at 5:30? Then it would be dark at the time you mention.
154. Would it be quite dark? I think so.
155. But you are not quite sure? No; but I think you could say it would be dark.
156. Do you say your watch loses in hot weather? It is inclined to lose a little.
157. When did you set it last? About a week ago.
158. What is the time by it now? 11:37.
159. As a matter of fact, it is 11:45? Perhaps it is a fortnight ago since I set it.
160. *Mr. Dacey.*] When you go to Dubbo what sort of horse do you drive? A light-harness horse.
161. Do you reckon that your horse does nothing wonderful when he covers 10 miles an hour? It is nothing unusual.
162. What load would the horse carry? A light sulky.
163. And you reckon that the Presiding Officer, with his buggy, ought to cover the distance in three-quarters of an hour? He ought to do it in less time than we farmers do it. Mr. Fitzgerald, who owns trotting horses, says he can do it in fifteen minutes.

Robert William Fitzell, Public School Teacher, Belarbigill, called in, sworn, and examined:—

164. *Mr. Ellis.*] Do you remember the general election on the 6th August last? Yes.
165. Were you the holder of an elector's right for the Castlereagh electorate? Yes.
166. Did you vote? Yes.
167. When? In the morning; I was one of the first voters.
168. The polling took place at your school? Yes.
169. How far is the house from the school? Roughly speaking, 40 to 50 yards.
170. Were you at the booth late in the afternoon? Yes; I was on the premises during the whole of the day.
171. Do you know who was the Returning Officer? Yes, Mr. Fitzhardinge, from Dubbo.
172. How did he come out? He drove out in the morning with one horse and a buggy.
173. Where did he put the buggy? Under a pepper tree by the side of the school. The horse was turned loose in the school playground.
174. Did you see him post up the result of the polling? Yes.
175. What time was that? It was 5:10 by my watch.
176. Did you have any conversation with Mr. Fitzhardinge with reference to the time before he opened the booth in the morning? Yes; Mr. Fitzhardinge made a little detour in coming out. He got off the track, and got inside a paddock adjoining the school-ground. He was calling out for assistance and I noticed him. I went over to help him out, and the only way out was to undo the fence, which we did, and bring the horse and trap through, and then put him on the road adjoining the school-ground. After we had taken the horse out he said he was afraid it was just on time, and asked me to hand over the school premises to him, or something to that effect, and it would release the young fellow who was assisting him that day to see to the horse and bring it along. We went into the school, and I helped him to arrange the furniture of the school for the day for the convenience of voters, and he mentioned the time to me.

177. What time did he say it was? I could not be precise to a moment, but it was within a few minutes of 8 o'clock at that time.
178. Did he mention the time? Yes; he looked at his watch.
179. And said, "It is within a few minutes of opening"? Yes, he mentioned the exact number of minutes, and it was within a few minutes of 8 o'clock.
180. You could not remember the exact time? No.
181. Did you compare your watch with his? Yes, I did so out of curiosity, and I found that I was either three minutes faster or slower than he.
182. And that was near 8 o'clock? Yes. It was not quite 8 by either watch, but his was a few minutes to 8, and mine was about 8 or near it.
183. When you saw the result of the polling posted up at this place did you look at your watch? I did not look at my watch until Mr. Fitzhardinge asked me what time I made it.
184. Was this in the evening? Yes. I would be expected by the Department to take over the premises when he was done. When I saw he was yoking up and posting a paper outside, which I supposed was the declaration of the poll, I went over to see him. I thought it was rather early, but I did not look at my watch until I went over. I said to him, "You are about to leave," and he replied, "Yes, I do not think there will be any more voters now, surely."
185. He volunteered this statement to you? Yes; and then he asked me what time I made it, and then I looked at my watch.
186. What time did you make it? It was then somewhere about 5:10 p.m. I told Mr. Fitzhardinge that my time was 5:10. Of course, it might have been a minute more or less than that, but I called out "5:10." That was the approximate time by my watch.
187. Did Mr. Fitzhardinge pass any remark after you told him that? He said, "Pooh pooh, man, you are dreaming," and that I was altogether wrong, or words to that effect. I replied, "Probably so, although I thought I could not be so far out as that. I was not prepared to argue the point with him, and, as far as I can recollect, no more was said about it.
188. So that, if it was 6 o'clock, your watch would have had to be about an hour slower than it was in the morning? There were forty-five minutes difference then, judging by the time he said his watch was.
189. *Mr. Levy.*] Did he mention the time by his watch then? Yes.
190. What time was it by his watch? He said he made it about 5:45 then.
191. *Chairman.*] Was that when he had already closed the poll? He had posted the returns.
192. *Mr. Ellis.*] You are positive the returns were posted up before he told you it was 5:45? Yes.
193. And you are also positive that the time by your watch was between 5:10 and 5:15? My watch was not more than 5:10.
194. I suppose that, as a matter of fact, there were not many people about at that time? At that time, there were only Mr. Fitzhardinge, his assistant, and myself present.
195. But you saw others? Yes. Five minutes or so later on the two Mr. Druitt's came.
196. They came up after Mr. Fitzhardinge had gone? Yes, a few minutes after.
197. You are prepared to say that the poll was closed before 6 o'clock? Yes.
198. Even upon Mr. Fitzhardinge's own showing? According to the time he said it was by his watch, the poll was closed before 6 o'clock.
199. And according to the time by your watch, it was considerably before 6 o'clock? Yes.
200. Can you tell the Committee how you could fix the time in any other way;—was there anything else to indicate that it was not 6 o'clock? I consider it to be fixed with absolute certainty by the fact that the sun had not by any means gone down.
201. You are certain of that? I am quite certain the sun was shining for some time after that. I was waiting for the sun to be sufficiently down to allow me to water some young trees I had planted.
202. You are prepared to say that at the time Mr. Fitzhardinge left in his trap the sun was visible in the sky? I am prepared to say that the sun was shining clearly after Mr. Fitzhardinge was gone. I did not take particular notice at the time when he left, whether it was or was not shining, but as a matter of fact it was shining later on.
203. Have you been for some time in the bush? I have been brought up in the bush, and I am a bushman.
204. Do you remember at what time the sun set a day before or a day or two after the election? At that time by my calculations, the sun was setting, approximately, about 5:30.
205. Were you in The Castlereagh electorate at the time of the previous general election? No, I was in the Dobbo electorate.
206. Do you know Mr. Macdonald? I have never seen him to my knowledge until this morning.
207. And you do not know Mr. a'Beckett? I have not seen him for twenty years.
208. Did you see Mrs. Druitt going to the poll? No.
209. I suppose, as you are the schoolmaster there, you are satisfied that your time was approximately correct;—you would not be so much as three quarters of an hour out? No.
210. Are you in Dubbo pretty often? Yes.
211. How often? I am in fortnightly at the very least, and sometimes weekly.
212. Do you generally look at the time in Dubbo? Yes. We are living on very flat country out there. The country to the west of me is all cultivated, and we have a pretty fair horizon, so that allowing for variation between our time and Sydney time to the extent of ten minutes, I keep my time pretty well up to standard time.
213. How long have you been in the Public Instruction Department? Since May, 1888.
214. I suppose you have not the slightest feeling one way or the other about the election? No.
215. It is a matter of indifference to you which way it goes? Yes.
216. You were subpoenaed to attend to-day? Yes; it was inconvenient for me to attend. Had I known there was going to be any trouble, possibly I would not have been on the scene. It is a matter which is likely to get a man in my position into trouble. It is of no advantage to get disliked by the local people; besides which, by losing time I am causing inconvenience to my superior officers.
217. Did you speak to Mr. Henry Druitt after he came up? Yes. I was going out to attend to the trees of which I have spoken, and I heard someone call out. Mr. Druitt and I are close neighbours, and are on familiar terms; and he called out, "Hallo! old fellow, where are all your electors?" I asked him if he came up to see the result, and he said, "I have come up to vote." I remarked, "Have you?" And he replied,

Witness—R. W. Fittell, 15 Nov., 1901.

replied, "I see I am too late." I said, "You should have come earlier in the day." He asked me then what time I made it by my timepiece, and I told him that it was somewhere about 5:15. He called my attention to the fact that the sun was still shining.

218. Did he look at his watch then? I could not say. I forget whether we compared the time.

219. *Mr. Dacey.*] Have you been present when other elections took place? Yes.

220. Was Mr. Fitzhardinge the Presiding Officer on former occasions? No.

221. How many elections have taken place since you have been there? I have been in charge of my present school about six years. There will have been two State elections, and, I think, two Federal elections.

222. Is it customary to close the poll there in this manner? No.

223. Was it ever done before? No.

224. *Mr. Macdonell.*] Do you know of any other elector who attended for the purpose of recording his vote after Mr. Fitzhardinge left except Mr. Druitt? No.

225. Would you have known if anyone else had come up? Most probably I should have seen anyone who lingered about the booth for any time; but it might be possible for anyone to come and leave at once without me noticing.

Susan Mary Druitt, called in, sworn, and examined:—

226. *Mr. Ellis.*] You are the wife of Henry Druitt, who gave evidence a short time ago? Yes.

227. Where do you live? At Belarbigill, or Rawsonville.

228. On the 6th August last you had an elector's right for the Castlereagh electorate? Yes.

229. Do you remember the day of the election? Yes, I remember it well.

230. Did you go up to vote? Yes.

231. You live pretty close to the polling-booth? Yes, within a quarter of a mile.

232. Did you go with your husband? No.

233. I suppose you went from the house? Yes.

234. Did you go right up to the booth? Yes, to the school-house.

235. Was it open or closed? It was closed.

236. How many doors are there to the building? Two.

237. Were they both closed? Yes.

238. Were the windows open? No.

239. Did you try the doors? No.

240. But you say the place was closed? Yes.

241. Was there any sign of a buggy about the place? When I was going up I saw two gentlemen drive away.

242. Did you meet them? No; I was going across the paddock and they were going along the road.

243. When you got to the booth, who was there? No one.

244. Did anyone come up afterwards? No, not that I know of.

245. Did not Mr. Druitt come up? I did not see him.

246. Do you know what time it was when you went up? 5:10.

247. By what time-piece? By the clock at the house.

248. That is when you left the house? Yes.

249. How long does it take you to walk from the house to the booth? About ten minutes.

250. Can you say from anything else what was the time;—was it dark? No; the sun was in the sky.

251. You are certain of that? Yes.

252. What did you do? I turned round and walked home; there was nothing else to do.

253. Had you your elector's right with you? Yes.

254. And you went to the booth with the intention of voting? Yes.

255. Was that the first time you had a vote? No; I had a vote for the Federal election.

256. Do you know Mr. Macdonald? No.

257. Have you ever seen him before to-day? No.

258. Do you know Mr. a'Beckett? No.

259. Did you see any notice posted up outside the school? No.

260. Did you go straight home? Yes.

261. Did you look at your clock when you got home? No.

262. You did not speak to anyone else with reference to the time? No.

263. You spoke to no one whom you met on the road? No. I did not go along the road, but across the paddock.

264. You are quite certain that the sun was in the sky; that the booth was closed; and that you were not able to record your vote, although you wished to do so? Yes.

265. You went to the booth with that express intention? Yes.

266. *Mr. D. B. Hall.*] Do you know Mrs. Evans and Mrs. Speed? Yes.

267. Did they come to your house to visit you after the election? I do not know when they came; but I know they did come.

268. Did you have a talk with them over the election? No. They asked me whom I voted for, and I told them I did not get a vote at all.

269. That was after the election? Yes, it must have been, because I remember telling them I did not get a vote at all, and that I was disappointed.

270. Did you tell them you were glad your husband did not get a vote, because he was going to vote against Mr. Macdonald? No.

271. Did you tell them that you were not very well on the day of the election? No; I was well enough.

272. Did you not tell Mrs. Evans or Mrs. Speed that you were not well on that day? No.

273. Did you see Mrs. Speed on Saturday last? Yes.

274. Did she talk with you then about the conversation she had with you at your house after the election. No; she did not say anything about that.

275. Did she not see you on Saturday morning, and say, "You told me you never went to vote"? No.

276. Did you reply, "I never said that, because I did not want them to think I had missed my first vote"? No; it was not my first vote, because I had voted before that.

277. Did you tell that to Mrs. Speed? No.

278.

278. Did you have a chat with her on Saturday? I was talking to her, but I do not remember telling her anything about the election. I do not recollect saying anything whatever about it, except about going down to Sydney. I told her I was going down to Sydney, although she knew it before.
279. Did you tell her you were going down about the election business? I told her I was going with my husband.
280. To give evidence about the election petition? Yes.
281. Did you not go on conversing about that? No.
282. You did not see anyone from the time you left the polling-booth until you got back? No; only the men who were driving away.
283. You never saw your husband? No; he did not go in the direction I went.
284. You are quite sure you went down to vote? Yes, positive.
285. And you are positive you never told anyone you did not go? I never told anyone that.
286. You did not remark, "I was going to vote for Macdonald and my husband was going to vote for a'Beckett"? No.
287. *Mr. Ellis.*] Are the two ladies who have been mentioned neighbours of yours? They live in Dubbo.
288. Had they any business at your place;—did they invite you out? No.
289. Did they come out to get a little information? I do not know what it was.
290. I suppose they are not in the detective force? No.
291. You did not expect them? No.
292. What did they say when they came to your place? They said they were going round to collect for a picnic.
293. *Mr. Dacey.*] When you went to the school to vote, did you see the schoolmaster? No. I saw him going down to the house, but I never saw him at the school.
294. Did he see you? I do not think he could have done so.
295. Did you speak to him? No.
296. Was anyone else there or coming away when you were coming away? No, only the two I saw driving away when I was going there.
297. *Mr. Oakes.*] When did you first get notice that you would have to come to Sydney to give evidence? I do not recollect.
298. Is it a week or a fortnight ago? It is more than a week ago.
299. How long was it before Mrs. Speed came to see you on Saturday last? I see Mrs. Speed every time I go into Dubbo.
300. Who is Mrs. Speed? A life insurance agent.
301. And when you go to Dubbo you generally see her? Yes; she lives close to my sister-in-law.
302. Then you knew her well enough to speak to? Yes.
303. Did she come to your place after you received notice to come to Sydney? No, I do not think she did.
304. Did she come to your place before you received notice to come to Sydney? Yes.
305. And she was collecting for some picnic? Yes.
306. Did you give her anything? Yes.
307. And did election matters crop up during the conversation? No.
308. You did not speak about the election at all? She asked me whom I voted for, and I told her I did not vote at all.
309. Was that all that was said? Yes.
310. *Mr. Levy.*] Did she ask you why you did not vote? I told her I went up and that the people were gone.
311. *Chairman.*] You told her that without her asking you? I told her that when she asked me whom I voted for.

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David Daniel Druitt, farmer, called in, sworn, and examined:—

312. *Mr. Ellis.*] You are a brother of Mr. Henry Druitt, who has already given evidence? Yes.
313. Where do you live? At Belarbigill.
314. How long have you lived about there? Twenty-eight years.
315. You have always been in the Dubbo electorate until the last election? Yes.
316. Do you know Mr. Macdonald or Mr. a'Beckett? No.
317. Do you know Mr. Fitzhardinge? Yes.
318. Was he an official connected with the election at the booth where you live? Yes.
319. Do you live far from the booth? About a mile.
320. Do you remember the election on 6th August? Yes.
321. Did you vote? Yes.
322. In the morning or afternoon? In the afternoon, about 3 o'clock.
323. Were you present at the booth towards the latter part of the evening? Yes.
324. Did you see the Returning Officer put up a notice? No.
325. Did you see the booth closed? Yes; but I did not see the Returning Officer close it.
326. What time was it when you saw it closed? According to the schoolmaster's watch it was about 5-15.
327. Did you see his watch? No; but I heard him say so.
328. Had you a watch with you? No.
329. Can you say where the sun was;—was it sunset? No, you could see the sun clear in the sky.
330. At the time the booth was closed? Yes.
331. You are quite certain of that? Yes.
332. Did you stay about there the best part of the afternoon? No. I left there when I gave my vote, and went to my brother's place, and returned with him.
333. And that was about 5-15? Yes.
334. According to Mr. Fitzell's time the booth must have been closed at 5-15? Yes.
335. And at that time the sun was in the sky? Yes.
336. You are quite certain about that? Yes.

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Henry

Witness—H. Lamb, 15 Nov., 1904.

Henry Lamb, farmer, Belarbigill, called in, sworn, and examined:—

337. *Mr. Ellis.*] What is your occupation? I have been a farmer, but at present I am not doing anything.
338. Do you live anywhere near the school-house? About three-quarters of a mile away.
339. Did you hold an elector's right on the 6th of August last for the Castlereagh electorate? Yes, I gave my vote with it.
340. What time of the day did you vote? About 2 o'clock in the afternoon.
341. Were you anywhere near the polling-booth towards the end of the day? When I left the booth I went home. As I was going home I saw a man named Fogg, who said, "Have you given your vote?"
342. What was Fogg doing there? He was working for Mr. Body, drawing wheat.
343. What time did you meet him? I could not say exactly, but the sun was eight or ten minutes high.
344. *Chairman.*] You are quite sure that the sun was still shining? Yes.
345. *Mr. Ellis.*] What did he tell you? He asked me what time they were supposed to close the booth. I said that I did not know, but that I thought it was 6 o'clock. He replied "Well, they closed earlier to-day."
346. You had no watch and could not tell the time, but you knew the sun was still shining? Yes. I went home then, and when I did so I met my son. I asked him where he was going, and he said, "To give my vote." I replied, "The place is closed." I told him to look at his watch, and see the time, and he said, "It is 5-25."
347. *Chairman.*] You did not go back to the polling-place to verify it? No.
348. *Mr. D. R. Hall.*] How far is the place where you met your son from the place where you met the man Fogg? About 400 yards.
349. And how far is Mr. Body's place where this man was working from the school? Three-quarters of a mile.
350. You met a man three-quarters of a mile from the polling-booth? I do not suppose it is quite that.
351. And you had a conversation with him and went and met your son? Yes, at the house.
352. And he was then thinking of going to vote? He had just got off his horse to get his elector's right, and I told him the booth was closed. The sun was visible then.
353. *Mr. Ellis.*] Did he look at his watch? Yes.
354. *Mr. D. R. Hall.*] Was the man Fogg walking? Yes.

Henry Edward Lamb, boundary rider, Belarbigill, called in, sworn, and examined:—

355. *Mr. Ellis.*] Did you hold an elector's right for the Castlereagh electorate on the occasion of the last election? Yes.
356. And your name is on the roll? Yes.
357. Did you record your vote? No.
358. Why? When I came home from work to get my right, I met my father, and he told me I was too late, as the booth was closed.
359. Do you know what time that was? 5-25 by my watch.
360. Was the sun up? Yes, it was within a few minutes of being down. It was very low, but it was still shining.
361. You did not go up to the booth? No, from what my father told me I was satisfied.
362. Were you on your way to the booth when you met your father? I met him at the house where I live.
363. You left work purposely to go and vote? Yes; I rode 8 miles.
364. *Mr. D. R. Hall.*] How far is it from your house to where you had to vote? About three-quarters of a mile.

THURSDAY, 17 NOVEMBER, 1904.

Present:—

Mr. Dacey,		Mr. Macdonnell,
Mr. Brinsley Hall,		Mr. Waddell.
Mr. Morton,		
The Hon. J. H. Young, in the Chair.		

Mr. Ellis appeared for the Petitioner, Mr. W. C. a'Beckett.

Mr. D. R. Hall appeared for the Respondent, Mr. H. Macdonald (the sitting Member).

Craven Hyde Fitzhardinge, called in, sworn, and examined:—

365. *Chairman.*] I understand you are a solicitor, at Dubbo? Yes; I have practised there for the last thirty-two years.
366. I believe you acted as Presiding Officer at the last General Election? Yes; I produce my appointment.
367. At what place? At Belarbigill, which now goes under the name of Rawsonville.
368. I presume you left Dubbo on the morning of the election? Yes, early.
369. Did you compare your watch with the Dubbo clocks? Yes.
370. In the morning when you went away? No; I live on one side of the town. On the previous evening I made a special comparison with the Dubbo town clock.
371. At what time did you arrive at Belarbigill? A little after 8 o'clock. I had never been at the place before. The place consists of a wooden school-house and church, built in the scrub. We were told to keep to the left hand road. We did so, but it took us out of our way. When I crossed the river I had seven minutes in which to do 2 miles. I should have had plenty of time if I had kept the proper road.
372. What time was the booth opened? Twenty or twenty-five minutes past 8. We got into a paddock, and had to get through two fences to reach the school-house.

373. What is the distance from Belarbigill to your residence? About 15 miles.
374. At what time did you leave your place of residence? About 6 o'clock in the morning—it was nearly dark.
375. What time did you close the booth? Six o'clock, according to my watch.
376. You are quite clear on that point? I have not the slightest doubt about it, and my watch was the correct Dubbo time.
377. Putting the watch on one side, was the sun shining when the poll was closed? Decidedly not. I take the observations for the Observatory, and have done so for the last thirty years. I take particular notice of the weather. I can produce my observation books, if necessary. About noon some heavy clouds accumulated; they gathered from the north-west to the west. They formed a heavy rain cloud. The sun, as far as I can say, disappeared behind that cloud between 4 and 5 o'clock in the afternoon, and was not seen again. I have not the slightest doubt about that, and I can produce my record.
378. It is only fair to mention that we had had strong direct evidence from four or five people to the effect that the sun was shining, and had not fallen below the horizon for several minutes after the poll closed? That is an absurdity. I am positive that I am correct.
379. According to you, there was nothing to go by except your watch? Yes.
380. The sun was not shining? It was not shining after between 4 and 5 o'clock in the afternoon.
381. Do you know the schoolmaster at Belarbigill? I saw him during the day; I do not know him.
382. *Mr. Dacey.*] Do you say the sun was hidden? Yes, behind a rain cloud, which descended from the north-west to the south-west, and a storm broke about 8 o'clock at night.
383. Mr. Fizzell was asked the following questions:—  
 You are prepared to say that the poll was closed before 6 o'clock? Yes.  
 Even upon Mr. Fitzhardinge's own showing? According to the time he said it was by his watch, the poll was closed before 6 o'clock.  
 And according to the time by your watch, it was considerably before 6 o'clock? Yes.  
 Can you tell the Committee how you could fix the time in any other way;—was there anything else to indicate that it was not 6 o'clock? I consider it to be fixed with absolute certainty by the fact that the sun had not by any means gone down.  
 You are certain of that? I am quite certain the sun was shining for some time after that. I was waiting for the sun to be sufficiently down to allow me to water some young trees I had planted.  
 ? That is an absurdity.
384. Mr. Fizzell was also asked:  
 Did you speak to Mr. Henry Druitt after he came up? Yes. I was going out to attend to the trees of which I have spoken, and I heard someone call out. Mr. Druitt and I are close neighbours, and are on familiar terms; and he called out, "Hallo! old fellow, where are all your electors?" I asked him if he came up to see the result, and he said, "I have come up to vote." I remarked, "Have you?" And he replied, "I see I am too late." I said, "You should have come earlier in the day." He asked me then what time I made it by my timepiece, and I told him that it was somewhere about 5.15. He called my attention to the fact that the sun was still shining.  
 Then Mary Druitt was asked:  
 Can you say from anything else what was the time;—was it dark? No; the sun was in the sky.  
 Another witness, Daniel David Druitt, was asked:  
 And at that time the sun was in the sky;—you are quite certain about that? Yes.  
 Henry Lamb stated that his son was thinking of going to vote. He had just got off his horse to get his elector's right and he told him that the booth was closed. The sun was visible then. Another witness, Henry Edward Lamb, was asked:  
 Was the sun up? Yes, it was within a few minutes of being down. It was very low, but it was still shining.  
 ? All these men have made a mistake; I am positive of that.
385. What time did you get back to Dubbo that night? I did not go into Dubbo that night.
386. Did you send a telegram to the Returning Officer as to the result of the poll? Yes.
387. By whom? By someone who was going over—by Mr. Taylor, I think.
388. At what time did you arrive at your place on the polling night, according to your watch? About 8 o'clock; it might have been a little before.
389. How far is your place from Dubbo? Two or 2½ miles on the western side of the river.
390. *Mr. Macdonell.*] How long was it after you arrived at your house that you despatched the telegram? I do not recollect whether I sent the telegram on that or the following day.
391. *Chairman.*] What were your instructions from the Presiding Officer;—were they to send the returns as soon as possible? Yes; but the storm had come up, and I did not go into town on the election night.
392. *Mr. Waddell.*] Have you kept up your weather chart every day since the elections? Yes.
393. Do you send the weather intimation to the Observatory every day? No, every month. My entry in respect to the 6th of August is as follows:—Attached thermometer, 58°; barometer, 29.30; maximum thermometer, 66°; minimum thermometer, 38°; rain, 35 points; direction of wind, south-west; force, 3; cloud, nothing to 10.4; remarks: strong west to north-west during day, varying south-west with fierce squall and rain during night, commencing 8 p.m.
394. *Chairman.*] You say that the sun was obscured by a rain cloud between 4 and 5 o'clock? Yes.
395. And it did not make its appearance again that evening? No.
396. *Mr. Macdonell.*] Were you in the polling-booth up to the time you closed it? Yes.
397. How could you tell whether or not the sun emerged from this rain-cloud? I was sitting at the front of the door looking out the whole of the time, and it was very dark when we were making up the returns.
398. If three or four other reputable witnesses swear positively that the sun was shining would you swear positively that it was not? I am not going to say that these people committed perjury, but I say that they are mistaken.
399. *Mr. Waddell.*] Did you require a light in order to count your returns? No. It was so dark, however, that I did not seal up the documents until I got home. I locked up the books and did the sealing at home.
400. *Mr. Macdonell.*] Did you not affix a return to the outside of the school-house showing the results of the voting? Yes, it was put up about 6.15.

Witness—C. H. Fitzhardinge, 17 Nov., 1904.

401. Dark as it was, you must have had to count the ballot-papers before doing that? Yes. When we got to the river it was just light enough to see where to cross.
402. *Chairman.*] You had no light in the booth? No.
403. It was not necessary to enable you to count the papers? No.
404. *Mr. Dacey.*] Do you remember having a conversation with Mr. Fitzell in the morning? Yes.
405. Did you compare watches? No, decidedly not.
406. Mr. Fitzell has given his version of the matter. He speaks of your arrival, and then proceeds:—  
After we had taken the horse out he said he was afraid it was just on time, and asked me to hand over the school premises, or something to that effect, and it would release the young fellow who was assisting him that day to see to the horse and bring it along. We went into the school, and I helped him to arrange the furniture of the school for the day for the convenience of voters, and he mentioned the time to me.  
What time did he say it was? I could not be precise to a moment, but it was within a few minutes of 8 o'clock at that time.  
Did he mention the time? Yes; he looked at his watch.  
And said, "It is within a few minutes of opening"? Yes, he mentioned the exact number of minutes, and it was within a few minutes of 8 o'clock.  
You could not remember the exact time? No.  
Did you compare your watch with his? Yes, I did so out of curiosity, and I found that I was either three minutes faster or slower than he.  
And that was near 8 o'clock? Yes. It was not quite 8 by either watch, but his was a few minutes to 8, and mine was about 8 or near it.  
? That is not correct. As I have explained, when I drove up to him I sang out "Is this the school-house?" and he answered, "Yes." I was then on the other side of a wire fence. I had to get through two fences and cross the road. As I came through Mr. Fitzell had his watch open; I asked him, "How is the time?" and he said, "About right." I took out my watch and, without looking at it, said, "That is all right." I was quite satisfied to accept his assurance that it was right, because I was late. I did not compare his watch in any way with mine, nor did he compare mine with his.
407. You say you were twenty to twenty-five minutes late? Yes, that is an estimate.
408. Did you tell Mr. Fitzell at 5:45 that you were going away and that you did not expect any more voters? No, decidedly not. I told him it was 6:15. About 5:45 I told the poll-clerk to go and get the horse, as it was getting dark and we would not lose time. My poll-clerk tells me that he met Mr. Fitzell at the door and told him then that it was 5:45.
409. What time was it dark on August 6th? About 6:30,—that is quite dark.
410. What time would you light the lights there? It would depend on what you wanted them for. If you wanted to read, or the domestics required lights to see about the house, you would light up about 6:20.
411. What is the difference in time between Sydney and Belarbigill? I cannot tell you that, but of course Sydney will be a little ahead.
412. You are prepared to flatly contradict those witnesses as to the time, and as to what they say with regard to the sun? I say they are mistaken.
413. You hold that they are all wrong? I say that they are mistaken. If they would only consider a bit I am sure they would agree with me. As farmers, they observe the weather just as much as I do. We were all anxiously looking for rain at that time.
414. You are not quite sure whether you sent a wire away that night? No. Mr. Taylor came over on the Sunday afternoon, and I think I gave it to him to send on the Monday morning.
415. Have you ever acted as a Presiding Officer before? No; but I have acted all the time I have been in Dubbo as a scrutineer. I acted as secretary and treasurer to Sir Patrick Jennings all the time he represented The Bogan, and as his scrutineer I was well conversant with the duties of a Presiding Officer.
416. Have you a fair knowledge of the Electoral Act? I have studied the Act. I made a précis of the Act for our Returning Officer when I got the appointment.
417. *Mr. Macdonell.*] Of course, you realise that it would be most improper to close a polling-booth before the time fixed by law? Decidedly. It would be as much as my reputation was worth, and most unfair to both candidates.
418. How many votes were polled at Belarbigill? Thirty-eight.
419. *Mr. Dacey.*] How did you sign the wire you sent away? With my name.
420. And with your official designation? Yes; I think I put my initials on it.
421. *Mr. Macdonell.*] One or more witnesses have stated that it would be an easy matter to drive to Dubbo within an hour, and that to cover 10 miles an hour is quite an ordinary thing for the horses they have in that district? You might do it if you go at a break-neck pace. We had to go pretty steadily.
422. Was there anyone about the booth when you went to it in the morning? No. I notice that Mr. Fitzell stated that he helped me, but he did not. I should like to explain that I rather ran against Mr. Fitzell during the day. He evidently thought that I was usurping his rights, and that he had a right to come into the booth as he liked, and I had to keep him out. He and his wife voted between 9 and 10 o'clock, and he came back soon afterwards and wanted me to give him a ballot-paper, and I replied, "Decidedly not." I had to advance to meet him to keep him away from my table. He came in five or six times. He came in during the afternoon very excited. Judging by his voice, he had been haranguing the crowd outside, and he said, in an excited way, "There is some religious underhand work going on at this election which I do not understand." I replied, "For God's sake keep it out of here, and you keep out, too."
423. *Mr. Morton.*] Was there much of a crowd about there? At one time there were ten or fifteen men and women there.
424. What sized town is Belarbigill? There is no town beyond two buildings.
425. Are there any houses within sight of the school-house? Only some empty ones.
426. Do you know where any of the witnesses who gave evidence live? No; I know one of the Drutt's.
427. You did not see a stream of voters? I saw five ladies come down at once, but they did not all enter the booth.
428. Then you were not very busy? No; but we had enough to keep us going.
429. How many ballot-papers did you take with you? Fifty.

430. That means that you did not expect more than fifty voters? I had paper to write out other ballot-papers if they had been necessary.
431. Do you know Henry Druitt, Mr. Fitzell, or Henry Lamb, senior? I know Henry Lamb, senior, slightly, and I met Mr. Fitzell.
432. Do you know Henry Edward Lamb, David Daniel Druitt, and Mrs. Mary Druitt? No; I do not know them to nor by sight, but I know them by name.
433. Can you account for them giving evidence in the way indicated? No; except that I think they are mistaken in the day.
434. Do you know, as a matter of fact, that Druitt wrote a letter to one of the Dubbo papers? Yes.
435. How long would that be after the election? Eight or ten days—at least, that was when it was published.
436. Did you read the letter? It was shown to me.
437. And you noticed, I suppose, that he complained that the booth had been closed before the proper time? Yes; I do not think he says anything in the letter about sunset. He said he had written to Mr. Polin. Mr. Polin did not write to me for a report, and, of course, I could not do anything.
438. Did Mr. Fitzell assist you, and let you in through the fence? No; we got through. He did not assist me in any way.
439. Was anything said to you by Mr. Fitzell about the closing of the poll. He asked me what time it was, and I said "6.15." He looked at his watch, and shook it, and went away.
440. *Mr. Dacey.*] Did you say to him "You are dreaming"? No.
441. Then you state that the six witnesses, all of whom have fixed the time, not only by their watches, but by the sun being visible in the sky, have stated what is not correct? I say they are mistaken.
442. *Mr. D. R. Hall.*] Did you see any likely-looking electors coming towards the booth when you were leaving? Not a sign of one.
443. I suppose it is a very quiet place? Yes; very dismal. These places are built in the scrub. At this time trees were all round the place. I understand that lately the scrub around the church has been cleared.

Frederick William Brownlow, Dubbo, called in, sworn, and examined :—

444. *Mr. Waddell.*] Were you the poll-clerk at Belarbigill, on August 6th? Yes.
445. Had you a watch with you on that day? Yes.
446. Is it a reliable timekeeper? As far as I know, it is.
447. Did you set it by the Dubbo time prior to going out? Yes; on the evening before the election, by the town clock.
448. Are you confident that the watch was right? Yes.
449. Did you look at your watch when the poll was closed at this place? I did not look at it when it was closed, but I did so a few minutes before.
450. What time was it then? 5.50.
451. And did you go outside immediately after 6 o'clock, or were you occupied for some time counting the ballot-papers? We were counting the ballot-papers for some time after 6 o'clock.
452. How long do you think it was before you left the booth and went outside? It was about 6.15.
453. Was it quite dark? Not quite.
454. Was the sun shining? You could not see the sun.
455. Are you absolutely confident in your own mind that the booth was kept open for any voters who wished to record their votes up to 6 o'clock? Yes.
456. *Mr. Dacey.*] Do you know what time the booth was opened in the morning? No.
457. Did you look at your watch? No.
458. Did you look at your watch at all that morning? No.
459. Do you know what time you left home in the morning? About 6.30.
460. Do you live near the Presiding Officer? No. I went to his place on the Friday, and stayed the night, and drove with him to Belarbigill in the morning.
461. And you state you left Dubbo about 6.30 in the morning? Somewhere about that.
462. Did you look at your watch? No.
463. You did not look at your watch during the whole of that day until 5.50? No.
464. Do you remember Mr. Fitzell meeting you in the morning? Yes.
465. Were you with Mr. Fitzhardinge when Mr. Fitzell was speaking to him? No.
466. Where were you? In an adjoining paddock.
467. When Mr. Fitzell met Mr. Fitzhardinge, were not the three of you together? No.
468. Where were you? In the buggy in the next paddock, across a lane.
469. You brought the buggy up, and Mr. Fitzhardinge came ahead of you? Yes.
470. You do not know what time it was when the poll was opened in the morning? No.
471. What time do you think it was? It might have been a little after 8, or it might have been about 8.
472. Were you outside the booth at 5 or 5.30? No.
473. *Mr. Morton.*] Did you know Mr. Fitzell at that time? No.
474. Do you know him now? Yes.
475. Was there any unpleasantness in the booth that day? No.
476. Did Mr. Fitzell come in more than once? Yes.
477. What did he come in for? I do not know.
478. Were there any words between Mr. Fitzell and the Returning Officer? No. Mr. Fitzhardinge always went to meet him when he came in at the door.
479. As if he expected him? Yes.
480. Did he order him out? I do not know whether he ordered him out, or whether he went out.
481. You do not know whether there was any feeling between them on that day? No.
482. You would not say there was a row between them? No.
483. Was anyone standing about the booth when you left? No.
484. Was no one waiting to vote? No.
485. I suppose there were only the two of you there? Yes.
486. Mr. Fitzhardinge and yourself? Yes.

Witness—F. W. Brownlow, 17 Nov., 1904.

487. Were there no scrutineers there? No.
488. *Mr. Dacey.*] Did you hear anyone addressing the crowd outside? I saw a crowd there; they were all talking. I do not know whether anyone in particular was addressing them.
489. Was any one on the stump? No.
490. Did the schoolmaster come into the school-room very excitedly? No.
491. *Mr. Morton.*] Did he ask for a second ballot-paper? I did not hear him.
492. *Mr. Macdonell.*] Could he have asked for a second ballot-paper without you hearing him? He might have done so, because Mr. Fitzhardinge frequently went to the door and checked him from coming right in.
493. What time did he come in with his wife and vote? I think between 9 and 10.
494. Is it possible that he could have come in a second time and asked for a ballot-paper without you hearing him? Yes.
495. *Mr. Waddell.*] Was it cloudy that afternoon? Yes.
496. What time did the clouds gather? Between 4 and 5.
497. Did it keep cloudy right into the night? Yes, up to 8 o'clock, when a thunderstorm came on.
498. *Mr. Ellis.*] What was the size of the school-room in which the voting took place? It was as long as the room we are in now, but not quite as broad.
499. I suppose you could pretty well hear everything which took place, especially if a man spoke rather loudly? I was at one end of the room and Mr. Fitzell and Mr. Fitzhardinge were at the other, near the door, and they did not converse very loudly.
500. There was nothing to indicate that there was anything unusual going on between Mr. Fitzell and Mr. Fitzhardinge—nothing to show that they were having a row? No.
501. They may have talked, but you did not take particular notice what they were saying? No.
502. Did the crowd you speak of outside number fifteen or twenty people? Ten or a dozen.
503. When did you first know you were coming down to give evidence? About 4:50 yesterday afternoon.
504. Did you see Mr. Fitzhardinge after you received intimation to come down? Not until I saw him in the train last night.
505. Had you any conversation with him? Yes.
506. Did you compare notes? We had a little conversation.
507. Did you see any report in any of the newspapers as to the proceedings in this case? I saw one this morning in the train.
508. Did Mr. Fitzhardinge see it as well? Yes.
509. Did you discuss the evidence;—for instance, did you say anything about Mr. Druitt's evidence to the effect that the poll closed at 5:15? We had a little conversation about it.
510. You say you did not look at your watch when you arrived at the poll-booth;—when did you look at it for the first time that day? At 5:50.
511. What made you look at it at that time? Mr. Fitzell asked me the time. He came there about 5:50.
512. Was the sun up at that time? I think it would be nearly setting then.
513. Can you remember whether it was pretty dark in the room when Mr. Fitzell came over? It was cloudy, and was getting dark.
514. Did you help to count the votes? Yes.
515. Did you take them to the window or to the door? We took them near the door.
516. Did you count them on a table? Yes.
517. Was there not some difficulty in noticing the pencil marks in some cases? No.
518. Was it perfectly light? It was light enough to see.
519. Without difficulty? Yes.
520. When you looked at your watch at 5:50, did you go outside to attend to the horse? Yes.
521. And then you came back to the booth and counted the votes? Yes.
522. Who was there besides the Returning Officer and yourself? No one.
523. Where was Mr. Fitzell? Outside.
524. Did Mr. Fitzhardinge post the numbers outside? Yes, against the front door.
525. Could he see to do that without the aid of a light? Yes.
526. At what time was this done? Between 6:10 and 6:15.
527. When you started for home, did you hand over the building to Mr. Fitzell? Yes, we gave him the key.
528. When you did that, was it fairly light or what? It was fairly light.
529. Was it pretty light all the way to Dubbo? No. After we had gone about 2 miles it became dark.
530. Had you lights in the trap? No.
531. And you drove steadily? Yes.
532. Do you know Henry Druitt or any of the other witnesses? No.
533. I suppose that not many votes were taken in the last hour of the poll? No.
534. Did Mr. Fitzhardinge suggest anything about it being very slow, and that there were not likely to be any more votes polled? No.

1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

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**PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902.**

(PETITION FROM GEORGE BERTRAND EDWARDS, OF TURRAMURRA, IN FAVOUR OF AN AMENDMENT OF THE ACT SO AS TO ENSURE A MORE PERFECT DECLARATION OF THE WILL OF THE PEOPLE.)

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*Received by the Legislative Assembly, 21 September, 1904.*

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To the Honorable the Speaker and the Honorable the Members of the Legislative Assembly of New South Wales in Parliament assembled.

The humble Petition of George Bertrand Edwards, of Turramurra, manufacturer,—

RESPECTFULLY SHOWETH:—

1. That your Petitioner is an elector of the District of Gordon in this State, and has had considerable experience in the operation of popular election in this and other States of Commonwealth.

2. He is aware that from time to time grave dissatisfaction has been experienced with the method adopted for the enrolment of voters, and for ensuring that every voter shall have facility for recording the vote expeditiously.

3. The consummation of the federal union of these States has imposed additional electoral duties upon citizens, and a corresponding increase of dissatisfaction with, and failure of, official electoral agencies has been experienced.

4. That the difference in law and procedure as to the electoral divisions, franchise, method of enrolment, and manner of voting between the State and Federal enactments is confusing to citizens and occasions much increasing cost.

5. That mechanical inventions for recording and computing votes have been in use in other countries for some time, and are now demonstrated to be the most reliable and economical method of popular election.

6. That as the basis of the political liberty we enjoy under our Constitution is found in the right to elect Parliamentary representatives, this right should be amply safe-guarded by the enrolment of all qualified to vote and by affording the most reasonable facilities for voting, and in the opinion of your Petitioner, this end would be best achieved by the Electoral Department being separated from the ordinary Public Service and placed under the control of a special Commission, or of the Supreme Court of the State.

Your Petitioner would therefore pray your Honorable House to consider the expediency of unifying the electoral law and practice as far as possible with that of the Commonwealth, either by the amendment of the law or by negotiation with the Commonwealth to achieve that end, and to take such steps as your wisdom may direct to ensure the more perfect declaration of the will of the people, and to effect a saving in the national cost of the election of Parliamentary representatives.

And your Petitioner will, as in duty bound, ever pray, etc., etc., etc.

GEO. B. EDWARDS.

September 12th, 1904.



1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902.  
(REGULATIONS UNDER.)

Presented to Parliament pursuant to Act No. 33, 1900, sec. 137.

Printed under No. 1 Report from Printing Committee, 27 September, 1904.

REGULATION UNDER THE "PARLIAMENTARY ELECTORATES AND ELECTIONS  
ACT, 1902."

Chief Secretary's Office, Sydney, 18 July, 1904.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the subjoined Regulation under the provisions of the "Parliamentary Electorates and Elections Act, 1902."

JOHN PERRY.

REGULATION UNDER THE "PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902."

The declaration referred to in Regulation 18 of the Regulations made under the above-mentioned Act, dated the 26th November, 1902, and published in *Government Gazette*, No. 696, of 2nd December, 1902, may be made verbally to the Returning Officer or Deputy.

Chief Secretary's Office, Sydney, 26 July, 1904.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the subjoined Regulations in accordance with the provisions of the "Parliamentary Electorates and Elections Act, 1902."

JOHN PERRY.

REGULATIONS UNDER THE "PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902."

1. The time prescribed by sections 33 and 36 of the above Act during which such members of the Police Force as may be instructed by the Inspector-General of Police to collect the names of persons resident within any Division who are entitled to be enrolled but are not enrolled for such Division, under the said section 33, and to make a scrutiny of the Rolls, under section 36, is hereby extended from the 31st July to the 31st August of each year.

2. The time prescribed by section 34, subsection 1, during which every Registrar shall make out General Lists of Electors, is hereby altered to the week ending the first day of September in every year.

3. The time prescribed by section 35, subsection 1, of the above Act, before which copies of the General Lists, each year, shall be transmitted to Revision Clerks and persons in charge of post offices, is hereby extended from the fifth day of September to the fifth day of October, and the notification by advertisement, in pursuance of subsection 2 of the said section, shall follow.

4. The day before or on which objections to names on the General Lists, each year, may be lodged, as prescribed by section 38, subsection 1, of the above Act, is hereby altered from the twentieth day of September to the twentieth day of November of each year, after which date the Registrar shall proceed in pursuance of subsection 5 of the said section.

5. The General Lists for each Division for each year shall be revised during the month of December instead of during the month of October, as prescribed by section 41, subsection 1, of the above Act.

6. The time prescribed by section 44, subsection 1, of the above Act on or before which copies of the General Rolls for each year shall be transmitted to Returning Officers and persons in charge of post offices, is hereby altered from the twentieth day of September to the first day of March of the year following the revision.

Regulations of the second day of October, one thousand nine hundred and three, are hereby cancelled.

Chief Secretary's Office, Sydney, 3 August, 1904.

His Excellency the Governor, with the advice of the Executive Council, has been pleased, in accordance with the provisions of the "Parliamentary Electorates and Elections Act, 1902," to make the subjoined Regulation, prescribing the Puncturing Instruments to be used at the forthcoming General Election.

JOHN PERRY.

REGULATION UNDER THE "PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902."

Ballot-papers and Electors' Rights for the various Electoral Districts shall, in each case, be punctured under section 81 (subsections 1 and 2) of the above-mentioned Act, with an instrument in the form of a stamp so constructed as to mark in punctures upon the Ballot-papers and Electors' Rights the marks respectively set out in the Schedule hereto; and this Regulation shall be read with all existing Regulations under the Act abovementioned.

Schedule.

Electorate.	Symbol.	Electorate.	Symbol.	Electorate.	Symbol.
Albury .....	C	Deniliquin .....	B	Orange .....	R
Alexandria .....	N	Durham .....	Y	Paddington .....	N
Allowrie .....	C	The Glebe .....	D	Parramatta .....	A
Annandale .....	Z	Gloucester .....	S	Petersham .....	W
Armidale .....	Q	Gordon .....	B	Phillip .....	R
Ashburnham .....	P	Gough .....	D	Pymont .....	V
Ashfield .....	O	Goulburn .....	D	Queanbeyan .....	O
Balmain .....	H	Granville .....	Z	Raleigh .....	I
Bathurst .....	V	The Gwydir .....	I	Randwick .....	K
Bega .....	F	Hartley .....	Z	Redfern .....	Y
Belmore .....	L	Hastings and Macleay ..	M	The Richmond .....	J
Belubula .....	U	The Hawkesbury .....	X	Rous .....	K
Bingara .....	N	Kahibah .....	U	Rozelle .....	T
Blayney .....	X	King .....	E	Sherbrooke .....	T
Botany .....	J	The Lachlan .....	J	Singleton .....	W
Broken Hill .....	B	Lane Cove .....	H	St. George .....	A
Burrangong .....	T	Leichhardt .....	S	St. Leonards .....	C
Burwood .....	V	Liverpool Plains .....	R	Sturt .....	A
Camden .....	V	The Macquarie .....	P	Surry Hills .....	Q
Camperdown .....	G	Maitland .....	P	Tamworth .....	Q
Canterbury .....	M	Marrickville .....	X	Tenterfield .....	L
The Castlereagh .....	H	Middle Harbour .....	Y	The Upper Hunter .....	N
The Clarence .....	C	Monaro .....	M	Waratah .....	R
The Clyde .....	H	Mudgee .....	S	Waverley .....	B
Cobar .....	E	The Murray .....	F	Wickham .....	B
Cootamundra .....	G	The Murrumbidgee .....	K	Wollondilly .....	Y
Corowa .....	L	The Namoi .....	G	Wollongong .....	O
The Darling .....	D	Newcastle .....	L	Woollahra .....	F
Darling Harbour .....	M	Newtown .....	I	Wynyard .....	U
Darlinghurst .....	U	Northumberland .....	A	Yass .....	W

1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902,  
AND PARLIAMENTARY ELECTIONS (AMENDMENT) ACT, 1902.  
(AMENDED REGULATIONS UNDER.)

Presented to Parliament pursuant to Act No. 33, 1902, sec. 137.

Printed under No. 1 Report from Printing Committee, 27 September, 1904.

Chief Secretary's Office, Sydney, 5th July, 1904.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the subjoined Amended Regulations in accordance with the provisions of the "Parliamentary Electorates and Elections Act, 1902," and the "Parliamentary Elections (Amendment) Act, 1902."

JOHN PERRY.

AMENDED REGULATIONS UNDER THE "PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902," AND THE "PARLIAMENTARY ELECTIONS (AMENDMENT) ACT, 1902."

10. The Revising Magistrate, appointed under subsection 1 of section 47, shall give, at least, three days' notice to the Registrar of the District of the holding of a Revision Court for the revision of the Provisional List for such District, as provided by the said subsection, and shall, in such notice, name a convenient date, being the eleventh or twelfth day of the month during which such Court is to be held.

11. The Provisional List, to be kept in pursuance of subsection 1 of section 46, and section 12 of the Parliamentary Elections (Amendment) Act, 1902, shall be in Form XI, and particulars shall be entered under the several headings therein set out, and the copies of the Provisional List referred to in subsection 2 shall be signed by the Registrar of the District.

15. Every notice of objection under subsection 2 of section 47 shall be in the form or to the effect of Form 12, and may be delivered in the following manner:—The notice shall be addressed to the person whose name is objected to, at his place of abode as described in the Provisional List, and shall be delivered, on or before the ninth day of the month, to the Postmaster of any post office within the hours when such post office is open, and prepaid for transmission as a registered letter.

The receipt for such letter to be delivered to the Electoral Registrar for the District, which shall be evidence that the notice was posted.

SCHEDULE.

Form XI.

Electoral District of

PROVISIONAL List of Persons claiming to vote for Members of the Legislative Assembly of New South Wales.

Surname in full.	Christian Name in full.	Residence.	Occupation.	Division in full.

NOTE.—Objections to names on this List may be lodged on or before the ninth of the month.

Chief Secretary's Office, Sydney, 9th August, 1904.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the subjoined Amended Regulations, in accordance with the provisions of the "Parliamentary Electorates and Elections Act, 1902," and the "Parliamentary Elections (Amendment) Act, 1902."

JOHN PERRY.

AMENDED REGULATIONS UNDER THE "PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902," AND THE "PARLIAMENTARY ELECTIONS (AMENDMENT) ACT, 1902."

10. The Revising Magistrate, appointed under subsection 1 of section 47, shall give, at least, ten days' notice to the Registrar of the District of the holding of a Revision Court for the revision of the Provisional List for such District, as provided by the said subsection, and shall, in such notice, name a convenient day subsequent to the fifteenth day of the month, during which such Court is to be held, and such day shall, when practicable, be the same upon which a Court of Petty Sessions is to be held.

11. The Provisional List, to be kept in pursuance of subsection 1 of section 46, and section 12 of the Parliamentary Elections (Amendment) Act, 1902, shall be in Form XI, and particulars shall be entered under the several headings therein set out, and the copies of the Provisional List referred to in subsection 2 shall be signed by the Registrar of the District.

15. Every notice of objection under subsection 2 of section 47 shall be in the form or to the effect of Form XII, and may be delivered in the following manner:—The notice shall be addressed to the person whose name is objected to, at his place of abode, as described in the Provisional List, and shall be delivered, on or before the fourteenth day of the month, to the Postmaster of any post office, within the hours when such post office is open, and prepaid for transmission as a registered letter.

The receipt for such letter to be delivered to the Electoral Registrar for the District, which shall be evidence that the notice was posted.

FORM XI.

Electoral District of

PROVISIONAL List of Persons claiming to be entitled to vote for Members of the Legislative Assembly of New South Wales.

Surname in full.	Christian Name in full.	Residence.	Occupation.	Division.

(Signed)

Electoral Registrar.

NOTE.—Objections to names on this list may be lodged on or before the fourteenth of the month.

1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902,  
AND ELECTORATES REDISTRIBUTION ACT, 1904.

(REGULATION UNDER.)

Presented to Parliament pursuant to Act No. 33, 1902, section 137.

Printed under No. 1 Report from Printing Committee, 27 September, 1904.

Chief Secretary's Office, Sydney, 15 March, 1904.

THE following Regulation, made under the authority of the "Parliamentary Electorates and Elections Act, 1902," and of the "Electorates Redistribution Act, 1904," having been approved by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the requirements of the above-cited Acts.

JOHN PERRY.

## ELECTORAL DISTRICTS COMMISSION.

REGULATION MADE UNDER THE AUTHORITY OF THE PARLIAMENTARY ELECTORATES AND ELECTIONS ACT, 1902, AND OF THE ELECTORATES REDISTRIBUTION ACT, 1904.

THE manner in which the Electoral Districts Commissioners appointed under section 6 of the Electorates Redistribution Act, 1904, shall notify the boundaries of each proposed new Electoral District, within the meaning of section 8 of the said Act, shall be by publishing—

- (1) in the *Gazette* a notification substantially in the form of the First Schedule hereto, and
- (2) in some newspaper published or circulating in each existing Electoral District which may be wholly or partly comprised in any proposed new Electoral District, a notification substantially in the form of the Second Schedule hereto.

The Commissioners may also, in their discretion, at any time before or after any such notification, adopt such means as they shall think fit to give further publicity to the proposed distribution or any part thereof.

## FIRST SCHEDULE.

Parliamentary Electorates and Elections Act, 1902, and Electorates Redistribution Act, 1904. Notice of proposed new Electoral Districts to be constituted under the provisions of the latter Act.

The Electoral Districts Commissioners hereby give notice that it is proposed, for the purposes of the Acts aforesaid, to constitute, in lieu of the existing one hundred and twenty-five Electoral Districts of New South Wales, ninety new Electoral Districts, with the several boundaries described in the first column, and respectively comprising in whole or in part the now existing Electoral Districts named in the second column, of the Schedule hereto.

Objections to the proposed distribution of new Electoral Districts, or to any part thereof, will be received by the Commissioners at their Office, Phillip-street, Sydney. All such objections must be in writing, and must be made within the fourteen days prescribed by law.

## SCHEDULE (to Notification).

Boundaries of proposed New  
Electoral Districts.

Electoral Districts respectively,  
comprised wholly or partly in  
proposed New Districts.

Commissioners:

## SECOND SCHEDULE.

Parliamentary Electorates and Elections Act, 1902, and Electorates Redistribution Act, 1904. Notice of proposed new Electoral Districts to be constituted under the provisions of the latter Act.

The Electoral Districts Commissioners hereby give notice that it is proposed, for the purposes of the Acts aforesaid, to constitute, among others, a certain new Electoral District (*or* certain new Electoral Districts), with the boundaries described in the first column, and comprising wholly or partly (*as the case may be*) the now existing Electoral District (*or* Districts) named in the second column, of the Schedule hereto.

Objections to the constitution of the proposed new Electoral District (*or* Districts) will be received by the Commissioners at their Office, Phillip-street, Sydney. All such objections must be in writing, and must be made within fourteen days as prescribed by law.

SCHEDULE (*to Notification*).

Boundaries of proposed New Electoral  
District (*or* Districts).

Existing Electoral District (*or* Districts)  
wholly or partly comprised in proposed  
New District (*or* Districts).

Commissioners

1904.

(SECOND SESSION).

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LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

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REPORT FROM THE SELECT COMMITTEE

ON THE

LISMORE MARKETS AND CATTLE SALE-  
YARDS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

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ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
10 *November*, 1904.

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SYDNEY: WILLIAM APPLIGATE GULLICK, GOVERNMENT PRINTER.

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1904.

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1904.  
(SECOND SESSION.)

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EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

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VOTES No. 27. TUESDAY, 8 NOVEMBER, 1904.

7. LISMORE MARKETS AND CATTLE SALE-YARDS BILL (*Formal Motion*):—Mr. Coleman moved, pursuant to Notice,—
- (1.) That the Lismore Markets and Cattle Sale-yards Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Hogue, Mr. Perry (*The Richmond*), Mr. McFarlane, Mr. Davidson, Mr. Fegan, Mr. Eddes, Mr. Thomas, Mr. John Hurley, and the Mover.
- Question put and passed.
- 

VOTES No. 29. THURSDAY, 10 NOVEMBER, 1904.

5. LISMORE MARKETS AND CATTLE SALE-YARDS BILL:—Mr. John Hurley, 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 8th November, 1904; together with a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.
- \* \* \* \* \*
- 

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1904.  
(SECOND SESSION).

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LISMORE MARKETS AND CATTLE SALE-YARDS BILL.

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REPORT.

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THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 8th November, 1904, the "*Lismore Markets and Cattle Sale-yards Bill*," beg to report to your Honorable House :—

That they have examined the witnesses named in the List\* (whose <sup>\* Sec list,</sup> evidence will be found appended hereto), and that the Preamble having been <sup>p. 4.</sup> satisfactorily proved to your Committee, they proceeded to consider 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.

JOHN HURLEY,  
Chairman.

No. 3 Committee Room,  
Legislative Assembly,  
10th November, 1904.

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1904.

(SECOND SESSION.)

## PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 9 NOVEMBER, 1904.

MEMBERS PRESENT :—

Mr. Coleman,  
Mr. John Hurley,Mr. Perry (The Richmond),  
Mr. Thomas.

Mr. John Hurley 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 same, before the Committee.Robert Dugald Bertie (*on behalf of Messrs. McEvilly and McEvilly, representing the Municipal District of Lismore*), called in, sworn, and examined.Witness *produced* Deed of Grant of Land to the Municipal District of Lismore as a reserve for a market.

Witness withdrew.

John William Coleman, M.P., sworn, and examined.

THURSDAY, 10 NOVEMBER, 1904.

MEMBERS PRESENT :—

Mr. John Hurley in the Chair.

Mr. Thomas,  
Mr. Davidson,Mr. Coleman,  
Mr. McFarlane.

Mr. Thomas Muir, of the Department of Lands, called in, sworn, and examined.

Witness *produced* certain documents referring to the land in question.

Room cleared.

Preamble considered.

Question, "That this Preamble stand part of the Bill,"—put and passed.

Clauses 1 to 11, and 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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1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

## LISMORE MARKETS AND CATTLE SALE-YARDS BILL.

WEDNESDAY, 9 NOVEMBER, 1904.

Present:—

MR. COLEMAN,

MR. THOMAS,

MR. PERRY.

JOHN HURLEY, ESQ., IN THE CHAIR.

Robert Dugald Bertie, solicitor, sworn and examined:—

1. *Chairman.*] You appear on behalf of Messrs. McEvilly and McEvilly on behalf of the municipal district of Lismore? Yes.
2. You are aware that a Bill has been introduced into Parliament to give certain powers to the Municipality of Lismore with regard to the establishment of cattle sale-yards? Yes.
3. That Bill provides for the erection and maintenance of markets and cattle sale-yards on certain land which as been reserved for a market? Yes.
4. Do you know whether there is any objection to the Bill? As far as I know there is no objection whatever to it.
5. The people of Lismore are unanimously in favour of the passing of the Bill? To the best of my belief they are.
6. Do you produce any documents in connection with the matter? Yes; I produce the Crown grant of a piece of land to the municipal district of Lismore, dated the 16th of June, 1884 (vol. 709, folio 53), covering an area of 3 acres 1 rood 16 perches, in the county of Rous, parish of Lismore, town of Lismore.
7. It is upon that land that the Lismore Council is seeking to erect yards suitable for carrying on cattle sales? Yes; if the land is suitable. But they also ask for power, if that land should turn out to be unsuitable, to purchase some other land.
8. Have not the Council satisfied themselves as to whether the land is or is not suitable? That I cannot say.
9. *Mr. Perry.*] Was the land granted by the Crown for a specific purpose? Yes; for a market only. The document recites that it is desirable, in the public interest, that the land hereinafter described should be dedicated as a reserve for a market in the municipality known as the Municipality of Lismore.
10. Will the purposes for which the land is wanted now be covered by that grant? Well, hardly. The market building is included in the Bill; but we want to go beyond that and have sale-yards.
11. *Chairman.*] To carry out all the provisions contained in the Bill? Yes.
12. Do you say that if the land is not found suitable they should have power to exchange or sell it? Yes. Power to purchase other land, or lease other more suitable land, and erect sale-yards on it.
13. Is it proposed in the Bill that the money that is derived from the sale-yards, in the shape of fees and so on, should be appropriated for the purchase of other land? The Council will have power to raise money under the Bill for carrying out the general purposes of the Bill; and one of those purposes is to purchase or lease or otherwise acquire certain lands for sale-yards and markets.
- 14.

Witness—R. D. Bertie, 9 Nov., 1904.

14. Do you know whether the necessary notices have been advertised in the local papers? Yes, they have all been advertised twice, at the end of 1903 in the *Gazette*, in a Sydney daily newspaper, and in the local paper; but owing to the termination of the session before the Bill could be passed, the notices had to be issued a second time, and they were inserted in the *Evening News*, the *Government Gazette*, and the *Lismore Chronicle*.
15. So that every publicity has been given to the matter to afford an opportunity to persons who are antagonistic to this proposal to come forward and express their opinions? Yes.
16. And no one has come forward to oppose the Bill? No one.
17. *Mr. Perry.*] Do you know whether the Crown has any objection to this Bill? We are not aware that they have.
18. You have not applied to them about it? No.
19. The preamble says that the purpose of the original grant was "to use the said lands as a reserve for a market, and for no other use or purpose whatsoever"? That is correct.
20. Then you go on to get permission to use the land for other purposes under the Bill? Yes. The purpose provided for in the Bill is so close to that of the markets that we do not think we should have any trouble about it.
21. Are you aware that there are cattle sale-yards in Lismore? Yes.
22. Has any objection to this Bill been raised by any of the proprietors of those sale-yards? Not to my knowledge.
23. You want to take power to borrow money? Yes.
24. How is it proposed to raise money? By a mortgage over the tolls and fees derived from the markets and on the land on which it is proposed to erect the markets and sale-yards. There is no proposal to charge it to the general rates of the municipality.
25. Then this Bill gives you power to sell the land, thus going beyond what is provided for in the deed? I do not admit that.
26. Then what would be the good of attempting to raise a mortgage;—who would advance any money? The Bill does not give a direct power of sale. Of course, it will probably be for the benefit of the municipality to be able to sell if the land is unsuitable for cattle sale-yards.
27. *Chairman.*] I suppose the intention is to hypothecate that land in order to raise money with which to erect the buildings? That is correct.
28. They will have no difficulty in raising money by mortgage? I do not think they will. The municipality is in a very healthy state financially.
29. There is nothing of your own knowledge against the passing of the Bill? Nothing.
30. *Mr. Perry.*] I suppose that a resolution dealing with this matter has been before the Municipal Council of Lismore? The Bill has been discussed, clause by clause, by the Municipal Council.
31. *Chairman.*] It is decidedly to the advantage of the town and district of Lismore that this measure should become law? Certainly.
32. *Mr. Perry.*] Have there been any complaints as to the present method of dealing with the cattle, such as driving them through the streets? I do not know anything about that.
33. You want to get power for the Council to collect fees from auctioneers selling cattle in any sale-yards within 2 miles of the Municipality of Lismore? Yes.
34. You propose to take power to collect fees from the sale of cattle in all the private yards within 2 miles of the municipal boundaries? Yes.
35. There are farms at which sales take place, and you want to take power in the Bill to collect fees on all cattle sold within 2 miles of the municipality;—is that usual? It is. Provisions to that effect are contained in every Municipal Sale-yards Bill that has been passed in this State during the last twenty years. The Sydney Corporation has the same power.
36. So there is nothing unusual in that? No, nothing unusual.
37. *Chairman.*] The petition says that fees may be collected on cattle which "may be yarded in or brought to any other saleyards within the municipal district of Lismore or within 2 miles thereof for sale, exchange, or slaughter"? In the Bill, as ultimately drawn, the word "slaughter" was left out.
38. *Mr. Perry.*] I suppose there is no provision of the Bill with regard to the sale-yards proving to be a nuisance? I have no personal knowledge of the ground, but the Council will have power if that site is not suitable to procure other ground.

John William Coleman sworn and examined:—

39. *Chairman.*] You are Member of the Assembly for Rous? Yes.
40. You are acquainted with the application made by the Municipal Council of Lismore for the passing of a Bill to give them power to erect cattle sale-yards on certain land in that locality? I am.
41. Have you seen the petition which has been presented, asking for the passing of this Bill? I have.
42. Do you know whether notice has been given of the application for the passing of this Bill in the *Government Gazette*, the *Evening News*, and the *Lismore Chronicle*, so that anyone who objected to the proposal could come forward and state their objections? Yes; I received those papers, and handed them over to the Clerk of the House.
43. Do you know whether any adverse opinion has been expressed in regard to the action of the Council in asking for the passing of this Bill? I know of nothing having been said against it. I may mention that for something like five or six years the Council has been discussing the question of providing cattle sale-yards, but the difficulty has been to raise the money with which to purchase a piece of land. Since I became Member for the district two applications have been made to the Lands Department for a grant of land within the municipality as a site for the cattle sale-yards, but the Lands Department said that it was not customary to make grants for purposes of that kind; and as the Council had no money which they could use for the purchase of land, the only way in which they can get power to provide cattle sale-yards is by the passing of a special Bill, giving them power to borrow money with which to purchase land and erect cattle sale-yards. That is the reason why this Bill has been brought in.
44. And they propose to borrow money upon this grant of land, for the purpose of carrying out the erection of cattle sale-yards? That is so.
45. Would it be a decided advantage to the general public and to the town of Lismore if the proposal were carried out? Yes; it will be an advantage to both sellers and buyers. At present, there are one or two yards—one in the very centre of Lismore—and at those yards some thousands of stock are put through

through every week. I have known a couple of thousand head to be put through on a Saturday afternoon, and those stock are driven right through the busy part of the town. The Council do not care to exercise their powers to prosecute the owners for driving the stock through the town in the daytime, because there are no facilities for the selling of the stock in any other place; but when these yards are erected by the Municipality the auctioneers will simply do away with their yards altogether.

46. Did you notice that the petition says that it is proposed that the Bill should be passed to enable certain works to be carried out, and to provide "for the sale, exchange, and slaughter of cattle"? Yes. I think that the words "exchange" or "slaughter" have been eliminated.

47. Can you say why the word "slaughter" was not included in the Bill? I do not know why; but the intention was really to provide for the sale of stock.

48. It was not eliminated from the Bill owing to adverse action on the part of those who have slaughter-yards? I do not think so. I have been connected with the Municipal Council of Lismore for twelve years, and I know that the auctioneers are in favour of this Bill. Of course, it might be that they would rather have the slaughter-yards in some other locality, but the question of money comes in; and as the Council have got this piece of land for the purpose of a market, they think they could make use of it for the time being. When they get a little money, they may then be able to purchase a site somewhere else. That would be infinitely better than using the yards existing at present. The Council has now let contracts for the erection of yards in this particular place, and the auctioneers have made private arrangements with the Council to pay fees.

49. The erection of these yards will be on the land referred to in the deed? Yes; they are erecting them now.

50. If the Bill is passed, it will enable them to hypothecate the land for the purpose of raising funds for the erection of the market buildings? Yes.

51. *Mr. Perry.*] And to charge fees? Yes. You must take into consideration the fact that the auctioneers agree that something like 30,000 cattle annually is a fair estimate of the number put through the yards. I would not go so far as that; I would say the number of cattle is from 20,000 to 30,000 per annum put through the yards—that is, including young stock. At present we have several auctioneers, and if a man wishes to sell his stock he is in this dilemma: he does not know whether to put them in the hands of A, B, or C. If a man wants to buy stock, he will look at the stock in A's yard, and he may see some that he likes there. He looks in B's yard, and he looks in C's yard, and perhaps he sees stock in both those yards that would suit him, but when the sales are taking place he cannot be in two places at once, consequently, the seller does not as good a price for the stock as he ought to get, and the buyer does not get as good a selection as he should have. In the Council yards the stock would be drafted out, and the auctioneers will draw lots for priority of sale; each will sell for so long; every auctioneer will have a fair show, and every man will get the best possible price. Instead of having a number of people distributed over several yards they will all be in one place, so that the seller will have better sales and the buyer will have a better selection. Most of the stock that are sold do not belong to the ratepayers but to people who reside outside the municipality. In travelling through the town the cattle cut up the streets and the municipality gets no recompense.

52. If there were no settlers outside there would be no town? I quite agree with that, but if the people selling the stock had someone, as there will be under the Bill, to look after the stock to see that they got water and food, they will not object to pay 6d. per head for large stock at the sale-yards. There should be a Government measure dealing with the whole State. I waited on Mr. Carruthers and Mr. Hogue recently on the subject, and they are prepared to introduce a Bill this session dealing with abattoirs and sale-yards throughout this State. But the Council desire to get this Bill passed, principally, on account of their dealing with a special piece of land—the market reserve. If it were not for that they would wait for the the passing of Government measure.

53. You have been interested in this matter ever since its inception? Yes.

54. So you are in a position to know that the passing of this Bill will be for the benefit of the town as well as of the seller and buyer of stock? Yes; because it will enable them to have better sale-yards.

55. And the matter has been before the public of Lismore and the surrounding district? Yes; there was a deputation of auctioneers to the Council asking them to establish sale-yards. The yards that exist now are not very elaborate ones. They are not expensive, being simply intended to answer present requirements.

56. *Mr. Thomas.*] With regard to this piece of land, is it really the intention of the Council to dispose of it before they erect sale-yards? No, they do not want to dispose of it at all. Suppose that 20,000 head of stock pass through those sale-yards annually, that will produce a revenue of £300 or £400. At that rate it will not be long before the debt is wiped off. In every town cattle sale-yards have been a paying concern. The whole of the funds derived from the sale-yards will be used to pay off principal and interest of the debt. As the piece of land was given for the purpose of a market, the markets will still remain, but eventually the sale-yards will be removed to some place outside the town. Probably, the sale-yards will be where the abattoirs are. But for the time being the Council want to obtain the use of the present piece of land for sale-yards.

57. Do they anticipate that they will have room enough for the cattle sale-yards? Yes, for a year or two. At present they are in this dilemma: that with a railway coming in from Grafton they are not yet quite decided as to which will be the best site for the sale-yards. It is rather difficult to get a piece of land that is suitable. As the Council cannot use their rates for the purpose they must borrow money from somebody. If somebody had a piece of land and were willing to sell, and they could find a bank willing to advance the money for erecting sale-yards, the sale-yards would pay right away. The Council want to erect these sale-yards as a temporary provision until they can get a better place.

58. *Mr. Perry.*] They think it advisable to take power to sell this land? Yes, as far as I know. I do not think it is their intention to sell the land; but the question is, will the banks advance money on the land unless they have power to deal with it in that way. I might mention that Lismore is a growing town. Last year the increase of population, according to the police returns, was nearly 600. In the Municipality of Lismore the population is between 5,000 and 6,000; but, taking the districts through, the population is between 36,000 and 37,000.

59. *Mr. Thomas.*] Do you know what revenue the Council has? I cannot tell, but the Council is in a perfectly solvent condition.

Witness—J. W. Coleman, 9 Nov., 1904.

60. Have they any debts? They have a debt on the gas and water works, but we have always paid up the money in connection with the water account, and I suppose that the Council have some hundreds of pounds to their credit.

61. What loans have they now? £10,000 or £12,000 for the gas and water works, which were carried out under the Towns Water and Sewerage Act. So they have got 100 years in which to pay off the loan.

62. Is there any security given over the general rate in regard to the gas works loan? Yes, collateral security; but the gas works is more than clearing itself.

63. You do not know what the revenue is? I cannot tell you from memory. At the end of the year that I was in office as Mayor, I think we had £300 or £400 to our credit.

64. *Chairman.*] You know of nothing in connection with this Bill that would be detrimental to the general public if it is passed? I do not. On the other hand, I think it will be of great benefit to have market buildings erected, so that the farmers can bring in their produce and have it housed and ready for sale.

65. So there is a general unanimity of opinion in favour of the passing of the Bill? Yes.

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THURSDAY, 10 NOVEMBER, 1904.

Present:—

MR. COLEMAN,

MR. THOMAS.

MR. DAVIDSON,

JOHN HURLEY, Esq., IN THE CHAIR.

Thomas Muir sworn and examined:—

66. *Chairman.*] You are an officer of the Lands Department? Yes.

67. Do you produce certain documents having reference to some land upon which the Municipal Council of Lismore propose to erect cattle sale-yards? I do.

68. Have you seen the Bill? Yes, I have perused the Bill.

69. Is there any objection on the part of the Lands Department to the proposal of the Municipal Council to erect cattle sale-yards on that land? I am instructed by the Under Secretary for Lands to state that the Department offers no objection to the Bill.

1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

---

REPORT FROM THE SELECT COMMITTEE

ON THE

MUNICIPAL DISTRICT OF COWRA REDUCED  
AREA BILL ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
16 *November*, 1904.

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SYDNEY : WILLIAM APPLGATE GULLICK, GOVERNMENT PRINTER.

1904.

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1904.

(SECOND SESSION.)

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

VOTES NO. 24. TUESDAY, 1 NOVEMBER, 1904.

8. MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL:—The Order of the Day having been read,—Mr. Waddell moved, "That" this Bill be now read a second time.  
Debate ensued.

Mr. Levy moved, That the Question be amended by leaving out all the words after the word "That" and inserting the words "the Bill be referred to a Select Committee for consideration" and report.

"(2.) That such Committee consist of Mr. Lee, Mr. Broughton, Mr. Cann, Mr. Cohen, Mr. Henley, Mr. Nielsen, Mr. Perry (*The Richmond*), Mr. Waddell, and the Mover," instead thereof.  
Question proposed,—That the words proposed to be left out stand part of the Question.

Debate continued.

Question put,—That the words proposed to be left out stand part of the Question.

The House divided.

Ayes, 16.

Mr. Daley,	<i>Tellers,</i>	
Mr. Estell,		
Mr. Lee,	Mr. Coleman,	
Mr. John Hurley,	Mr. Winchcombe.	
Mr. Nielsen,		
Mr. Waddell,		
Mr. McFarlane.		
Mr. Perry ( <i>The Richm'd</i> ),		
Mr. Collins,		
Mr. Brinsley Hall,		
Mr. Gardiner,		
Mr. Meehan,		
Mr. Edden,		
Mr. Burgess.		

Noes, 28.

Mr. Sullivan,		Mr. Booth,
Mr. Nobbs,		Mr. Wade,
Mr. Cann,		Mr. Cohen,
Mr. Jessep,		Mr. Fleming,
Mr. Moore,		Mr. Henley,
Mr. Hogue,		Mr. Wood,
Mr. Levy,		Mr. Ashton,
Mr. Fegan,		Mr. Fallick,
Mr. Dick,		Mr. Walter Anderson,
Mr. Davidson,		Mr. R. J. Anderson,
Dr. Arthur,		Mr. Miller.
Mr. Charlton,		<i>Tellers,</i>
Mr. Mahony,		Mr. Creswell,
Mr. McGarry,		Mr. Ball.
Mr. Nicholson,		

And so it passed in the negative.

Question then,—That the words proposed to be so inserted be so inserted,—put and passed.

Whereupon Question, as amended,—That the Bill be referred to a Select Committee for consideration and report.

"(2.) That such Committee consist of Mr. Lee, Mr. Broughton, Mr. Cann, Mr. Cohen, Mr. Henley, Mr. Nielsen, Mr. Perry (*The Richmond*), Mr. Waddell, and Mr. Levy,—put.  
The House divided.

Ayes, 34.

Mr. Nobbs,	Mr. Fleming,	Mr. Jessep,
Mr. Hogue,	Mr. Henley,	Mr. Gardiner,
Mr. Levy,	Mr. Winchcombe,	Mr. Miller,
Mr. Moore,	Mr. Mahony,	Mr. R. J. Anderson,
Mr. Wade,	Mr. Nielsen,	Mr. Meehan,
Mr. Ashton,	Mr. Waddell,	Mr. Burgess,
Mr. Dick,	Mr. McFarlane,	Mr. John Hurley,
Mr. Creswell,	Mr. Perry ( <i>The Richm'd</i> ),	Mr. Ball.
Mr. Booth,	Mr. Collins,	<i>Tellers,</i>
Dr. Arthur,	Mr. Wood,	Mr. Davidson,
Mr. Fallick,	Mr. Walter Anderson,	Mr. Cohen.
Mr. Coleman,	Mr. Brinsley Hall,	

Noes, 9.

Mr. Daley,
Mr. Cann,
Mr. Fegan,
Mr. Edden,
Mr. Nicholson,
Mr. McGarry,
Mr. Charlton.
<i>Tellers,</i>
Mr. Sullivan,
Mr. Estell.

And so it was resolved in the affirmative.

VOTES NO. 31. WEDNESDAY, 16 NOVEMBER, 1904.

4. MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL:—Mr. Waddell, 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 1st November, 1904; together with a copy of the Bill as agreed to by the Committee.  
Ordered to be printed.

\* \* \* \* \*

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1904.  
(SECOND SESSION.)

MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL.

---

REPORT.

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THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 1st November, 1904, the "*Municipal District of Cowra Reduced Area Bill*," beg to report to your Honorable House:—

That they have examined the witness named in the List\* (whose <sup>\* See list, p. 4.</sup> evidence will be found appended hereto), and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the 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.

T. WADDELL,  
Chairman.

No. 1 Committee Room,  
Legislative Assembly,  
16th November, 1904.

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1904.

(SECOND SESSION.)

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 PROCEEDINGS OF THE COMMITTEE.
 

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 WEDNESDAY, 9 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Waddell,

|  
Mr. Nielsen.Mr. Perry (*The Richmond*),

Mr. Waddell called to the Chair.

Entry from Votes and Proceedings appointing the Committee, *read* by the Clerk.[Adjourned till Tuesday next, at *Ten* o'clock.]

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 TUESDAY, 15 NOVEMBER, 1904.

MEMBER PRESENT:—

Mr. Nielsen.

In the absence of a Quorum, the meeting called for this day lapsed.

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 WEDNESDAY, 16 NOVEMBER, 1904.

MEMBERS PRESENT:—

Mr. Waddell in the Chair.

Mr. Levy,

|  
Mr. Broughton.Mr. Samuel Stephenson (*Council Clerk at Cowra*) called in, sworn, and examined.Witness *produced* plan of the Municipality of Cowra.

Room cleared.

Committee deliberated.

Bill considered.

Clauses 1 and 2 and Schedule read and *agreed* to.Preamble read and *agreed* to.Title read and *agreed* to.

Chairman to report the Bill without amendment to the House.

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1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

MUNICIPAL DISTRICT OF COWRA REDUCED AREA BILL.

WEDNESDAY, 16 NOVEMBER, 1904.

Present:—

MR. BROUGHTON, | MR. LEVY.  
T. WADDELL, ESQ., IN THE CHAIR.

Samuel Stephenson, Council Clerk, Cowra, called in, sworn, and examined:—

1. *Chairman.*] Can you give the total revenue received last year by the Cowra Municipal Council? Yes; the revenue for the year ended February, 1904, was £2,055.
2. Have you any debt? We have an overdraft at the Bank of £900, against which we have working accounts, and all accounts in credit are allowed to be set off against that.
3. What is the area of the municipality? 5,677 acres.
4. To what area do you wish the municipality reduced? To 5,105 acres.
5. What length of streets and roads do you now look after? 31 miles 37 chains of roads and streets. I might explain that in the statistical register the length is stated at 20 miles, but in the 31 miles 37 chains are included some 11 miles of Government roads.
6. If the Bill pass in its present form, what length of roads and streets would you be relieved of the care of? It would relieve us of a full liability of 96 chains and a half liability of 18 chains.
7. Would the length of 96 chains be the road going to Canowindra? Yes, and the Binni-road. I produce the plan of the municipality.
8. As regards the length of metalled roads or streets? There are 3 miles 20 chains of metalled road. I am speaking now in regard to the whole of the roads controlled by the Council.
9. On which you have to expend money? Yes. I notice that in the statistical register it is stated at a quarter of a mile, because that deals exclusively with the roads apart from the subsidised ones.
10. Do you find it too much for the finances of the Council to keep all these streets and roads in the municipality in repair? Yes. The Council has too many roads by far to look after. We have expended nearly £14,000 since the incorporation of the municipality in putting the roads in a trafficable condition, and still there is a lot of work undone.
11. You find it too great a strain on your finances? Yes, particularly in connection with the road which we propose to cut out.
12. What is the population of Cowra? I put it down at 2,000. It was 1,800 at the time of the taking of the census in 1900. In the statistical register the approximate population in January last is stated at 2,110.
13. *Mr. Levy.*] I suppose that these proposed boundaries, as set forth in the Bill, are founded upon some resolution of the Council? Yes; a special Committee was appointed to inquire into and report upon the matter.
14. And these are the boundaries which they suggested? Yes.
15. You do not know of any objection on the part of the townspeople or anybody else to the proposed reduction? No. The generally expressed wish is that the borough should be relieved of it. The township is not extending in that direction. It is merely an avenue of traffic for outlying districts, and last

Witness—S. Stephenson, 16 Nov., 1904.

wheat season there were as many as forty-five wheat teams coming in from Canowindra, and the borough is at the expense of maintaining the roads for that traffic. It is what may be described as the tail end of the borough. It is not used by the townspeople to any extent, and from it no benefit is derived.

16. How long has the municipal district been incorporated? About sixteen years—since the 18th May, 1888.

17. *Chairman.*] With regard to the debt of £900, was it contracted in connection with the roads and streets? Partly. £500 of it was borrowed for the purpose of erecting a Town Hall and Council Chambers. According to the balance-sheet in February last, we owed the Commercial Bank £218 5s. 8d., and we had, after the expiration of sixteen years, outstanding in general rates the sum of £59 4s. 10d., so that I do not think we can be accused of letting any person off his liabilities. It will be admitted that we have been making a fair attempt to collect the revenue.

18. *Mr. Broughton.*] Have you heard any objection on the part of the ratepayers to the proposal? None whatever, and the Bank, which holds a mortgage over the rates, consents to the proposed reduction.

19. As a matter of fact, it will relieve you of a lot of administrative work? Yes. The Binni-road is not largely used, but there is a liability to accident all the time to those who use it, for which the Council will be responsible, while the Government is indemnified by Act in that respect.

20. Have you a policy of insurance against accident? Recently the Council took out a policy of £500 with the Ocean Guarantee Co.

21. *Chairman.*] What rates do you receive from the part which you propose to cut off? The rates from the whole of the area proposed to be excised amount to £7 13s. 9d., calculated on the current year's estimate.

22. And the length of the streets and roads? 114 chains—96 chains over which we have full control, and 18 chains over which we have divided authority with the Crown.

23. The maintenance of the 96 chains would entail a heavy expenditure? Yes. The Council really do not know what to do in regard to the Canowindra-road.

24. Against that heavy expenditure you only get a revenue of £7 odd? That is all. For expenditure on the Binni-road for the six months, to the 31st December, we receive the munificent sum of £2 8s. 5d. as a subsidy. That is for a part only of the Binni-road—56 chains. There are over 1½ miles of the road on which that amount could be expended. For the Canowindra-road they give us £15 10s. 7d., but that road is 3 or 4 miles in length.

25. *Mr. Broughton.*] The creditors of the municipality are favourable to the proposed reduction? Yes; if you wish to verify that statement you can communicate with the Commercial Banking Company. When I drafted the proposal I pointed out to the Council that it would be necessary to consult with their bankers in regard to the mortgage. I wrote to them, and received a reply; but, having to come away at short notice, I omitted to bring the letter with me.

26. *Chairman.*] With regard to the Council having found this large area too much for their finances, you are quite clear that the rates received are not sufficient to enable you to maintain the roads and streets? It is impossible to maintain them with any degree of satisfaction at all; in fact, the liability in connection with putting these roads in trafficable condition has been regarded as a bugbear all through the piece. One of the Government roads, I might mention, forms the main street of the town, which costs us from £220 to £230 a section to keep in trafficable condition. Then there are six roads from outlying districts which converge into the main street, and that entails very heavy expenditure, and from the Government we get something like £50 or £60 as a subsidy for that.

27. *Mr. Broughton.*] As a matter of fact, this proposal has been discussed in open Council, and reported fully in the local press, and the ratepayers have had an opportunity of expressing an opinion? Yes.

28. No dissent from the proposal has been expressed? There has not been a dissentient word expressed against it from the start. When Mr. Waddell was Prime Minister we wrote to him in regard to the matter. The proposal was brought on again some three or four months afterwards, so that ample opportunity was offered to enter a protest against it.

29. *Mr. Levy.*] Were the limits and boundaries of the municipality defined properly, in accordance with the Municipalities Act? Yes, they were all properly laid out.

1904.

(SECOND SESSION.)

---

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

REPORT FROM THE SELECT COMMITTEE

ON

WELLINGTON CATTLE SALE-YARDS BILL ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

17 *November*, 1904.

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SYDNEY : WILLIAM APPLGATE GULLICK, GOVERNMENT PRINTER.

1904.

(SECOND SESSION.)

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EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

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VOTES No. 30. TUESDAY, 15 NOVEMBER, 1904.

3. WELLINGTON CATTLE SALE-YARDS BILL (*Formal Motion*):—Mr. Thrower moved, pursuant to Notice,—  
(1.) That the Wellington Cattle Sale-yards Bill be referred to a Select Committee for consideration and report.  
(2.) That such Committee consist of Mr. Meehan, Mr. Burgess, Mr. Perry (*Liverpool Plains*), Mr. W. W. Young, Mr. Smith, Mr. Henley, Mr. Morton, Mr. Thomas, and the Mover.  
Question put and passed.
- 

VOTES No. 32. THURSDAY, 17 NOVEMBER, 1904.

4. WELLINGTON CATTLE SALE-YARDS BILL:—Mr. Thrower, 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 15th November, 1904; together with a copy of the Bill as agreed to by the Committee.  
Ordered to be printed.
- \* \* \* \* \*
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1904.

(SECOND SESSION.)

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**WELLINGTON CATTLE SALE-YARDS BILL.**

---

**REPORT.**

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THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 15th November, 1904, the "*Wellington Cattle Sale-yards Bill*," beg to report to your Honorable House:—

That they have examined the witness named in the List\* (whose evidence \* See List, will be found appended hereto), and the Preamble having been satisfactorily proved <sup>page 4.</sup> to your Committee, they proceeded to consider 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.

THOMAS HENRY THROWER,

Chairman.

*No. 1 Committee Room,*

*Legislative Assembly,*

*17th November, 1904.*

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1904.

(SECOND SESSION.)

---

 PROCEEDINGS OF THE COMMITTEE.
 

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THURSDAY, 17 NOVEMBER, 1904.

## MEMBERS PRESENT :—

Mr. Smith,		Mr. W. W. Young,
Mr. Thrower,		Mr. Perry ( <i>Liverpool Plains</i> ),
Mr. Meehan,		Mr. Burgess,
	Mr. Thomas.	

Mr. Thrower 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 same, before the Committee.Joseph Fleming Walker (*Mayor of Wellington*), called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 to 10 and Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill without amendment to the House.

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1904.  
(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.  
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

WELLINGTON CATTLE SALE-YARDS BILL.

THURSDAY, 17 NOVEMBER, 1904.

Present:—

MR. BURGESS,  
MR. MEEHAN,  
MR. PERRY (*Liverpool Plains*),

MR. SMITH,  
MR. THOMAS,  
MR. W. W. YOUNG.

THOMAS HENRY THROWER, ESQ., IN THE CHAIR.

Joseph Fleming Walker, Mayor of the Municipality of Wellington, sworn, and examined:—

1. *Chairman.*] What position do you hold in the town of Wellington? I am Mayor of the Municipal Council.
2. Are you aware that the Wellington Municipal Council are asking Parliament to pass a bill to authorise them to construct and maintain cattle sale-yards? Yes.
3. *Mr. Smith.*] What is the incorporated area of the Municipal District of Wellington? I cannot say from memory.
4. Do you take in all the Flat? No.
5. Do you go to Epsley, across the Common? Yes; we go below Epsley, as far as Mr. Gaden's place, which is the other side of the station.
6. And you cross from there to what point? The Macquarie forms one boundary, and the Bell the other.
7. Are there any private sale-yards in the district? Yes; there is one, but it is totally inadequate to our requirements. It is in the town, about a 10-chain block away from the place where it is proposed to put these sale-yards.
8. That yard is run purely for private purposes? Yes.
9. You draw no fees? No.
10. Where do you propose to erect sale-yards? On the market reserve, close to the bank of the river—in Macquarie Ward, just behind the old public library.
11. What area have you? About 3 acres.
12. Are the sale-yards on the other side of the river? There are no sale-yards near Wellington other than the one I have spoken of.
13. You think it is essential, in the interests of the municipality and of the surrounding districts, that there should be proper facilities for the sale of stock in the town? Yes. The largest stock-raisers in the district have told the auctioneers and those interested in the sale of cattle that they would send stock to Orange or Dubbo to be sold if proper yards were not provided.
14. Is the land on which you propose to erect sale-yards at present the property of the Council? Yes, it is absolutely our own property.
15. In the event of this Bill being carried, do you propose to proceed at once with the erection of sale-yards in accordance with the provisions of the bill? Yes.
16. Wellington is increasing rapidly, is it not? Yes. There are at present 32 miles of streets within the municipality.

Witness—J. F. Walker, 17 November, 1904.

17. The population is increasing? Yes; it is increasing rapidly. The two brickworks in the place are unable to cope with the demand. I may say that last Saturday 700 head of cattle were yarded, and temporary yards had to be put up in order to draft the cattle and prevent them being knocked about. It was found necessary to use the pound-yard on the other side of the street to store and draft the cattle, so that the street between the temporary and the existing yards was practically congested with traffic. Where we propose to erect the new yards we have gas and water mains laid right round the block, and all the tracks leading to it from the stock tracks and travelling-stock routes are fenced in.
18. The erection of the proposed yards would not in any way constitute a menace to the town? No. The Council will frame a by-law providing that the cattle must come and go by certain routes. It will be possible to water the stock at both the Macquarie and the Bell Rivers, and the yard will be approached outside the bounds of the municipality.
19. *Mr. Burgess.*] Would it be any convenience to the people on the Bogan or at Dandaloo to come to Wellington in the event of their not wanting to take cattle or sheep to Dubbo? I do not think that the construction of the proposed yards would do any harm to Dubbo. The main reason why we want new yards in Wellington is, that during the recent drought large herds of cattle and flocks of sheep came to the district for grazing purposes. Our general rainfall is so good at certain periods that during the drought we were able to find feed for large numbers of starving stock. Round about Wellington there is a very large farming community in a position to buy the best of horses and cattle.
20. *Mr. Perry.*] Many travelling-stock routes converge at Wellington? Yes. The pastoral interests of Wellington, I may say, are quite as good as the agricultural. I convened a meeting of auctioneers and aldermen to consider this question of the erection of cattle sale-yards, and at that meeting the auctioneers submitted statistics showing the extent of the transactions in the district. As an evidence of the commercial value of this undertaking, I might add that one gentleman submitted a proposal to build yards privately to demonstrate the necessity for them and the fact that they would pay.
21. Can you give the Committee any idea of the number of cattle and sheep sold at Wellington? I am afraid I cannot; but last Saturday, as I said just now, 700 cattle were yarded, and the yards were entirely inadequate to the requirements.
22. *Mr. Young.*] Is there likely to be any opposition to the Council's proposal? No. I sure that if people were given an opportunity to come forward they would be found to unanimously favour it. The finances of the Council have been somewhat low of late. They have improved now considerably. Both the local papers support the proposal, and declare that in the interests of the district it is necessary to erect corporation sale-yards as cattle are being sent elsewhere.
23. Are the owners of the private yards likely to oppose you? I saw the solicitor of the owners of the private yards the other day, and we measured up the area available there. It is a long narrow piece of land completely shut in by private property; so that there is no opportunity to extend the yards. The land on which we intend to erect the new yards has three main streets as frontages; it can be approached from three different frontages facing the Bell and Macquarie Rivers, and all the converging roads are fenced in.
24. *Mr. Burgess.*] If the Wellington Municipal Council are privileged to build these sale-yards, have they any intention to lease them to a private individual? No. The concern is to be run entirely for the benefit of the Corporation. There is a clause in the bill which provides that the proceeds of the sale-yards shall be passed to the credit of the general revenue of the Council.
25. *Mr. Perry.*] What do you anticipate will be the cost of the sale-yards? With all the ground clear, we believe we can put up adequate and up-to-date yards for £500.
26. What accommodation will be afforded? I might mention that 10 chains away from the proposed site of the cattle sale-yards is a 40-acre paddock fenced in, and should the new yards be found to be insufficient, as years go on, the paddock will be used as a receiving paddock. It also borders the Bell and Macquarie Rivers, and is provided with water. At present we are receiving £3 a week for agistment purposes.
27. *Chairman.*] Is the agitation for the new sale-yards of recent origin, or has it been going on for some time? For four years to my knowledge. The existing yards were built fifteen years ago, and no improvements have since been effected. They were inadequate when first constructed; the town is four times as large now as it was at that time.
28. *Mr. Thomas.*] Can you give us the length and the breadth of the municipality? As I stated just now, I think there are 32 miles of streets within the boundaries. I do not know the exact area, but I should say that the municipality runs for 7 miles in one direction and about 3 in the other.
29. In view of the length of the municipality in one direction, do you think it a fair thing to charge fees for a further 3 miles beyond the boundary? The purpose of that is to prevent a hotelkeeper from starting private sale-yards. I think this provision has been inserted to meet the defects found in previous bills. To give an opening for private yards to be started would mean to spoil our investment, which is in the public interest.
30. Are there any well-established private sale-yards in the district? There is the place I have referred to, and which was erected fifteen years ago. It is alongside a public-house; it was really erected as an attraction for the hotel, but it is badly managed.
31. *Mr. Perry.*] In the event of the Wellington-Werris Creek railway being constructed, I suppose Wellington will become an important place? Yes; it is a first-class district as it is.
32. *Mr. Burgess.*] Have you any annual returns showing the extent of the sales of stock, which you can put before the Committee? No, I have not. A great many cattle now go to Orange and Dubbo which ought to come to Wellington.
33. As a matter of fact, the accommodation at Wellington is insufficient? Yes, and it is impossible to improve and extend the existing yards in order to make them adequate.
34. *Mr. Perry.*] The establishment of up-to-date sale-yards would encourage a market? Yes, and the district absolutely stands in need of it. With the municipal yards it would be possible for the inspector to exercise a proper and efficient supervision. He would be able to pick out the diseased cattle, and in that way greatly help the district.
35. *Chairman.*] The inspector would have better facilities for carrying out his work at sale-yards municipally controlled than at a private establishment? Yes.
36. *Mr. Perry.*] What fees do you propose to charge? I cannot say. That is detail which the Council will settle in conjunction with the auctioneers.

1904.

(SECOND SESSION.)

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LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

---

REPORT FROM THE SELECT COMMITTEE

ON THE

SCONE CATTLE SALE-YARDS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

---

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
1 *December*, 1904.

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SYDNEY : WILLIAM APPLIGATE GULLICK, GOVERNMENT PRINTER.

1904.

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1904.

(SECOND SESSION.)

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EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

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VOTES No. 31. WEDNESDAY, 16 NOVEMBER, 1904.

8. SCONE CATTLE SALE-YARDS BILL (*Formal Motion*):—Mr. Fleming moved, pursuant to Notice,—
- (1.) That the Scone Cattle Sale-yards Bill be referred to a Select Committee for consideration and report.
  - (2.) That such Committee consist of Mr. Hogue, Mr. Davidson, Mr. W. Millard, Mr. McLaurin, Mr. Fegan, Mr. Edden, Mr. Jones, and the Mover.
- Question put and passed.
- 

VOTES No. 38. THURSDAY, 1 DECEMBER, 1904.

4. SCONE CATTLE SALE-YARDS BILL:—Mr. Fleming, 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 16th November, 1904; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
- \* \* \* \* \*
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1904:  
(SECOND SESSION.)

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SCONE CATTLE SALE-YARDS BILL.

---

REPORT.

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THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 16th November, 1904, the "*Scone Cattle Sale-yards Bill*," beg to report to your Honorable House:—

That they have examined the witness named in the List\* (whose evidence will be found appended hereto), and the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to make certain amendments. \*See List, page 4.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

W. M. FLEMING,  
Chairman.

No. 1 Committee Room,  
Legislative Assembly,  
Sydney, 1st December, 1904.

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1904.  
(SECOND SESSION.)

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 1 DECEMBER, 1904.

MEMBERS PRESENT:—

Mr. Fleming,		Mr. W. Millard,
Mr. Jones,		Mr. Fegan,
	Mr. McLaurin.	

Mr. Fleming 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 same, before the Committee.

William Fox Parker, called in, sworn, and examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Clauses 1 and 2 read and agreed to.

Clause 3 read, amended,\* and agreed to.

Clauses 4, 5, 6, 7 read and agreed to.

Clause 8 read and negatived.\*

Clauses 9, 10, 11 read and agreed to.

Schedule read and agreed to.

Title read and agreed to.

Chairman to report the Bill, as amended, to the House.

\*See Schedule of amendments.

SCHEDULE OF AMENDMENTS.

Page 2, clause 3, line 39. *After* “ fees ” *omit* “ or ”  
 ” 2, ” 3, ” 39. *After* “ tolls ” *insert* “ fines, penalties, and forfeitures ”  
 ” 3, ” 8. *Omit* clause 8.

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1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

## SCONE CATTLE SALE-YARDS BILL.

THURSDAY, 1 DECEMBER, 1904.

Present:—

MR. FEGAN,  
MR. McLAURIN,MR. JONES,  
MR. W. MILLARD.

W. M. FLEMING, Esq., IN THE CHAIR.

William Fox Parker, Mayor of Scone, sworn and examined:—

1. *Chairman.*] Were you Mayor of the Council at the time this Bill was submitted and approved of? Yes.
2. Was it agreed to unanimously? Yes.
3. There was no objection in any shape or form? None whatever.
4. You are prepared to support this Bill, and the Council also are prepared to support it? Yes. I might mention that during the last six months 4,600 head of cattle, and 4,000 sheep were offered for sale; and we reckon that business would be doubled if these sale-yards were established.
5. The reason you are seeking to obtain this Bill, is that the existing sale-yards are not adequate to present requirements? Yes, they are unfit for occupation. Scone, I might point out to the Committee, is peculiarly well situated for a cattle sale-yards. Stock must either be brought to Scone, or sent to Muswellbrook, 15 or 20 miles to the south. Scone is in every way a most suitable place for the establishment of sale-yards.
6. *Mr. Jones.*] Has any objection been raised by any of the local people, by settlers, auctioneers, and others interested in the sale of stock, to the construction of sale-yards by the Municipal Council? No; they are all favourable to it.
7. You have met with no opposition whatever locally to the proposal? None whatever. The people are all favourable. Of course unless something like this is done there is very little chance of any sale-yards being established. It might be possible to raise sufficient money privately for the purpose, but there would be sure to be opposition.
8. There are existing yards? Yes.
9. Who owns them? They belong to a publican; but they are only a temporary affair.
10. The publican is also an auctioneer, I presume? No. The publican is lately deceased, and the place is now being carried on by his widow.
11. *Mr. Millard.*] Hotel-keepers generally build these yards with the object of bringing custom to the place? Yes.
12. *Mr. Jones.*] Did your Council consider this Bill in detail? Yes; and we were unanimous on it; in fact, no opposition in any shape or form has been experienced.

Witness—W. F. Parker, 1 December, 1904.

13. Clause 3, I notice, which gives the Council power to borrow, makes no provision for the establishment of a sinking fund, is that an oversight? We intend to do that.
14. Clause 8 provides for the payment of all "fines, penalties, and forfeitures imposed and recovered," into the corporate funds of the Municipality; whilst Clause 3 provides that the proceeds from "rates, fees, or tolls, and all other profits accruing" shall be credited to a cattle sale-yards fund, is there any particular reason for not paying all these moneys into the one fund? I am not aware; nor, so far as that goes, would there be any objection.
15. I thought there might be some special reason for making that discrimination? No; the Council's Solicitor looked up other similar Acts, and I presume this is more or less a copy. We estimate that one-fourth the revenue will be profit. We put the revenue down at £160, and the expenditure, after making allowance for the necessary up-keep, at £120.
16. *Mr. McLaurin.*] It is intended, I presume, that the sale-yards shall be directly managed and controlled by the Municipal Council? Yes.
17. There is no proposal, once the Bill is passed, to let the concern to any private individual? None whatever.
18. *Mr. Fegan.*] Have you any objection to the suggestion that the money recovered under the provisions of Clause 8 should be paid to the fund created under Clause 3? No; I do not think it would make any difference to us. Personally I think it would be an improvement.

1904.

(SECOND SESSION.)

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LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

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REPORT FROM THE SELECT COMMITTEE

ON THE

CORAKI ROMAN CATHOLIC CHURCH TRUSTEES  
ENABLING BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

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ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,  
6 December, 1904.

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SYDNEY: WILLIAM APPLIGATE GULLICK, GOVERNMENT PRINTER.

1904.

[6d.]

1904.

(SECOND SESSION.)

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EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY.

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VOTES No. 36. TUESDAY, 29 NOVEMBER, 1904.

5. CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL (*Formal Motion*):—Mr. W. W. Young, *on behalf of* Mr. O'Sullivan, moved pursuant to Notice,—
- (1.) That the Coraki Roman Catholic Church Trustees Enabling Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Ashton, Mr. Smith, Mr. McLaurin, Mr. Cohen, Mr. Reynoldson, Mr. Perry (*Liverpool Plains*), Mr. Hollis, Mr. Donaldson, Mr. Kelly, and Mr. O'Sullivan.
- Question put and passed.
- 

VOTES No. 40. TUESDAY, 6 DECEMBER, 1904.

3. CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL:—Mr. O'Sullivan, 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 29th November, 1904; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.
- \* \* \* \* \*
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1904.  
(SECOND SESSION.)

**CORAKI ROMAN CATHOLIC CHURCH TRUSTEES ENABLING BILL.**

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**REPORT.**

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THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 29th November, 1904, the "*Coraki Roman Catholic Church Trustees Enabling 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 the Preamble, as amended, 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, with an amended preamble and an amended title.

E. W. O'SULLIVAN,  
Chairman.

No. 3 Committee Room,  
Legislative Assembly,  
Sydney, 6th December, 1904.

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1904.

(SECOND SESSION.)

## PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 6 DECEMBER, 1904.

## MEMBERS PRESENT:—

Mr. O'Sullivan,	Mr. Donaldson,
Mr. Perry ( <i>Liverpool Plains</i> ),	Mr. Smith,
Mr. McLaurin,	Mr. Kelly,
Mr. Cohen,	Mr. Hollis.

Mr. O'Sullivan 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 same before the Committee.

Present:—Herbert David Croker, Esq. (*Solicitor*), representing Messrs. Crick and Carroll (*Solicitors for the Bill*).

Rev. Jeremiah Joseph Doyle, D.D., called in, sworn, and examined.

Witness produced Deeds of three Crown Grants mentioned in the Schedules.

Witness withdrew.

Herbert David Croker sworn and examined.

Rev. Jeremiah Joseph Doyle, D.D., recalled and further examined.

Room cleared.

Preamble considered and amended.\*

Question,—That the Preamble, as amended, stand part of the Bill,—put and passed  
Solicitor called in and informed.

Clause 1 read, amended,\* and agreed to.

Clause 2 read, amended,\* and agreed to.

Clause 3 read, and agreed to.

Schedule read, and agreed to.

New Schedule to stand as Second Schedule read, and agreed to.

New Schedule to stand as Third Schedule read, and agreed to.

Title read, amended,\* and agreed to.

Chairman to report the Bill, as amended to the House, with an amended Preamble, and an amended Title.

## SCHEDULE OF AMENDMENTS.

Page 1, Title, line 3. *Omit* "Keyran" *insert* "Kyran"Page 1, Preamble, line 8. *Omit* "Keyran" *insert* "Kyran"Page 1, Preamble, lines 8 and 9. *Omit* "(therein erroneously called Kyran Nolan)"Page 2, Preamble, line 1. *Before* "Schedule" *insert* "First"Page 2, Preamble, line 3. *Omit* "Keyran" *insert* "Kyran"Page 2, Preamble, line 8. *Omit* "Keyran" *insert* "Kyran"

Page 2, Preamble, lines 9 to 18. *Omit* "His Excellency the Governor of New South Wales, by and with the advice of the Executive Council, has promised to grant to the Right Reverend Jeremiah Joseph Doyle, the said Keyran Nolan, and one Thomas Bermingham all those pieces or parcels of land containing one acre and two roods, being allotments five and six of section twenty-five of the said town of Coraki, for the purpose of erecting thereon a church and other buildings for the use of the Roman Catholic community at Coraki, and such buildings have already been erected on the said lands" *insert* "by two several deeds of grant, both dated the twenty-first day of November, one thousand nine hundred and four, under the hand of His Excellency the Governor, registered as volume one thousand five hundred and seventy-one, folios one hundred and sixty-five and one hundred and sixty-six respectively, His Majesty the King did, for the consideration therein respectively set out, grant to the Right Reverend Jeremiah Joseph Doyle, doctor of divinity, the said Kyran Nolan, and one Thomas Bermingham all those pieces or parcels of land described in the Second and Third Schedules hereto respectively, upon the trusts in the same deeds more particularly set forth"

\*See Schedule of amendments.

- Page 2, Preamble, line 21. *Omit "Keyran" insert "Kyran"*
- Page 2, clause 1, line 37. *Omit "Keyran" insert "Kyran"*
- Page 3, clause 1, line 2. *Omit "Keyran" insert "Kyran"*
- Page 3, clause 2, line 9. *Omit "Keyran" insert "Kyran"*
- Page 3, clause 2, line 18. *Before "buildings" insert "a presbytery and"*
- Page 3, clause 2, line 24. *Omit "Keyran" insert "Kyran"*
- Page 4, line 1. *Before "Schedule" insert "First"*
- Page 4. *After First Schedule insert new schedule to stand as Second Schedule.*
- Page 4. *After Second Schedule insert new schedule to stand as Third Schedule.*

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1904.

(SECOND SESSION.)

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

## MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

CORAKI ROMAN CATHOLIC CHURCH TRUSTEES  
ENABLING BILL.

TUESDAY, 6 DECEMBER, 1904.

Present:—

MR. COHEN,  
MR. DONALDSON,  
MR. HOLLIS,  
MR. KELLY,MR. McLAURIN,  
MR. SMITH,  
MR. PERRY (Liverpool Plains).

E. W. O'SULLIVAN, Esq., IN THE CHAIR.

The Reverend Jeremiah Joseph Doyle, Roman Catholic Bishop, Lismore, sworn and examined:—

1. *Chairman.*] Will you be good enough to state the reasons why you want this Bill passed? There is a very large hotel right in front of the land. That is one of the principal reasons; and the street is too public. The post office is next to it. We desire a more private place. Those briefly are the reasons.
2. *Mr. Smith.*] Is the land naked land? Not quite. There is a presbytery on one portion of it.
3. Was it contemplated at any time to build a place of worship on the land? There was a place of worship on it, but it was burned down some months ago.
4. You desire to leave that site with the view of purchasing another one more private? Yes.
5. *Mr. Perry.*] The proceeds of the sale of the land will go towards building another place? Yes, as is stated in the Bill.
6. *Chairman.*] Do you submit the preamble of the proposed Bill which I understand is to be slightly varied later on? Yes.
7. You produce the original deed dated April 28, 1884? Yes.
8. *Mr. Cohen.*] The land was held in trust for the purpose of erecting a church or other buildings on it for the use of the Roman Catholic Church at Coraki? Yes.
9. Keyran Nolan is now dead? No, he is the only survivor. The others are all dead, or have left the country.
10. Has His Excellency the Governor promised to grant you and Keyran Nolan and Thomas Bermingham other pieces of land? Yes.
11. *Chairman.*] You produce also a grant for a Roman Catholic Church at Coraki, the description of which corresponds to the description given in the advertisements in the various newspapers? Yes.
12. You also produce a grant for a Roman Catholic minister's residence on the adjoining piece of land, which corresponds with the description in the newspapers? Yes.
13. *Mr. Hollis.*] You are the Jeremiah Joseph Doyle mentioned in the deed? Yes.

Witness—Rev. J. J. Doyle, D.D., 6 December, 1904.

14. *Chairman.*] You also produce local and Sydney papers, in which the advertisement of the description of the land appears? Yes.

15. What is proposed to be done with the surplus, if any, arising from the sale of the land? I am afraid there will not be any, but I have not made up my mind what may be done with it if there should be any. I assure the Committee that it will be used for some charitable purpose.

16. As described in the Goulburn Church Bill it will be used

To dispense such charity amongst the poor, infirm, aged, and sick, in the said Diocese, in such manner as the trustee in his absolute discretion shall see fit.

I am glad to say we have no poor, but we might have sick; and it would be distributed amongst them.

17. *Mr. Hollis.*] I presume there is a Roman Catholic congregation at Coraki? Yes.

18. Is the congregation unanimous on this matter? They are almost unanimous. You can never find a congregation without one or two grumblers in it.

Herbert David Croker, sworn and examined:—

19. *Chairman.*] You are employed in the office of Mr. Crick, Solicitor, and have special charge of this Bill? Yes.

20. Will you explain the details of it, not only its objects but the reason why certain amendments have been suggested? The preamble begins by reciting an old grant of 1884. The deed does not state on the face of it the objects of the grant, but the Bishop has given evidence that it was granted in trust for the use of the Roman Catholic Church. It goes on to recite that all the grantees, except Nolan, are deceased. Then it says, that no new or other trustees have been appointed in the place of the deceased trustees. The law is, that where there are several trustees and they all die but one, the only person who can appoint new trustees is the survivor. That has never been done in this case, consequently, as regards the old grant, Mr. Nolan is the sole trustee at present. The gentleman who drew up the Bill had an idea that the proper Christian name of Mr. Nolan was Keyran, but the real name is Kyran. The effect of the Bill will be to make Mr. Bermingham, Mr. Nolan, and the Bishop trustees. In line 1 of page 2 we propose to insert the word "first" before the word "schedule," because we are going to have a second and third schedule. In line 9, the word "his" should be omitted, and also lines 10 to 17, inclusive, down to the word "lands." In lieu of these words, we propose to insert the following:—

"by two several deeds of grant, both dated the 21st day of November, 1904, under the hand of His Excellency the Governor, registered as Volume 1571, folios 165 and 166 respectively, His Majesty the King did, for the consideration therein respectively set out, grant to the Right Reverend Jeremiah Joseph Doyle, D.D., the said Kyran Nolan, and one Thomas Bermingham all those pieces or parcels of land described in the Second and Third Schedules hereto respectively, upon the trusts in the same deeds more particularly set forth.

At the time the Bill was drawn the deeds were in course of preparation. The Department of Lands had not issued them, so we could only state that we had been promised them, but the Department kindly expedited the matter, and the deeds are, therefore, before the Committee. So it is not now a mere promise but an actual grant. We put the descriptions of the two grants in the Second and Third Schedules. I can assure the Committee that they are an exact copy of the words in the deed. In line 18, page 3, the words "a presbytery and" should be inserted after the words "the erection thereon of," because one of the deeds refers specifically to the erection of a residence which the Church generally calls a presbytery.

21. There are two additional schedules, are there not? The Second and Third Schedules, which are referred to in the new clause. I examined the schedules this morning, and compared them with the original deeds, and I found them to be correct.