

Sessional Papers



1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 1.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 27 JUNE, 1905.

No. 1.

INDUSTRIAL ARBITRATION (TEMPORARY COURT) BILL.

Clause 1 having been dealt with,—

Clause 2. The Governor may "temporarily" constitute the court of arbitration by the appointment—

Temporary
Constitution
of Court.

- (a) of a judge of District Courts to be president of the court;
(b) of the two persons recommended on the sixth day of April, one thousand nine hundred and five, in pursuance of the Industrial Arbitration Act, 1901, to be members of the court.

The provisions of the said Act in respect of the court constituted thereunder and its members respectively shall apply to the court constituted by this Act and its members respectively.
[Read.]

Motion made (*Mr. Holman*) to leave out from line 1 the word "temporarily."

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

Committee divided.

Ayes, 47.

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| Mr. Dick, | Mr. Kearney, |
| Mr. Ashton, | Mr. Donaldson, |
| Mr. Hogue, | Mr. Hindmarsh, |
| Mr. Wade, | Mr. Walter Anderson, |
| Mr. Lee, | Mr. Creswell, |
| Mr. Mackenzie, | Mr. Thomas, |
| Mr. Davidson, | Mr. John Hurley, |
| Mr. Fleming, | Mr. Fell, |
| Mr. Moore, | Mr. Henley, |
| Mr. Eden George, | Mr. Reynoldson, |
| Mr. Alan Millard, | Mr. Mahony, |
| Mr. Levy, | Mr. Downes, |
| Mr. Broughton, | Mr. Collins, |
| Mr. Booth, | Mr. Wood, |
| Mr. Nobbs, | Mr. W. Millard, |
| Dr. Arthur, | Mr. Morton, |
| Mr. Oakes, | Mr. Waddell, |
| Mr. O'Connor, | Mr. McFarlane, |
| Mr. Fallick, | Mr. Pery (<i>Liverpool</i> |
| Mr. R. J. Anderson, | <i>Plains</i>), |
| Mr. Cohen, | Mr. Briner. |
| Mr. Law, | <i>Tellers,</i> |
| Mr. Crick, | Mr. Ball, |
| Mr. Jessep, | Mr. Gillies. |
| Mr. McCoy, | |

Noes, 26.

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| Mr. Burgess, | <i>Tellers,</i> |
| Mr. Miller, | Mr. Daley, |
| Mr. Meehan, | Mr. Sullivan. |
| Mr. Jones, | |
| Mr. MacDonell, | |
| Mr. Edden, | |
| Mr. Charlton, | |
| Mr. Cann, | |
| Mr. Norton, | |
| Mr. Gardiner, | |
| Mr. Hollis, | |
| Mr. Dacey, | |
| Mr. Nielsen, | |
| Mr. McGowen, | |
| Mr. Holman, | |
| Mr. Arthur Griffith, | |
| Mr. Estell, | |
| Mr. W. W. Young, | |
| Mr. Bennett, | |
| Mr. Leven, | |
| Mr. Kelly, | |
| Mr. O'Sullivan, | |
| Mr. Fegan, | |
| Mr. McLaurin. | |

Word stands.

Clause, as read, agreed to.

And Clause 3 having been dealt with,—

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

THURSDAY, 29 JUNE, 1905.

No. 2.

LOCAL GOVERNMENT (SHIRES) BILL.

(Resolution.)

Mr. Carruthers moved, That the Committee agree to the following Resolution:—That it is expedient to bring in a Bill for the local government of rural districts, for the amendment, extension, and partial repeal of certain Acts to effect the same; and for purposes consequent thereon or incidental thereto.

Question put, That the Committee agree to the Resolution.

Committee divided.

Ayes, 48.

Mr. Carruthers,
Mr. Moore,
Mr. Hogue,
Mr. Wade,
Mr. Ashton,
Mr. Lee,
Mr. McCoy,
Mr. Nobbs,
Mr. Downes,
Mr. Dick,
Mr. Fleming,
Mr. O'Connor,
Mr. J. H. Young,
Mr. Creswell,
Mr. Fallick,
Mr. Booth,
Mr. Kelly.

Mr. Law,
Mr. Cohen,
Mr. Alan Millard,
Mr. Reynoldson,
Mr. Donaldson,
Mr. Perry (*Liverpool
Plains*),
Mr. Fell,
Mr. John Hurley,
Mr. Latimer,
Dr. Arthur,
Mr. Moxham,
Mr. Hindmarsh,
Mr. Brinsley Hall,
Mr. Thomas,
Mr. Davidson,
Mr. Henley,

Mr. Mahony,
Mr. Burgess,
Mr. Walter Anderson,
Mr. R. J. Anderson,
Mr. W. Millard,
Mr. Meehan,
Mr. McGowen,
Mr. Macdonald,
Mr. Edden,
Mr. Estell,
Mr. Hollis,
Mr. Mackenzie,
Mr. Jones.
Tellers,
Mr. Ball,
Mr. Kearney.

Noes, 8.

Mr. Miller,
Mr. McGarry,
Mr. Norton,
Mr. Perry (*The Rich-
mond*),
Mr. Bennett,
Mr. Gillies.

Tellers,

Mr. Briner,
Mr. Nielsen.

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,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 2.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 5 JULY, 1905.

No. 1.

SMALL DEBTS RECOVERY (AMENDING) BILL:—

Clauses 1 to 9 having been dealt with,—

Clause 10. If, in such action, the defendant does not, within "ten" days after personal service on him of a default summons, or where service has not been personal within fourteen days after leave to proceed as aforesaid, file notice of grounds of defence and affidavit as aforesaid, the plaintiff within three months after the expiration of the time for filing such notice, upon filing an affidavit of personal service, or of an order of leave to proceed, and an account of what he claims to be due to him verified by the oath of the plaintiff, his attorney or agent, may have judgment entered up by the court or registrar against the defendant for the amount of the claim, and a sum for costs to be prescribed. [Read.]

Judgment in
default of
defence.
Ibid. s. 54.

Motion made (*Mr. McCoy*) to leave out from line 1 the word "ten," and insert the word "seven" instead thereof.

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

Committee divided.

Ayes, 31.

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| Mr. Carruthers, | Mr. W. W. Young, |
| Mr. Thrower, | Mr. McFarlane, |
| Mr. Moore, | Mr. Walter Anderson, |
| Mr. Lee, | Mr. Mackenzie, |
| Mr. O'Connor, | Mr. Sullivan, |
| Mr. Davidson, | Mr. Brinsley Hall, |
| Mr. Nobbs, | Mr. Collins, |
| Mr. Wade, | Mr. Ball, |
| Mr. Booth, | Mr. Reynoldson, |
| Mr. Levy, | Mr. W. Millard. |
| Mr. Dick, | |
| Mr. Hindmarsh, | <i>Tellers,</i> |
| Mr. Downes, | Mr. Law, |
| Mr. Latimer, | Mr. Creswell. |
| Mr. Daley, | |
| Mr. R. J. Anderson, | |
| Mr. Fallick, | |
| Mr. Henley, | |
| Mr. Perry (<i>Liverpool Plains</i>), | |

Noes, 17.

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|------------------------------------|
| Mr. Estell, |
| Mr. McGowen, |
| Mr. Edden, |
| Mr. Scobie, |
| Mr. Kelly, |
| Mr. Mahony, |
| Mr. Cohen, |
| Mr. Gardiner, |
| Mr. Burgess, |
| Mr. Meehan, |
| Mr. Chariton, |
| Mr. Nicholson, |
| Mr. Fegan, |
| Mr. Kearney, |
| Mr. Perry (<i>The Richmond</i>). |
| <i>Tellers,</i> |
| Mr. McCoy, |
| Mr. Hollis. |

Word stands.

Clause, as read, agreed to.

And Clauses 11 to 17 having been dealt with,—

No. 2.

Same Bill.

Application
under section
40 of Principal
Act.

Clause 18. Any application under section forty of the Principal Act to call before the court the party issuing any process and the claimant of any goods or chattels taken in execution under such process, and any order thereupon may, in the absence of the court, be made to and granted by the registrar "or a justice of the peace." Such order so made shall be of the same effect as if made by the court; and the court shall thereupon pronounce its decision and make its orders in accordance with the said section. [*Read.*]

Motion made (*Mr. Levy*) to leave out from line 4 the words "or a justice of the peace."

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

Committee divided.

Ayes, 46.

Mr. Carruthers,
Mr. Wade,
Mr. McCoy,
Mr. Porry (*The Richmond*),
Mr. Mahony,
Mr. Cohen,
Mr. O'Connor,
Mr. Nobbs,
Mr. Lee,
Mr. Davidson,
Mr. McGowen,
Mr. Hindmarsh,
Mr. Moore,
Mr. Latimer,
Mr. Burgess,
Mr. Downes,
Mr. Booth,

Mr. Sullivan,
Mr. W. Millard,
Mr. Hogue,
Mr. Thrower,
Mr. Brinsley Hall,
Mr. Fallick,
Mr. Henley,
Mr. W. W. Young,
Mr. Gardiner,
Mr. Perry (*Liverpool
Plains*),
Mr. McFarlane,
Mr. Edden,
Mr. Kelly,
Mr. Creswell,
Mr. R. J. Anderson,
Mr. Mackenzie,

Mr. Nicholson,
Mr. Estell,
Mr. Hollis,
Mr. Reynoldson,
Mr. Ball,
Mr. Kearney,
Mr. Meehan,
Mr. Charlton,
Mr. Dick,
Mr. Collins,
Mr. Fegau.
Tellers,
Mr. Law,
Mr. Walter Anderson.

Noes, 3.

Mr. Levy.
Tellers,
Mr. Scobie,
Mr. Daley.

Words stand.

Clause, as read, agreed to.

And Clauses 19 to 24 having been dealt with,—

No. 3.

Same Bill.

Orders under
section 44 of
Principal Act.

Clause 25. Any application under section forty-four of the Principal Act to examine a judgment debtor, and any order thereupon may, in the absence of the court, be made to and granted by the registrar thereof "or a justice of the peace." Any such order so made shall be of the same effect as if made by the court, and the court shall cause such debtor to be examined under the said section. [*Read.*]

Motion made (*Mr. Levy*) to leave out from line 3 the words "or a justice of the peace."

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

Committee divided.

Ayes, 41.

Mr. Hogue,
Mr. O'Connor,
Mr. Wade,
Mr. Cohen,
Mr. McCoy,
Mr. Creswell,
Mr. Perry (*The Richmond*),
Mr. Lee,
Mr. Ball,
Mr. Kearney,
Mr. Nobbs,
Mr. Booth,
Mr. Hindmarsh,
Mr. Downes,
Mr. Burgess,

Mr. Davidson,
Mr. Fegan,
Mr. McFarlane,
Mr. Walter Anderson,
Mr. Nicholson,
Mr. Estell,
Mr. R. J. Anderson,
Mr. Hollis,
Mr. Mackenzie,
Mr. Thrower,
Mr. Brinsley Hall,
Mr. Fallick,
Mr. W. Millard,
Mr. Henley,
Mr. W. W. Young,

Mr. Perry (*Liverpool
Plains*),
Mr. Collins,
Mr. Kelly,
Mr. Meehan,
Mr. Law,
Mr. Gardiner,
Mr. Charlton,
Mr. Edden,
Mr. Dick.
Tellers,
Mr. Reynoldson,
Mr. Felt.

Noes, 6.

Mr. Jones,
Mr. Holman,
Mr. Scobie,
Mr. Daley.
Tellers,
Mr. Miller,
Mr. Levy.

Words stand.

Clause, as read, agreed to.

And the remaining Clauses and the Schedules having been agreed to.

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 3.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 11 JULY, 1905.

No. 1.

SYDNEY DIOCESAN REVENUES BILL (*Council Bill*):—

Clause 1. During any vacancy of the See of Sydney the "Church of England Property Trust Diocese of Sydney," incorporated under the provisions of the "Church of England Trust Property Incorporation Act, 1881," hereinafter termed "the said trustees," shall be guardian of the temporalities of the said See, and shall be entitled to receive and hold in trust, and, subject to the provisions of this Act, to apply all income accruing from any source during such vacancy which if the said See had not been vacant would but for this Act have been payable to the Bishop thereof for the time being for his own use: "Provided that it shall be lawful for the said trustees in the first instance to defray out of the said income the costs, charges, and expenses incidental to the passing of this Act." [Read.]

Motion made (*Mr. Norton*) to leave out from lines 7, 8, and 9 the words "Provided that it shall be lawful for the said trustees in the first instance to defray out of the said income the costs, charges, and expenses incidental to the passing of this Act."

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

Committee divided.

Ayes, 37.

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| Mr. Lee, | Mr. Hollis, |
| Mr. Briner, | Mr. Reynoldson, |
| Mr. Wade, | Mr. Thomas, |
| Mr. Hogue, | Mr. Nobbs, |
| Mr. Creswell, | Mr. Collins, |
| Mr. Fell, | Mr. Moxham, |
| Mr. Moore, | Mr. Walter Anderson, |
| Mr. Dick, | Mr. Hindmarsh, |
| Mr. W. Millard, | Mr. Henley, |
| Mr. John Hurley, | Mr. Gardiner, |
| Mr. O'Connor, | Mr. W. W. Young, |
| Mr. Fallick, | Mr. Cann, |
| Mr. Mackenzie, | Mr. Estell, |
| Mr. Levien, | Mr. Jones, |
| Mr. Booth, | Mr. McGowen. |
| Mr. Broughton, | <i>Tellers,</i> |
| Mr. Latimer, | Mr. Nielsen, |
| Mr. Davidson, | Mr. Ball. |
| Dr. Arthur, | |
| Mr. McCoy, | |

Noes, 15.

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| Mr. Burgess, |
| Mr. Sullivan, |
| Mr. Charlton, |
| Mr. McNeill, |
| Mr. McGarry, |
| Mr. Nicholson, |
| Mr. Kelly, |
| Mr. Mechan, |
| Mr. Edden, |
| Mr. Norton, |
| Mr. Miller, |
| Mr. Scobie, |
| Mr. Arthur Griffith. |

Tellers,

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| Mr. Holman, |
| Mr. Dacey. |

*Words stand.**Clause, as read, agreed to.*

And Clause 2 having been dealt with,—

No. 2.

No. 2.

*Same Bill.*Objects of
application of
revenues.

Clause 3. The objects towards which such income may be applied shall be any one or more of the following, that is to say—

- (a) The payment of rates and taxes on any land so held in trust as aforesaid.
- (b) The discharge of any liability affecting the revenues of the See during the vacancy thereof.
- (c) The repair, renovation, or improvement of the episcopal residence ~~for the time being~~ of the Bishop of the said See **at Randwick, known as Bishops court**, including repair or renewal of fences appurtenant "thereto."
- (d) The payment of a stipend or salary to the administrator of the Diocese during the period of vacancy at such rate as may be provided by any ordinance passed as hereinafter provided.
- (e) The defraying of expenses incurred in the discharge of episcopal functions within the Diocese during the vacancy of the See.
- (f) The defraying of expenses incurred in filling up the vacancy of the See.
- (g) The payment of a sum not exceeding one thousand pounds to the incoming Bishop for his own use.
- (h) The discharge of the said encumbrance now existing on the said episcopal residence at Bishops court.
- (i) The assistance of such Diocesan fund or undertaking now existing or hereafter to be established as may be directed by any ordinance passed by the Synod of the Diocese of Sydney as hereinafter provided or determined in manner provided by any such ordinance.

Proviso.

Provided always that the whole of the said income not applied to one or other of the aforesaid objects (a) to (f) shall, unless it exceeds one thousand pounds, be applied to object (g), but if it exceeds one thousand pounds the excess over and above the said sum of one thousand pounds shall be applied towards object (h) until the said encumbrance is discharged and satisfied, and that only after the said encumbrance is discharged and satisfied shall any application of such income be made towards object (i). [*Read.*]

And the clause having been amended as indicated,—

Motion made (*Mr. Norton*) to insert after "thereto," line 8, the words "the total expenditure under this subsection shall not in any one year exceed the sum of two hundred and fifty pounds."

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

Committee divided.

Ayes, 5.

Mr. Arthur Griffith,
Mr. Sullivan,
Mr. Kelly.

Tellers,

Mr. Norton,
Mr. Jones.

Noes, 48.

Mr. Holman,
Mr. Daley,
Mr. McNeill,
Mr. Broughton,
Mr. Wade,
Mr. Hollis,
Mr. Scobie,
Mr. Nielsen,
Mr. Levien,
Mr. Creswell,
Mr. Nicholson,
Mr. Gardiner,
Mr. Charlton,
Mr. Edden,
Mr. McGarry,
Mr. Meehan,
Mr. Miller,

Dr. Arthur,
Mr. Throver,
Mr. Hogue,
Mr. Moore,
Mr. R. J. Anderson,
Mr. J. H. Young,
Mr. Nobbs,
Mr. Collins,
Mr. Davidson,
Mr. McCoy,
Mr. Estell,
Mr. John Hurley,
Mr. Cann,
Mr. Henley,
Mr. W. W. Young,
Mr. Thomas,
Mr. Mackenzie,

Mr. Ball,
Mr. Lee,
Mr. Fell,
Mr. Law,
Mr. Moxham,
Mr. McLaurie,
Mr. Booth,
Mr. W. Millard,
Mr. Walter Anderson,
Mr. Burgess,
Mr. Dick,
Mr. McGowen.

Tellers,

Mr. Latimer,
Mr. Reynoldson.

Insertion of proposed words negatived.

Clause, as amended, agreed to.

And Clauses 4 to 8 and the Preamble having been dealt with,—

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

WEDNESDAY, 12 JULY, 1905.

No. 3.

NEGLECTED CHILDREN AND JUVENILE OFFENDERS BILL:—

Clauses 1 to 7 having been dealt with,—

Clause 8. (1) The Governor shall by proclamation establish special "courts" to be called children's courts.

Every such court shall consist of a ~~stipendiary or police~~ special magistrate and shall have jurisdiction within the area named in a proclamation.

(2) In places not within any such area the jurisdiction of a children's court shall be exercised by a ~~stipendiary or police~~ special magistrate, or any two justices. [*Read.*]

Motion made (*Mr. Crick*) to leave out from line 1 the word "courts" and insert the word "committees" instead thereof.

Governor may
establish special
courts for
dealing with
children.

Question

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

Ayes, 41.

Noes, 23.

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| Mr. Hogue, | Mr. Mahony, |
| Mr. Moore, | Mr. W. W. Young, |
| Mr. Wade, | Mr. Dick, |
| Mr. Jessep, | Mr. Dacey, |
| Mr. Carruthers, | Mr. Jones, |
| Mr. Nobbs, | Mr. Ball, |
| Mr. Lee, | Mr. McGowen, |
| Mr. J. H. Young, | Mr. Davidson, |
| Dr. Arthur, | Mr. McCoy, |
| Mr. Hindmarsh, | Mr. Law, |
| Mr. Oakes, | Mr. Reynoldson, |
| Mr. Latimer, | Mr. Downes, |
| Mr. Levy, | Mr. Cohen, |
| Mr. Booth, | Mr. Morton, |
| Mr. Fallick, | Mr. Moxham, |
| Mr. Walter Anderson, | Mr. Sullivan, |
| Mr. Ashton, | Mr. W. Millard. |
| Mr. Thomas, | |
| Mr. R. J. Anderson, | <i>Tellers,</i> |
| Mr. O'Connor, | Mr. Scobie, |
| Mr. Collins, | Mr. Donaldson. |
| Mr. Henley, | |

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| Mr. Nielsen, | <i>Tellers,</i> |
| Mr. Miller, | Mr. Thrower, |
| Mr. Estell, | Mr. Hollis. |
| Mr. Fegan, | |
| Mr. Burgess, | |
| Mr. Meehan, | |
| Mr. Charlton, | |
| Mr. Cann, | |
| Mr. Kelly, | |
| Mr. Edden, | |
| Mr. McNeill, | |
| Mr. Arthur Griffith, | |
| Mr. McFarlane, | |
| Mr. Norton, | |
| Mr. McLaurin, | |
| Mr. Crick, | |
| Mr. McGarry, | |
| Mr. Perry (<i>The Richmond</i>), | |
| Mr. Storey, | |
| Mr. Fell, | |
| Mr. O'Sullivan, | |

Word stands.

And the clause having been amended as indicated,—

Clause, as amended, agreed to.

And Clauses 9 to 14 having been dealt with,—

No. 4.

SAME BILL.

Clause 15. "A constable or" any person authorised by the Governor in that behalf may, ^{Apprehension of} _{child.}
"although the warrant is not at the time in his possession," apprehend any child for whose
apprehension a warrant has been issued under the last preceding section. [*Read.*]

Motion made (*Mr. Kelly*) to leave out from line 1 the words "a constable or."

And the Committee continuing to sit till after Midnight,—

THURSDAY, 13 JULY, 1905, A.M.

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

Ayes, 33.

Noes, 10.

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| Mr. Latimer, | Mr. Davidson, |
| Mr. Henley, | Mr. Oakes, |
| Mr. Nobbs, | Mr. R. J. Anderson, |
| Mr. Fallick, | Mr. O'Connor, |
| Mr. Dacey, | Mr. Walter Anderson, |
| Mr. Moore, | Mr. Edden, |
| Mr. Booth, | Mr. Hollis, |
| Mr. Hogue, | Mr. W. Millard, |
| Mr. Lee, | Dr. Arthur, |
| Mr. Ashton, | Mr. Jones, |
| Mr. Dick, | Mr. Burgess, |
| Mr. Wade, | Mr. Reynoldson, |

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| Mr. Thomas, |
| Mr. McCoy, |
| Mr. McGowen, |
| Mr. Fegan, |
| Mr. Collins, |
| Mr. Law, |
| Mr. Downes. |

Tellers,

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| Mr. Jessep, |
| Mr. Scobie. |

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| Mr. Meehan, |
| Mr. Gardiner, |
| Mr. Charlton, |
| Mr. McGarry, |
| Mr. Arthur Griffith, |
| Mr. Norton, |
| Mr. Thrower, |
| Mr. McLaurin. |

Tellers,

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| Mr. Kelly, |
| Mr. Estell. |

Words stand.

No. 5.

SAME BILL.

Same Clause.

Motion made (*Mr. Kelly*) to leave out from line 2 the words "although the warrant is not
"at the time in his possession."

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

Ayes, 30.

Noes, 13.

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| Mr. O'Connor, | Mr. McCoy, |
| Mr. Hogue, | Mr. Collins, |
| Mr. Lee, | Mr. McLaurin, |
| Mr. Wade, | Mr. Hindmarsh. |
| Mr. Nobbs, | Mr. Walter Anderson, |
| Mr. Latimer, | Mr. R. J. Anderson, |
| Mr. Dacey, | Mr. Henley, |
| Mr. Fallick, | Mr. Oakes, |
| Mr. Jessep, | Mr. Gardiner, |
| Mr. Ashton, | Mr. McGowen, |
| Mr. Downes, | Mr. W. Millard, |
| Mr. Moore, | Mr. Fegan. |
| Mr. Thomas, | |
| Mr. Dick, | <i>Tellers,</i> |
| Mr. Law, | Mr. Reynoldson, |
| Mr. Booth, | Mr. Davidson. |

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| Mr. Burgess, |
| Mr. Estell, |
| Mr. Arthur Griffith, |
| Mr. Hollis, |
| Mr. Scobie, |
| Mr. Meehan, |
| Mr. Charlton, |
| Mr. Edden, |
| Mr. McGarry, |
| Mr. Norton, |
| Mr. Kelly. |

Tellers,

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| Mr. Thrower, |
| Mr. Jones. |

Words stand.

No. 6.

No. 6.

SAME BILL.

Same Clause.

Motion made (*Mr. Norton*) to add at end of clause the words "Provided always that such constable or authorised person affecting the arrest of any neglected or uncontrollable child under this clause shall have been officially informed either through the Minister administering this Act, or through the Inspector-General of Police, that a warrant for the arrest of such child aforesaid has been regularly issued in accordance with the provisions of this Act."

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

Ayes, 15.

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| Mr. Burgess, | <i>Tellers,</i> |
| Mr. McGarry, | |
| Mr. Dacey, | Mr. Norton, |
| Mr. McGowen, | Mr. Estell. |
| Mr. Hollis, | |
| Mr. Thrower, | |
| Mr. Kelly, | |
| Mr. Jones, | |
| Mr. Charlton, | |
| Mr. Edden, | |
| Mr. Meehan, | |
| Mr. Gardiner, | |
| Mr. Arthur Griffith. | |

Noes, 26.

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|---------------|----------------------|
| Mr. Moore, | Mr. Ashton, |
| Mr. Wade, | Mr. Reynoldson, |
| Mr. Hogue, | Mr. Henley, |
| Mr. Thomas, | Mr. R. J. Anderson, |
| Mr. O'Connor, | Mr. Hindmarsh, |
| Mr. Dick, | Mr. Booth, |
| Mr. Fallick, | Mr. Scobie, |
| Mr. Nobbs, | Mr. Oakes, |
| Mr. Latimer, | Mr. Walter Anderson, |
| Mr. Lee, | Mr. W. Millard. |
| Mr. Law, | <i>Tellers,</i> |
| Mr. McLaurin, | |
| Mr. Collins, | Mr. Jessep, |
| Mr. Davidson, | Mr. Downes. |

Addition of proposed words negatived.

No. 7.

SAME BILL.

Same Clause.

Motion made (*Mr. Norton*) to add at end of clause the words "Provided that the constable or authorised person making such arrest without production of warrant shall within twenty-four hours after making it satisfy himself that such warrant is in existence, failing that, the child so arrested shall be released forthwith."

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

Ayes, 15.

| |
|----------------------|
| Mr. Burgess, |
| Mr. Estell, |
| Mr. McGarry, |
| Mr. Dacey, |
| Mr. Meehan, |
| Mr. Gardiner, |
| Mr. Charlton, |
| Mr. Jones, |
| Mr. Hollis, |
| Mr. Kelly, |
| Mr. Scobie, |
| Mr. Norton, |
| Mr. Thrower. |
| <i>Tellers,</i> |
| Mr. Edden, |
| Mr. Arthur Griffith. |

Noes, 26.

| | |
|-----------------|----------------------|
| Mr. McGowen, | Mr. Henley, |
| Mr. Wade, | Mr. R. J. Anderson, |
| Mr. Hogue, | Mr. Hindmarsh, |
| Mr. Lee, | Mr. Booth, |
| Mr. Downes, | Mr. Oakes, |
| Mr. Dick, | Mr. Walter Anderson, |
| Mr. Fallick, | Mr. W. Millard. |
| Mr. O'Connor, | <i>Tellers,</i> |
| Mr. Nobbs, | |
| Mr. Ashton, | Mr. Jessep, |
| Mr. Moore, | Mr. Davidson. |
| Mr. Collins, | |
| Mr. Latimer, | |
| Mr. Thomas, | |
| Mr. Law, | |
| Mr. McLaurin, | |
| Mr. Reynoldson, | |

Addition of proposed words negatived.

No. 8.

SAME BILL.

Same Clause.

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

Committee divided.

Ayes, 30.

| | |
|---------------|----------------------|
| Mr. Fallick, | Mr. Reynoldson, |
| Mr. Hogue, | Mr. Law, |
| Mr. Estell, | Mr. Henley, |
| Mr. Jessep, | Mr. Jones, |
| Mr. Wade, | Mr. Hindmarsh, |
| Mr. Lee, | Mr. Booth, |
| Mr. McGowen, | Mr. E. J. Anderson, |
| Mr. Davidson, | Mr. Gardiner, |
| Mr. Nobbs, | Mr. Charlton, |
| Mr. Moore, | Mr. W. Millard, |
| Mr. Downes, | Mr. Walter Anderson, |
| Mr. McLaurin, | Mr. Oakes. |
| Mr. Thomas, | <i>Tellers,</i> |
| Mr. Ashton, | |
| Mr. Dick, | Mr. Latimer, |
| Mr. O'Connor. | Mr. Collins. |

Noes, 11.

| |
|----------------------|
| Mr. Hollis, |
| Mr. Arthur Griffith, |
| Mr. McGarry, |
| Mr. Thrower, |
| Mr. Burgess, |
| Mr. Meehan, |
| Mr. Norton, |
| Mr. Dacey, |
| Mr. Edden. |
| <i>Tellers,</i> |
| Mr. Kelly, |
| Mr. Scobie. |

Clause, as read, agreed to.

No 9.

No. 9.

SAME BILL.

Clause 16. Any child apprehended as a neglected or uncontrollable child or juvenile offender shall be taken to a shelter and there detained pending the determination of a court. Child placed in shelter.
 [Read.]

Motion made (*Mr. Hollis*) to add at end of clause the words "but the parents of the child, if known, shall be informed at the earliest possible moment of its apprehension."

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

Committee divided.

Ayes, 13.

Mr. Gardiner,
 Mr. Estell,
 Mr. Scobie,
 Mr. Hollis,
 Mr. Arthur Griffith,
 Mr. Thrower,
 Mr. Norton,
 Mr. Kelly,
 Mr. McGarry,
 Mr. Burgess,
 Mr. Jones.

Tellers,

Mr. Meehan,
 Mr. McLaurin.

Noes, 27.

Mr. Moore,
 Mr. Jessep,
 Mr. Walter Anderson,
 Mr. Wade,
 Mr. Lee,
 Mr. Hogue,
 Mr. Davidson,
 Mr. Downes,
 Mr. Dacey,
 Mr. Nobbs,
 Mr. Fallick,
 Mr. Edden,
 Mr. Charlton,
 Mr. Dick,
 Mr. O'Connor,

Mr. Ashton,
 Mr. Reynoldson,
 Mr. Latimer,
 Mr. Collins,
 Mr. Booth,
 Mr. W. Millard,
 Mr. Henley,
 Mr. Oakes,
 Mr. R. J. Anderson,
 Mr. Hindmarsh.

Tellers,

Mr. Law,
 Mr. Thomas.

Addition of proposed words negatived.

Clause, as read, agreed to.

And Clauses 17, 18, and 19 having been agreed to,—

No. 10.

SAME BILL.

Clause 20. If on the hearing the court finds that a child is a neglected or uncontrollable child it may— Power of court with respect to neglected or uncontrollable children.

- (a) send the child home to his parents with a reprimand, or on receiving the promise of the child to be of good behaviour; or
- (b) commit the child for a specified period to an asylum "or to a home for destitute and neglected children," or to the care of some person who is willing to undertake such care; or
- (c) commit the child to an institution:

Provided that no order of committal of an uncontrollable child on the application of a near relative shall be made unless—

- (a) he proves that he has not by neglect lost control of the child, and
- (b) security is given to the satisfaction of the court for the making of such payment as, in the opinion of the court, the applicant is able to afford towards the maintenance of such child. [Read.]

And the clause having been amended as indicated,—

Motion made (*Mr. Arthur Griffith*) to leave out from lines 5 and 6 the words "or to a home for destitute and neglected children."

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

Committee divided.

Ayes, 24.

Mr. Fallick,
 Mr. Hogue,
 Mr. Jessep,
 Mr. Wade,
 Mr. Lee,
 Mr. Nobbs,
 Mr. Moore,
 Mr. Downes,
 Mr. Thomas,
 Mr. R. J. Anderson,
 Mr. Law,
 Mr. McLaurin,
 Mr. Reynoldson,

Mr. O'Connor,
 Mr. Dick,
 Mr. Ashton,
 Mr. Walter Anderson,
 Mr. Henley,
 Mr. Booth,
 Mr. W. Millard,
 Mr. Hindmarsh,
 Mr. Oakes.

Tellers,

Mr. Latimer,
 Mr. Collins.

Noes, 15.

Mr. Kelly,
 Mr. McGowen,
 Mr. Dacey,
 Mr. Jones,
 Mr. Gardiner,
 Mr. Arthur Griffith,
 Mr. Scobie,
 Mr. Estell,
 Mr. Charlton,
 Mr. Burgess,
 Mr. Meehan,
 Mr. Norton,
 Mr. McGarry.

Tellers,

Mr. Edden,
 Mr. Hollis.

Words stand.

And a proposed amendment having been by leave withdrawn,—

Clause postponed.

And Clauses 21, 22, and 23 having been postponed, and Clauses 24 to 28 agreed to,—

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

THURSDAY, 13 JULY, 1905.

No. 11.

GOVERNMENT MOTOR OMNIBUS BILL :—

Clause 1 having been agreed to,—

Clause 2. The Railway Commissioners of New South Wales may construct, purchase, or lease motor omnibuses, and may run such omnibuses on those roads in the State of New South Wales, which may be approved by the Governor. [*Read.*]

Motion made (*Mr. Storey*) to add at end of clause the words " Provided that no greater sum than ten thousand pounds shall be expended under this Act in the purchase or construction of such omnibuses."

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

Committee divided.

Ayes, 2.

Tellers,

Mr. Henley,
Mr. Storey.

Mr. Dacey,
Mr. Thrower,
Mr. Lee,
Mr. O'Sullivan,
Mr. Cann,
Mr. Carruthers,
Mr. Jones,
Mr. Nielsen,
Mr. Dick,
Mr. McGowen,
Mr. Edden,
Mr. Hollis,
Mr. Charlton,
Mr. Miller,
Mr. McGarry,
Mr. Hindmarsh,
Mr. John Hurley,

Noes, 47.

Mr. Davidson,
Mr. Moore,
Mr. Fegan,
Mr. Booth,
Mr. Donaldson,
Mr. Cohen,
Mr. Latimer,
Mr. Kearney,
Mr. Collins,
Mr. R. J. Anderson,
Mr. Levy,
Mr. Norton,
Mr. Nobbs,
Mr. W. W. Young,
Mr. Mahony,
Mr. McFarlane,
Mr. McNeill,

Mr. McLaurin,
Mr. Perry (*L'pool Plains*),
Mr. O'Conor,
Mr. Ashton,
Dr. Arthur,
Mr. Waddell,
Mr. Thomas,
Mr. Morton,
Mr. J. H. Young,
Mr. W. Millard,
Mr. Hogue.

Tellers,

Mr. Kelly,
Mr. Estell.

Addition of proposed words negatived.

Clause as read agreed to.

And Clause 3 having been dealt with,—

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 4.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 20 JULY, 1905.

No. 1.

LANDS COMMISSION BILL:—

Clauses 1 and 2 having been agreed to.

Clause 3. (1) The said Commissioner shall, for the purposes of any inquiry under the said Letters Patent, or any future extension of the terms of the same, have such powers, rights, and privileges as are vested in the Supreme Court, or in any Judge thereof, **on the occasion of any action** in respect of the following matters:—

- (a) The enforcing the attendance of witnesses and examining them on oath, affirmation, or declaration ;
- (b) The compelling the production of books and documents which the said Commissioner deems to be relevant to the inquiry ;
- (c) The compelling witnesses to answer questions which the said Commissioner deems to be relevant as aforesaid ; and
- (d) The punishing persons guilty of contempt or of the disobedience of any order or summons made or issued by the said Commissioner. ~~For the purposes of this paragraph, contempt includes the publication of comments during the inquiry on proceedings before the Commissioner.~~

(2) Provided that where any person is required to produce any books or documents, and before any order is made for such production,—

- (a) such person shall be entitled to be heard in opposition to such production.
- (b) The Commissioner ~~may~~ **shall if requested** privately examine such books or documents in order to determine whether they are relevant to the inquiry :

Provided also, that no person shall be punished for contempt without being afforded an opportunity to be heard in his defence.

Provided further, that for the purposes of this section, the publication of reasonable comments on proceedings before the Commissioner during the inquiry shall not be deemed contempt. [*Read.*]

And the clause having been amended as indicated.

Motion made (*Mr. Crick*) to insert after subsection (b) of paragraph (2) the words " Provided further that no person other than the declarant shall be asked any question relating to any sworn declaration in the possession of the Commissioner or any officer, unless a copy of such declaration has been served on the person affected, at least two days previously."

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

Ayes, 12.

Mr. Sullivan,
Mr. Thrower,
Mr. Daley,
Mr. Crick,
Mr. Scobie,
Mr. Nielsen,
Mr. Estell,
Mr. Hollis,
Mr. Dacey,
Mr. O'Sullivan.

Tellers,

Mr. Kelly,
Mr. Edden.

Mr. Morton,
Mr. Moore,
Mr. Meehan,
Mr. Charlton,
Mr. McGarry,
Mr. O'Conor,
Mr. Burgess,
Mr. Creswell,
Mr. Cohen,
Mr. Camb,
Mr. Jones,
Mr. Wade,
Mr. Macdonell,
Mr. Holman,
Mr. Nobbs,
Mr. Carruthers,
Mr. Fegan,
Mr. Ashton,

Noes, 50.

Mr. Dick,
Mr. Fell,
Mr. Jessep,
Mr. Hogue,
Mr. Lee,
Mr. Latimer,
Mr. Collins,
Mr. Oakes,
Mr. Gillies,
Mr. Booth,
Mr. J. H. Young,
Mr. Mahony,
Mr. Henley,
Mr. Brinsley Hall,
Mr. John Hurley,
Mr. Hindmarsh,
Mr. Waddell,
Mr. Mackenzie,

Mr. W. W. Young,
Mr. Law,
Mr. W. Millard,
Mr. Storey,
Mr. Walter Anderson,
Mr. Davidson,
Mr. Moxham,
Mr. R. J. Anderson,
Mr. McFarlane,
Mr. Fallick,
Mr. Thomas,
Dr. Arthur.

Tellers,

Mr. Levy,
Mr. McCoy.

Insertion of proposed words negatived.

No. 2.

SAME BILL.

Same Clause.

Motion made (*Mr. Holman*) to add at end of clause the words "Provided further that for the purposes of this section the publication of reasonable comments on proceedings before the Commissioner during the inquiry shall not be deemed contempt."

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

Ayes, 51.

Mr. Moore,
Mr. Hogue,
Mr. Carruthers,
Mr. Ashton,
Mr. Lee,
Mr. Daley,
Mr. Jones,
Mr. Camb,
Mr. McGowen,
Mr. Dick,
Mr. Nobbs,
Mr. Fallick,
Mr. O'Conor,
Mr. Wade,
Mr. McCoy,
Mr. Levy,
Mr. Scobie,
Mr. Hollis,

Mr. Meehan,
Mr. Hindmarsh,
Mr. Macdonell,
Mr. Moxham,
Mr. Fegan,
Mr. Norton,
Mr. Dacey,
Mr. Brinsley Hall,
Mr. Gillies,
Mr. O'Sullivan,
Mr. Latimer,
Mr. Storey,
Mr. McGarry,
Mr. Booth,
Mr. W. Millard,
Mr. R. J. Anderson,
Mr. Edden,
Mr. Henley,

Dr. Arthur,
Mr. Kelly,
Mr. Creswell,
Mr. Walter Anderson,
Mr. Davidson,
Mr. Hurley,
Mr. Law,
Mr. W. W. Young,
Mr. Burgess,
Mr. McFarlane,
Mr. Mackenzie,
Mr. Estell,
Mr. Thomas.

Tellers,

Mr. Collins,
Mr. Holman.

Noes, 6.

Mr. Charlton,
Mr. Cohen,
Mr. Crick,
Mr. Oakes.

Tellers,

Mr. Jessep,
Mr. Mahony.

Addition of words agreed to.

Clause, as amended, agreed to.

And the remaining clauses and the Preamble having been dealt with,—

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 5.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 8 AUGUST, 1905.

No. 1.

NEW SOUTH WALES INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND INCORPORATION BILL
(Council Bill):—

Clauses 1 to 14 having been agreed to.

Clause 15. Ministers of religion shall, subject and according to the provisions of the by-laws, rules, and regulations of the body corporate, have free admittance to inmates, for the purpose of administering religious instruction and consolation to such inmates as are of such ministers' own "denomination," but in no case shall any minister of religion, of any denomination, be capable of being elected or appointed as a member of the board. [Read.]

Ministers of religion to have free access to inmates, but not capable of being elected to the board.

Motion made (*Mr. Jessep*) to leave out after the word "denomination," line 4, the remainder of clause.

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

Committee divided.

Ayes, 25.

| | |
|------------------------------------|----------------------|
| Mr. Hogue, | Mr. McLaurin, |
| Mr. Mackenzie, | Mr. Waddell, |
| Mr. Dick, | Mr. Hindmarsh, |
| Mr. Perry (<i>The Richmond</i>), | Mr. Kearney, |
| Mr. Broughton, | Mr. McCoy, |
| Mr. Cohen, | Mr. R. J. Anderson, |
| Mr. Lee, | Mr. Henley, |
| Mr. Latimer, | Mr. W. W. Young, |
| Mr. Fallick, | Mr. Walter Anderson, |
| Mr. Downes, | Mr. Sullivan. |
| Mr. Gillies, | <i>Tellers,</i> |
| Mr. Reynoldson, | Mr. Levy, |
| Mr. Collins, | Mr. Mahony. |

Noes, 21.

| | |
|----------------------|------------------|
| Mr. Scobie, | Mr. O'Sullivan, |
| Mr. McGowen, | Mr. Law, |
| Mr. Kelly, | Mr. Nobbs, |
| Mr. Estell, | Mr. J. H. Young, |
| Mr. McGarry, | Mr. Oakes. |
| Mr. Thrower, | <i>Tellers,</i> |
| Mr. Jessep, | Mr. Davidson, |
| Mr. Booth, | Mr. Gardiner. |
| Mr. Arthur Griffith, | |
| Mr. Daley, | |
| Mr. McNeill, | |
| Mr. Cann, | |
| Mr. Meehan, | |
| Mr. Burgess, | |

Words stand.

Clause, as read, agreed to.

No. 2.

SAME BILL.

Power to make
by-laws, rules,
and regulations.

Clause 16. Subject to the provisions of this Act, it shall be lawful for the board to make, repeal, and alter by-laws, rules, and regulations for regulating the times and modes of meetings and of transacting business, "for fixing the number of votes of members in proportion to the amount of their contributions," **provided that any person or organisation contributing twenty shillings or more shall have only one vote in connection with the election of Directors at the annual general meeting**, for determining the qualification, disqualification, change, retirement, election and appointment of directors, ladies' visiting committee, medical officers, auditors, executive and other officers, teachers, and sub-committees of the body corporate, and generally for the support, management and government of the body corporate, and of all officers and pupils, and other persons obtaining relief or assistance from the said body corporate: Provided **further** that no such by-laws, rules, or regulations shall be in any way repugnant to, or inconsistent with the provisions herein contained: And until such by-laws, rules and regulations shall have been made, the rules and regulations of the institution at present in force are hereby confirmed, and shall, except so far as repealed, altered, or amended by any by-laws, rules and regulations made under this Act, be and continue binding on the members of the said body corporate, and all other persons, as effectually as if they had been made under this Act. [*Read.*]

Motion made (*Mr. Jessep*) to leave out from lines 3 and 4 the words "for fixing the number of votes of members in proportion to the amount of their contributions."

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

Committee divided.

Ayes, 25.

| | |
|----------------|---------------------|
| Mr. Hogue, | Mr. R. J. Anderson, |
| Mr. Mackenzie, | Mr. Henley, |
| Mr. Waddell, | Mr. Fallick, |
| Mr. Lec, | Mr. Kearney, |
| Mr. Jessep, | Mr. Davidson, |
| Mr. Cohen, | Mr. Collins, |
| Mr. McLaurin, | Mr. McFarlane, |
| Mr. Nobbs, | Mr. Law, |
| Mr. Mahony, | Mr. Dick. |
| Mr. Latimer, | <i>Tellers,</i> |
| Mr. McCoy, | Mr. Reynoldson, |
| Mr. Downes, | Mr. Levy. |
| Mr. Oakes, | |
| Mr. Hindmarsh, | |

Noes, 15.

| | |
|------------------|-----------------|
| Mr. McNeill, | <i>Tellers,</i> |
| Mr. Gardiner, | Mr. McGarry, |
| Mr. McGowen, | Mr. Scobie. |
| Mr. Kelly, | |
| Mr. Estell, | |
| Mr. Thrower, | |
| Mr. Booth, | |
| Mr. Burgess, | |
| Mr. Mehan, | |
| Mr. Cann, | |
| Mr. Broughton, | |
| Mr. O'Sullivan, | |
| Mr. W. W. Young, | |

Words stand.

And the clause having been amended as indicated,—

Clause, as amended, agreed to.

And the remaining Clauses and the Preamble having been agreed to,—

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

THURSDAY, 10 AUGUST, 1905.

No. 3.

LIQUOR (AMENDMENT) BILL.

(Resolution.)

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

Resolved,—That it is expedient to bring in a Bill to amend the law relating to the supply of intoxicating liquor; to regulate the supply of liquor by clubs and co-operative societies; to make better provision for the exercise of "local" option with regard to the supply of intoxicating liquor; to amend the Liquor Act, 1898; and for other purposes consequent thereon and incidental thereto.

Amendment moved (*Mr. McNeill*) to insert in line 3, after the word "local," the words "or "State."

And Mr. Fegan proceeding to address the Committee.

The Chairman ruled that the Honorable Member could only discuss the amendment as it affected the resolution.

Whereupon Mr. Fegan moved, That the Chairman leave the chair, 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 an amendment having been moved to insert certain words in the resolution, the Chairman ruled that the only question before the Committee was such amendment as it affected the resolution, and that an Honorable Member could not speak to the original resolution until the amendment was decided."

Question put.

Committee

Committee divided.

| Ayes, 40. | | | Noes, 8. |
|--------------------|----------------------|------------------|-----------------|
| Mr. Lee, | Mr. R. J. Anderson, | Mr. W. W. Young, | Mr. Latimer. |
| Mr. Carruthers, | Mr. Fegan, | Mr. Thrower, | <i>Tellers,</i> |
| Mr. Moore, | Mr. Miller, | Mr. Estell, | Mr. Henley, |
| Mr. Wade, | Mr. Kelly, | Mr. McFarlane, | Mr. Gillics. |
| Mr. Hollis, | Mr. Collins, | Mr. McNeill, | |
| Mr. Brinsley Hall, | Mr. Law, | Mr. Nobbs, | |
| Mr. Creswell, | Mr. Gardiner, | Mr. Charlton, | |
| Mr. Mahony, | Mr. Ball, | Mr. Cann, | |
| Mr. Morton, | Mr. Dick, | Mr. Meehan, | |
| Mr. Hindmarsh, | Mr. Fell, | Mr. Scobie. | |
| Mr. Fallick, | Mr. Holman, | <i>Tellers,</i> | |
| Mr. Sullivan, | Mr. Walter Anderson, | Mr. Levy, | |
| Mr. Ashton, | Mr. McGarry, | Mr. Nielsen. | |
| Mr. Booth, | Mr. McGowen, | | |

Agreed to.

The Chairman left the chair accordingly.

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

And the Committee continuing to sit till after Midnight,—

FRIDAY, 11 AUGUST, 1905, A.M.

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

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,
Clerk Assistant.

1907

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 16 AUGUST, 1905.

No. 1.

CRIMES (AMENDMENT) BILL:—

Clause 1 having been agreed to.

Clause 2. Whosoever having collected or received any money or valuable security under any authority upon terms requiring him to deliver, or account for, or pay to any person the whole or any part of—

Fraudulent misappropriation of moneys collected or received.

- (a) such money or valuable security, or the proceeds thereof; or
- (b) any balance of such money, valuable security, or proceeds thereof, after any authorised deductions or payments have been made thereout,

fraudulently misappropriates to his own use or the use of any other person, or fraudulently omits to account for or pay the whole or any part of such money, valuable security, or proceeds, or the whole or any part of such balance, in violation of the terms on which he collected or received such money or valuable security, shall be liable to penal servitude for "seven" years.

For the purposes of this section, any such money, valuable security, or proceeds thereof, or any balance thereof shall be deemed to be the property of the person under whose authority the money or valuable security was collected or received, notwithstanding that the accused may have been authorised to make any deduction thereout on his own behalf, or any payment thereout to another person, or to mix such money, valuable security, or proceeds thereof, or such balance with his own moneys. [Read.]

Motion made (Mr. Sullivan) to leave out from line 11 the word "seven," and insert the word "three" instead thereof.

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

Committee divided.

Ayes, 36.

Noes, 20.

- | | |
|-------------------------------|----------------------|
| Mr. Moxham, | Mr. Cohen, |
| Mr. Morton, | Mr. Mahony, |
| Mr. Moore, | Mr. Reynoldson, |
| Mr. Wade, | Mr. McFarlane, |
| Mr. O'Connor, | Mr. Briner, |
| Mr. Dick, | Mr. Donaldson, |
| Mr. Perry (The Richmond), | Mr. Latimer, |
| Mr. Perry (Liverpool Plains), | Mr. Downes, |
| Mr. Lee, | Mr. Henley, |
| Mr. Nobbs, | Mr. John Hurley, |
| Mr. Fallick, | Mr. Charlton, |
| Mr. Levy, | Mr. Arthur Griffith, |
| Mr. Booth, | Mr. Estell, |
| Mr. Hindmarsh, | Mr. McGowen, |
| Mr. Mackenzie, | Mr. Collins, |
| Mr. J. H. Young, | Mr. Jones. |
| Dr. Arthur, | |
| Mr. Kearney, | Tellers, |
| | Mr. R. J. Anderson, |
| | Mr. Oakes. |

- | | |
|------------------|-------------|
| Mr. Meehan, | |
| Mr. Macdonell, | Tellers, |
| Mr. Nielsen, | Mr. Levien, |
| Mr. Burgess, | Mr. Hollis. |
| Mr. McGarry, | |
| Mr. Nicholson, | |
| Mr. O'Sullivan, | |
| Mr. Gardiner, | |
| Mr. Gillies, | |
| Mr. McLaurin, | |
| Mr. Crick, | |
| Mr. Fegan, | |
| Mr. Scobie, | |
| Mr. Kelly, | |
| Mr. Cann, | |
| Mr. Sullivan, | |
| Mr. Miller, | |
| Mr. W. W. Young. | |

Word stands.

Clause, as read, agreed to:

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

THURSDAY, 17 AUGUST, 1905.

No. 2.

DISTRICT COURTS (AMENDMENT) BILL.

Clauses 4 to 27 having been dealt with,—

Clause 28. (1) Whenever an action is commenced over which the Court has no jurisdiction, the Judge shall have power to award costs to the same extent as if the Court had jurisdiction therein.

(2) The defendant shall not, by appearing in such cause, be deemed to have waived any objection he may have on the ground of want of jurisdiction, or be precluded from setting up such objection thereafter. But, although the defendant succeeds in such objection, the Judge may order that the defendant pay the costs incurred by the plaintiff by reason of the defendant's having wilfully "or negligently" refrained from making his objection at the time when, in the opinion of the Judge, he ought to have made the same. [Read.]

Motion made (*Mr. Sullivan*) to leave out from line 8 the words "or negligently."

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

Committee divided.

Ayes, 34.

| | |
|----------------------|------------------------------|
| Mr. Davidson, | Mr. Storey, |
| Mr. Kearney, | Mr. Waddell, |
| Mr. Mahony, | Mr. Hindmarsh, |
| Mr. Creswell, | Mr. Fleming, |
| Mr. Wade, | Mr. Mackenzie, |
| Mr. Cohen, | Mr. Downes, |
| Mr. McCoy, | Mr. Moxham, |
| Mr. Booth, | Mr. Morton, |
| Mr. Lee, | Mr. McFarlane, |
| Mr. Moore, | Mr. Perry (<i>Liverpool</i> |
| Mr. Levy, | <i>Plains</i>), |
| Mr. Nobbs, | Mr. W. Millard, |
| Mr. Kelly, | Mr. O'Connor, |
| Mr. Dick, | Mr. Jones, |
| Mr. Ashton, | <i>Tellers,</i> |
| Mr. R. J. Anderson, | |
| Mr. Brinsley Hall, | Mr. Jessep, |
| Mr. Donaldson, | Mr. Donaldson, |
| Mr. Walter Anderson, | Mr. Gillies. |

Noes, 24.

| | |
|------------------------------|-----------------|
| Mr. McGowen, | Mr. Burgess, |
| Mr. Macdonell, | Mr. Charlton, |
| Mr. Crick, | Mr. Edden, |
| Mr. Nielsen, | Mr. Meehan. |
| Mr. Estell, | <i>Tellers,</i> |
| Mr. Thrower, | |
| Mr. Gardiner, | Mr. McLaurin, |
| Mr. Sullivan, | Mr. Scobie. |
| Mr. Levien, | |
| Mr. Daley, | |
| Mr. Fegan, | |
| Mr. Perry (<i>The Rich-</i> | |
| <i>mond</i>), | |
| Mr. O'Sullivan, | |
| Mr. W. W. Young, | |
| Mr. Dacey, | |
| Mr. Hollis, | |
| Mr. Nicholson, | |
| Mr. Cann, | |

Words stand.

Clause, as read, agreed to.

No. 3.

Same Bill.

Clause 29. Where, in any action brought in the Supreme Court, the claim—

(a) does not exceed two hundred pounds; or,

(b) though it originally exceeded two hundred pounds, is reduced by payment, an admitted set-off, or otherwise to a sum not exceeding two hundred pounds;

and the whole or part of the demand of the plaintiff is contested, a Judge of the Supreme Court at chambers may, on the application of either party, ~~or without such application,~~ order such action to be tried in such District Court as he thinks fit. [Read.]

Motion made (*Mr. Mahony*) to leave out from line 6 the words, "or without such application."

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

Committee divided.

Ayes, 26.

| | |
|----------------------|------------------------------|
| Mr. Ashton, | Mr. W. W. Young, |
| Mr. Wade, | Mr. Mackenzie, |
| Mr. Cohen, | Mr. McFarlane, |
| Mr. Cann, | Mr. O'Connor, |
| Mr. Lee, | Mr. Jones, |
| Mr. Jessep, | Mr. Dick, |
| Mr. Moore, | Mr. Davidson, |
| Mr. Downes, | Mr. Moxham. |
| Mr. Brinsley Hall, | <i>Tellers,</i> |
| Mr. Booth, | |
| Mr. Nobbs, | Mr. Perry (<i>Liverpool</i> |
| Mr. R. J. Anderson, | <i>Plains</i>), |
| Mr. Walter Anderson, | Mr. Fleming. |
| Dr. Arthur, | |
| Mr. Hindmarsh, | |
| Mr. W. Millard, | |

Noes, 29.

| | |
|-------------------|----------------------|
| Mr. McGowen, | Mr. McGarry, |
| Mr. Fegan, | Mr. Edden, |
| Mr. Scobie, | Mr. Thrower, |
| Mr. Nielsen, | Mr. O'Sullivan, |
| Mr. Estell, | Mr. McCoy, |
| Mr. Alan Millard, | Mr. Arthur Griffith, |
| Mr. Sullivan, | Mr. Kearney, |
| Mr. Daley, | Mr. McLaurin, |
| Mr. Crick, | Mr. Levy, |
| Mr. Macdonell, | Mr. Mahony, |
| Mr. Gardiner, | Mr. Donaldson. |
| Mr. Hollis, | <i>Tellers,</i> |
| Mr. Charlton, | |
| Mr. Meehan, | Mr. Creswell, |
| Mr. Burgess, | Mr. Briner. |
| Mr. Dacey, | |

Words left out.

Clause, as amended, agreed to.

And clauses 30 and 31 having been postponed, and clauses 32 to 64, and the schedule, having been dealt with—

No. 2.

Costs where Court has no jurisdiction. English Act, 1888, s. 114.
Objection to jurisdiction not waived by appearance.

Judge of Supreme Court may order actions to be tried in a District Court. English Act, 1888, s. 114.

No. 4.

Same Bill.

Postponed clause 30. Where an action of tort is brought in the Supreme Court (whatever may be the amount claimed) a Judge thereof may, on affidavit by the defendant or his attorney that the plaintiff has no visible means of paying the costs of the defendant should a verdict be not found for the plaintiff, order—

Actions of tort in the Supreme Court may be remitted to District Court. *Ibid.* s. 66.

- (a) that, unless the plaintiff, within a time to be fixed, gives security for the defendant's costs to the satisfaction of the Prothonotary, or satisfies a Judge of the Supreme Court that he has a cause of action fit to be prosecuted in the Supreme Court, all proceedings in the action shall be stayed; or
- (b) in the event of the plaintiff being unable or unwilling to give such security, or failing to satisfy a Judge as aforesaid, that the action be remitted for trial to a District Court to be named in the order. [*Read.*]

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

Committee divided.

Ayes, 29.

| | |
|----------------|------------------------------|
| Mr. Lee, | Mr. Hindmarsh, |
| Mr. O'Connor, | Mr. R. J. Anderson, |
| Mr. Wade, | Mr. Brinsley Hall, |
| Mr. Moore, | Mr. W. W. Young, |
| Mr. Jessop, | Mr. W. Millard, |
| Mr. Jones, | Mr. Walter Anderson, |
| Mr. Dick, | Mr. Fegan, |
| Mr. Mackenzie, | Mr. Waddell, |
| Mr. Davidson, | Mr. Fleming, |
| Mr. Moxham, | Mr. Alan Millard, |
| Mr. Booth, | Mr. Briner. |
| Mr. Nobbs, | |
| Mr. Broughton, | <i>Tellers,</i> |
| Mr. Downes, | Mr. Donaldson, |
| Dr. Arthur, | Mr. Perry (<i>Liverpool</i> |
| Mr. Ashton, | <i>Plains</i>). |

Noes, 28.

| | |
|----------------------|-----------------|
| Mr. McGowen, | Mr. Charlton, |
| Mr. Arthur Griffith, | Mr. Burgess, |
| Mr. Maedonell, | Mr. Gardiner, |
| Mr. Crick, | Mr. Daley, |
| Mr. Nielsen, | Mr. Hollis, |
| Mr. McGarry, | Mr. Miller, |
| Mr. Sullivan, | Mr. Creswell, |
| Mr. Scobie, | Mr. Kearney, |
| Mr. Thrower, | Mr. McCoy, |
| Mr. Cohen, | Mr. Estall. |
| Mr. Mahony, | <i>Tellers,</i> |
| Mr. Edden, | Mr. McLaurin, |
| Mr. Dacey, | Mr. Levy. |
| Mr. Cann, | |
| Mr. Meehan, | |
| Mr. Nicholson, | |

Agreed to.

And postponed clause 31 having been dealt with.

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 7.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 23 AUGUST, 1905.

No. 1.

HABITUAL CRIMINALS' BILL:—

Clauses 1 to 7 having been dealt with,—

Clause 8. If during the period specified in the last preceding section an offender so discharged— Conditions under which offender may be arrested.

- (1) is proved to any court of petty sessions to have failed **without reasonable excuse** to report his address and occupation to the person at the times and in the manner prescribed by the last preceding section; or
- (2) is charged by an officer of police with getting his livelihood by dishonest means, and, being brought before any court of petty sessions, it appears to such court that there are reasonable grounds for believing that he is getting his livelihood by dishonest means; or
- (3) on being charged with an offence punishable on indictment, or summary conviction, and on being required by the justice or justices before whom he is charged to give his name and address, refuses to do so, or gives a false name, or a false address; or
- (4) is convicted of any offence against the Vagrancy Act, 1902, or of any indictable offence, or of any offence punishable on summary conviction, for which imprisonment for a period exceeding three months may be imposed,

then, and in any of such cases, the judge, justice, or justices before whom such proof is given, or before whom the offender is so charged, or convicted, may direct him in addition to any fine or on the completion of any term of imprisonment then imposed upon him to be recommitted to the place of confinement, and he shall be so recommitted accordingly, and the judge, justice, or justices may grant any necessary warrant for his recommitment.

[Read.]

And the clause having been amended as indicated.

Motion made (*Mr. Macdonell*) to leave out paragraph (2).

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

Committee divided.

Ayes, 17.

| | |
|-----------------|------------------|
| Mr. Carruthers, | Mr. Eden George, |
| Mr. Wade, | Mr. Morton, |
| Mr. Hogue, | Mr. Henley, |
| Mr. Moore, | Mr. Fallick, |
| Mr. Booth, | Mr. W. Millard. |
| Mr. Lee, | |
| Mr. Robson, | <i>Tellers,</i> |
| Mr. Hindmarsh, | Mr. Bull, |
| Mr. Davidson, | Mr. Law. |
| Mr. Nobbs, | |

Noes, 15.

| | |
|----------------|-----------------|
| Mr. Nielsen, | Mr. Charlton, |
| Mr. Macdonell, | Mr. Miller, |
| Mr. McGowen, | Mr. Pegan, |
| Mr. Hollis, | Mr. Bennett. |
| Mr. Kearney, | <i>Tellers,</i> |
| Mr. Scobie, | |
| Mr. Meehan, | Mr. Mahony, |
| Mr. Gardiner, | Mr. Briner. |
| Mr. Estell, | |

Words stand.

Clause, as amended, agreed to.

And the remaining clauses and the schedule having been agreed to.

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 8.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 31 AUGUST, 1905, A.M.

No. 1.

LOCAL GOVERNMENT (SHIRES) BILL:—

Clause 1. This Act may be cited as the "Local Government (Shires) Act, 1905," and shall short Title commence and come into operation on a day, within six months from its passing, to be hereafter proclaimed by the Governor, but if such day is not so proclaimed, it shall commence and come into operation at the expiration of six months from its passing. [*Read.*]

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

Motion made (*Mr. Carruthers*), That the Temporary Chairman leave the Chair, report progress, and ask leave to sit again To-morrow.

Question put.

Committee divided.

Ayes, 47.

| | |
|---------------------|------------------------------|
| Mr. Mahony, | Mr. McCoy, |
| Mr. Moore, | Mr. Collins, |
| Mr. Carruthers, | Mr. Thomas, |
| Mr. Nobbs, | Mr. Ball, |
| Mr. Lee, | Mr. Ashton, |
| Mr. Wade, | Mr. Booth, |
| Mr. Jessep, | Mr. Law, |
| Mr. Broughton, | Mr. Gillies, |
| Mr. Hogue, | Mr. Henley, |
| Dr. Arthur, | Mr. Walter Anderson, |
| Mr. Levy, | Mr. Eden George, |
| Mr. Kearney, | Mr. John Hurley, |
| Mr. Fallick, | Mr. McFarlane, |
| Mr. Robson, | Mr. Briner, |
| Mr. Moxham, | Mr. Oakes, |
| Mr. R. J. Anderson, | Mr. Fleming, |
| Mr. Downes, | Mr. Porry (<i>Liverpool</i> |
| Mr. O'Connor, | <i>Plains</i>), |
| Mr. Reynoldson, | Mr. Fegan, |
| Mr. Mackenzie, | Mr. W. Millard, |
| Mr. Cohen, | Mr. Dick. |
| Mr. Davidson, | |
| Mr. Creswell, | <i>Tellers,</i> |
| Mr. Brinsley Hall, | Mr. Fell, |
| Mr. Donaldson, | Mr. Morton. |

Noes, 22.

| |
|----------------------|
| Mr. Hollis, |
| Mr. Kelly, |
| Mr. McGowen, |
| Mr. Charlton, |
| Mr. Macdonell, |
| Mr. Dacey, |
| Mr. Jones, |
| Mr. Nicholson, |
| Mr. Burgess, |
| Mr. Sullivan, |
| Mr. Meehan, |
| Mr. Estell, |
| Mr. McGarry, |
| Mr. Edden, |
| Mr. Thrower, |
| Mr. Dalcy, |
| Mr. Arthur Griffith, |
| Mr. Gardiner, |
| Mr. McLaurin, |
| Mr. Bennett. |

Tellers,

| |
|--------------|
| Mr. Holman, |
| Mr. Nielsen. |

Agreed to.

The Temporary Chairman left the Chair accordingly.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 9.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 5 SEPTEMBER, 1905.

No. 1.

BOROUGH OF BROMPTON NAMING BILL:—

Clause 1. From and after the passing of this Act the name of the Municipal District of Saint Peters shall be and the same is hereby altered to the name of the Borough of "Brompton." Alteration of name of Municipal District of St. Peters to Borough of Brompton.
[*Read.*]

Motion made (*Mr. Sullivan*) to leave out from line 3 the word "Brompton," and insert the word "Newman" instead thereof.

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

Committee divided.

Ayes, 27.

Mr. Ashton,
Mr. Nobbs,
Mr. McCoy,
Mr. Jessop,
Mr. Lee,
Mr. Perry (*The Richmond*),
Mr. Levy,
Mr. John Hurley,
Mr. McLaurin,

Mr. Cohen,
Mr. Fegan,
Mr. Gillies,
Mr. Arthur Griffith,
Mr. Waddell,
Mr. McFarlane,
Mr. McGowen,
Mr. Hollis,
Mr. Reynoldson,
Mr. Charlton,

Mr. W. W. Young,
Mr. Walter Anderson,
Mr. Hindmarsh,
Mr. Ball,
Mr. Fallick,
Mr. J. H. Young.
Tellers,
Mr. Estell,
Mr. Morton.

Noes, 5.

Mr. Scobie,
Mr. Sullivan,
Mr. Criel.
Tellers,
Mr. Nicholson,
Mr. McGarry.

Word stands.

Clause, as read, agreed to.

And clause 2 and the Preamble having been agreed to.

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

THURSDAY, 7 SEPTEMBER, 1905.

No. 2.

CONSTRUCTION OF LOCOMOTIVES WITHIN THE STATE.

(Resolutions.)

Resolved:—"That" the Committee agree to the following Resolutions:—

- (1.) "That" this House approves of a contract being made by the Government for the construction, within the State, of sixty locomotives of the "P" and "T" class (thirty of each), at a price not exceeding £71 13s. 11d. per ton, according to the conditions and specifications of the Railway Department, and to be delivered as required by the Commissioners at periods up to seven and a half years, and subject to an approved guarantee or deposit by the contractors for the due performance of the contract.
- (2.) That the above Resolution be communicated by Address to His Excellency the Lieutenant-Governor. [*Further considered.*]

And the Committee continuing to sit till after midnight,—

FRIDAY, 8 SEPTEMBER, 1905, A.M.

Motion made (*Mr. Ball*) to leave out all the words after the word "That," in the first Resolution, and insert the following words:—"this House approves of a trial being made so that the cost of local production may be definitely ascertained by the construction of ten locomotives of either the 'P' or 'T' class at the Eveleigh Workshops by the Railway Commissioners on the same methods as adopted at the Newport works, Victoria"—instead thereof.

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

Committee divided.

Aycs, 41.

| | |
|---------------------|----------------------|
| Mr. Carruthers, | Mr. Hindmarsh, |
| Mr. Hogue, | Mr. Nobbs, |
| Mr. Lec, | Mr. Honley, |
| Mr. Robson, | Mr. Moxham, |
| Mr. Broughton, | Mr. O'Connor, |
| Mr. Levy, | Mr. Cohen, |
| Mr. Wade, | Mr. John Hurley, |
| Mr. Moore, | Mr. Collins, |
| Mr. Latimer, | Mr. Briner, |
| Mr. Downes, | Mr. Fell, |
| Mr. Booth, | Mr. Creswell, |
| Mr. Mackenzie, | Mr. Fleming, |
| Mr. Fallick, | Mr. Eden George, |
| Mr. J. H. Young, | Mr. W. Millard, |
| Mr. R. J. Anderson, | Mr. Walter Anderson, |
| Mr. Storey, | Mr. Morton, |
| Mr. Law, | Mr. McLaurin. |
| Mr. Gillies, | <i>Tellers,</i> |
| Mr. McFarlane, | Mr. Oakes, |
| Mr. Donaldson, | Mr. Jessep. |
| Mr. Ashton, | |
| Mr. Thomas, | |

Noes, 23.

| | |
|------------------------------|-----------------|
| Mr. Dacey, | <i>Tellers,</i> |
| Mr. Nielsen, | Mr. Sullivan, |
| Mr. Daley, | Mr. Gardiner. |
| Mr. Estell, | |
| Mr. Hollis, | |
| Mr. Thrower, | |
| Mr. McGowen, | |
| Mr. Arthur Griffith, | |
| Mr. Scobie, | |
| Mr. Macdonell, | |
| Mr. Miller, | |
| Mr. Charlton, | |
| Mr. Nicholson, | |
| Mr. Cann, | |
| Mr. McGarry, | |
| Mr. Holman, | |
| Mr. Perry (<i>Liverpool</i> | |
| <i>Plains</i>), | |
| Mr. Jones, | |
| Mr. W. W. Young, | |
| Mr. Ball, | |
| Mr. Edden. | |

Words stand.

Resolutions, as read, agreed to.

On motion of Mr. Carruthers the Chairman left the Chair to report that the Committee had come to certain Resolutions.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 10.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 14 SEPTEMBER, 1905.

No. 1.

SMALL DEBTS RECOVERY (AMENDING) BILL:—

(Consideration of Legislative Council's Amendments.)

The Legislative Council's amendment in Clause I having been agreed to,—

Clause 4. (1) The jurisdiction of a court established or to be established under the Principal Act anywhere in New South Wales is extended to include any action for the recovery of— Extension of jurisdiction.

(a) any debt or liquidated demand not exceeding fifty pounds whether on balance of account or after admitted set-off or otherwise;

(b) any other demand or damage to an amount not exceeding thirty pounds.

(2) Section twenty-three of the Principal Act is amended by inserting the words "fifty pounds" instead of the words "ten pounds" in that section. Actions by infants.

(3) Provided that where the debt or liquidated demand exceeds thirty pounds, such jurisdiction shall be exercised only by a stipendiary or police magistrate sitting in some place appointed in that behalf by the Governor. Exclusive jurisdiction of stipendiary or police magistrate.

(4) Provided also that this section shall not apply to the jurisdiction of one justice of the peace under section eight of the Principal Act. Savings. [Considered.]

Motion made (Mr. Wade), That the Committee disagree to the Legislative Council's amendment, which omits subsection (1) and paragraph (a) of the clause,—and Question put.

Committee divided.

Ayes, 34.

| | |
|---------------------------|----------------------|
| Mr. Hogue, | Mr. Gillies, |
| Mr. Carruthers, | Mr. McFarlane, |
| Mr. Moore, | Mr. Donaldson, |
| Mr. Wade, | Mr. Cohen, |
| Mr. Robson, | Mr. Cann, |
| Mr. Mahony, | Mr. Perry (Liverpool |
| Mr. Kearney, | Plains), |
| Mr. Dick, | Mr. Jessep, |
| Mr. Lee, | Mr. Reynoldson, |
| Mr. Nobbs, | Mr. Walter Anderson, |
| Mr. Eden George, | Mr. Henley, |
| Mr. Davidson, | Mr. Morton, |
| Mr. Hindmarsh, | Mr. Ball, |
| Mr. J. H. Young, | Mr. Oakes, |
| Mr. Ashton, | Mr. O'Connor. |
| Mr. John Hurley, | |
| Mr. Perry (The Richmond), | Tellers, |
| Dr. Arthur, | Mr. Thomas, |
| | Mr. Briner. |

Noes, 16.

| |
|----------------------|
| Mr. Hollis, |
| Mr. Dacey; |
| Mr. Holman, |
| Mr. Arthur Griffith, |
| Mr. Crick, |
| Mr. Macdonald, |
| Mr. O'Sullivan, |
| Mr. McGarry, |
| Mr. Jones, |
| Mr. Burgess, |
| Mr. Edden, |
| Mr. Charlton, |
| Mr. Meehan, |
| Mr. Nicholson. |

Tellers,

| |
|---------------|
| Mr. Sullivan, |
| Mr. Daley. |

Council's amendment disagreed to.

And the Council's amendment omitting paragraph (b) of the clause having been agreed to, and the amendment omitting subsections (2), (3) and (4) disagreed to—

And the remainder of the Legislative Council's amendments having been agreed to, and a consequential amendment made in the Title of the Bill—

On motion of Mr. Wade, the Chairman left the Chair to report that the Committee had disagreed to one and agreed to the remainder of the Legislative Council's amendments, and made a consequential amendment in the Title.

No. 2.

NEGLECTED CHILDREN AND JUVENILE OFFENDERS BILL :—

(Consideration of Legislative Council's amendments.)

The Legislative Council's amendment in clause 1 having been agreed to—

Clause 5. In this Act, unless the context or subject-matter otherwise indicates or requires,—

Interpretation.

* * * * *

"Near relative" means, except as regards an illegitimate child, father, mother, stepfather, or stepmother of the child; and as regards an illegitimate child—the mother and the person admitting himself to be or adjudged by a competent court to be the father of such child, and the husband of the mother of such child if born before their marriage.

"Neglected child" means child—

* * * * *

(g) whose parents are habitual drunkards, or if one of these be dead, insane, unknown, undergoing imprisonment, or absent from the State, whose other parent is an habitual drunkard; or

or

(j) who is living under such conditions as indicate that the child is lapsing into a career of vice and crime.

* * * * *

"Uncontrollable child" means child whom his parent cannot control. [*Considered.*]

Motion made (*Mr. Wade*), That the Committee agree to the [Legislative Council's amendment in line 4,—and Question put.

Committee divided.

Ayes, 25.

| | |
|------------------|------------------------------|
| Mr. Thomas, | Mr. Henley, |
| Mr. Wade, | Mr. Nobbs, |
| Mr. Dick, | Mr. Mahony, |
| Mr. Moore, | Mr. Robson, |
| Mr. Carruthers, | Mr. McFarlane, |
| Mr. Hogue, | Mr. Cohen, |
| Mr. Jessop, | Mr. Perry (<i>Liverpool</i> |
| Mr. Lee, | <i>Plains</i>), |
| Mr. Eden George, | Mr. Donaldson, |
| Mr. Hindmarsh, | Mr. Walter Anderson. |
| Mr. McCoy, | <i>Tellers,</i> |
| Mr. Ashton, | Mr. Reynoldson, |
| Mr. John Hurley, | Mr. Davidson. |
| Mr. Oakes, | |

Noes, 20.

| | |
|----------------|-----------------|
| Mr. Nielsen, | Mr. Gillies, |
| Mr. Thrower, | Mr. Fegan, |
| Mr. Kelly, | Mr. Bennett, |
| Mr. Edden, | Mr. O'Sullivan. |
| Mr. Estell, | <i>Tellers,</i> |
| Mr. Holman, | Mr. Briner, |
| Mr. McGarry, | Mr. Jones. |
| Mr. Meehan, | |
| Mr. Nicholson, | |
| Mr. Charlton, | |
| Mr. Burgess, | |
| Mr. Dacey, | |
| Mr. Macdonald, | |
| Mr. Daley, | |

Council's amendment agreed to.

And the amendment in line 8 having been agreed to,—

Motion made (*Mr. Wade*), That the Committee agree to the Legislative Council's amendment which inserts paragraph (j),—and Question put.

Committee divided.

Ayes, 26.

| | |
|----------------------|---------------------|
| Mr. Wade, | Mr. McCoy, |
| Mr. Moore, | Mr. Robson, |
| Mr. Ashton, | Mr. Hindmarsh, |
| Mr. Carruthers, | Mr. O'Conor, |
| Mr. Hogue, | Mr. R. J. Anderson, |
| Mr. Dix, | Mr. Nobbs, |
| Mr. Cohen, | Mr. Henley, |
| Mr. John Hurley, | Mr. Oakes, |
| Mr. Thomas, | Mr. Morton, |
| Mr. Walter Anderson, | Mr. McFarlane, |
| Mr. Reynoldson, | <i>Tellers,</i> |
| Mr. Davidson, | Mr. Mahony. |
| Mr. Lee, | Mr. Law. |
| Mr. Eden George, | |

Noes, 23.

| | |
|----------------|------------------------------|
| Mr. Macdonell, | Mr. Storey, |
| Mr. Daley, | Mr. Perry (<i>Liverpool</i> |
| Mr. Estell, | <i>Plains</i>), |
| Mr. Holman, | Mr. Richards, |
| Mr. McGarry, | Mr. Donaldson, |
| Mr. Jessep, | Mr. Briner, |
| Mr. Meehan, | Mr. Macdonald, |
| Mr. Edden, | Mr. O'Sullivan, |
| Mr. Charlton, | Mr. Bennett. |
| Mr. Nicholson, | <i>Tellers,</i> |
| Mr. Burgess, | Mr. Gillies, |
| Mr. Kelly, | Mr. Jones. |
| Mr. Fegan, | |

Council's amendment agreed to.

And the remainder of the Legislative Council's amendments having been dealt with,—

On motion of Mr. Wade, the Chairman left the Chair to report that the Committee had amended some, and agreed to the remainder, of the Legislative Council's amendments.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 11.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 26 SEPTEMBER, 1905.

No. 1.

LOCAL GOVERNMENT (SHIRES) BILL:—

Clause 1 having been agreed to,—

Clause 2 read.

Motion made (*Mr. Carruthers*) That the clause be postponed, and question put.
Committee divided.

Ayes, 42.

| | |
|--------------------|------------------------------|
| Mr. Moore, | Mr. Thomas, |
| Mr. Creswell, | Mr. Collins, |
| Mr. Hogue, | Mr. Donaldson, |
| Mr. Carruthers, | Mr. Perry (<i>Liverpool</i> |
| Mr. Dick, | <i>Plains</i>), |
| Mr. Lee, | Mr. McFarlane, |
| Mr. O'Connor, | Mr. J. H. Young, |
| Mr. Edon George, | Mr. Nobbs, |
| Mr. Fegan, | Mr. Kelly, |
| Mr. Mackenzie, | Mr. Law, |
| Mr. Wade, | Mr. R. J. Anderson, |
| Mr. Fallick, | Mr. Walter Anderson, |
| Mr. Booth, | Mr. Dacey, |
| Mr. Hindmarsh, | Mr. Nielsen, |
| Mr. Morton, | Mr. McGarry, |
| Mr. Downes, | Mr. Cann, |
| Dr. Arthur, | Mr. Moxham, |
| Mr. Latimer, | Mr. Edden. |
| Mr. Kearney, | <i>Tellers,</i> |
| Mr. Cohen, | |
| Mr. Ball, | Mr. Jessep, |
| Mr. Brimsley Hall, | Mr. Davidson. |
| Mr. Reynoldson, | |

Noes, 19.

| |
|------------------------------|
| Mr. Hollis, |
| Mr. Macdonald, |
| Mr. Arthur Griffith, |
| Mr. Burgess, |
| Mr. Gardiner, |
| Mr. McNeill, |
| Mr. Macdonell, |
| Mr. Miller, |
| Mr. Mechan, |
| Mr. Charlton, |
| Mr. Nicholson, |
| Mr. Jones, |
| Mr. Waddell, |
| Mr. O'Sullivan, |
| Mr. Perry (<i>The Rich-</i> |
| <i>mond</i>), |
| Mr. McLaurin, |
| Mr. Gillies. |
| <i>Tellers,</i> |
| |
| Mr. Briner, |
| Mr. Estell; |

Agreed to.

And Clause 3 having been postponed,—

No. 2.

SAME BILL.

Clause 4. (1) The Governor by proclamation shall, within six months after the passing of this Act, divide the whole of the State, exclusive of the city of Sydney or of any existing municipality or of any area added in pursuance of this Act to any such municipality, or proposed to be so added, and, except as hereinafter in this Act provided, exclusive of the western division, into shires, and shall constitute under this Act and define the boundaries of each shire, and shall give names to shires. Division of State into shires.

Provided that anything done under this subsection before the commencement of this Act shall not take effect until such "commencement."

(2) ~~After the expiration of three years from the commencement of this Act the Governor may include within or constitute as a shire or shires any part or the whole of the western division.~~ In western division.

Additions to
Municipalities.

Shire may be
constituted a
municipality.

Council
incorporated.

Alteration of
name.

- (3) The Governor may within six months after the passing of this Act, by proclamation, declare that any area described in the proclamation is, and the same shall thereupon be, added to and form part of the municipality mentioned in the proclamation; and upon the commencement of this Act the provisions of the Municipalities Act, 1897, shall apply as if such area had been added under the said Act.

Provided that no such area shall be so added if objection be made in the prescribed way by a majority of the electors who would be entitled to a vote if the addition were so made.

- (4) A shire, or any part thereof, may, ~~with the consent of the Commissioners,~~ by the Governor be constituted a municipality or a municipal area under the law then in force, and shall thereupon cease to be or be part of a shire; and such law shall apply to such municipality or municipal area as if the same were constituted thereunder.

The boundaries of such municipality or area, and the name thereof, may be fixed by the Governor by proclamation, ~~on the recommendation of the Commissioners.~~

- (5) The council for the time being of any shire shall, under the name given to it, be a body corporate with perpetual succession and a common seal.

- (6) The Governor may, ~~on the recommendation of the Commissioners,~~ on the request of the council at any time alter the name of any shire and of its council.

- (7) On receipt of a joint request from two or more councils of adjoining shires, the Governor may, ~~on the recommendation of the Commissioners,~~ amalgamate such shires or adjust or alter the their boundaries of such shires. [Read.]

Motion made (*Mr. McFarlane*) to leave out subsection (1) and insert the following new subsection:—

- (1) Upon receipt of a petition signed by a majority of the electors of any locality in the State applying to come under the provisions of this Act, setting forth defined boundaries and name of the proposed shire, the Governor may by proclamation constitute such area a shire under this Act.

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

Ayes, 38.

| | |
|------------------|------------------------------|
| Mr. Wade, | Mr. Cohen, |
| Mr. Lee, | Mr. McCoy, |
| Mr. Creswell, | Mr. Collins, |
| Mr. Hogue, | Mr. Fallick, |
| Mr. Carruthers, | Mr. Thomas, |
| Mr. Jessep, | Mr. Law, |
| Mr. Oakes, | Mr. Perry (<i>Liverpool</i> |
| Mr. Ball, | <i>Plains</i>), |
| Mr. J. H. Young, | Mr. R. J. Anderson, |
| Mr. Eden George, | Mr. Walter Anderson, |
| Mr. Moxham, | Mr. Fell, |
| Mr. Downes, | Mr. O'Conor, |
| Mr. Davidson, | Mr. MacKenzie, |
| Mr. Booth, | Mr. W. Millard, |
| Mr. Hindmarsh, | Mr. Morton. |
| Mr. Moore, | <i>Tellers,</i> |
| Mr. Ashton, | Mr. Kearney, |
| Mr. Nobbs, | Mr. Levy. |
| Mr. Dick, | |
| Mr. Latimer, | |
| Dr. Arthur, | |
| Mr. Reynoldson, | |

Words stand.

Noes, 31.

| | |
|------------------------------|--------------------|
| Mr. Hollis, | Mr. McFarlane, |
| Mr. Gardiner, | Mr. Brinsley Hall, |
| Mr. Daley, | Mr. Briner, |
| Mr. Burgess, | Mr. Waddell, |
| Mr. Arthur Griffith, | Mr. Fegan, |
| Mr. Thrower, | Mr. McGarry, |
| Mr. Estell, | Mr. O'Sullivan, |
| Mr. Nielsen, | Mr. McLaurin. |
| Mr. McNeill, | <i>Tellers,</i> |
| Mr. Perry (<i>The Rich-</i> | Mr. Kelly, |
| <i>mond</i>), | Mr. Sullivan. |
| Mr. Macdonell, | |
| Mr. Cann, | |
| Mr. Dacey, | |
| Mr. Meehan, | |
| Mr. Miller, | |
| Mr. Nicholson, | |
| Mr. Jones, | |
| Mr. Edden, | |
| Mr. Charlton, | |
| Mr. Gillies, | |
| Mr. Donaldson, | |

No. 3.

SAME BILL.

Same clause.

Motion made (*Mr. Nielsen*) to insert in line 8, after the word "commencement," the words "provided further that no shire should be constituted unless and until a vote is taken of the Parliamentary electors resident within the proposed shire, and a majority of those voting approve thereof."

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

Ayes, 32.

| | |
|------------------------------|-----------------|
| Mr. Sullivan, | Mr. Gillies, |
| Mr. Daley, | Mr. Gardiner, |
| Mr. McNeill, | Mr. Jones, |
| Mr. Miller, | Mr. Kelly, |
| Mr. Estell, | Mr. Meehan, |
| Mr. Arthur Griffith, | Mr. McFarlane, |
| Mr. Nielsen, | Mr. Edden, |
| Mr. J. H. Young, | Mr. McLaurin, |
| Mr. Fegan, | Mr. McGarry, |
| Mr. Nicholson, | Mr. Charlton, |
| Mr. Dacey, | Mr. O'Sullivan. |
| Mr. Burgess, | <i>Tellers,</i> |
| Mr. Macdonell, | Mr. Thrower, |
| Mr. Briner, | Mr. Donaldson. |
| Mr. Waddell, | |
| Mr. Brinsley Hall, | |
| Mr. Hollis, | |
| Mr. Cann, | |
| Mr. Perry (<i>The Rich-</i> | |
| <i>mond</i>), | |

Noes, 37.

| | |
|-----------------|------------------------------|
| Mr. Fallick, | Mr. Hindmarsh, |
| Mr. Hogue, | Mr. Nobbs, |
| Mr. Moore, | Mr. Kearney, |
| Mr. Ball, | Mr. Collins, |
| Mr. Jessep, | Mr. Reynoldson, |
| Mr. Carruthers, | Mr. Mackenzie, |
| Mr. Lee, | Dr. Arthur, |
| Mr. Creswell, | Mr. R. J. Anderson, |
| Mr. Ashton, | Mr. Eden George, |
| Mr. Wade, | Mr. Perry (<i>Liverpool</i> |
| Mr. Oakes, | <i>Plains</i>), |
| Mr. Booth, | Mr. Law, |
| Mr. Downes, | Mr. Walter Anderson, |
| Mr. Levy, | Mr. W. Millard, |
| Mr. Fell, | Mr. Morton, |
| Mr. Dick, | Mr. Moxham. |
| Mr. O'Conor, | <i>Tellers,</i> |
| Mr. Thomas, | Mr. Cohen, |
| Mr. Latimer, | Mr. Davidson. |
| Mr. McCoy, | |

Insertion of proposed words negatived.
And the clause having been amended as indicated.

No. 4.

No. 4.

SAME BILL.

Same clause.

Motion made (*Mr. Arthur Griffith*) to leave out from line 20 the words "with the consent of the Commissioners."

And the Committee continuing to sit till after midnight,—

WEDNESDAY, 27 SEPTEMBER, 1905, A.M.

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

Ayes, 28.

| | |
|---------------------|-----------------|
| Mr. Carruthers, | Mr. Downes, |
| Mr. Dick, | Mr. Fallick, |
| Mr. Lee, | Mr. Davidson, |
| Mr. Creswell, | Mr. Nobbs, |
| Mr. Levy, | Mr. Mackenzie, |
| Mr. Ball, | Mr. Moore. |
| Mr. Reynoldson, | |
| Mr. Cohen, | <i>Tellers,</i> |
| Mr. Wade, | Mr. Thomas, |
| Mr. Kearney, | Mr. McCoy. |
| Mr. Booth, | |
| Dr. Arthur, | |
| Mr. R. J. Anderson, | |
| Mr. Oakes, | |
| Mr. Moxham, | |
| Mr. W. Millard, | |
| Mr. Ashton, | |
| Mr. O'Connor, | |
| Mr. Hogue, | |
| Mr. Morton, | |

Noes, 35:

| | |
|------------------------------|------------------------------|
| Mr. Edden, | Mr. McFarlane, |
| Mr. Gardiner, | Mr. Law, |
| Mr. Burgess, | Mr. Eden George, |
| Mr. Pegan, | Mr. Perry (<i>The Rich-</i> |
| Mr. Arthur Griffith, | <i>mond</i>), |
| Mr. Charlton, | Mr. Daley, |
| Mr. Hollis, | Mr. McNeill, |
| Mr. Dacey, | Mr. Jones, |
| Mr. Nielsen, | Mr. Nicholson, |
| Mr. Gillies, | Mr. Cann, |
| Mr. McLaurin, | Mr. Meehan, |
| Mr. Briner, | Mr. Miller, |
| Mr. Perry (<i>Liverpool</i> | Mr. Thrower, |
| <i>Plains</i>), | Mr. Kelly, |
| Mr. Donaldson, | Mr. Macdonell. |
| Mr. Brinsley Hall, | <i>Tellers,</i> |
| Mr. Latimer, | |
| Mr. Jessep, | Mr. Collins, |
| Mr. McGarry, | Mr. Estell. |
| Mr. Hindmarsh, | |

Words omitted.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

And Clauses 5 and 6 having been dealt with,—

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

WEDNESDAY, 27 SEPTEMBER, 1905.

No. 5.

SAME BILL.

Clause 7 having been postponed, —

Clause 8. (1) On and after the constitution of a shire the council shall have "and may exercise Powers of council. Schedule One.
"the powers and perform the duties contained in Chapter I of Schedule One, and" such additional powers as the Governor, on the recommendation of the Commissioners, may confer on the council.

(2) A council may, from time to time, acquire the right to exercise any or all of Method of acquiring additional powers.
the powers contained in Chapters II and III of Schedule One, in the following manner:—

- (a) A resolution must be passed by an absolute majority of the council specifying the powers required, and alleging that they are necessary for the good government of the shire. Such resolution must be confirmed by the vote of a majority of the members of the council present at a subsequent meeting called as prescribed.
- (b) An application in the form prescribed must be made by the president on behalf of the council to the Governor, asking that the specified powers, or some of them, be conferred on the council. Such application shall be submitted by the Governor to the Commissioners for inquiry and report notified by the Governor in manner to be prescribed.
- (c) The Governor on the recommendation of the Commissioners may grant or refuse the application in whole or in part, ~~or~~ but on receipt of a petition signed by not less than one-sixth of the electors, may direct that a poll of the electors of the shire shall be taken as to whether all or any of the powers applied for shall be conferred on the council.
- (d) The Commissioners Governor shall prescribe the questions to be submitted at the poll.
- (e) Such poll shall be taken in accordance with the regulations.
- (f) The result of any poll so taken shall be communicated to the Commissioners, who shall be bound by the decision of a majority of the electors voting at such poll; and shall make recommendation to the Governor accordingly.
- (g) When the Governor confers any such powers he shall make an order accordingly, which shall be proclaimed.

(3) The powers and duties contained in Schedule One, so far as they relate to public Exclusive powers. Schedule Two.
places in the shire, shall, subject to this Act, be exclusively exercised by the council, and the provisions of the Acts mentioned in Schedule Two shall not apply to such public places unless such places are excepted by the Governor from the jurisdiction of the council. [*Read.*]

Motion made (*Mr. Nielsen*) to leave out from lines 1 and 2 the words "and may exercise the powers and perform the duties contained in Chapter I of Schedule One, and"

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

Committee

Committee divided.

Ayes, 38.

| | |
|------------------|------------------------------|
| Mr. John Hurley, | Dr. Arthur, |
| Mr. Hogue, | Mr. Thomas, |
| Mr. Carruthers, | Mr. Law, |
| Mr. J. H. Young, | Mr. Henley, |
| Mr. Downes, | Mr. Perry (<i>Liverpool</i> |
| Mr. Robson, | <i>Plains</i>), |
| Mr. Oakes, | Mr. Fell, |
| Mr. Lee, | Mr. Walter Anderson, |
| Mr. Davids n, | Mr. R. J. Anderson, |
| Mr. Morton, | Mr. W. Millard, |
| Mr. Moore, | Mr. Collins, |
| Mr. Wade, | Mr. Donaldson, |
| Mr. Fallick, | Mr. Reynoldson, |
| Mr. Hindmarsh, | Mr. Ball, |
| Mr. Levy, | Mr. McCoy, |
| Mr. Nobbs, | Mr. Mahony. |
| Mr. Dick, | <i>Tellers,</i> |
| Mr. O'Connor, | Mr. Jessep, |
| Mr. Aahon, | Mr. Booth. |
| Mr. Cohen, | |
| Mr. Latimer, | |

Noes, 27.

| | |
|----------------------|------------------------------|
| Mr. Edden, | Mr. McFarlane, |
| Mr. Estell, | Mr. Thrower, |
| Mr. Cann, | Mr. Perry (<i>The Rich-</i> |
| Mr. Kelly, | <i>mond</i>), |
| Mr. Arthur Griffith, | Mr. Waddeil. |
| Mr. Nielsen, | <i>Tellers,</i> |
| Mr. Dacey, | Mr. Hollis, |
| Mr. Macdonell, | Mr. Jones. |
| Mr. Meehan, | |
| Mr. Nicholson, | |
| Mr. Charlton, | |
| Mr. Burgess, | |
| Mr. McNeill, | |
| Mr. Gardiner, | |
| Mr. McGarry, | |
| Mr. Miller, | |
| Mr. Briner, | |
| Mr. Fegan, | |
| Mr. McLaurin, | |
| Mr. Bennett, | |
| Mr. Gillies, | |

Words stand.

And the clause having been amended as indicated,—

Clause, as amended, agreed to.

No. 6.

SAME BILL.

Clause 9. In the exercise by a council of the powers and duties conferred and imposed on it by or under this Act, the following provisions shall apply:—

(a) While a council has the management of a public road, the soil of such road shall be vested in the council for an estate in fee-simple; but should such council cease to have such management, such vesting shall be revoked and annulled: Provided that a road resumed and vested in the Crown to a limited depth only shall be vested in the council to such depth only. This subsection shall be binding on the Crown.

(a) A council shall have the control and management of all roads in its shire and may use such roads and the soil thereof to any required depth in the exercise of any powers conferred on the council.

No person shall use any such road, or the soil of or under such road, or permit the same to be used in derogation or so as to affect the exercise of the rights or powers of the council. This provision shall bind the Crown.

* * * * *

(c) (i) A council or any person authorised by a council may, at all reasonable times in the day-time, enter any unenclosed private or Crown land within its shire, and which is not the site or curtilage of a house or a garden, lawn, yard, court, park, plantation, planted walk, avenue, land under crop, or nursery for trees, and search for, dig, raise, gather, take, and carry away with horses, carts, or otherwise, from any part of such land which is not within fifty yards of any dwelling-house, bridge, dam, jetty, or other like structure, and is not a quarry actually worked as such on private land, any materials necessary for improving or maintaining any public place or reserve under its control, but so as not to damage any building, road, bridge, ford, dam, jetty, or other like structure, or to divert or interrupt the course of any river or creek.

(ii) The council shall pay to the owner of any land the value of any materials taken therefrom, and shall pay to the owner and occupier of any land compensation for any damage they may sustain through the exercise of any of the powers conferred by this section. Any dispute which may arise as to the amount of compensation payable under this section shall be referred to the Commissioners, whose decision thereon shall be final.

* * * * *

(g) "Where" a council makes a temporary road as aforesaid through any fenced land, it shall erect a sufficient fence on such road, and shall keep such fences in repair during the time such road is used.

* * * * *

(k) A council may, with the sanction of the Secretary for Lands, close and lease unused roads within its shire, and the sums received from such leasing shall be paid into the general fund.

(k) No road or part of a road shall be closed, nor shall the position of a reserved road within an incomplete purchase from the Crown or conditional lease, be altered within a shire in pursuance of the Public Roads Act, 1902, unless the consent in writing of the council of the shire has been first obtained.

(l) A council may, with the approval of the Commissioners, Governor, lease to any person or permit any person to use or occupy any of its buildings, works, or undertakings.

* * * * *

(p) Nothing in this Act shall affect the powers conferred by the Public Roads Act, 1902. Any references in that Act the Public Roads Act, 1902, to a municipality or to the council of a municipality shall be deemed to refer also to a shire or its council.

And

Vesting of soil of roads in councils.

Materials may be taken from unenclosed land for public purposes.

Compensation for materials taken.

Fencing temporary roads.

Power to lease unused road.

Power to lease buildings, wharfs, markets, &c.

Saving of powers under Roads Act.

And the clause having been amended as indicated,—

Motion made (*Mr. Perry, The Richmond*) to leave out from line 29, the word "Where" and insert the word "Before" instead thereof.

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

Committee divided.

Ayes, 41.

| | |
|--------------------|------------------------------|
| Mr. Thomas, | Mr. Hindmarsh, |
| Mr. Moore, | Mr. McCoy, |
| Mr. Ball, | Mr. Perry (<i>Liverpool</i> |
| Mr. Mahony, | <i>Plains</i>), |
| Mr. Carruthers, | Mr. Waddell, |
| Mr. Nobbs, | Mr. Cohen, |
| Mr. Hogue, | Mr. Lee, |
| Mr. Reynoldson, | Mr. Davidson, |
| Mr. J. H. Young, | Mr. Henley, |
| Mr. Latimer, | Mr. O'Connor, |
| Mr. Morton, | Mr. Mackenzie, |
| Mr. Wade, | Mr. John Hurley, |
| Mr. Fallick, | Mr. Law, |
| Mr. Brinsley Hall, | Mr. Robson, |
| Mr. Downes, | Mr. W. Millard, |
| Mr. Dick, | Mr. Jessep, |
| Mr. Ashton, | Mr. Walter Anderson, |
| Mr. McLaurin, | Mr. R. J. Anderson. |
| Mr. Gillies, | |
| Mr. Collins, | <i>Tellers,</i> |
| Mr. Fell, | Mr. Oakes, |
| Mr. Booth, | Mr. Levy. |

Noes, 20.

| |
|------------------------------------|
| Mr. Miller, |
| Mr. Edden, |
| Mr. Jones, |
| Mr. Nielsen, |
| Mr. Perry (<i>The Richmond</i>), |
| Mr. Arthur Griffith, |
| Mr. Hollis, |
| Mr. Meehan, |
| Mr. Charlton, |
| Mr. Burgess, |
| Mr. Cann, |
| Mr. Nicholson, |
| Mr. McNeill, |
| Mr. Gardiner, |
| Mr. O'Sullivan, |
| Mr. Kelly, |
| Mr. Fegan, |
| Mr. Bennett. |
| |
| <i>Tellers,</i> |
| Mr. Briner, |
| Mr. Estell. |

Word stands.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

And clauses 10 to 15 having been dealt with,—

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

THURSDAY, 28 SEPTEMBER, 1905.

No. 7.

SAME BILL.

Clause 16. (1) Every shire shall be governed by a council, the members of which shall be called councillors. One of the councillors shall be president, and shall preside when present at meetings of the council. The respective ridings of a shire shall have equal representation on the council. Shire govern^d by council.

(2) A president or councillor may resign his office. Resignation.

(3) The first council of a shire shall consist of six members, two of whom shall be appointed by the Governor on the recommendation of the Commissioners, and four elected. Constitution of first council.

(4) ~~At the election next following after the expiration of three years from the date of constitution of a shire, the council shall be wholly elected, and shall consist of six councillors.~~ Subsequent councils.

Provided that such number of members may, for the purposes of any later election, be increased to nine by resolution of the council.

(5) If any president, or any councillor, neglects or refuses to do anything which by law he is directed to perform, he shall for every such offence be liable to a penalty not exceeding ten pounds. Penalty for default of president, or councillor.

(6) A council may, out of the general fund of the shire, grant an annual allowance to any person holding the office of or acting as its president for his expenses. The maximum amount of such allowance shall be specified in the ordinances, and shall not exceed "fifty" pounds. Remuneration of president. Maximum.

(7) A council may out of such fund pay to its members reasonable allowances towards their expenses in travelling to and from meetings of the council, or on the business of the council, not exceeding ten shillings for every complete day spent in so travelling. Expenses of councillors.

(8) A council may appoint one of its members to act as deputy-president during such time as the president may be temporarily absent from the shire, or from his duties on account of illness or other sufficient reason. The deputy while so acting shall have the powers, authorities, duties, and liabilities of the president. Deputy-president.

(9) If a council fail to elect a president within the period prescribed the Governor may, on the recommendation of the Commissioners, appoint some member of the council to be president. [*Read.*] Failure to elect.

And the clause having been amended as indicated,—

Motion made (*Mr. Arthur Griffith*) to leave out from line 18, the word "fifty" and insert the words "one hundred" instead thereof.

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

Committee

Committee divided.

Ayes, 37.

| | |
|--|---------------------|
| Mr. Perry (<i>Liverpool Plains</i>); | Mr. Oakes, |
| Mr. Nobbs; | Mr. R. J. Anderson, |
| Mr. Carruthers, | Mr. J. H. Young, |
| Mr. Fell, | Mr. Brinsley Hall, |
| Mr. Dick, | Mr. Collins, |
| Mr. Lee, | Mr. Law, |
| Mr. Cohen, | Mr. Fallick, |
| Mr. Creswell, | Mr. O'Conor, |
| Mr. Hogue, | Mr. Moxham, |
| Mr. Mahony, | Mr. Thomas, |
| Mr. Davidson, | Mr. Mackenzie, |
| Mr. Moore, | Mr. Briner, |
| Mr. Booth, | Mr. Henley, |
| Mr. Broughton, | Mr. Morton, |
| Mr. Levy, | Mr. Ashton, |
| Mr. Robson, | Mr. W. Millard. |
| Mr. Reynoldson, | <i>Tellers,</i> |
| Mr. Hindmarsh, | Dr. Arthur, |
| Mr. Downes, | Mr. McCoy. |

Noes, 24.

| | |
|------------------------------------|-----------------|
| Mr. Edden, | Mr. Waddell, |
| Mr. Daley, | Mr. Donaldson, |
| Mr. Dacey, | Mr. McFarlane, |
| Mr. Jones, | <i>Tellers,</i> |
| Mr. Arthur Griffith, | Mr. Nielsen, |
| Mr. Thrower, | Mr. Gillies. |
| Mr. Estell, | |
| Mr. Cann, | |
| Mr. Macdonell, | |
| Mr. Miller, | |
| Mr. Chariton, | |
| Mr. Kelly, | |
| Mr. Meehan, | |
| Mr. Burgess, | |
| Mr. Hollis, | |
| Mr. Gardiner, | |
| Mr. Fegan, | |
| Mr. Perry (<i>The Richmond</i>), | |
| Mr. Bennett, | |

Word stands.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

No. 8.

SAME BILL.

First election of council.

Extraordinary elections.

Term of office and general elections.

Commissioners may appoint another day for holding of elections.

Retiring member eligible.

Clause 18. (1) The first election of the councillors of a shire after its constitution shall be held on a day and at a place to be fixed and proclaimed by the Commissioners Governor.

(2) An election to fill an extraordinary vacancy in a council caused by death, resignation, ouster, disqualification, or otherwise, shall be held within one month from the occurrence of such vacancy, and on a day and at a place to be fixed and notified as prescribed by the council.

(3) "All councillors shall retire from office on the last Monday of November, one thousand nine hundred and seven," and on the same day in every "second" year thereafter; and elections of councillors shall take place on the following day:

Provided that if it appears to the Commissioners Governor to be impracticable or inconvenient to hold any election on any day prescribed they he may by proclamation appoint any day in the month of December for holding such election. In such case the outgoing councillors shall remain in office until the day next preceding the day of the election.

(4) A retiring councillor shall, if otherwise qualified, be eligible for re-election.

[*Read.*]

And the clause having been amended as indicated,—

Motion made (*Mr. Mahony*) to leave out from lines 7 and 8, the words "All councillors shall retire from office on the last Monday of November, one thousand nine hundred and seven."

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

Committee divided.

Ayes, 54.

| | | |
|---------------------|----------------------|--|
| Mr. Hogue, | Mr. Brinsley Hall, | Mr. Jones, |
| Mr. Moore, | Mr. Gillies, | Mr. Sullivan, |
| Mr. Carruthers, | Mr. Thomas, | Mr. W. Millard, |
| Mr. R. J. Anderson, | Mr. Bennett, | Mr. O'Conor, |
| Mr. Robson, | Mr. Booth, | Mr. Miller, |
| Mr. Kelly, | Mr. Briner, | Mr. Daley, |
| Mr. Nielsen, | Mr. Waddell, | Mr. Chariton, |
| Mr. Dacey, | Mr. Collins, | Mr. Gardiner, |
| Mr. Oakes, | Mr. Ashton, | Mr. Perry (<i>Liverpool Plains</i>), |
| Mr. McCoy, | Mr. O'Sullivan, | Mr. Moxham, |
| Mr. Burgess, | Mr. Cohen, | Mr. Mackenzie, |
| Mr. Broughton, | Mr. Downes, | Dr. Arthur, |
| Mr. Cann, | Mr. Walter Anderson, | Mr. Estell, |
| Mr. Morton, | Mr. Fallick, | Mr. Arthur Griffith. |
| Mr. Levy, | Mr. Lee, | <i>Tellers,</i> |
| Mr. J. H. Young, | Mr. Nobbs, | Mr. Law, |
| Mr. Dick, | Mr. Reynoldson, | Mr. Davidson. |
| Mr. Hollis, | Mr. Thrower, | |
| Mr. Hindmarsh, | Mr. Mechan, | |

Noes, 5.

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|-----------------|
| Mr. Fegan, |
| Mr. Creswell, |
| Mr. Henley. |
| <i>Tellers,</i> |
| Mr. Latimer, |
| Mr. Mahony. |

Words stand.

No. 9.

SAME BILL.

Same clause.

Motion made (*Mr. Mahony*) to leave out from line 8, the word "second" and insert the word "third" instead thereof.

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

Committee

Committee divided.

Ayes, 38.

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|--------------------|------------------------------|
| Mr. Moore, | Mr. Charlton, |
| Mr. Hogue, | Mr. O'Sullivan, |
| Mr. Carruthers, | Mr. Downes, |
| Mr. Fell, | Mr. Meehan, |
| Mr. Nielsen, | Mr. Thrower, |
| Mr. Kelly, | Mr. Daley, |
| Mr. Hollis, | Mr. Estell, |
| Mr. Lee, | Mr. Edden, |
| Mr. Cann, | Mr. McFarlane, |
| Mr. Morton, | Mr. Briner, |
| Mr. Levy, | Mr. W. Millard, |
| Mr. Dick, | Mr. O'Connor, |
| Mr. Burgess, | Mr. Miller, |
| Mr. Hindmarsh, | Mr. Walter Anderson, |
| Mr. Brinsley Hall, | Mr. Perry (<i>Liverpool</i> |
| Mr. Bennett, | <i>Plains</i>). |
| Mr. Gardiner, | <i>Tellers,</i> |
| Mr. Waddell, | |
| Mr. Sullivan, | Mr. Collins, |
| Mr. Reynoldson, | Mr. Gillies. |
| Mr. Ashton, | |

Noes, 24.

| | |
|----------------------|-----------------|
| Mr. Fegan, | Mr. Fallick. |
| Mr. Jones, | <i>Tellers,</i> |
| Mr. Cohen, | |
| Dr. Arthur, | Mr. Thomas, |
| Mr. Davidson, | Mr. Dacey. |
| Mr. R. J. Anderson, | |
| Mr. Mahony, | |
| Mr. Law, | |
| Mr. Moxham, | |
| Mr. Creswell, | |
| Mr. McCoy, | |
| Mr. Latimer, | |
| Mr. Arthur Griffith, | |
| Mr. Oakes, | |
| Mr. Nobbs, | |
| Mr. Booth, | |
| Mr. Henley, | |
| Mr. Mackenzie, | |
| Mr. Robson, | |
| Mr. Broughton, | |
| Mr. J. H. Young, | |

Word stands.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

No. 10.

SAME BILL.

- Clause 19. (1) A president shall be elected by the "council" from its members in the manner prescribed: Election of president.
- (2) Within fourteen days after the election of a council on the constitution of a shire, or on the first due constitution of the council after the shire has been proclaimed a defaulting shire, a president shall be elected. a Time for election on first election of council.
- (3) On the thirty-first day of December in each year every president then in office shall retire. Periodical retirement.
- (4) On some day between the first and the fifteenth days of December in each year every council shall elect a president, who shall hold his office from the first day of January of the year next following his election. At such election the retiring president shall, if otherwise qualified, be eligible for election. Periodical re-elections.
- (5) Within fourteen days of the occurrence of an extraordinary vacancy in the office of president, caused by death, resignation, ouster, disqualification, or otherwise, an election shall be held to fill the vacancy. Extraordinary vacancies. [*Read.*]

Motion made (*Mr. Kelly*) to leave out from line 1, the word "council" and insert the word "electors" instead thereof.

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

Committee divided.

Ayes, 40.

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|---------------------|------------------------------|
| Mr. Broughton, | Mr. McCoy, |
| Mr. Moore, | Mr. McFarlane, |
| Mr. Morton, | Mr. Collins, |
| Mr. Levy, | Mr. Thomas, |
| Mr. Fallick, | Mr. Ashton, |
| Mr. Brinsley Hall, | Mr. Downes, |
| Mr. Hindmarsh, | Mr. Lee, |
| Mr. Dick, | Mr. Henley, |
| Mr. Cohen, | Mr. Moxham, |
| Mr. Hogue, | Mr. Oakes, |
| Mr. Nobbs, | Mr. Booth, |
| Mr. Carruthers, | Mr. Fegan, |
| Mr. Davidson, | Mr. Jones, |
| Mr. R. J. Anderson, | Mr. W. Millard, |
| Mr. O'Connor, | Mr. Walter Anderson, |
| Mr. J. H. Young, | Mr. Perry (<i>Liverpool</i> |
| Mr. Law, | <i>Plains</i>). |
| Mr. Reynoldson, | <i>Tellers,</i> |
| Mr. Latimer, | |
| Mr. Mackenzie, | Mr. Robson, |
| Dr. Arthur, | Mr. Mahony. |
| Mr. Dacey, | |

Noes, 18.

| |
|----------------------|
| Mr. Edden, |
| Mr. Cann, |
| Mr. Arthur Griffith, |
| Mr. Nielsen, |
| Mr. Hollis, |
| Mr. Kelly, |
| Mr. Waddell, |
| Mr. Gillies, |
| Mr. Bennett, |
| Mr. Briner, |
| Mr. Charlton, |
| Mr. Meehan, |
| Mr. Gardiner, |
| Mr. Burgess, |
| Mr. Miller, |
| Mr. Daley. |
| <i>Tellers,</i> |
| Mr. Estell, |
| Mr. Thrower. |

Word stands.

Clause, as read, agreed to.

And clauses 20 and 21 having been postponed, and clauses 22 to 25 dealt with,—

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 12.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

FRIDAY, 6 OCTOBER, 1905, A.M.

No. 1.

LIQUOR (AMENDMENT) BILL:—

Clause 1 having been agreed to,—

Clause 2. The enactments of the Principal Act mentioned in Schedule One are to the extent Repeal.
there indicated repealed as from the commencement of this Act, and sections twenty-eight
and twenty-nine of the said Act are repealed as from the day of the vote at the Parlia-
mentary general election next following such commencement. [Read.]

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

Motion made (*Mr. Wade*), That the Chairman leave the Chair, report progress, and ask leave to
sit again on Tuesday next.

Question put.

Committee divided.

Ayes, 59.

| | | |
|------------------------------|------------------------------|----------------------|
| Mr. Ashton, | Mr. Collins, | Mr. Levy, |
| Mr. Hogue, | Mr. Sullivan, | Mr. Davidson, |
| Mr. Carruthers, | Mr. Perry (<i>Liverpool</i> | Mr. Thomas, |
| Mr. Lee, | <i>Plains</i>), | Mr. Bennett, |
| Mr. Wade, | Mr. Hollis, | Mr. Ball, |
| Mr. Jessep, | Mr. Miller, | Mr. Estell, |
| Mr. Creswell, | Mr. Fleming, | Mr. Burgess, |
| Mr. Fegan, | Mr. Henley, | Mr. Scobie, |
| Mr. McCoy, | Mr. Booth, | Mr. W. Millard, |
| Mr. Mackenzie, | Mr. Gardiner, | Mr. Nielson, |
| Mr. Oakes, | Mr. Latimer, | Mr. Chariton, |
| Mr. McFarlane, | Mr. Jones, | Mr. Reynoldson, |
| Mr. Gillies, | Mr. Dick, | Mr. Eden George, |
| Dr. Arthur, | Mr. Waddell, | Mr. Macdonell, |
| Mr. McLaurin, | Mr. Brinsley Hall, | Mr. Holman, |
| Mr. Storey, | Mr. Nobbs, | Mr. O'Connor, |
| Mr. Perry (<i>The Rich-</i> | Mr. Moxham, | Mr. Edden. |
| <i>mond</i>), | Mr. Downes, | <i>Tellers,</i> |
| Mr. Law, | Mr. R. J. Anderson, | Mr. Walter Anderson, |
| Mr. Robson, | Mr. Mahony, | Mr. Cohen. |
| Mr. Fell, | Mr. Hindmarsh, | |

Noes, 7.

Mr. McGarry,
Mr. W. W. Young,
Mr. Levien,
Mr. O'Sullivan,
Mr. Daley.

Tellers,

Mr. Kelly,
Mr. Broughton.

Agreed to.

The Chairman left the Chair accordingly.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 13.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 10 OCTOBER, 1905.

No. 1.

LOCAL GOVERNMENT (SHIRES) BILL:—

Clauses 26 to 35 having been dealt with,—

Clause 36. (1) A council shall take steps to recover amounts due to it in respect of rates and shall, when necessary, take legal proceedings to recover amounts so due and owing for more than six months. Council to sue for certain rates in arrear.

(2) Provided that the council, on the petition of any person praying for a remission of any rates due by him on the ground of his extreme poverty, arising from any cause beyond his control, may, in its discretion, remit the payment by such person of the whole or part of such rates. Liability for rates may be remitted in cases of poverty.

(3) Notwithstanding such remission such rates shall remain a charge upon the land, and may be recovered by the council at any subsequent time, should such recovery be considered by the council to be desirable. Rates a charge on land.

(4) A council may, in its discretion, compound with a ratepayer for the discharge of his liability for rates by labour on the roads or other works of the shire. Rates may be discharged by labour on roads. [Read.]

Motion made (*Mr. Morton*) to leave out from sub-section (4) the words "by labour on the roads or other works of the shire."

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

Committee divided.

Ayes, 28.

Noes, 31.

| | |
|----------------------|------------------|
| Mr. Wade, | Mr. Moxham, |
| Mr. Dick, | Mr. O'Sullivan, |
| Mr. Moore, | Mr. Gillies, |
| Mr. Carruthers, | Mr. Nobbs, |
| Mr. Robson, | Mr. Latimer, |
| Mr. Lee, | Mr. Downes, |
| Mr. J. H. Young, | Mr. Hindmarsh, |
| Mr. Briner, | Mr. Eden George, |
| Mr. Bennett, | Mr. Hogue. |
| Mr. Waddell, | <i>Tellers,</i> |
| Mr. Richards, | |
| Dr. Arthur, | Mr. Thomas, |
| Mr. Walter Anderson, | Mr. Davidson. |
| Mr. R. J. Anderson, | |
| Mr. McLaurin, | |
| Mr. Nicholson, | |
| Mr. O'Connor, | |

| | |
|----------------|------------------------------------|
| Mr. Macdonell, | Mr. Henley, |
| Mr. Fegan, | Mr. W. W. Young, |
| Mr. Hollis, | Mr. Brinsley Hall, |
| Mr. Dacey, | Mr. Oakes, |
| Mr. Holman, | Mr. Ball, |
| Mr. Jessep, | Mr. Storey, |
| Mr. Nielsen, | Mr. Mahony, |
| Mr. Kelly, | Mr. McCoy, |
| Mr. Meehan, | Mr. Collins, |
| Mr. Charlton, | Mr. Cohen, |
| Mr. Burgess, | Mr. Perry (<i>The Richmond</i>), |
| Mr. Gardiner, | Mr. Kearney. |
| Mr. Daley, | <i>Tellers,</i> |
| Mr. Estell, | |
| Mr. Levy, | Mr. Cann, |
| Mr. Macdonald, | Mr. Law. |
| Mr. Morton, | |

Words left out.

No. 2.

SAME BILL.

Same clause.

Question put,—That the clause, as amended, stand part of the Bill.
Committee divided.

Ayes, 50.

Noes, 9.

Mr. Wade,
Mr. Dick,
Mr. Moore,
Mr. Carruthers,
Mr. Robson,
Mr. Lee,
Mr. Jessep,
Mr. Davidson,
Mr. J. H. Young,
Mr. Fegan,
Mr. Hogue,
Mr. Eden George,
Mr. Levy,
Mr. Latimer,
Mr. Nobbs,
Mr. Downes,
Mr. Kearney,
Mr. Estell,

Mr. Bennett,
Mr. Perry (*The Richmond*),
Mr. Nielsen,
Mr. Waddell,
Mr. Nicholson,
Mr. Storey,
Mr. McLaurin,
Mr. Walter Anderson,
Mr. Thomas,
Mr. Collins,
Mr. Macdonald,
Dr. Arthur,
Mr. Richards,
Mr. Brinsley Hall,
Mr. Law,
Mr. Morton,
Mr. Moxham,

Mr. O'Conor,
Mr. Cohen,
Mr. O'Sullivan,
Mr. W. W. Young,
Mr. R. J. Anderson,
Mr. Gillies,
Mr. McCoy,
Mr. Briner,
Mr. Charlton,
Mr. Henley,
Mr. Oakes,
Mr. Ball,
Mr. Cann.

Mr. Hollis,
Mr. Meehan,
Mr. Macdonell,
Mr. Dacey,
Mr. Burgess,
Mr. Gardiner,
Mr. Holman.

Tellers,

Mr. Kelly,
Mr. Daley.

Tellers,

Mr. Mahony,
Mr. Hindmarsh.

Agreed to.

And clauses 37 to 41 having been dealt with,—

No. 3.

SAME BILL.

Clause 42. (1) For the purpose of any such audit or examination of accounts an auditor or examiner of accounts may take evidence upon oath or affirmation (which oath or affirmation he is hereby empowered to administer), and may, by summons under his hand, require such persons as he thinks fit to appear personally before him, at a time and place to be fixed in and by such summons, and to produce to him such books and papers as appear necessary for such audit or examination, and may examine such witnesses as he thinks fit.

(2) Any person so required who, without just excuse,—

(a) neglects or refuses to comply with such summons; or

(b) refuses to be examined on oath or affirmation, or to take an oath or affirmation; or

(c) refuses to answer such lawful questions as are put to him,

shall be liable to a term of imprisonment not exceeding twelve months or a penalty not exceeding twenty pounds. [*Read.*]

Motion made (*Mr. Holman*) to insert after sub-section (1) the following words:—" Provided that where such witnesses are members or servants of a shire council or residents of a shire where accounts are under investigation, such examination shall be held at either the council's meeting place or at some convenient place within the boundaries of such shire."

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

Committee divided.

Ayes, 50.

Noes, 6.

Mr. Hogue,
Mr. Moore,
Mr. Dick,
Mr. Carruthers,
Mr. Lee,
Mr. Robson,
Mr. J. H. Young,
Mr. Hindmarsh,
Mr. Downes,
Mr. Fallick,
Mr. Morton,
Mr. Levy,
Mr. Latimer,
Mr. Wade,
Mr. Moxham,
Mr. Thomas,
Mr. R. J. Anderson,
Mr. Cohen,
Mr. Mahony,

Mr. Oakes,
Mr. Nielsen,
Mr. Holman,
Mr. Kelly,
Mr. Ball,
Mr. Nobbs,
Mr. Kearney,
Mr. Creswell,
Mr. Richards,
Mr. McCoy,
Mr. Henley,
Mr. Brinsley Hall,
Mr. W. W. Young,
Mr. Collins,
Mr. Charlton,
Mr. Fegan,
Mr. Perry (*The Richmond*),
Mr. Gillies,

Mr. Nicholson,
Mr. Bennett,
Mr. McLaurin,
Mr. Eden George,
Mr. Gardiner,
Mr. Briner,
Mr. Jones,
Mr. Estell,
Mr. Cann,
Mr. Law,
Mr. Jessep.

Mr. Meehan,
Mr. Daley,
Mr. Hollis,
Mr. Dacey.

Tellers,

Mr. Burgess,
Mr. Macdonell.

Tellers,

Mr. Davidson,
Dr. Arthur.

Words inserted.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

And the remaining clauses and the Schedules and clause 2 having been dealt with,—

No. 4.

SAME BILL.

Clause 3. In this Act, unless inconsistent with the context or subject-matter,—

* * * * *

"Clerk" or "council clerk" or "shire clerk" includes person duly acting as council clerk of a shire.

"Commissioners" means Local Government Commissioners hereunder.

* * * * *

"Minister" means Minister for Public Works charged with the administration of this Act or any portion thereof under the Constitution Act, 1902.

* * * * *

"Owner"

Powers of auditors and examiners.

Enforcement of summons.

Definitions.

"Owner" means person entitled to land for any estate of freehold in possession, including the holder of a conditional purchase and a mortgagee in possession.

"Owner means every person who is, whether at law or in equity,—

- (a) entitled to land for any estate of freehold in possession, including the holder of a conditional purchase; or
- (b) entitled to land for any such estate of freehold as aforesaid as a married woman to her separate use, otherwise than by the intervention of trustees; or
- (c) entitled to appoint, or to dispose immediately and absolutely of the fee-simple of any land; or
- (d) who is a settlor, grantor, assignor, or transferrer of land comprised in any settlement, grant, assignment, transfer, conveyance or other instrument, not made bona fide for valuable consideration; or
- (e) who by virtue of any mortgage (legal or equitable), or of any charge or encumbrance on land is the owner of any estate or interest in land; or
- (f) who is in actual receipt of, or entitled to receive, or if the land were let to a tenant, would be entitled to receive the rents and profits of land, whether as a beneficial owner, trustee, or mortgagee in possession, or who is receiving the rents derived from land by virtue of any mortgage, or of any charge or encumbrance whatsoever, or who is otherwise, whether at law or in equity, entitled to land for an estate of freehold in possession; or
- (g) entitled to land partly in one and partly in another or others of the aforesaid ways.

* * * * *

"Western Division" has the meaning given to that expression in the Crown Lands Act of 1884, or any Act hereafter to be passed amending that Act. [*Read.*]
Motion made (*Mr. Dacey*), to leave out from line 2, the word "Clerk" and insert the word "Secretary" instead thereof.

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

Ayes, 40.

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|---------------------|------------------------------------|
| Mr. Nobbs, | Mr. Ball, |
| Mr. Dick, | Mr. McLaurin, |
| Mr. Carruthers, | Mr. Gillies, |
| Mr. Cohen, | Mr. Downes, |
| Mr. Hogue, | Mr. Moxham, |
| Mr. Mahony, | Mr. O'Connor, |
| Mr. Lee, | Mr. Richards, |
| Mr. Hindmarsh, | Mr. Henley, |
| Mr. Robson, | Mr. Brinsley Hall, |
| Mr. Fallick, | Mr. W. W. Young, |
| Mr. Moore, | Mr. Perry (<i>The Richmond</i>), |
| Mr. Wade, | Mr. Collins, |
| Mr. Levy, | Mr. Eden George, |
| Mr. Thomas, | Mr. Walter Anderson, |
| Mr. Kearney, | Mr. Oakes, |
| Mr. Latimer, | Mr. Law. |
| Mr. Davidson, | |
| Mr. R. J. Anderson, | <i>Tellers,</i> |
| Mr. McCoy, | |
| Mr. Booth, | Mr. Jessep, |
| Mr. McFarlane, | Mr. Morton. |
| Mr. Briner, | |

Noes, 17.

| |
|----------------|
| Mr. Cann, |
| Mr. Burgess, |
| Mr. Macdonell, |
| Mr. Holman, |
| Mr. Dacey, |
| Mr. Fegan, |
| Mr. Dacey, |
| Mr. Nicholson, |
| Mr. Hollis, |
| Mr. Estell, |
| Mr. Charlton, |
| Mr. Meehan, |
| Mr. Gardiner, |
| Mr. Kelly, |
| Mr. Bennett. |

Tellers,

| |
|--------------|
| Mr. Nielson, |
| Mr. Jones. |

Word stands.

And the clause having been amended as indicated,—]

Clause, as amended, agreed to.

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

WEDNESDAY, 11 OCTOBER, 1905.

No. 5.

LOCAL GOVERNMENT (SHIRES) BILL:—

~~Proposed~~ clause 7. (1) For the first three years after the constitution of the shires there shall be payable out of the Consolidated Revenue Fund for the endowment of shires in each year a sum sufficient, with a rate of one penny in the pound on the unimproved capital value of all ratable land within the shire, and with other revenue (not being a rate), to provide for expenditure in each shire equal to that of the Public Works Department during the twelve months preceding the thirtieth day of June, one thousand nine hundred and five, on the works to be taken over by the council of the shire, with an amount of ten per centum added thereto for administrative expenses; such sums to be ascertained, estimated, and certified to by the Commissioners within six months after the commencement of this Act.

Endowment for first three years.

(2) "After the said three years" there shall be payable out of the Consolidated Revenue Fund for the endowment of shires in every year the sum of one hundred and fifty thousand pounds, which shall be distributed among the shires by the Governor, on the recommendation of the Commissioners, in accordance with a classification of the shires to be made each year by the Commissioners as provided in regulations which may be made in that behalf.

Endowment for subsequent years.

(3)

Treasurer to pay endowments from Consolidated Revenue.

Endowment may be withheld if statistics not furnished;

If rates not enforced.

Endowment withheld two years forfeited

(3) Upon receipt of a certificate signed by the Commissioners as prescribed of the amount of endowment of a shire under this Act, the Treasurer may, subject to this Act, pay such amount from the Consolidated Revenue Fund to the council of such shire. The Treasurer shall, from time to time, be allowed credit for any sums of money so paid by him; and the receipt of the president under his hand and the seal of the shire, countersigned by the council clerk, shall be a sufficient discharge to the Treasurer.

(4) The Commissioners Minister may withhold their certificate for the payment of the endowment of any shire the council of which neglects or refuses to transmit to an officer to be appointed by the Governor such statistics, returns, and accounts as may be prescribed.

(5) The Commissioners Minister may, if they he consider that the council of any shire has neglected to take steps to enforce the payment of rates, withhold their certificate as to part or the whole of the endowment of such shire.

(6) If in accordance with any provision of this Act the certificate of the Commissioners is withheld as to any endowment or part of an endowment is withheld for a period exceeding two years, such endowment or such part of an endowment shall be forfeited. [Read.]

Motion made (Mr. McFarlane) to leave out subsection (1) and insert the words "After the constitution of the shires there shall be payable out of the Consolidated Revenue Fund for the endowment of shires in each year a sum sufficient, with a rate of one penny in the pound on the unimproved capital value of all ratable land within the shire, and with other revenue (not being a rate) to provide for expenditure in each shire equal to the average annual expenditure of the Public Works Department for the five years preceding the thirtieth day of June, one thousand nine hundred and five, on all works to be taken over by the council of the shire, with an amount of ten per centum added thereto for administration expenses, such sums to be ascertained, estimated, and certified to by the Minister, within six months after the commencement of this Act,"—instead thereof.

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

Ayes, 6.

Mr. Dacey,
Mr. Fegan,
Mr. Gillies,
Mr. Ball.
Tellers,
Mr. Oakes,
Mr. Arthur Griffith.

Noes, 63.

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| Mr. Waddell, Mr. Holman, Mr. Nielsen, Mr. Cann, Mr. Kelly, Mr. Jones, Mr. Carruthers, Mr. Jessep, Mr. Gardiner, Mr. J. H. Young, Mr. Sullivan, Mr. Edden, Mr. Meehan, Mr. Burgess, Mr. Hollis, Mr. Nicholson, Mr. Estell, Mr. Charlton, Mr. McNeill, Mr. Levy, Mr. Perry (Liverpool Plains), Mr. Hindmarsh, | Mr. McFarlane, Mr. Collins, Dr. Arthur, Mr. Briner, Mr. McLaurin, Mr. Bennett, Mr. Ashton, Mr. Fleming, Mr. Latimer, Mr. Hogue, Mr. Davidson, Mr. Brinsley Hall, Mr. Nobbs, Mr. Broughton, Mr. Levien, Mr. Downes, Mr. McGarry, Mr. W. W. Young, Mr. Creswell, Mr. Mahony, Mr. O'Sullivan, Mr. Robson, Mr. W. Millard, | Mr. Henley, Mr. O'Conor, Mr. Wade, Mr. Eden George, Mr. Law, Mr. McCoy, Mr. Moore, Mr. Thomas, Mr. Perry (The Richmond), Mr. Cohen, Mr. Lee, Mr. Dick, Mr. Booth, Mr. Fallick, Mr. R. J. Anderson, Mr. Walter Anderson. <i>Tellers,</i> Mr. Daley, Mr. Macdonell. |
|--|--|---|

Words left out.

No. 6.

SAME BILL.
Same clause.

Question put,—That the words proposed to be inserted in place of the words left out be so inserted.

Committee divided.

Ayes, 21.

Mr. Daley,
Mr. Waddell,
Mr. Levien,
Mr. Storey,
Mr. Fegan,
Mr. Gillies,
Mr. Perry (The Richmond),
Mr. Holman,
Mr. McFarlane,
Mr. Briner,
Mr. Bennett,
Mr. O'Sullivan,
Mr. Meehan,
Mr. Macdonell,
Mr. Gardiner,
Mr. McGarry,
Mr. McLaurin,
Mr. W. W. Young,
Mr. McNeill.
Tellers,
Mr. Collins,
Mr. Ball.

Noes, 51.

| | |
|---|--|
| Mr. Cann, Mr. Kelly, Mr. Jones, Mr. Carruthers, Mr. Jessep, Mr. J. H. Young, Mr. Sullivan, Mr. Edden, Mr. Burgess, Mr. Hollis, Mr. Nicholson, Mr. Estell, Mr. Charlton, Mr. Dacey, Mr. Mahony, Mr. Levy, Mr. Arthur Griffith, Mr. R. J. Anderson, Mr. Oakes, Mr. Mackenzie, Mr. Hindmarsh, Mr. Booth, Mr. Thomas, Mr. Ashton, Mr. Robson, Mr. Creswell, Mr. Downes, | Mr. Broughton, Mr. Nobbs, Mr. Brinsley Hall, Mr. Davidson, Mr. Hogue, Mr. Latimer, Mr. Fleming, Mr. Moore, Mr. Kearney, Mr. McCoy, Mr. Law, Mr. Eden George, Mr. Wade, Mr. O'Conor, Mr. Henley, Mr. W. Millard, Mr. Fallick, Mr. Dick, Mr. Lee, Mr. Perry (Liverpool Plains), Mr. Cohen, Mr. Walter Anderson. <i>Tellers,</i> Dr. Arthur, Mr. Nielsen. |
|---|--|

Insertion of proposed words negatived.

No. 7.

No. 7.

SAME BILL.

Same clause.

Motion made (*Mr. Nielsen*) to leave out subsection (2), and insert the following words instead thereof:—

(1) The Governor shall, on or before the thirty-first day of December one thousand nine hundred and six, and every three years thereafter by proclamation, declare the class within which each shire shall be placed respectively, and in determining the class of each shire the following matters shall be taken into consideration:—

- (a) the extent of the shire;
- (b) the probable annual revenue derivable from a rate of one penny in the pound on the unimproved capital value of ratable land in the shire;
- (c) the necessary annual expenditure;
- (d) the extent of the roads to be made and maintained;
- (e) the difficulty of construction and maintenance of roads and other public works;
- (f) the facilities to be afforded to vehicular traffic;
- (g) the extent of public works maintained by the Government;
- (h) the extent of Crown lands (other than parks or reserves for public recreation) from which the council will receive no rates, and the existence of which in the shire involves expenditure by the council on road construction, or in other ways.

And there shall be payable out of the Consolidated Revenue for the endowment of the shires in every year a sum not less than one hundred and fifty thousand pounds to be appropriated by Parliament for such purpose, and paid to the shires on the following basis:—

- (a) The endowment of a shire of the first class shall be such sum, not exceeding ten shillings in the pound on the proceeds of the general rate received by the council during the next preceding year, as the Governor may determine: Provided that, in any case in which the Governor does not consider that the necessities of a shire warrant the payment of an endowment, no endowment shall be paid;
- (b) The endowment of a shire of the second class shall be fifteen shillings in the pound on such proceeds;
- (c) The endowment of a shire of the third class shall be twenty shillings in the pound on such proceeds;
- (d) The endowment of a shire of the fourth class shall be twenty-five shillings in the pound on such proceeds;
- (e) The endowment of a shire of the fifth class shall be thirty shillings in the pound on such proceeds;
- (f) The endowment of a shire of the sixth class shall be such sum, not less than forty shillings in the pound on such proceeds, as the Governor may determine.

And an Honorable Member requiring that the amendment be so stated as not to preclude him from moving an amendment,—

Question put (with a view of testing the Committee),—That the words, "After the said three years" in line 1 of subsection (2), proposed to be left out, stand part of the clause.

Committee divided.

Ayes, 21.

Mr. McLaurin,
Mr. Arthur Griffith,
Mr. Waddell,
Mr. Bennett,
Mr. Fegan,
Mr. O'Sullivan,
Mr. McFarlane,
Mr. Fleming,
Mr. Estell,
Mr. Edden,
Mr. Charlton,
Mr. W. W. Young,
Mr. McGarry,
Mr. McNeill,
Mr. Daley,
Mr. Meehan,
Mr. Hindmarsb,
Mr. Gardiner,
Mr. Gillies.

Tellers,

Mr. Brincr,
Mr. Macdonell.

Noes, 46.

Mr. Thomas,
Mr. Moore,
Mr. Kelly,
Mr. Carruthers,
Mr. Holman,
Mr. Collins,
Mr. Nielsen,
Mr. Dacey,
Mr. Hogue,
Mr. Downes,
Mr. Nicholson,
Mr. Hollis,
Mr. Burgess,
Mr. Caon,
Mr. Mahony,
Mr. Oakes,
Mr. Ball,
Mr. J. H. Young,
Mr. Jessep,
Mr. Ashton,
Mr. Kearney,
Mr. Levy,
Mr. Law,
Mr. Wade,
Mr. Latimer,

Mr. Lec,
Mr. Davidson,
Mr. Mackenzie,
Mr. Broughton,
Mr. Booth,
Mr. Robson,
Mr. Walter Anderson,
Mr. Henley,
Mr. Eden George,
Mr. R. J. Anderson,
Mr. Fallick,
Mr. Perry (*Liverpool
Plains*),
Dr. Arthur,
Mr. W. Millard,
Mr. Morton,
Mr. Nobbs,
Mr. O'Connor,
Mr. Jones,
Mr. Dick.

Tellers,

Mr. McCoy,
Mr. Cohen.

Words (subsection 2) left out.

No. 8.

No. 8.

SAME BILL.

Same clause.

Question put,—That the words proposed to be inserted, in place of the words left out, be so inserted.

Committee divided.

Ayes, 44.

| | |
|-----------------|------------------------------|
| Mr. Hogue, | Mr. Ball, |
| Mr. Dacey, | Mr. Jessep, |
| Mr. Holman, | Mr. Nobbs, |
| Mr. Carruthers, | Mr. Oakes, |
| Mr. Wade, | Mr. Cohen, |
| Mr. Lec, | Mr. Fallick, |
| Mr. Nielsen, | Mr. R. J. Anderson, |
| Mr. Moore, | Mr. Mackenzie, |
| Mr. Thomas, | Mr. Eden George, |
| Mr. Nicholson, | Mr. Henley, |
| Mr. Cann, | Mr. Walter Anderson, |
| Mr. Downes, | Mr. W. Millard, |
| Mr. Hollis, | Mr. Perry (<i>Liverpool</i> |
| Mr. Broughton, | <i>Plains</i>), |
| Mr. Robson, | Dr. Arthur, |
| Mr. Mahony, | Mr. O'Conor, |
| Mr. Burgess, | Mr. Jones, |
| Mr. Kelly, | Mr. Morton, |
| Mr. Ashton, | Mr. Dick. |
| Mr. Latimer, | <i>Tellers,</i> |
| Mr. Levy, | |
| Mr. McCoy, | Mr. Collins, |
| Mr. Kearney, | Mr. Law. |
| Mr. Booth, | |

Noes, 22.

| |
|----------------------|
| Mr. Macdonell, |
| Mr. McNeill, |
| Mr. Daley, |
| Mr. Gardiner, |
| Mr. Meehan, |
| Mr. J. H. Young, |
| Mr. Edden, |
| Mr. Hindmarsh, |
| Mr. Charlton, |
| Mr. Gillies, |
| Mr. Waddell, |
| Mr. Fegan, |
| Mr. McLaurin, |
| Mr. Bennett, |
| Mr. McFarlane, |
| Mr. Briner, |
| Mr. Fleming, |
| Mr. Davidson, |
| Mr. McGarry, |
| Mr. W. W. Young. |
| <i>Tellers,</i> |
| Mr. Arthur Griffith, |
| Mr. Estell. |

Words inserted.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 12 OCTOBER, 1905, A.M.

No. 9.

SAME BILL.

List of electors.

Clause 20. (1) A council shall each year, on the day and in the manner prescribed, cause a list to be made of the names of the persons who appear to have the necessary qualification of electors "as occupiers or owners":

Provided that, for the purposes of the first election of a council, on the constitution of a shire, the list shall be made by the temporary council.

Qualification as occupier.

(2) Any natural born or naturalized British subject, male or female, of the age of twenty-one years or upwards, shall be entitled to be placed on the list as "occupier," and to be enrolled as an elector if he—

(a) has been continuously, during the ~~six~~ **three** months next preceding such prescribed day, in joint or several occupation as tenant under lease, or **tenancy**, oral or written, of any ratable land in the shire which, with or without any houses or other buildings thereon, is of a yearly value of ~~ten~~ **five** pounds or upwards:

Provided that only one of such joint occupiers shall be entitled to be placed on the roll, unless the premises jointly occupied are of the yearly value of twenty pounds or upwards, in which case such number of the said occupiers shall be entitled to be placed on the roll as, when the said yearly value is divided thereby, gives a quotient of ~~ten~~ **five** pounds, with a remainder of less than ~~ten~~ **five** pounds. The joint occupiers who shall be so entitled shall be determined by a majority of the occupiers, evidenced by agreement signed by such majority, and delivered to the clerk, or, failing such agreement, according to the alphabetical order of the surnames of the occupiers:

* * * * *

(c) has been continuously during such ~~six~~ **three** months in joint or several occupation of any ratable land in the shire, by virtue of a miner's right or business license under the Mining Act, 1874, or any Act amending or consolidating the same.

* * * * *

[*Read.*]

Motion made (*Mr. Arthur Griffith*) to leave out from line 3 of subsection (1) the words "as occupiers or owners."

Mr. Jessep moved,—“That the Question be now put.”

Question put,—That the question be now put.

Committee

Committee divided.

Ayes, 36.

| | |
|-----------------|------------------------------|
| Mr. Hogue, | Mr. Cohen, |
| Mr. Mahony, | Mr. Robson, |
| Mr. O'Connor, | Mr. R. J. Anderson, ✓ |
| Mr. Carruthers, | Mr. Eden George, |
| Mr. Levy, | Mr. Walter Anderson, |
| Mr. Dick, | Mr. Henley, |
| Mr. Law, | Mr. Booth, |
| Mr. Moore, | Mr. Collins, |
| Mr. Wade, | Mr. Nobbs, |
| Mr. Broughton, | Mr. W. Millard, |
| Dr. Arthur, | Mr. Perry (<i>Liverpool</i> |
| Mr. Fallick, | <i>Plains</i>), |
| Mr. Kearney, | Mr. Ball, |
| Mr. Ashton, | Mr. Fleming, |
| Mr. Oakes, | Mr. Thomas. |
| Mr. Latimer, | <i>Tellers,</i> |
| Mr. Davidson, | Mr. Jessep, |
| Mr. Donaldson, | Mr. Mackenzie. |
| Mr. Hindmarsh, | |
| Mr. Lee, | |

Noes, 27.

| | |
|----------------------|-----------------|
| Mr. Macdonell, | Mr. Cann, |
| Mr. Daley, | Mr. Fegan, |
| Mr. Kelly, | Mr. Waddell, |
| Mr. McNeill, | Mr. McLaurin, |
| Mr. Nielsen, | Mr. Bennett. |
| Mr. Arthur Griffith, | <i>Tellers,</i> |
| Mr. Dacey, | Mr. Charlton, |
| Mr. Hollis, | Mr. Briner. |
| Mr. Holman, | |
| Mr. Estell, | |
| Mr. Gardiner, | |
| Mr. Miller, | |
| Mr. Edden, | |
| Mr. Meehan, | |
| Mr. Nicholson, | |
| Mr. Jones, | |
| Mr. Burgess, | |
| Mr. McGarry, | |
| Mr. W. W. Young, | |
| Mr. Gillias, | |

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of "at least thirty Members,"—

No. 10.

SAME BILL.

Same clause.

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

Committee divided.

Ayes, 41.

| | |
|------------------|------------------------------|
| Mr. Hogue, | Mr. Hindmarsh, |
| Mr. Mahony, | Mr. Lee, |
| Mr. O'Connor, | Mr. Cohen, |
| Mr. Carruthers, | Mr. Robson, |
| Mr. Dick, | Mr. Walter Anderson, |
| Mr. Jessep, | Mr. R. J. Anderson, |
| Mr. Law, | Mr. Eden George, |
| Mr. J. H. Young, | Mr. Henley, |
| Mr. Moore, | Mr. Booth, |
| Mr. Wade, | Mr. McFarlane, |
| Mr. Broughton, | Mr. Collins, |
| Dr. Arthur, | Mr. Nobbs, |
| Mr. Fallick, | Mr. Ball, |
| Mr. Kearney, | Mr. Perry (<i>Liverpool</i> |
| Mr. Ashton, | <i>Plains</i>), |
| Mr. Oakes, | Mr. W. Millard, |
| Mr. Latimer, | Mr. Fleming, |
| Mr. Waddell, | Mr. Thomas. |
| Mr. Davidson, | <i>Tellers,</i> |
| Mr. Bennett, | Mr. Donaldson, |
| Mr. McLaurin, | Mr. Levy. |
| Mr. Mackenzie, | |

Noes, 24.

| | |
|----------------------|-----------------|
| Mr. Macdonell, | <i>Tellers,</i> |
| Mr. Charlton, | Mr. Gillics, |
| Mr. Kelly, | Mr. Daley. |
| Mr. McNeill, | |
| Mr. Nielsen, | |
| Mr. Arthur Griffith, | |
| Mr. Dacey, | |
| Mr. Hollis, | |
| Mr. Holman, | |
| Mr. Estell, | |
| Mr. Gardiner, | |
| Mr. Miller, | |
| Mr. Edden, | |
| Mr. Meehan, | |
| Mr. Nicholson, | |
| Mr. Jones, | |
| Mr. Burgess, | |
| Mr. Cann, | |
| Mr. Fegan, | |
| Mr. Briner, | |
| Mr. McGarry, | |
| Mr. W. W. Young, | |

Words stand.

And the clause having been amended as indicated.

Clause, as amended, agreed to.

And clause 21 having been agreed to,—

No. 11.

SAME BILL.

Clause 26. (1) All land, whether the property of His Majesty or not, shall be ratable, except Definition of ratable land. the following descriptions of land and the land occupied by and used in connection with the buildings hereinafter mentioned,—

- (a) ~~land vested in, or in the occupation or under the management or control of, or held in trust for a council;~~
- (b) (a) commons, public parks, and public reserves not under lease;
- (e) (b) cemeteries, public hospitals, benevolent institutions and buildings used exclusively for public charitable purposes;
- (d) (c) churches and other buildings used exclusively for public worship, and free public libraries;
- (e) (d) unoccupied Crown lands.

(2) All land vested in the Railway Commissioners of New South Wales, and not actually used for the purposes of the Government railways or tramways, or for purposes connected therewith, shall also be ratable.

(2) (3) Provided that, notwithstanding anything to the contrary in this Act, ratable land which is the property of the Crown, and is not held under lease or license, shall be rated only on the unimproved value, and in no case on the improved value. [*Read.*]

Crown land rated only on the unimproved value.

And the clause having been amended as indicated,—

Motion made (*Mr. Nielsen*), to insert the following words to follow paragraph (e):—

- "(f) lands being Crown lands within the meaning of the Crown Lands Act of 1884 "or of any Acts amending the same or regulating the alienation or disposition of "Crown lands held under conditional or special lease or homestead selection or "any other form of leasehold tenure from the Crown except and until the "present term of the lease is up or an appraisalment is effected under the terms of "the lease of any such land."

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

Committee

Committee divided.

Ayes, 22.

Mr. Cann,
Mr. Holman,
Mr. Burgess,
Mr. Macdonell,
Mr. Collins,
Mr. Nielsen,
Mr. Gardiner,
Mr. Macdonald,
Mr. Daley,
Mr. Meehan,
Mr. McNeill,
Mr. Miller,
Mr. Charlton,
Mr. McGarry,
Mr. Nicholson,
Mr. O'Sullivan,
Mr. Briner,
Mr. Dacey,
Mr. Hollis,
Mr. Estell.

Tellers,

Mr. Griffith,
Mr. Jones.

Noes, 44.

Mr. Fegan,
Mr. Moore,
Mr. Davidson,
Mr. Levy,
Mr. Lee,
Mr. Carruthers,
Mr. Fallick,
Mr. Walter Anderson,
Mr. Ball,
Mr. Hurley,
Mr. Downes,
Mr. Mackenzie,
Mr. Hogue,
Mr. Ashton,
Mr. Donaldson,
Mr. Gillies,
Mr. J. H. Young,
Dr. Arthur,
Mr. R. J. Anderson,
Mr. Law,
Mr. Levien,
Mr. Hindmarsh,
Mr. Latimer,
Mr. Thomas,
Mr. McCoy,
Mr. Perry (*The Richmond*),
Mr. Norton,
Mr. McFarlane,
Mr. Bennett,
Mr. O'Conor,
Mr. Perry (*Liverpool Plains*),
Mr. Henley,
Mr. Nobbs,
Mr. Brinsley Hall,
Mr. Oakes,
Mr. Fell,
Mr. Booth,
Mr. Morton,
Mr. Dick,
Mr. Eden George,
Mr. W. Millard,
Mr. Wade,
Tellers,
Mr. McLaurin,
Mr. Cohen.

Insertion of proposed words negatived.

And the clause having been further amended as indicated,—

No. 12.

SAME BILL.

Same clause.

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

Committee divided.

Ayes, 33.

Mr. Hogue,
Mr. Moore,
Mr. Ashton,
Mr. Dick,
Mr. Carruthers,
Mr. Lee,
Mr. Mahony,
Mr. Levy,
Mr. Mackenzie,
Mr. Fallick,
Mr. Booth,
Mr. Cohen,
Mr. Wade,
Mr. Downes,
Mr. Fell,
Mr. Eden George,
Mr. R. J. Anderson,
Mr. Fleming,
Mr. McCoy,
Dr. Arthur,
Mr. Law,
Mr. Ball,
Mr. Davidson,
Mr. Kearney,
Mr. Robson,
Mr. Thomas,
Mr. Nobbs,
Mr. Oakes,
Mr. Collins,
Mr. Perry (*Liverpool Plains*),
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Henley,
Mr. Latimer,
Mr. Morton,
Mr. O'Conor,
Tellers,
Mr. John Hurley,
Mr. Gillies.

Noes, 31.

Mr. Edden,
Mr. Fegan,
Mr. Macdonell,
Mr. Burgess,
Mr. Charlton,
Mr. Nielsen,
Mr. Daley,
Mr. McNeill,
Mr. Bennett,
Mr. Hollis,
Mr. Nicholson,
Mr. Meehan,
Mr. Macdonald,
Mr. Cann,
Mr. Estell,
Mr. Gardiner,
Mr. Jones,
Mr. Norton,
Mr. O'Sullivan,
Mr. McGarry,
Mr. McFarlane,
Mr. Brinsley Hall,
Mr. Perry (*The Richmond*),
Mr. McLaurin,
Mr. Briner,
Mr. Donaldson,
Mr. Hindmarsh,
Mr. J. H. Young,
Mr. Arthur Griffith,
Tellers,
Mr. Miller,
Mr. Richards.

Agreed to.

And clauses 27 and 28 having been dealt with.

No. 13.

SAME BILL.

Clause 32. (1) A council shall make and levy a general rate of not less than one penny in the pound upon the unimproved capital value of all ratable land in its shire.

Such rate shall be made and levied in and for each year, commencing the first day of January:

Provided that on representation from any council that a general rate of one penny in the pound on such unimproved capital value is more than sufficient to meet the requirements of its shire, the ~~Commissioners may, in their~~ Governor may, in his discretion, allow the reduction of the rate below one penny in the pound.

(2) The Governor shall forthwith, on the council of a shire imposing a rate on such unimproved capital value, proclaim that the operation of the enactments mentioned in Schedule Three are to the extent therein mentioned suspended in such shire; and thereupon such suspension shall have effect.

(3) This general rate may be increased to any sum up to but not exceeding three halfpence in the pound on such unimproved capital value.

Provided that any higher rate may be levied if the Governor, on the recommendation of the Commissioners, approves.

(4) In addition to the general rate on the unimproved capital value, a council may levy an additional general rate up to but not exceeding one halfpenny in the pound on the improved capital value of all ratable land in its shire:

(5) Provided that the sum of all general rates taken together shall not exceed six-fifths of a penny in the pound on the improved capital value of all such ratable land; and that, should any doubt arise as to whether the general rates in any shire are within or exceed this limit, the Commissioners, either of their own motion, or on their attention being directed to the matter by any ratepayer, shall decide the question without appeal.

(6)

General rate levied on unimproved capital value.
General rate to be levied each year.
Reduction of general rate below one penny in the pound.
Repeal of land tax enactments.

Schedule Three.

General rate on unimproved value may be increased.

Additional rate on improved value.

Limit of general rates.

(6) The amounts of the general rates made and levied upon the ratable land in the several ridings need not be the same, but every general rate in respect of land within a riding shall be the same. General rate need not be the same in every riding of an area.
Minimum rate!

(7) The minimum amount of the general rate in respect of any portion of land shall be two shillings and sixpence.

And the clause having been amended as indicated,—

Motion made (*Mr. Nielsen*), to add at end of clause the words “Provided that no rate of a greater amount than one penny halfpenny in the pound shall be struck unless and until the electors of the shire agree thereto on a vote being taken in the prescribed manner.”

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

Committee divided.

Ayes, 14.

Mr. Burgess,
Mr. J. H. Young,
Mr. Nielsen,
Mr. Daley,
Mr. Gillies,
Mr. Bennett,
Mr. McFarlane,
Mr. Latimer,
Mr. Jessop,
Mr. Briner,
Mr. Gardiner,
Mr. Miller.

Tellers,

Mr. Collins,
Mr. Davidson.

Noes, 55.

Mr. Hollis,
Mr. Cann,
Mr. Jones,
Mr. Edden,
Mr. Arthur Griffith,
Mr. Carruthers,
Mr. Macdonell,
Mr. Moore,
Mr. Holman,
Mr. Ashton,
Mr. Nicholson,
Mr. Meehan,
Mr. Sullivan,
Mr. Charlton,
Mr. Cohen,
Mr. McGarry,
Mr. Downes,
Mr. Estell,
Mr. Perry (*The Richmond*),

Mr. Norton,
Mr. Nobbs,
Mr. John Hurley,
Mr. W. W. Young,
Mr. Broughton,
Mr. Richards,
Mr. Perry (*Liverpool Plains*),
Mr. Fell,
Mr. Fleming,
Mr. Fallick,
Mr. Waddell,
Mr. Booth,
Mr. Oakes,
Mr. Creswell,
Mr. Hogue,
Mr. Law,
Mr. Thomas,
Mr. R. J. Anderson,
Mr. Hindmarsh,

Mr. Wade,
Mr. Dick,
Mr. McCoy,
Mr. Walter Anderson,
Dr. Arthur,
Mr. W. Millard,
Mr. Henley,
Mr. Kearney,
Mr. Eden George,
Mr. Donaldson,
Mr. Morton,
Mr. McLaurin,
Mr. Lee,
Mr. O'Sullivan,
Mr. O'Conor.

Tellers,

Mr. Dacey,
Mr. Ball.

Addition of proposed words negatived.

Clause, as amended, agreed to.

And clauses 33 and 38 having been agreed to,—

No. 14.

SAME BILL.

Clause 43. (1) Subject to the provisions of this Act as to the powers and duties conferred and imposed upon councils, and so far as such powers and duties extend, the Governor may, ~~on the recommendation of the Commissioners,~~ at any time after the passing of this Act, make, amend, alter, or repeal ordinances applicable to all or any specified shires for carrying this Act into effect, and such ordinances may deal with matters respecting—

Matters which may be dealt with by ordinances.

(A)

- (i) the qualifications and duties of servants of councils, and the appointment, suspension, and dismissal of such servants;
- (ii) public places and ferries under control of councils and the regulation of traffic thereon;
- (iii) public wharfs and bridges;
- “(iv) public health, safety, and convenience;”
- (v) the carrying out jointly of works on boundaries and the joint control thereof;
- (vi) the lighting and cleansing of public places;
- (vii) the suppression of nuisances;
- (viii) the regulation of the hawking of goods and the licensing of hawkers by councils, and the charging of a license fee, which shall be paid to the general fund of the shire;
- (ix) the removal of nightsoil, filth, or refuse;
- ~~(x) the regulation of the width of tyres of wheeled vehicles;~~
- (xi) the regulation and the licensing of public vehicles and the drivers and conductors thereof, and the charging of a license fee;
- (xii) the fixing and collecting of tolls on “roads, bridges,” wharfs, jetties, ferries, and public watering places under the control of the council;
- (xiii) encroachments on public roads, streets, or other public places by buildings, fences, hedges, ditches, or drains;
- (xiv) the supply and distribution of water;
- (xv) the care, construction, and management within the shire of roads, streets, bridges, culverts, jetties, ferries, and wharfs;
- (xvi) the powers of officers and servants;
- ~~(xvii) the powers under sections two hundred and thirty three and two hundred and thirty-four of the Municipalities Act, 1897, relating to the duties of councils;~~
- (xviii) any other powers and duties conferred and imposed on or acquired by a council under part IV of this Act;
- * * * * *
- ~~(xxxiv) the maximum allowance payable to a president;~~
- ~~(xxxv) the conditions under which expenses may be paid to councillors;~~
- * * * * *

Relating to matters in Part IV.

[*Read.*]

And the clause having been amended as indicated,—

Motion made (*Mr. Macdonell*), to leave out from line 11, the words “(iv) public health, safety, and convenience.”

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

Committee divided.

Ayes, 41.

| | |
|---------------------|------------------------------|
| Mr. O'Connor, | Mr. Law, |
| Mr. Ashton, | Mr. Mahony, |
| Mr. Ball, | Mr. Nobbs, |
| Mr. Hindmarsh, | Mr. Latimer, |
| Mr. Downes, | Mr. Donaldson, |
| Mr. Morton, | Mr. Cann, |
| Mr. Cohen, | Mr. Hollis, |
| Dr. Arthur, | Mr. Walter Anderson, |
| Mr. Thomas, | Mr. Davidson, |
| Mr. Moore, | Mr. Oakes, |
| Mr. Wade, | Mr. Booth, |
| Mr. Dick, | Mr. Perry (<i>Liverpool</i> |
| Mr. Lee, | <i>Plains</i>), |
| Mr. John Hurley, | Mr. J. H. Young, |
| Mr. Carruthers, | Mr. Henley, |
| Mr. Creswell, | Mr. Fleming, |
| Mr. Levy, | Mr. Fallick, |
| Mr. Hogue, | Mr. W. Millard. |
| Mr. Kearney, | <i>Tellers,</i> |
| Mr. Brinsley Hall, | Mr. Sullivan, |
| Mr. R. J. Anderson, | Mr. McCoy. |
| Mr. Jessop, | |

Noes, 27.

| | |
|------------------------------|----------------------------|
| Mr. Gardiner, | Mr. McLaurin, ⁵ |
| Mr. Meehan, | Mr. McFarlane, |
| Mr. Charlton, | Mr. Bennett, |
| Mr. Macdonald, | Mr. Brincr. |
| Mr. McGarry, | <i>Tellers,</i> |
| Mr. Edden, | Mr. Burgess, |
| Mr. Perry (<i>The Rich-</i> | Mr. Miller. |
| <i>mond</i>), | |
| Mr. Norton, | |
| Mr. Estell, | |
| Mr. Jones, | |
| Mr. Daley, | |
| Mr. Dacey, | |
| Mr. Holman, | |
| Mr. Gillies, | |
| Mr. Macdonell, | |
| Mr. Nielsen, | |
| Mr. Arthur Griffith, | |
| Mr. O'Sullivan, | |
| Mr. W. W. Young, | |
| Mr. Waddell, | |
| Mr. Fegan, | |

Words stand.

And the clause having been further amended as indicated,—

No. 15.

SAME BILL.

Same clause.

Motion made (*Mr. Perry, The Richmond*), to leave out from paragraph (xii) the words "roads, bridges."

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

Committee divided.

Ayes, 37.

| | |
|-----------------|------------------------------|
| Mr. Fegan, | Mr. Gillies, |
| Mr. Lee, | Mr. Latimer, |
| Mr. Nobbs, | Mr. Dacey, |
| Mr. Wade, | Mr. Fleming, |
| Mr. Dick, | Mr. Thomas, |
| Mr. Jessop, | Mr. Law, |
| Mr. Carruthers, | Mr. Collins, |
| Mr. Robson, | Mr. R. J. Anderson, |
| Mr. Levy, | Mr. O'Connor, |
| Mr. Hogue, | Mr. Oakes, |
| Mr. Ball, | Mr. Walter Anderson, |
| Mr. Ashton, | Mr. Mackenzie, |
| Mr. Hindmarsh, | Mr. Booth, |
| Mr. Moore, | Mr. Henley, |
| Mr. Downes, | Mr. W. Millard. |
| Mr. Morton, | <i>Tellers,</i> |
| Mr. Mahony, | Mr. Fallick, |
| Mr. Cohen, | Mr. Perry (<i>Liverpool</i> |
| Mr. Davidson, | <i>Plains</i>). |
| Dr. Arthur, | |

Noes, 26.

| | |
|------------------------------------|-----------------|
| Mr. Nielsen, | Mr. McFarlane, |
| Mr. Daley, | Mr. McLaurin, |
| Mr. Macdonell, | Mr. Bennett, |
| Mr. Gardiner, | Mr. Kearney. |
| Mr. Hollis, | <i>Tellers,</i> |
| Mr. Holman, | Mr. Brincr, |
| Mr. Jones, | Mr. Sullivan. |
| Mr. Miller, | |
| Mr. Charlton, | |
| Mr. Meehan, | |
| Mr. Estell, | |
| Mr. Burgess, | |
| Mr. McGarry, | |
| Mr. Perry (<i>The Richmond</i>), | |
| Mr. Norton, | |
| Mr. O'Sullivan, | |
| Mr. W. W. Young, | |
| Mr. Brinsley Hall, | |
| Mr. Waddell, | |
| Mr. Donaldson, | |

Words stand.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

And clauses 44 and 45 having been dealt with,—

No. 16.

SAME BILL.

Clause 48. There shall be an engineer for a shire, or, by arrangement between the councils, for two or more adjoining shires.

The first shire engineer shall be appointed by the council or councils within the time prescribed by the regulations, and in the following manner:—

- (a) The council or councils shall fix the salary for such shire engineer.
- (b) The council or councils shall, within the time prescribed by the regulations, offer the appointment to some person who "was, at the commencement of this Act, a "district assistant engineer employed in the area of the shire or shires of such "council or councils, or such of his assistants as" may be certified by the ~~Commissioners~~ **Minister** to be suitable; or, with the consent of the ~~Commissioners~~ **Minister**, may offer the appointment to any other assistant district engineer, or any of his assistants.
- (c) If the offer is accepted, any rights which the district assistant engineer or his assistant may have to any pension, gratuity, or refund payable out of the Consolidated Revenue Fund on the abolition of his office in the public service shall be adjusted, but the payments in respect thereof shall not be made until he *bona-fide* retires from the service of the shire or shires.
- (d) If the offer is made and is not accepted, the council or councils may proceed to make the appointment in accordance with the ordinances in that behalf.
- (e) If the offer is not made within the time prescribed as aforesaid, the Governor, on the recommendation of the ~~Commissioners~~ may appoint a shire engineer. [*Read*]

Motion made (*Mr. Perry, The Richmond*) to leave out from lines 7, 8 and 9 the words "was, at the "commencement of this Act, a district assistant engineer employed in the area of the shire "or shires of such council or councils, or such of his assistants as."

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

Committee

Appointment of assistant engineers to be shire engineers.

Committee divided.

| | | | |
|-----------------|------------------------------|--------------------|------------------------------|
| | Ayes, 47. | | Noes, 14. |
| Mr. Wade, | Mr. Jessep, | Mr. Kearney, | Mr. Macdonell, |
| Mr. Levien, | Mr. Mahony, | Mr. McCoy, | Mr. Gardiner, |
| Mr. Moore, | Mr. Waddell, | Mr. O'Conor, | Mr. Daley, |
| Mr. Creswell, | Mr. Richards, | Mr. Dick, | Mr. Kelly, |
| Mr. Lee, | Mr. Briner, | Mr. Morton, | Mr. Jones, |
| Mr. Carruthers, | Mr. Collins, | Mr. Fleming, | Mr. Perry (<i>The Rich-</i> |
| Mr. Ashton, | Mr. Law, | Mr. Henley, | <i>mond</i>), |
| Mr. Estell, | Mr. Latimer, | Mr. W. Millard, | Mr. Miller, |
| Mr. Davidson, | Mr. Holman, | Mr. McFarlane, | Mr. Burgess, |
| Mr. Robson, | Mr. Cohen, | Mr. O'Sullivan. | Mr. Meehan, |
| Mr. Nobbs, | Mr. R. J. Anderson, | | Mr. Sullivan, |
| Mr. Booth, | Dr. Arthur, | <i>Tellers,</i> | Mr. McNeill. |
| Mr. Fallick, | Mr. Fell, | Mr. Brinsley Hall, | Mr. Walter Anderson. |
| Mr. Downes, | Mr. Mackenzie, | Mr. Hollis. | |
| Mr. Hindmarsh, | Mr. Charlton, | | <i>Tellers,</i> |
| Mr. Thomas, | Mr. Perry (<i>Liverpool</i> | | Mr. John Hurley, |
| Mr. Hogue, | <i>Plains</i>), | | Mr. Ball. |
| Mr. Gillies, | Mr. Donaldson, | | |

Words stand.

And the clause having been amended as indicated,

Clause, as amended, agreed to.

And clause 51 having been agreed to,—

No. 17.

SAME BILL.

Schedule One.

CHAPTER I.

(i) The care, control, construction, formation, fencing, maintenance, and management of all public places within the shire except—

(ii) The regulation of traffic in public places and of the width of tires of wheeled vehicles.

CHAPTER II.

(ix) The removal of night soil and refuse, The conservation, collection, removal, and disposal of night soil and refuse, the construction and situation of privies, the degree of closet accommodation, and the construction and maintenance of drains and sewers in villages and towns.

(x) The providing of water for villages and towns not supplied with water by the Metropolitan Board of Water Supply and sewerage without reticulation (trunk supply main and stand-pipes only).

CHAPTER III.

“(xvi) The administration within the shire of the powers and duties which a pastures protection board has under the Pastures Protection Act, 1902, within a pastures protection district, for which purpose the following provisions shall have effect within the shire when “so provided by order of the Governor duly proclaimed—

“(a) any such board having jurisdiction only within the shire shall be dissolved ;

“(b) the powers and duties of any other such board shall not be exercised within the shire ;

“(c) the shire shall be proclaimed a pastures protection district ;

“(d) inspectors under the said Act shall be retained in office, but shall be liable to suspension “or dismissal by the council ;

“(e) the salaries of inspectors shall be paid by the council ;

“(f) inspectors shall be under the control of the council, and all appointments of inspectors “shall be made by the council ;

“(g) moneys in the hands of any such boards as had before such day jurisdiction in the shire, or a proportionate part of such moneys shall be allotted by the “Commissioners Minister to the council. [*Read.*]

And the Schedule having been amended as indicated,—

Motion made (*Mr. Holman*) to insert at end of Chapter II the words, “(xiv) The acquisition of licensed premises for the sale of liquor, and the care, control, and management of such premises.”

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

Committee divided.

Ayes, 11.

Noes, 45.

| | | | |
|-----------------|------------------------------|------------------------------|---------------------|
| Mr. Holman, | Mr. Cohen, | Mr. Miller, | Mr. Hindmarsh, |
| Mr. Kelly, | Mr. Dick, | Mr. Ashton, | Mr. Hogue, |
| Mr. Macdonell, | Mr. Carruthers, | Mr. Waddell, | Mr. Law, |
| Mr. Hollis, | Mr. Wade, | Mr. Mackenzie, | Mr. Donaldson, |
| Mr. Estell, | Mr. Creswell, | Mr. Thomas, | Mr. R. J. Anderson, |
| Mr. Morton, | Mr. Lee, | Mr. Davidson, | Mr. W. Millard, |
| Mr. Levien, | Mr. Perry (<i>The Rich-</i> | Mr. Latimer, | Mr. Fleming, |
| Mr. Burgess, | <i>mond</i>), | Mr. Collins, | Mr. Fallick, |
| Mr. O'Sullivan. | Mr. John Hurley, | Mr. Kearney, | Mr. Fell, |
| <i>Tellers,</i> | Mr. Ball, | Mr. Perry (<i>Liverpool</i> | Mr. Henley, |
| | Mr. Moore, | <i>Plains</i>), | Mr. Briner. |
| Mr. Daley, | Mr. Robson, | Mr. Downes, | <i>Tellers,</i> |
| Mr. McNeill. | Mr. Jessep, | Mr. Walter Anderson, | Mr. Gardiner, |
| | Mr. Nobbs, | Mr. McCoy, | Mr. Jones. |
| | Mr. Booth, | Mr. Charlton, | |
| | Mr. Gillies, | Mr. Brinsley Hall, | |
| | Mr. Sullivan, | Mr. Richards, | |

Insertion of proposed words negatived.

No. 18.

No. 18.

SAME BILL.

*Same Schedule.*Motion made (*Mr. Macdonell*) to leave out paragraph (xvi) down to the word "the," in line 14.

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

Committee divided.

Ayes, 39.

| | |
|--|----------------------|
| Mr. Morton, | Mr. McCoy, |
| Mr. Cohen, | Mr. Fleming, |
| Mr. Robson, | Mr. Kearney, |
| Mr. Lee, | Mr. Dick, |
| Mr. Carruthers, | Mr. Miller, |
| Mr. Moore, | Mr. Hollie, |
| Mr. Donaldson, | Mr. Brinsley Hall, |
| Mr. Perry (<i>Liverpool Plains</i>), | Mr. Kelly, |
| Mr. Hindmarsh, | Mr. Richards, |
| Mr. Davidson, | Mr. Thomas, |
| Mr. Ashton, | Mr. Levien, |
| Mr. Fallick, | Mr. Hogue, |
| Mr. Ball, | Mr. W. Millard, |
| Mr. Downes, | Mr. Henley, |
| Mr. Booth, | Mr. R. J. Anderson, |
| Mr. Wade, | Mr. Walter Anderson, |
| Mr. Nobbs, | Mr. Fell. |
| Mr. Creswell, | <i>Tellers,</i> |
| Mr. Holman, | Mr. Latimer, |
| Mr. Law, | Mr. Jessep. |

Noes, 15.

| |
|------------------------------------|
| Mr. Gardiner, |
| Mr. Macdonell, |
| Mr. McNeill, |
| Mr. Jones, |
| Mr. O'Sullivan, |
| Mr. Briner, |
| Mr. Waddell, |
| Mr. Perry (<i>The Richmond</i>), |
| Mr. Gillies, |
| Mr. Meehan, |
| Mr. Charlton, |
| Mr. Burgess, |
| Mr. Sullivan. |
| <i>Tellers,</i> |
| Mr. Collins, |
| Mr. Estell. |

Words stand.

And the Schedule having been further amended as indicated,—

Schedule, as amended, agreed to.

And the remaining Schedules, Clause 28, and certain new clauses having been dealt with,—

No. 19.

SAME BILL.

New clause, to follow Clause 52.

* Inquiries.

The Governor or the Minister may appoint any officer of the Public Service to make inquiry as to any matter relating to the administration of this Act. Such officer, and any person to whom under this Act any matter may be referred, shall have the powers of a Commissioner under the Royal Commissioner's Evidence Act, 1901, and the provisions of the said Act shall apply to and in relation to any such officer or person in conducting any such inquiry or reference. [*Read.*]

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

Committee divided.

Ayes, 37.

| | |
|--------------------------|------------------------------|
| Mr. Creswell, | Mr. Collins, |
| Mr. Hogue, | Mr. Dick, |
| Mr. Levien, | Mr. Briner, |
| Mr. Lee, | Mr. Kearney, |
| Mr. Robson, | Mr. Hindmarsh, |
| Mr. Carruthers, | Mr. Perry |
| Mr. Donaldson, | (<i>Liverpool Plains</i>), |
| Mr. Moore, | Mr. Booth, |
| Mr. Davidson, | Mr. Richards, |
| Mr. Latimer, | Mr. Henley, |
| Mr. Downes, | Mr. Brinsley Hall, |
| Mr. Nobbs, | Mr. O'Sullivan, |
| Mr. Wade, | Mr. R. J. Anderson, |
| Mr. Ball, | Mr. Walter Anderson, |
| Mr. Fallick, | Mr. W. Millard, |
| Mr. Ashton, | Mr. Fell. |
| Mr. Oakes, | <i>Tellers,</i> |
| Mr. Law, | Mr. Gillies, |
| Mr. Jessep, | Mr. Fleming. |
| Mr. Perry, | |
| (<i>The Richmond</i>), | |

Noes, 12.

| |
|-----------------|
| Mr. Kelly, |
| Mr. Macdonell, |
| Mr. Sullivan, |
| Mr. Charlton, |
| Mr. Holman, |
| Mr. Hollis, |
| Mr. Meehan, |
| Mr. Miller, |
| Mr. Burgess, |
| Mr. Gardiner. |
| <i>Tellers,</i> |
| Mr. Estell, |
| Mr. Jones. |

Agreed to.

And another new clause 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,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 14.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 18 OCTOBER, 1905.

No. 1.

LIQUOR (AMENDMENT) BILL.

Clauses 2 and 3 having been dealt with,—

Clause 4. (1) The definition of spirit merchant in section three of the Principal Act is repealed, and the following is substituted in its place—

“Spirit merchant” means any vendor or exhibitor for sale in any shop or premises “of” liquor in quantities at any one time of not less than two gallons “of the same description” of liquor; but does not include a licensed auctioneer or broker selling or offering for sale any liquor on account of another person.

(2) “Near relative or connection” means wife, son, step-son, son-in-law, daughter, step-daughter, daughter-in-law, brother, half-brother, step-brother, sister, half-sister, step-sister, father, step-father, mother, step-mother, father-in-law, or mother-in-law. [Read.]

Motion made (*Mr. Wade*) to insert in line 4 after the word “of” (first occurring) the words “any liqueur in a quantity at any one time of not less than one bottle, or of any other”

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

Committee divided.

Ayes, 24.

| | |
|--------------------|-----------------|
| Mr. Moore, | |
| Mr. Mahony, | <i>Tellers,</i> |
| Mr. Lee, | Mr. Kearney, |
| Mr. Carruthers, | Mr. McFarlane. |
| Mr. Wade, | |
| Mr. Jessep, | |
| Mr. Levy, | |
| Mr. Hogue, | |
| Mr. Fegan, | |
| Mr. Mackenzie, | |
| Mr. O'Connor, | |
| Mr. Robson, | |
| Mr. Booth, | |
| Mr. J. H. Young, | |
| Mr. Nobbs, | |
| Mr. Ashton, | |
| Mr. Brinsley Hall, | |
| Mr. Hindmarsh, | |
| Mr. Storey, | |
| Mr. Cohen, | |
| Mr. Law, | |
| Mr. Eden George. | |

Noes, 42.

| | |
|----------------------|------------------------------|
| Mr. Miller, | Mr. R. J. Anderson, |
| Mr. Burgess, | Mr. McCoy, |
| Mr. Gardiner, | Mr. Walter Anderson, |
| Mr. Nicholson, | Dr. Arthur, |
| Mr. Edden, | Mr. Briner, |
| Mr. Charlton, | Mr. McLaurin, |
| Mr. Meehan, | Mr. W. Millard, |
| Mr. Jones, | Mr. Henley, |
| Mr. Daley, | Mr. Collins, |
| Mr. Macdonell, | Mr. Perry (<i>Liverpool</i> |
| Mr. Estell, | <i>Plains</i>), |
| Mr. Sullivan, | Mr. Donaldson, |
| Mr. Holman, | Mr. Gillies, |
| Mr. Dacey, | Mr. Bennett, |
| Mr. Kelly, | Mr. Thomas, |
| Mr. Arthur Griffith, | Mr. Davidson, |
| Mr. O'Sullivan, | Mr. McGarry, |
| Mr. Nielsen, | Mr. Perry (<i>The Rich-</i> |
| Mr. McNeill, | <i>mond</i>). |
| Mr. Downes, | <i>Tellers,</i> |
| Mr. Onkes, | Mr. Hollis, |
| Mr. W. W. Young, | Mr. Thrower. |
| Mr. Morton, | |

Insertion of proposed words negatived.

66264 302—A

No. 2.

No. 2.

SAME BILL.

*Same clause.*Motion made (*Mr. Holman*) to leave out from lines 4 and 5 the words "of the same description."

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

Committee divided.

| Ayes, 62. | | Noes, 10. | |
|-----------------------------------|----------------------|------------------------------|-----------------|
| Mr. Moore, | Mr. Kearney, | Dr. Arthur, | Mr. Macdonell, |
| Mr. Mahony, | Mr. Davidson, | Mr. Burgess, | Mr. Hollis, |
| Mr. Levy, | Mr. Thomas, | Mr. Charlton, | Mr. McNeill, |
| Mr. Carruthers, | Mr. Cohen, | Mr. McLaurin, | Mr. Holman, |
| Mr. Lee, | Mr. Oakes, | Mr. O'Sullivan, | Mr. Thrower, |
| Mr. Donaldson, | Mr. Law, | Mr. Collins, | Mr. Kelly, |
| Mr. Wade, | Mr. Gillies, | Mr. W. Millard, | Mr. Mechan, |
| Mr. Hogue, | Mr. Fallick, | Mr. McFarlane, | Mr. Jones. |
| Mr. Sullivan, | Mr. Levien, | Mr. Perry (<i>Liverpool</i> | |
| Mr. Arthur Griffith, | Mr. Dacey, | <i>Plains</i>), | <i>Tellers,</i> |
| Mr. Miller, | Mr. Mackenzie, | Mr. Eden George, | Mr. Storey, |
| Mr. Cann, | Mr. McCoy, | Mr. Edden, | Mr. McGarry. |
| Mr. Fegan, | Mr. Creswell, | Mr. Bennett, | |
| Mr. Booth, | Mr. Nicholson, | Mr. Estell, | |
| Mr. Robson, | Mr. Jessep, | Mr. Daley, | |
| Mr. Nobbs, | Mr. Henley, | Mr. Morton, | |
| Mr. Hindmarsh, | Mr. W. W. Young, | Mr. Ashton, | |
| Mr. Downes, | Mr. R. J. Anderson, | | |
| Mr. Briner, | Mr. O'Conor, | <i>Tellers,</i> | |
| Mr. Fell, | Mr. Walter Anderson, | Mr. Broughton, | |
| Mr. Perry (<i>The Richm'd</i>), | Mr. Ball, | Mr. Nielsen. | |
| Mr. Brinsley Hall, | Mr. Gardiner, | | |

Words stand.

No. 3.

SAME BILL.

*Same clause.*Motion made (*Mr. Miller*) to add at end of clause the words "cousin, aunt, uncle, nephew, niece."

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

Committee divided.

| Ayes, 11. | | Noes, 60. | |
|----------------------|---------------------|--------------------|------------------------------|
| Mr. Dacey, | Mr. Oakes, | Mr. W. W. Young, | Mr. McCoy, |
| Mr. Mechan, | Mr. Broughton, | Mr. Sullivan, | Mr. Walter Anderson, |
| Mr. Burgess, | Mr. Wade, | Mr. McLaurin, | Mr. Davidson, |
| Mr. McGarry, | Mr. Creswell, | Mr. Bennett, | Mr. W. Millard, |
| Mr. Nicholson, | Mr. Carruthers, | Mr. Levien, | Mr. Kearney, |
| Mr. Miller, | Mr. Kelly, | Mr. Lee, | Mr. Perry (<i>Liverpool</i> |
| Mr. Arthur Griffith, | Mr. Nielsen, | Mr. Donaldson, | <i>Plains</i>), |
| Mr. Macdonell, | Mr. Holman, | Mr. Law, | Mr. Gardiner, |
| Mr. McNeill, | Mr. Hogue, | Mr. Storey, | Mr. McFarlane, |
| <i>Tellers,</i> | Mr. Jessep, | Mr. Thrower, | Mr. Briner, |
| Mr. Daley, | Mr. Levy, | Mr. Collins, | Mr. Fallick, |
| Mr. Jones. | Mr. Downes, | Mr. Gillies, | Mr. Thomas, |
| | Mr. Moore, | Mr. O'Sullivan, | Mr. Fegan, |
| | Mr. Hollis, | Mr. Mackenzie, | Mr. O'Conor, |
| | Mr. Estell, | Mr. Nobbs, | Mr. J. H. Young, |
| | Mr. Edden, | Mr. Hindmarsh, | Mr. Henley, |
| | Mr. Cann, | Mr. Booth, | Mr. Ashton. |
| | Mr. Charlton, | Mr. Eden George, | <i>Tellers,</i> |
| | Mr. R. J. Anderson, | Mr. Morton, | Mr. Robson, |
| | Mr. Cohen, | Mr. Mahony, | Mr. Ball. |
| | Dr. Arthur, | Mr. Brinsley Hall, | |

Addition of proposed words negatived.

No. 4.

SAME BILL.

Same clause.

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

Committee divided.

| Ayes, 58. | | Noes, 9. | |
|----------------------|------------------------------|------------------|------------------|
| Mr. Robson, | Mr. Dacey, | Mr. Gardiner, | Mr. Macdonell, |
| Mr. Levy, | Mr. Estell, | Mr. Hollis, | Mr. Kelly, |
| Mr. Carruthers, | Mr. Perry (<i>Liverpool</i> | Mr. Law, | Mr. Holman, |
| Mr. Ashton, | <i>Plains</i>), | Mr. O'Sullivan, | Mr. McNeill, |
| Mr. Wade, | Mr. Collins, | Mr. Briner, | Mr. McGarry, |
| Mr. Hogue, | Mr. Miller, | Mr. Sullivan, | Mr. W. W. Young, |
| Mr. Creswell, | Mr. McCoy, | Mr. Davidson, | Mr. Mechan. |
| Mr. Fegan, | Mr. Walter Anderson, | Mr. Fallick, | <i>Tellers,</i> |
| Mr. Arthur Griffith, | Mr. Charlton, | Mr. Morton, | Mr. Broughton, |
| Mr. Thomas, | Mr. Nicholson, | Mr. Henley, | Mr. Daley. |
| Mr. Downes, | Mr. Edden, | Mr. McFarlane, | |
| Mr. Nobbs, | Mr. Burgess, | Mr. Gillies, | |
| Mr. Brinsley Hall, | Mr. Booth, | Mr. Eden George, | |
| Mr. Mahony, | Dr. Arthur, | Mr. McLaurin, | |
| Mr. Cohen, | Mr. Kearney, | Mr. W. Millard. | |
| Mr. R. J. Anderson, | Mr. Levien, | <i>Tellers,</i> | |
| Mr. O'Conor, | Mr. Lee, | Mr. Oakes, | |
| Mr. Cann, | Mr. Thrower, | Mr. Jessep. | |
| Mr. Hindmarsh, | Mr. Nielsen, | | |
| Mr. Bennett, | Mr. Mackenzie, | | |
| Mr. Donaldson, | Mr. Jones, | | |

Agreed to.

No. 5.

No. 5.

SAME BILL.

Clause 5. In addition to the disqualifications mentioned in paragraph four of section five of the Principal Act, a person shall be disqualified from being appointed or holding office as a member of a licensing court "if" any of his near relatives or connections is the holder of any license granted in respect of any premises situate in the licensing district for which such licensing court is proposed to be or is appointed, or is beneficially interested in any trade or calling exercised under any license so "granted."

Any person so disqualified who knowingly and wilfully acts as a member of such court shall be guilty of a misdemeanour. [*Read.*]

Motion made (*Mr. Hindmarsh*), to insert in line 3, after the word "if" the words "he be in business as auctioneer or agent or if"

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

Committee divided.

Ayes, 18.

Mr. Jones,
Mr. Kelly,
Mr. Thrower,
Mr. Nielsen,
Mr. Meehan,
Mr. Hindmarsh,
Mr. Bennett,
Mr. Miller,
Mr. Briner,
Mr. Daley,
Mr. Holman,
Mr. O'Sullivan,
Mr. McNeill,
Mr. McGarry,
Mr. McLaurin,
Mr. Broughton.

Tellers,

Mr. Sullivan,
Mr. Macdonell.

Noes, 54.

Mr. Dacey,
Mr. O'Connor,
Mr. Moore,
Mr. Levien,
Mr. Wade,
Mr. Jessep,
Mr. Ball,
Mr. Arthur Griffith,
Mr. Carruthers,
Mr. Ashton,
Mr. Edden,
Mr. Hollis,
Mr. Estell,
Mr. Cann,
Mr. Nicholson,
Mr. Charlton,
Mr. Burgess,
Mr. Cohen,
Mr. Oakes,
Dr. Arthur,
Mr. R. J. Anderson,
Mr. Lee,
Mr. Collins,
Mr. Fegan,
Mr. Kearney,
Mr. Levy,
Mr. Booth,
Mr. Nobbs,
Mr. Thomas,

Mr. Davidson,
Mr. McCoy,
Mr. Fallick,
Mr. Hogue,
Mr. J. H. Young,
Mr. Brinsley Hall,
Mr. Donaldson,
Mr. Downes,
Mr. Mahony,
Mr. Mackenzie,
Mr. Walter Anderson,
Mr. W. W. Young,
Mr. Gillies,
Mr. Morton,
Mr. Gardiner,
Mr. Perry (*Liverpool Plains*),
Mr. W. Millard,
Mr. Henley,
Mr. Fell,
Mr. McFarlane,
Mr. Perry (*The Richmond*),
Mr. Robson,
Mr. Eden George.

Tellers,

Mr. Creswell,
Mr. Law.

Insertion of proposed words negatived.

No. 6.

SAME BILL.

Same clause.

Motion made (*Mr. Daley*), to insert in line 6 after the word "granted" the words "or is biased in favour of such trade or calling or in professed opposition thereto"

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

Committee divided.

Ayes, 21.

Mr. Nielsen,
Mr. Kelly,
Mr. Holman,
Mr. Daley,
Mr. McNeill,
Mr. Dacey,
Mr. Broughton,
Mr. Meehan,
Mr. O'Sullivan,
Mr. Nicholson,
Mr. Hollis,
Mr. Macdonell,
Mr. Burgess,
Mr. Levien,
Mr. W. W. Young,
Mr. Edden,
Mr. Bennett,
Mr. McGarry,
Mr. McLaurin.

Tellers,

Mr. Estell,
Mr. Gillies.

Noes, 47.

Mr. Mackenzie,
Mr. Ball,
Mr. Oakes,
Mr. Carruthers,
Mr. Jessep,
Mr. Wade,
Mr. Creswell,
Mr. Dick,
Mr. Fegan,
Mr. Ashton,
Mr. O'Connor,
Mr. Cohen,
Mr. Moore,
Mr. Charlton,
Mr. Cann,
Mr. Booth,
Mr. Hogue,
Mr. Downes,
Mr. Fallick,
Mr. Robson,
Mr. Nobbs,
Mr. Kearney,
Mr. Latimer,
Mr. Collins,
Mr. J. H. Young,

Mr. Hindmarsh,
Mr. Gardiner,
Mr. Eden George,
Mr. Thomas,
Dr. Arthur,
Mr. R. J. Anderson,
Mr. Law,
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Davidson,
Mr. McFarlane,
Mr. McCoy,
Mr. Lee,
Mr. Perry (*Liverpool Plains*),
Mr. Henley,
Mr. Donaldson,
Mr. Brinsley Hall,
Mr. Morton,
Mr. Jones,
Mr. Briner.

Tellers,

Mr. Mahony,
Mr. Levy.

Insertion of proposed words negatived.

Clause, as read, agreed to.

And clause 6 having been agreed to,—

No. 7.

No. 7.

SAME BILL.

Unlawful supply
of liquor by
licensee.

Clause 7. (1) Any licensee who on his licensed "premises" gives, sells, or supplies, or allows to be given, sold, or supplied, except in case of sickness or accident, any liquor to—

- (a) any person apparently under the age of "eighteen" years;
- (b) any aboriginal native of Australia; or
- (c) any native of the coloured races of the South Pacific Islands,

shall be liable to a penalty not exceeding *ten pounds* ~~not less than forty shillings~~.

Unlawful supply
by other persons.

(2) Any person, other than the licensee, who on any licensed premises supplies, except in case of sickness or accident, any liquor to—

- (a) any person apparently under the age of eighteen years;
- (b) any aboriginal native of Australia;
- (c) any native of the coloured races of the South Pacific Islands;
- (d) any person then in a state of intoxication;
- (e) any prohibited person; or
- (f) any person who is not lawfully entitled to be supplied with liquor,

shall be liable to a penalty not exceeding *ten pounds* ~~not less than forty shillings~~.

(3) In any prosecution for an offence under the two last preceding subsections alleged to have been committed in relation to a person under the age of eighteen years, it shall be a sufficient defence if the accused proves that such person was apparently above such age.

Definition of
"aboriginal
native of
Australia."

(3) (4) For the purposes of this section, the expression "aboriginal native of Australia" means any full-blooded aboriginal native of Australia, and includes any person apparently having an admixture of such aboriginal blood who—

- (a) is in receipt of rations or other aid from ~~or paid out of the public funds~~ the **Aborigines Board**; or
- (b) is residing on a reserve granted for the use of aboriginal natives of Australia; or
- (c) ~~habitually lives with or associates with aboriginal natives of Australia, or lives a camp life, or wanders about the State.~~ [Read.]

Motion made (*Mr. Kelly*), to insert in line 1 after the word "premises" the word "knowingly" And the Committee continuing to sit till after Midnight,—

THURSDAY, 19 OCTOBER, 1905, A.M.

Mr. Jessep moved, "That the Question be now put."

Question put,—That the Question be now put.

Committee divided.

Ayes, 39.

| | |
|--------------------|------------------------------|
| Mr. Moore, | Mr. Collins, |
| Mr. Mahony, | Mr. Oakes, |
| Mr. Wade, | Mr. Nobbs, |
| Mr. Jessep, | Mr. Walter Anderson, |
| Mr. Carruthers, | Mr. Booth, |
| Mr. Fegan, | Mr. McCoy, |
| Mr. Latimer, | Dr. Arthur, |
| Mr. Law, | Mr. Davidson, |
| Mr. Ashton, | Mr. Fallick, |
| Mr. Lee, | Mr. Creswell, |
| Mr. Hogue, | Mr. Perry (<i>Liverpool</i> |
| Mr. Brinsley Hall, | <i>Plains</i>), |
| Mr. Downes, | Mr. Henley, |
| Mr. Levy, | Mr. R. J. Anderson, |
| Mr. Cohen, | Mr. Dick, |
| Mr. O'Connor, | Mr. W. Millard, |
| Mr. J. H. Young, | Mr. Eden George, |
| Mr. Hindmarsh, | <i>Tellers,</i> |
| Mr. Donaldson, | Mr. Thomas, |
| Mr. Robson, | Mr. Mackenzie. |
| Mr. Ball, | |

Noes, 26.

| | |
|------------------|-----------------|
| Mr. Hollis, | Mr. Edden, |
| Mr. Thrower, | Mr. Bennett, |
| Mr. Nielsen, | Mr. Gardiner, |
| Mr. Holman, | <i>Tellers,</i> |
| Mr. McNeill, | Mr. Gillies, |
| Mr. Kelly, | Mr. Jones. |
| Mr. Miller, | |
| Mr. Macdonell, | |
| Mr. Burgess, | |
| Mr. Estell, | |
| Mr. Charlton, | |
| Mr. Cann, | |
| Mr. Meehan, | |
| Mr. Nicholson, | |
| Mr. Daley, | |
| Mr. Leven, | |
| Mr. W. W. Young, | |
| Mr. Briner, | |
| Mr. McLaurin, | |
| Mr. McGarry, | |
| Mr. Broughton, | |

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of "at least thirty Members,"—

No. 8.

No. 8.

SAME BILL.

Same clause.

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

Committee divided.

Ayes, 21.

Mr. Holman,
Mr. Estell,
Mr. Macdonell,
Mr. Jones,
Mr. Nielsen,
Mr. McNeill,
Mr. Kelly,
Mr. Meehan,
Mr. Gillies,
Mr. Daley,
Mr. Nicholson,
Mr. Hollis,
Mr. Levien,
Mr. Burgess,
Mr. Briner,
Mr. Edden,
Mr. Bennett,
Mr. McGarry,
Mr. Broughton.

Tellers,

Mr. Thrower,
Mr. W. W. Young.

Noes, 46.

| | |
|--|--|
| Mr. Mahony, Mr. Moore, Mr. Hoguc, Mr. Wade, Mr. Jessep, Mr. Fegan, Mr. Carruthers, Mr. Levy, Mr. O'Conor, Mr. Charlton, Mr. Cann, Mr. Cohen, Mr. Downes, Mr. Morton, Dr. Arthur, Mr. Ashton, Mr. Mackenzie, Mr. Thomas, Mr. Walter Anderson, Mr. McCoy, Mr. Brinsley Hall, Mr. Nobbs, Mr. J. H. Young, Mr. Fallick, Mr. Oakes, | Mr. Gardiner, Mr. Perry (<i>Liverpool Plains</i>), Mr. Henley, Mr. W. Millard, Mr. Booth, Mr. Lee, Mr. Creswell, Mr. Dick, Mr. McFarlane, Mr. Collins, Mr. R. J. Anderson, Mr. Davidson, Mr. Law, Mr. Latimer, Mr. Hindmarsh, Mr. Donaldson, Mr. McLaurin, Mr. Robson, Mr. Ball. |
|--|--|

Tellers,

Mr. Miller,
Mr. Eden George.

Insertion of proposed word negatived.

And the clause having been amended as indicated,—

No. 9.

SAME BILL.

*Same clause.*Motion made (*Mr. Holman*), to leave out from line 3 the word "eighteen" and insert the word "sixteen" instead thereof.

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

Committee divided.

Ayes, 55.

| | |
|--|--|
| Mr. Moore, Mr. Daley, Mr. Wade, Mr. Levy, Mr. Jones, Mr. Hoguc, Mr. McLaurin, Mr. Briner, Mr. J. H. Young, Mr. Nielsen, Mr. Latimer, Mr. Hindmarsh, Mr. Cohen, Mr. Cann, Mr. Thomas, Mr. Dick, Mr. Hall, Dr. Arthur, Mr. Ball, Mr. Oakes, | Mr. Ashton, Mr. Jessep, Mr. Collins, Mr. Gillies, Mr. Donaldson, Mr. Robson, Mr. Fegan, Mr. Fallick, Mr. Lee, Mr. Levien, Mr. Mackenzie, Mr. Booth, Mr. Edden, Mr. Estell, Mr. Walter Anderson, Mr. McFarlane, Mr. Hollis, Mr. Davidson, Mr. McCoy, Mr. Charlton, |
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|---|
| Mr. Perry (<i>Liverpool Plains</i>), Mr. McGarry, Mr. Henley, Mr. W. Millard, Mr. R. J. Anderson, Mr. Nobbs, Mr. Bennett, Mr. Eden George, Mr. O'Conor, Mr. Creswell, Mr. Downes, Mr. Gardiner, Mr. Miller. |
|---|

Tellers,

Mr. Law,
Mr. Morton.

Noes, 9.

Mr. Holman,
Mr. Kelly,
Mr. Macdonell,
Mr. Nicholson,
Mr. W. W. Young,
Mr. McNeill,
Mr. Broughton.

Tellers,

Mr. Burgess,
Mr. Meehan.

Word stands.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

No. 10.

SAME BILL.

Clause 8. Any person who sends a person under the age of "fourteen" years to licensed premises for the purpose of obtaining any liquor shall be liable to a penalty not exceeding *forty* shillings. [*Read.*]

Sending person
under age of
fourteen for
liquor.

Motion made (*Mr. Holman*), to leave out from line 1, the word "fourteen" and insert the word "eighteen" instead thereof.

Question

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

Ayes, 42.

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|------------------|------------------------------|
| Mr. Carruthers, | Mr. J. H. Young, |
| Mr. Ashton, | Mr. McFarlane, |
| Mr. Cohen, | Mr. Walter Anderson, |
| Mr. Cann, | Mr. Booth, |
| Mr. Levy, | Mr. Brinsley Hall, |
| Mr. Morton, | Mr. Nobbs, |
| Mr. O'Connor, | Dr. Arthur, |
| Mr. Downes, | Mr. Fallick, |
| Mr. Oakes, | Mr. Ball, |
| Mr. Lee, | Mr. Law, |
| Mr. Moore, | Mr. Mackenzie, |
| Mr. Latimer, | Mr. Gillies, |
| Mr. Wade, | Mr. Thomas, |
| Mr. Hogue, | Mr. Davidson, |
| Mr. Robson, | Mr. R. J. Anderson, |
| Mr. Donaldson, | Mr. Perry (<i>Liverpool</i> |
| Mr. Hindmarsh, | <i>Plains</i>), |
| Mr. Creswell, | Mr. Bennett, |
| Mr. Dick, | <i>Tellers,</i> |
| Mr. Henley, | Mr. Miller, |
| Mr. Collins, | Mr. McCoy. |
| Mr. Eden George, | |
| Mr. W. Millard, | |

Noes, 24.

| | |
|------------------|-----------------|
| Mr. Edden, | <i>Tellers,</i> |
| Mr. Levien, | Mr. Briner, |
| Mr. Thrower, | Mr. McNeill. |
| Mr. Holman, | |
| Mr. Nielsen, | |
| Mr. Kelly, | |
| Mr. Estell, | |
| Mr. Daley, | |
| Mr. Macdonell, | |
| Mr. Charlton, | |
| Mr. Nicholson, | |
| Mr. Burgess, | |
| Mr. Hollis, | |
| Mr. Meehan, | |
| Mr. W. W. Young, | |
| Mr. Jones, | |
| Mr. McLaurin, | |
| Mr. Jessop, | |
| Mr. Fegan, | |
| Mr. Broughton, | |
| Mr. Gardiner, | |
| Mr. McGarry, | |

Word stands.

Clause, as read, agreed to.

No. 11.

SAME BILL.

Person under
sixteen not
allowed in bar.

Clause 9. If any "person" under the age of ~~sixteen~~ **seventeen** years is for any purpose in the bar of any licensed premises the licensee of such premises shall forthwith remove or cause to be removed such person from the bar.

Any licensee who fails to comply with the provisions of this section shall be liable to a penalty not exceeding *two* pounds. [*Read.*]

Motion made (*Mr. Holman*), to insert in line 1, after the word "person," the words "other than a telegraph messenger or other messenger engaged in the business of his employer"

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

Committee divided.

Ayes, 7.

| |
|-----------------|
| Mr. Holman, |
| Mr. Kelly, |
| Mr. Meehan, |
| Mr. Broughton, |
| Mr. McGarry. |
| <i>Tellers,</i> |
| Mr. Macdonell, |
| Mr. McNeill. |

Noes, 59.

| |
|------------------|
| Mr. Carruthers, |
| Mr. Moore, |
| Mr. Levien, |
| Mr. Hogue, |
| Mr. Creswell, |
| Mr. Thrower, |
| Mr. Cann, |
| Mr. Jessop, |
| Mr. Wade, |
| Mr. Nobbs, |
| Mr. Hollis, |
| Mr. Edden, |
| Mr. Estell, |
| Mr. Nicholson, |
| Mr. Burgess, |
| Mr. Charlton, |
| Mr. Gardiner, |
| Mr. W. W. Young, |
| Mr. Jones, |
| Mr. Miller, |
| Mr. Dick, |

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|--------------------|
| Mr. Briner, |
| Mr. McLaurin, |
| Mr. Davidson, |
| Mr. Lee, |
| Mr. Robson, |
| Mr. Thomas, |
| Mr. Law, |
| Mr. Latimer, |
| Mr. Hindmarsh, |
| Mr. Daley, |
| Mr. Gillies, |
| Dr. Arthur, |
| Mr. Levy, |
| Mr. Morton, |
| Mr. Downes, |
| Mr. Cohen, |
| Mr. Booth, |
| Mr. Brinsley Hall, |
| Mr. Eden George, |
| Mr. McFarlane, |
| Mr. Ashton, |

| |
|------------------------------|
| Mr. McCoy, |
| Mr. Walter Anderson, |
| Mr. Fegan, |
| Mr. Bennett, |
| Mr. R. J. Anderson, |
| Mr. Henley, |
| Mr. Perry (<i>Liverpool</i> |
| <i>Plains</i>), |
| Mr. J. H. Young, |
| Mr. Mackenzie, |
| Mr. Oakes, |
| Mr. W. Millard, |
| Mr. Fallick, |
| Mr. O'Connor, |
| Mr. Collins, |
| Mr. Bail. |
| <i>Tellers,</i> |
| Mr. Donaldson, |
| Mr. Nielsen. |

Insertion of proposed words negatived.

No. 12.

SAME BILL.

Same clause.

Motion made (*Mr. Jessop*), to leave out from line 1 the word "sixteen" and insert the word "eighteen" instead thereof.

Question

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

Committee divided.

Ayes, 25.

| | |
|------------------|-----------------|
| Mr. Fallick, | Mr. McGarry, |
| Mr. Nobbs, | Mr. W. Millard. |
| Mr. Oakes, | |
| Mr. Wade, | <i>Tellers,</i> |
| Mr. Carruthers, | Mr. Levy, |
| Mr. Donaldson, | Mr. Cohen. |
| Mr. J. H. Young, | |
| Mr. Miller, | |
| Mr. Moore, | |
| Mr. Lee, | |
| Mr. Downes, | |
| Mr. Dick, | |
| Mr. Ashton, | |
| Mr. Hogue, | |
| Mr. Eden George, | |
| Mr. Morton, | |
| Mr. Thomas, | |
| Mr. Latimer, | |
| Mr. Hindmarsh, | |
| Mr. Creswell, | |
| Mr. Mackenzie, | |

Word left out.

Noes, 38.

| | |
|------------------|------------------------------|
| Mr. Estell, | Mr. Gillies, |
| Mr. McNeill, | Mr. Booth, |
| Mr. Levien, | Mr. Davidson, |
| Mr. Holman, | Mr. Law, |
| Mr. Thrower, | Mr. Walter Anderson, |
| Mr. Nielsen, | Mr. McCoy, |
| Mr. Cann, | Mr. Fegan, |
| Mr. Macdonell, | Mr. Brinsley Hall, |
| Mr. Kelly, | Mr. Henley, |
| Mr. Jessep, | Mr. Ball, |
| Mr. Hollis, | Mr. Perry (<i>Liverpool</i> |
| Mr. Edden, | <i>Plains</i>), |
| Mr. Nicholson, | Mr. R. J. Anderson, |
| Mr. Burgess, | Mr. Broughton, |
| Mr. Charlton, | Mr. Collins, |
| Mr. Meehan, | Mr. O'Conor. |
| Mr. W. W. Young, | |
| Mr. Briner, | <i>Tellers,</i> |
| Mr. McLaurin, | Mr. Gardiner, |
| Dr. Arthur, | Mr. Jones. |
| Mr. Robson, | |

No. 13.

SAME BILL.

Same clause.

Question put,—That the word proposed to be inserted in place of the word left out be so inserted.

Committee divided.

Ayes, 31.

| | |
|------------------|------------------------------|
| Mr. Daley, | Mr. Levien, |
| Mr. Holman, | Mr. Hollis, |
| Mr. McNeill, | Mr. Gardiner, |
| Mr. Jones, | Mr. Burgess, |
| Mr. Nielsen, | Mr. Kelly, |
| Mr. Thrower, | Mr. Meehan, |
| Mr. Jessep, | Mr. Cann, |
| Mr. Macdonell, | Mr. Nicholson, |
| Mr. McLaurin, | Mr. McGarry, |
| Mr. Briner, | Mr. Broughton, |
| Dr. Arthur, | Mr. Perry (<i>Liverpool</i> |
| Mr. Fegan, | <i>Plains</i>), |
| Mr. Gillies, | Mr. Ball. |
| Mr. Bennett, | <i>Tellers,</i> |
| Mr. Edden, | Mr. Charlton, |
| Mr. W. W. Young, | Mr. Davidson. |
| Mr. Estell, | |

Insertion of proposed word negatived.

Noes, 33.

| | |
|------------------|---------------------|
| Mr. Nobbs, | Mr. W. Anderson, |
| Mr. Lee, | Mr. Thomas, |
| Mr. Wade, | Mr. Hogue, |
| Mr. Carruthers, | Mr. Eden George, |
| Mr. Donaldson, | Mr. Brinsley Hall, |
| Mr. Downes, | Mr. Hindmarsh, |
| Mr. Miller, | Mr. Oakes, |
| Mr. Moore, | Mr. Henley, |
| Mr. Dick, | Mr. W. Millard, |
| Mr. J. H. Young, | Mr. R. J. Anderson, |
| Mr. Latimer, | Mr. Collins, |
| Mr. Creswell, | Mr. O'Conor, |
| Mr. Mackenzie, | Mr. Ashton. |
| Mr. Cohen, | <i>Tellers,</i> |
| Mr. Levy, | Mr. Fallick, |
| Mr. Booth, | Mr. Morton. |
| Mr. Law, | |
| Mr. Robson, | |

No. 14.

SAME BILL.

Same clause.

The Chairman, under Standing Order No. 157, directed Mr. Kelly, the Honorable Member for The Lachlan, to discontinue his speech, on the ground of its continued irrelevance.

And the Honorable Member requiring that the Question, "That he be further heard," be put,—

Question put.

Committee divided.

Ayes, 27.

| | |
|----------------|-----------------|
| Mr. Holman, | Mr. Bennett, |
| Mr. Jones, | Mr. Gardiner, |
| Mr. Thrower, | Mr. Hollis, |
| Mr. McNeill, | Mr. McGarry, |
| Mr. Nielsen, | Mr. Levien, |
| Mr. Fegan, | Mr. Edden. |
| Mr. Jessep, | <i>Tellers,</i> |
| Mr. Nicholson, | Mr. Donaldson, |
| Mr. Estell, | Mr. Daley. |
| Mr. Cann, | |
| Mr. Miller, | |
| Mr. Meehan, | |
| Mr. Burgess, | |
| Mr. McLaurin, | |
| Mr. Briner, | |
| Mr. Kelly, | |
| Mr. Macdonell, | |
| Mr. Charlton, | |
| Mr. Gillies, | |

Negatived.

Noes, 35.

| | |
|------------------|------------------------------|
| Mr. Hogue, | Mr. Brinsley Hall, |
| Mr. Carruthers, | Mr. Fallick, |
| Mr. Wade, | Mr. Thomas, |
| Mr. Lee, | Mr. Walter Anderson, |
| Mr. Moore, | Mr. Henley, |
| Mr. Downes, | Mr. Perry (<i>Liverpool</i> |
| Mr. Levy, | <i>Plains</i>), |
| Mr. Morton, | Mr. Oakes, |
| Mr. Dick, | Mr. Ball, |
| Mr. J. H. Young, | Mr. W. Millard, |
| Mr. Latimer, | Mr. R. J. Anderson, |
| Mr. Creswell, | Mr. Ashton, |
| Mr. Mackenzie, | Mr. O'Conor, |
| Mr. Cohen, | Mr. Collins, |
| Mr. Booth, | Mr. McCoy. |
| Mr. Law, | <i>Tellers,</i> |
| Mr. Robson, | Mr. Hindmarsh, |
| Dr. Arthur, | Mr. Davidson. |
| Mr. Nobbs, | |

No. 15.

No. 15.

SAME BILL.

*Same clause.*Motion made (*Mr. Gardiner*) to fill blank with the word "seventeen."

Mr. Kelly moved, "That the Question be now put."

Question put,—That the Question be now put.

Committee divided.

Ayes, 41.

| | |
|--------------------|------------------------------|
| Mr. Moore, | Mr. Morton, |
| Mr. Hogue, | Dr. Arthur, |
| Mr. O'Conor, | Mr. Downes, |
| Mr. Nobbs, | Mr. Kelly, |
| Mr. Wade, | Mr. Davidson, |
| Mr. Carruthers, | Mr. Nicholson, |
| Mr. Lee, | Mr. Broughton, |
| Mr. J. H. Young, | Mr. R. J. Anderson, |
| Mr. Donaldson, | Mr. Oakes, |
| Mr. Latimer, | Mr. Levy, |
| Mr. Hindmarsh, | Mr. Collins, |
| Mr. Jessep, | Mr. Eden George, |
| Mr. Cohen, | Mr. W. Millard, |
| Mr. Robson, | Mr. Perry (<i>Liverpool</i> |
| Mr. Mackenzie, | <i>Plains</i>), |
| Mr. Creswell, | Mr. Ashton, |
| Mr. Law, | Mr. Henley, |
| Mr. Booth, | Mr. Ball. |
| Mr. Dick, | |
| Mr. McCoy, | <i>Tellers,</i> |
| Mr. Fallick, | Mr. Thomas, |
| Mr. Brinsley Hall, | Mr. Walter Anderson. |

Noes, 24.

| | |
|-----------------|------------------|
| Mr. Estell, | <i>Tellers,</i> |
| Mr. Holman, | Mr. Burgess, |
| Mr. Macdonnell, | Mr. W. W. Young. |
| Mr. Hollis, | |
| Mr. Nielsen, | |
| Mr. Jones, | |
| Mr. Daley, | |
| Mr. McNeill, | |
| Mr. Thrower, | |
| Mr. Cann, | |
| Mr. Meehan, | |
| Mr. Charlton, | |
| Mr. Levien, | |
| Mr. Gardiner, | |
| Mr. McGarry, | |
| Mr. Edden, | |
| Mr. Fegan, | |
| Mr. McLaurin, | |
| Mr. Gillies, | |
| Mr. Briner, | |
| Mr. Bennett, | |
| Mr. Miller, | |

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of "at least thirty Members,"—

Question,—That the word "seventeen" be inserted,—put and agreed to.

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

THURSDAY, 19 OCTOBER, 1905.

No. 16:

LIQUOR (AMENDMENT) BILL.

Clause 9 having been agreed to as amended, and Clause 10 agreed to,—

Clause 11. If any licensee permits "drunkenness or" any violent, quarrelsome, or riotous conduct to take place on his licensed premises, he shall be liable for the first offence to a penalty not exceeding ten five pounds, and for the second or any subsequent offence to a penalty not exceeding twenty pounds.

Where any licensee is charged with an offence against this section, **permitting drunkenness on his licensed premises**, and it is proved that any person was drunk on his premises, it shall lie on the licensee to prove that he and the persons employed by him took all reasonable steps to prevent drunkenness on the premises. [*Read.*]

Motion made (*Mr. Holman*) to leave out from line 1 the words "drunkenness or"

Mr. Law moved, "That the Question be now put."

Question put,—That the Question be now put.

Committee divided.

Ayes, 36.

| | |
|----------------------|------------------------------|
| Mr. Mahony, | Mr. Mackenzie, |
| Mr. Wade, | Mr. Robson, |
| Mr. Nobbs, | Dr. Arthur, |
| Mr. Carruthers, | Mr. Creswell, |
| Mr. Ashton, | Mr. Fallick, |
| Mr. Hogue, | Mr. John Hurley, |
| Mr. Hindmarsh, | Mr. Cohen, |
| Mr. Lee, | Mr. Henley, |
| Mr. Jessep, | Mr. R. J. Anderson, |
| Mr. Moore, | Mr. McCoy, |
| Mr. W. Millard, | Mr. Eden George, |
| Mr. Downes, | Mr. Perry (<i>Liverpool</i> |
| Mr. Booth, | <i>Plains</i>), |
| Mr. Donaldson, | Mr. Thomas, |
| Mr. Brinsley Hall, | Mr. O'Conor. |
| Mr. Davidson, | |
| Mr. Latimer, | <i>Tellers,</i> |
| Mr. Kearney, | Mr. Law, |
| Mr. Walter Anderson, | Mr. Levy. |
| Mr. Storey, | |

Noes, 37.

| | |
|------------------------------------|-----------------|
| Mr. Daley, | Mr. Fell, |
| Mr. Miller, | Mr. Gillies, |
| Mr. Cann, | Mr. Briner, |
| Mr. McNeill, | Mr. Collins, |
| Mr. Kelly, | Mr. Nielsen, |
| Mr. Arthur Griffith, | Mr. Fegan, |
| Mr. Edden, | Mr. Ball, |
| Mr. Hollis, | Mr. Broughton, |
| Mr. Thrower, | Mr. McFarlane, |
| Mr. Sullivan, | Mr. Gardiner, |
| Mr. W. W. Young, | Mr. Richards, |
| Mr. Nicholson, | Mr. O'Sullivan, |
| Mr. Estell, | Mr. Bennett, |
| Mr. Burgess, | Mr. McGarry, |
| Mr. Meehan, | Mr. Jones. |
| Mr. Charlton, | <i>Tellers,</i> |
| Mr. Dacey, | Mr. Scobie, |
| Mr. Perry (<i>The Richmond</i>), | Mr. Macdonnell. |
| Mr. McLaurin, | |
| Mr. Holman, | |

Negatived.

No. 17.

No. 17.

SAME BILL.

Same clause.

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

Ayes, 49.

- | | |
|------------------------------------|--|
| Mr. Carruthers, | Mr. Arthur Griffith, |
| Mr. Lee, | Mr. Nobbs, |
| Mr. Moore, | Mr. Law, |
| Mr. Hogue, | Dr. Arthur, |
| Mr. Wade, | Mr. Fallick, |
| Mr. Jessep, | Mr. McFarlane, |
| Mr. Fegan, | Mr. Storey, |
| Mr. Perry (<i>The Richmond</i>), | Mr. Henley, |
| Mr. Ball, | Mr. Davidson, |
| Mr. Miller, | Mr. Charlton, |
| Mr. Latimer, | Mr. Robson, |
| Mr. Mahony, | Mr. Gardiner, |
| Mr. Oakes, | Mr. Collins, |
| Mr. Cohen, | Mr. McCoy, |
| Mr. Downes, | Mr. Eden George, |
| Mr. Booth, | Mr. Edden, |
| Mr. Cann, | Mr. John Hurley, |
| Mr. Brinsley Hall, | Mr. Perry (<i>Liverpool Plains</i>), |
| Mr. Hindmarsh, | Mr. Walter Anderson, |
| Mr. Ashton, | Mr. O'Conor, |
| Mr. Creswell, | Mr. W. Millard. |
| Mr. Kearney, | <i>Tellers,</i> |
| Mr. R. J. Anderson, | |
| Mr. Levy, | Mr. Thomas, |
| Mr. Briner, | Mr. Mackenzie. |
| Mr. Bennett, | |

Noes, 24.

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| Mr. Dacey, |
| Mr. McNeill, |
| Mr. Macdonell, |
| Mr. Meehan, |
| Mr. Hollis, |
| Mr. Nicholson, |
| Mr. Burgess, |
| Mr. Broughton, |
| Mr. Scobie, |
| Mr. Thrower, |
| Mr. Estell, |
| Mr. Nielsen, |
| Mr. Kelly, |
| Mr. Daley, |
| Mr. Gillies, |
| Mr. W. W. Young, |
| Mr. McGarry, |
| Mr. McLaurin, |
| Mr. Donaldson, |
| Mr. O'Sullivan, |
| Mr. Holman, |
| Mr. Fell. |
| <i>Tellers,</i> |
| Mr. Sullivan, |
| Mr. Jones. |

Words stand.

And the clause having been amended as indicated,—
Clause, as amended, agreed to.

No. 18.

SAME BILL.

Clause 12. If any licensee allows any female under the age of twenty-one years, other than his wife or "daughter," to sell, supply, or serve liquor in any bar in his licensed premises, he shall be liable for every such offence to a penalty not exceeding five pounds. Barnmaids under age of twenty-one. [Read.]

Motion made (*Mr. Kelly*), to insert in line 2 after the word "daughter" the words "or other near relative or connection"

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

Ayes, 24.

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| Mr. Duley, |
| Mr. Holman, |
| Mr. Nielsen, |
| Mr. Scobie, |
| Mr. Kelly, |
| Mr. McNeill, |
| Mr. Meehan, |
| Mr. W. W. Young, |
| Mr. Gillies, |
| Mr. Sullivan, |
| Mr. Hollis, |
| Mr. Briner, |
| Mr. Perry (<i>The Richmond</i>), |
| Mr. Collins, |
| Mr. Macdonell, |
| Mr. Burgess, |
| Mr. McGarry, |
| Mr. Broughton, |
| Mr. McLaurin, |
| Mr. O'Sullivan, |
| Mr. Bennett, |
| Mr. Jones. |
| <i>Tellers,</i> |
| Mr. Estell, |
| Mr. Thrower. |

Noes, 49.

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| Mr. Ball, | Mr. Law, |
| Mr. Mahony, | Mr. Latimer, |
| Mr. Hogue, | Mr. John Hurley, |
| Mr. Wade, | Mr. Fallick, |
| Mr. Fegan, | Mr. Mackenzie, |
| Mr. Jessep, | Mr. Perry (<i>Liverpool Plains</i>), |
| Mr. Arthur Griffith, | Mr. Gardiner, |
| Mr. Booth, | Mr. McFarlane, |
| Mr. Cann, | Mr. Robson, |
| Mr. Carruthers, | Mr. Henley, |
| Mr. Nicholson, | Mr. Brinsley Hall, |
| Mr. Moore, | Mr. Walter Anderson, |
| Mr. Dacey, | Mr. Davidson, |
| Mr. Edden, | Mr. Kearney, |
| Mr. Charlton, | Mr. Ashton, |
| Mr. O'Conor, | Mr. Storey, |
| Mr. Cohen, | Mr. Hindmarsh, |
| Mr. Miller, | Mr. McCoy, |
| Mr. Eden George, | Mr. W. Millard, |
| Mr. Downes, | Mr. Lee. |
| Dr. Arthur, | <i>Tellers,</i> |
| Mr. Oakes, | Mr. Donaldson, |
| Mr. Creswell, | Mr. Levy. |
| Mr. Thomas, | |
| Mr. Nobbs, | |
| Mr. R. J. Anderson, | |
| Mr. Fell, | |

Insertion of proposed words negatived.
Clause, as read, agreed to.

And clauses 13 and 14 having been dealt with,—

No. 19.

SAME BILL.

Times when
premises may
not be open for
sale of liquor.

Clause 15. (1) No licensee shall keep his premises open for the sale of liquor, or "shall" sell any liquor, or permit the same to be consumed, on his premises—

- (a) upon any Sunday ;
 (b) upon any Good Friday or Christmas Day, "except for the sale between the hours of seven and nine in the morning, and of one and three in the afternoon, and of eight and ten at night, of liquor not to be consumed on the premises" ;
 (c) upon any day upon which any election of Members of the Senate or of the House of Representatives of the Parliament of the Commonwealth or of the Legislative Assembly of New South Wales is being held, during the hours when votes may be recorded at such election :
 Provided that in the case of a bye-election this paragraph shall apply only to licensed premises situate within the electorate in respect of which such bye-election is being held ;
 (d) upon any other day except between the hours of six in the morning and "eleven" at night :

* * * * *

[Read.]

Motion made (*Mr. Nielsen*), to insert in line 2 after the word "shall" the words "except in the case of sickness or accident"

Mr. Gardiner moved, "That the Question be now put."

Question put,—That the Question be now put.

Committee divided.

Ayes, 44.

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| Mr. Mahony, | Mr. Oakes, |
| Mr. Wade, | Mr. Collins, |
| Mr. Hogue, | Mr. Donaldson, |
| Mr. Jessep, | Mr. Perry (<i>Liverpool Plains</i>), |
| Mr. Carruthers, | Mr. Perry (<i>The Richmond</i>), |
| Mr. Kearney, | Mr. Walter Anderson, |
| Mr. Fegan, | Mr. Law, |
| Mr. Booth, | Mr. Fallick, |
| Mr. Fell, | Mr. Hindmarsh, |
| Mr. Robson, | Mr. R. J. Anderson, |
| Mr. Cohen, | Mr. McCoy, |
| Mr. Ball, | Mr. Davidson, |
| Mr. Levy, | Mr. John Hurley, |
| Mr. Lee, | Mr. Mackenzie, |
| Mr. Brinsley Hall, | Mr. Eden George, |
| Mr. Thomas, | Mr. Henley, |
| Dr. Arthur, | Mr. Nobbs, |
| Mr. Downes, | Mr. W. Millard. |
| Mr. Ashton, | |
| Mr. Sullivan, | |
| Mr. Latimer, | |
| Mr. Moore, | |
| Mr. O'Conor, | |
| Mr. Bennett, | |

Tellers,

Mr. Creswell,
Mr. Gardiner.

Noes, 26.

| | |
|----------------------|--|
| Mr. Charlton, | |
| Mr. Scobie, | |
| Mr. Miller, | |
| Mr. Holman, | |
| Mr. Arthur Griffith, | |
| Mr. Nielsen, | |
| Mr. Macdonell, | |
| Mr. McNeill, | |
| Mr. Cann, | |
| Mr. Thrower, | |
| Mr. O'Sullivan, | |
| Mr. Gillies, | |
| Mr. McGarry, | |
| Mr. Edden, | |
| Mr. Estell, | |
| Mr. Jones, | |
| Mr. Nicholson, | |
| Mr. W. W. Young, | |
| Mr. Dacey, | |
| Mr. Kelly, | |
| Mr. Meehan, | |
| Mr. Hollis, | |
| Mr. Broughton, | |
| Mr. Briner, | |

Tellers,

Mr. McLaurin,
Mr. Daley.

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority consisted of "at least thirty Members,"—

No. 20.

SAME BILL.

Same clause.

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

Committee divided.

Ayes, 25.

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| Mr. Jones, | |
| Mr. Hollis, | |
| Mr. Holman, | |
| Mr. Nielsen, | |
| Mr. Daley, | |
| Mr. Estell, | |
| Mr. Broughton, | |
| Mr. Dacey, | |
| Mr. Edden, | |
| Mr. Kelly, | |
| Mr. Meehan, | |
| Mr. Sullivan, | |
| Mr. Thrower, | |
| Mr. McNeill, | |
| Mr. O'Sullivan, | |
| Mr. Bennett, | |
| Mr. Macdonell, | |
| Mr. Scobie, | |
| Mr. W. W. Young, | |
| Mr. Nicholson, | |
| Mr. Perry (<i>Liverpool Plains</i>), | |
| Mr. Perry (<i>The Richmond</i>), | |
| Mr. McGarry, | |

Tellers,

Mr. Collins,
Mr. Arthur Griffith.

Noes, 47.

| | |
|------------------|--|
| Mr. Charlton, | |
| Mr. Mahony, | |
| Mr. Levy, | |
| Mr. Miller, | |
| Mr. Carruthers, | |
| Mr. Jessep, | |
| Mr. Wade, | |
| Mr. Ashton, | |
| Mr. Fegan, | |
| Mr. Cann, | |
| Mr. Creswell, | |
| Mr. Cohen, | |
| Mr. Booth, | |
| Mr. Downes, | |
| Mr. Oakes, | |
| Mr. Gardiner, | |
| Mr. Robson, | |
| Mr. Lee, | |
| Mr. Kearney, | |
| Mr. Thomas, | |
| Mr. Latimer, | |
| Mr. Moore, | |
| Mr. Fell, | |
| Mr. O'Conor, | |
| Mr. John Hurley, | |
| Mr. Donaldson, | |

Mr. Davidson,

Mr. Hogue,

Dr. Arthur,

Mr. Mackenzie,

Mr. Brinsley Hall,

Mr. McFarlane,

Mr. Walter Anderson,

Mr. Law,

Mr. R. J. Anderson,

Mr. Hindmarsh,

Mr. Fallick,

Mr. McCoy,

Mr. Henley,

Mr. Eden George,

Mr. Nobbs,

Mr. Storey,

Mr. McLaurin,

Mr. Briner,

Mr. W. Millard,

Tellers,

Mr. Ball,

Mr. Gillies.

Insertion of proposed words negatived.

And the Committee continuing to sit till after Midnight,—

FRIDAY,

FRIDAY, 20 OCTOBER, 1905, A.M.

No. 21.

SAME BILL.

Same clause.

Motion made (Mr. Daley) to leave out from paragraph (b) the words "except for the sale between the hours of seven and nine in the morning, and of one and three in the afternoon, and of eight and ten at night, of liquor not to be consumed on the premises."

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

Ayes, 52.

Noes, 16.

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|--------------------|-------------------------------|
| Mr. Mahony, | Mr. Fallick, |
| Mr. Hogue, | Dr. Arthur, |
| Mr. Cohen, | Mr. Mackenzie, |
| Mr. Wade, | Mr. John Hurley, |
| Mr. Carruthers, | Mr. Hindmarsh, |
| Mr. Moore, | Mr. Henley, |
| Mr. Nobbs, | Mr. Perry (Liverpool Plains), |
| Mr. Jessep, | Mr. R. J. Anderson, |
| Mr. Ashton, | Mr. Collins, |
| Mr. Latimer, | Mr. Briner, |
| Mr. Ball, | Mr. O'Sullivan, |
| Mr. Robson, | Mr. Nicholson, |
| Mr. Levy, | Mr. Eden George, |
| Mr. Downes, | Mr. McCoy, |
| Mr. Brinsley Hall, | Mr. McFarlane, |
| Mr. Lec, | Mr. Walter Anderson, |
| Mr. Kelly, | Mr. Edden, |
| Mr. Meehan, | Mr. Creswell, |
| Mr. Miller, | Mr. Millard, |
| Mr. Storey, | Mr. Dacey, |
| Mr. Scobie, | Mr. McLaurin, |
| Mr. Law, | Mr. O'Conor. |
| Mr. Thrower, | |
| Mr. Davidson, | <i>Tellers.</i> |
| Mr. Fell, | |
| Mr. Thomas, | Mr. Kearney, |
| Mr. Gillies, | Mr. Oakes. |
| Mr. Jones, | |

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| Mr. Gardiner, |
| Mr. W. W. Young, |
| Mr. Booth, |
| Mr. Arthur Griffith, |
| Mr. Nielsen, |
| Mr. Daley, |
| Mr. Hollis, |
| Mr. Sullivan, |
| Mr. Fegan, |
| Mr. Estell, |
| Mr. Holman, |
| Mr. McNeill, |
| Mr. Morton, |
| Mr. Macdonnell. |
| <i>Tellers,</i> |
| Mr. Charlton, |
| Mr. McGarry. |

Words stand.

No. 22.

SAME BILL.

Same clause.

Motion made (Mr. Arthur Griffith), to leave out from paragraph (d) the word "eleven" and insert the word "ten" instead thereof.

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

Ayes, 51.

Noes, 16

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|--------------------|-------------------------------|
| Mr. Lee, | Mr. Nicholson, |
| Mr. Wade, | Mr. Gillies, |
| Mr. Carruthers, | Mr. John Hurley, |
| Mr. Ashton, | Mr. Kearney, |
| Mr. O'Conor, | Mr. Fell, |
| Mr. Oakes, | Mr. Collins, |
| Mr. Nielsen, | Mr. Hogue, |
| Mr. McNeill, | Mr. R. J. Anderson, |
| Mr. Latimer, | Mr. Meehan, |
| Mr. Ball, | Mr. Fallick, |
| Mr. Robson, | Mr. Davidson, |
| Mr. Mahony, | Mr. W. W. Young, |
| Mr. Levy, | Mr. Perry (Liverpool Plains), |
| Mr. Brinsley Hall, | Mr. Henley, |
| Mr. Jessep, | Mr. Downes, |
| Mr. Miller, | Mr. Jones, |
| Mr. Moore, | Mr. Dacey, |
| Mr. Scobie, | |

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|------------------|
| Mr. Thrower, |
| Mr. Law, |
| Mr. Mackenzie, |
| Mr. Hindmarsh, |
| Mr. Nobbs, |
| Mr. Burgess, |
| Mr. Creswell, |
| Mr. O'Sullivan, |
| Mr. Eden George, |
| Mr. Macdonell, |
| Mr. Briner, |
| Mr. Estell, |
| Mr. W. Millard, |
| Mr. McLaurin. |
| <i>Tellers,</i> |
| Mr. Kelly, |
| Mr. McCoy. |

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|----------------------|
| Mr. Charlton, |
| Mr. Holman, |
| Mr. Arthur Griffith, |
| Mr. Hollis, |
| Mr. Fegan, |
| Mr. McGarry, |
| Mr. Edden, |
| Dr. Arthur, |
| Mr. Storey, |
| Mr. McFarlane, |
| Mr. Booth, |
| Mr. Cohen, |
| Mr. Walter Anderson, |
| Mr. Morton. |
| <i>Tellers,</i> |
| Mr. Thomas, |
| Mr. Gardiner. |

Word stands.

Clause as read agreed to.

No. 23.

SAME BILL.

Clause 16. (1) Every person, not being a bonâ fide lodger, servant, inmate, or traveller found drinking liquor in any licensed premises or found in the act of leaving the same with liquor in his possession at any time when such premises should not be open for the sale of liquor, shall, for every such offence, be liable to a penalty not exceeding two pounds. Person leaving premises during prohibited time with liquor in his possession.

(2) Every person found on any such premises at any time when such premises should not be open for the sale of liquor, shall, unless he satisfies the court that he was at the time when he was so found a bonâ fide lodger, servant, inmate, or traveller, or that his presence on such premises at such time was not in contravention of the provisions of this Act, be liable to a penalty not exceeding two pounds. [Read.] Person on premises during prohibited time.

And

And the clause having been amended as indicated,—

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

Committee divided.

Ayes, 55.

Mr. Lee,
Mr. Fallick,
Mr. Wade,
Mr. Ashton,
Mr. O'Connor,
Mr. Oakes,
Mr. Kelly,
Mr. Nielson,
Mr. Miller,
Mr. Nobbs,
Mr. Scobie,
Mr. McNeill,
Mr. Kearney,
Mr. Moore,
Mr. Collins,
Mr. Hogue,
Mr. Gillies,
Mr. Nicholson,
Mr. Cohen,
Mr. Robson,

Mr. Mabony,
Mr. Levy,
Mr. Thomas,
Mr. Brinsley Hall,
Mr. Downes,
Mr. Latimer,
Mr. John Hurley,
Mr. Morton,
Mr. Meehan,
Mr. Davidson,
Mr. Mackenzie,
Mr. W. W. Young,
Mr. Hindmarsh,
Mr. Arthur Griffith,
Mr. R. J. Anderson,
Mr. Briner,
Mr. Henley,
Mr. McFarlane,
Mr. Ball,
Mr. O'Sullivan,

Mr. Law,
Mr. Carruthers,
Mr. Perry (*Liverpool
Plains*),
Mr. Creswell,
Mr. Jessep,
Mr. McCoy,
Mr. McGarry,
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Ducey,
Mr. Holman,
Mr. Storey,
Mr. McLaurin.

Tellers,
Mr. Fell,
Mr. Thrower.

Noes, 11.

Mr. Hollis,
Mr. Charlton,
Mr. Edden,
Mr. Macdonell,
Mr. Burgess,
Mr. Estell,
Dr. Arthur,
Mr. Fegan,
Mr. Gardiner.

Tellers,
Mr. Booth,
Mr. Jones.

Agreed to.

And clause 17 having been agreed to—

No. 24.

SAME BILL.

Clause 18. (1) Any member of the police force appointed in that behalf may demand from any person found on any licensed premises "at any time when such premises should not be open for the sale of liquor" the name and address of such person, and if he has reasonable ground to suppose that the name or address so given is false, may require such person to produce evidence of the correctness of the name or address given by such person.

* * * * *

[*Read.*]

And the clause having been amended as indicated,—

Motion made (*Mr. Nielsen*), to leave out from lines 2 and 3 the words "at any time when such premises should not be open for the sale of liquor" and insert the words "in contravention of this Act" instead thereof.

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

Committee divided.

Ayes, 46.

Mr. Lee,
Mr. Carruthers,
Mr. Wade,
Mr. Ashton,
Mr. Fegan,
Mr. Jessep,
Mr. Booth,
Mr. Hogue,
Mr. Collins,
Mr. Robson,
Mr. Thomas,
Mr. Moore,
Mr. Mabony,
Mr. Levy,
Mr. Brinsley Hall,
Mr. Downes,
Mr. Mackenzie,
Mr. Latimer,
Mr. R. J. Anderson,
Dr. Arthur,

Mr. Hindmarsh,
Mr. Fell,
Mr. Gardiner,
Mr. McCoy,
Mr. John Hurley,
Mr. Miller,
Mr. Gillies,
Mr. Fallick,
Mr. Davidson,
Mr. Kearney,
Mr. Walter Anderson,
Mr. Perry (*Liverpool
Plains*),
Mr. Eden George,
Mr. Henley,
Mr. Nobbs,
Mr. Law,
Mr. O'Connor,
Mr. McFarlane,
Mr. Creswell,

Mr. Oakes,
Mr. Ball,
Mr. Charlton,
Mr. Arthur Griffith,
Mr. W. Millard.

Tellers,
Mr. Cohen,
Mr. Morton.

Noes, 18.

Mr. Holman,
Mr. Ducey,
Mr. Burgess,
Mr. Thrower,
Mr. Nielsen,
Mr. Hollis,
Mr. Scobie,
Mr. Kelly,
Mr. Meehan,
Mr. Nicholson,
Mr. W. W. Young,
Mr. McNeill,
Mr. McGarry,
Mr. Macdonell,
Mr. O'Sullivan,
Mr. Jones.

Tellers,
Mr. Briner,
Mr. McLaurin.

Words stand.

No. 25.

SAME BILL.

Same clause.

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

Committee

Committee divided.

Ayes, 46.

| | |
|---------------------|------------------------------|
| Mr. Lee, | Mr. Hogue, |
| Mr. Mahony, | Mr. Fallick, |
| Mr. Ashton, | Mr. Davidson, |
| Mr. Carruthers, | Dr. Arthur, |
| Mr. Wade, | Mr. Walter Anderson, |
| Mr. Jessep, | Mr. Henley, |
| Mr. Robson, | Mr. Perry (<i>Liverpool</i> |
| Mr. Downes, | <i>Plains</i>), |
| Mr. Miller, | Mr. Gillies, |
| Mr. Moore, | Mr. Briner, |
| Mr. Cohen, | Mr. Ball, |
| Mr. Thomas, | Mr. Collins, |
| Mr. Levy, | Mr. O'Connor, |
| Mr. Brinsley Hall, | Mr. Charlton, |
| Mr. Mackenzie, | Mr. Fegao, |
| Mr. Latimer, | Mr. Oakes, |
| Mr. Nobbs, | Mr. Creswell, |
| Mr. Law, | Mr. W. Millard, |
| Mr. Kearney, | Mr. Eden George, |
| Mr. R. J. Anderson, | Mr. Morton. |
| Mr. Gardiner, | <i>Tellers,</i> |
| Mr. McCoy, | Mr. Booth, |
| Mr. John Hurley, | Mr. Hindmarsh. |
| Mr. McFarlane, | |
| Mr. McLaurin, | |

Noes, 19.

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|------------------|
| Mr. McNeill, |
| Mr. Kelly, |
| Mr. Nielsen, |
| Mr. Dacey, |
| Mr. Scobie, |
| Mr. Hollis, |
| Mr. Fell, |
| Mr. Macdonell, |
| Mr. Edden, |
| Mr. Holman, |
| Mr. O'Sullivan, |
| Mr. McGarry, |
| Mr. W. W. Young, |
| Mr. Nicholson, |
| Mr. Burgess, |
| Mr. Thrower, |
| Mr. Meehan. |

Tellers,

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|----------------------|
| Mr. Arthur Griffith, |
| Mr. Jones. |

Agreed to.

And clauses 19 to 33 having been dealt with,—

On motion of Mr. Wade, the Chairman left the Chair to report progress, and ask leave to sit again on Tuesday next.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 15.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 24 OCTOBER, 1905.

No. 1.

LIQUOR (AMENDMENT) BILL.

Clause 34. In this Part, unless the context requires another meaning—

Definitions.

“Inspector” means inspector for the licensing district within which the club premises are situate.

“Registered club” means club registered under this Part.

“Register of members” means register of members of a registered club prescribed by this Part to be kept by the secretary.

“Secretary” includes any officer or other person performing the duties of secretary of a club. [*Read.*]

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

Mr. Jessep moved, “That the Question be now put.”

Question put,—That the Question be now put.

Committee divided.

Ayes, 40.

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|------------------------------------|--------------------|
| Mr. Moore, | Mr. Nobbs, |
| Mr. Lee, | Mr. Henley, |
| Mr. Wade, | Mr. Briesley Hall, |
| Mr. Carruthers, | Mr. Moxham, |
| Mr. Robson, | Mr. McFarlane, |
| Mr. Mahony, | Mr. Collins, |
| Mr. Hogue, | Mr. Fell, |
| Mr. Levy, | Mr. Eden George, |
| Mr. Latimer, | Mr. O’Conor, |
| Mr. Hindmarsh, | Mr. W. Millard, |
| Mr. Oakes, | Mr. Ashton, |
| Mr. Reynoldson, | Mr. Cohen, |
| Mr. Donaldson, | Mr. Booth, |
| Dr. Arthur, | Mr. Creswell, |
| Mr. McCoy, | Mr. Downes, |
| Mr. Davidson, | Mr. Dick, |
| Mr. Fleming, | Mr. Fallick. |
| Mr. Law, | |
| Mr. Walter Anderson, | <i>Tellers,</i> |
| Mr. R. J. Anderson, | Mr. Jessep, |
| Mr. Perry (<i>The Richmond</i>), | Mr. Ball. |

Noes, 31.

| | |
|----------------------|-----------------|
| Mr. Macdonell, | Mr. Waddell, |
| Mr. Edden, | Mr. Gillies, |
| Mr. Burgess, | Mr. Briner, |
| Mr. Cann, | Mr. Fegan, |
| Mr. Nicholson, | Mr. O’Sullivan, |
| Mr. Dacey, | Mr. Levien, |
| Mr. Charlton, | Mr. Daley. |
| Mr. Miller, | <i>Tellers,</i> |
| Mr. Thrower, | |
| Mr. Arthur Griffith, | Mr. McLaurin, |
| Mr. Hollie, | Mr. Sullivan. |
| Mr. Kelly, | |
| Mr. Crick, | |
| Mr. Holman, | |
| Mr. Nielsen, | |
| Mr. McNeill, | |
| Mr. Scobie, | |
| Mr. McGowen, | |
| Mr. Broughton, | |
| Mr. W. W. Young, | |
| Mr. Gardiner, | |
| Mr. Richards, | |

And it appearing by the Teller’s Lists that the number in favour of the motion, being a majority, consisted of “at least thirty Members,”—

Agreed to.

66618

319—

No.

No. 2.

SAME BILL.

Same clause.

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

Ayes, 68.

| | | |
|----------------------|------------------------------------|------------------|
| Mr. Moore, | Dr. Arthur, | Mr. Eden George, |
| Mr. Lee, | Mr. Davidson, | Mr. Levis, |
| Mr. Wade, | Mr. Fleming, | Mr. Fell, |
| Mr. Carruthers, | Mr. Law, | Mr. Collins, |
| Mr. Robson, | Mr. Miller, | Mr. O'Sullivan, |
| Mr. Mahony, | Mr. Ball, | Mr. W. Millard, |
| Mr. Hogue, | Mr. McFarlane, | Mr. Dacey, |
| Mr. Levy, | Mr. Moxham, | Mr. Cann, |
| Mr. Jessep, | Mr. Brinsley Hall, | Mr. Charlton, |
| Mr. Latimer, | Mr. Estell, | Mr. Briner, |
| Mr. Hindmarsh, | Mr. Gillies, | Mr. O'Connor, |
| Mr. Ashton, | Mr. Henley, | Mr. Hollis, |
| Mr. Cohen, | Mr. Nobbs, | Mr. Holman, |
| Mr. Booth, | Mr. Crick, | Mr. Scobie, |
| Mr. Creswell, | Mr. Perry (<i>The Richmond</i>), | Mr. Edden, |
| Mr. Broughton, | Mr. Gardiner, | Mr. Macdonell, |
| Mr. Arthur Griffith, | Mr. R. J. Anderson, | Mr. W. W. Young, |
| Mr. Downes, | Mr. Walter Anderson, | Mr. Storey, |
| Mr. Dick, | Mr. Sullivan, | Mr. McLaurin. |
| Mr. Fallick, | Mr. Nicholson, | <i>Tellers,</i> |
| Mr. Fegan, | Mr. Richards, | Mr. Oakes, |
| Mr. Reynoldson, | Mr. Burgess, | Mr. McCoy. |
| Mr. McGowen, | Mr. Waddell, | |

Noes, 6.

Mr. Kelly,
Mr. Nielsen,
Mr. McNeill,
Mr. Daley.
Tellers,
Mr. Thrower,
Mr. Meehan.

Agreed to.

And clause 35 having been dealt with,—

No. 3.

SAME BILL.

Conditions of
registration
of clubs.

Clause 36. No club shall be or continue to be registered under this part unless all the following conditions exist with respect to it, namely:—

- (a) The club must be a *bond-fide* association or company of not less than "forty" persons, in the case of a club established at any place within a radius of fifteen miles from the General Post Office in Sydney, and not less than thirty persons in the case of a club established elsewhere.

* * * * *

[Read.]

Motion made (*Mr. Arthur Griffith*), to leave out from line 3, the word "forty" and insert the word "fifty" instead thereof.

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

Committee divided.

Ayes, 55.

| | | |
|-----------------|----------------------|-----------------|
| Mr. Lee, | Mr. Latimer, | Mr. Macdonell, |
| Mr. Carruthers, | Mr. Hollis, | Mr. Edden, |
| Mr. Wade, | Mr. Nicholson, | Mr. Fleming, |
| Mr. Moore, | Mr. Scobie, | Mr. Gardiner, |
| Mr. Robson, | Mr. Sullivan, | Mr. McFarlane, |
| Mr. Dick, | Mr. Gillies, | Mr. Morton, |
| Mr. Jessep, | Mr. Walter Anderson, | Mr. Briner, |
| Dr. Arthur, | Mr. Law, | Mr. Miller, |
| Mr. Davidson, | Mr. McCoy, | Mr. W. Millard, |
| Mr. Creswell, | Mr. Hindmarsh, | Mr. Broughton, |
| Mr. O'Connor, | Mr. Moxham, | Mr. McLaurin, |
| Mr. Ball, | Mr. Reynoldson, | Mr. McGowen, |
| Mr. Booth, | Mr. Brinsley Hall, | Mr. Cann, |
| Mr. Hogue, | Mr. R. J. Anderson, | Mr. Donaldson, |
| Mr. Nobbs, | Mr. Henley, | Mr. Estell. |
| Mr. Downes, | Mr. Richards, | <i>Tellers,</i> |
| Mr. Cohen, | Mr. Collins, | Mr. Mahony, |
| Mr. Fallick, | Mr. W. W. Young, | Mr. Levy. |
| Mr. Oakes, | Mr. Eden George, | |

Noes, 14.

Mr. Burgess,
Mr. Charlton,
Mr. Arthur Griffith,
Mr. O'Sullivan,
Mr. Holman,
Mr. Crick,
Mr. Kelly,
Mr. McNeill,
Mr. Daley,
Mr. Jones,
Mr. Meehan,
Mr. Dacey.
Tellers,
Mr. Thrower,
Mr. Nielsen.

*Word stands.**Clause, as read, agreed to.*

No. 4.

SAME BILL.

Provision to be
made in rules of
clubs.

Clause 37. In order that any club may be eligible to be registered, the rules of the club shall provide that—

- (a) the business and affairs of the club shall be under the management of a committee elected for not less than ~~six~~ **twelve** months by the general body of members, and ~~subject in whole or in a specified proportion to periodical election;~~

(b)

- (b) the committee shall hold periodical meetings, and minutes of all resolutions and proceedings of such committee shall be entered in a book to be provided for that purpose;
- (c) the names and addresses of persons proposed as ordinary members of the club shall be displayed in a conspicuous place in the club premises for at least a week before their election, and an interval of not less than two weeks shall elapse between nomination and election of ordinary members;
- (d) all members shall be elected by the general body of members, or by a general or an election committee, at a meeting or meetings duly convened, and a record shall be kept by the secretary of the club of the names of the members present and voting at such meetings;
- (e) there shall be a defined subscription of not less than "one pound" per annum, payable by members **quarterly**, half-yearly, or annually, in advance;
- (f) correct accounts and books shall be kept, showing the financial affairs of the club and the particulars usually shown in books of account of a like nature;
- (g) a visitor shall not be supplied with liquor in the club premises unless on invitation and in the company of a member, **and no bar shall be allowed on club premises for the sale of liquor.**
- (h) no persons shall be allowed to become honorary or temporary members of the club or be relieved of the payment of the regular subscription, except those possessing certain qualifications defined in the rules, and subject to conditions and regulations prescribed therein;
- (i) no person under twenty-one years of age shall be admitted a member of the club, and no liquor shall be sold or supplied to any person under that age: Provided that where the club is primarily devoted to some athletic purpose, there shall be no limitation of the age of a member of the club.

Provided that in the case of a club primarily devoted to some athletic purpose, the management of which is vested in trustees appointed by the Governor, such club shall, if the Governor so declares by proclamation in the Gazette, be exempted from compliance with the provisions of paragraphs (a), (c), and (d) of this section, and such trustees shall for the purposes of this Act be deemed the elected committee of the club. [Read.]

And the clause having been amended as indicated,—

Motion made (*Mr. Nicholson*) to leave out from line 1 of paragraph (e) the words "one pound," and insert the words "twelve shillings" instead thereof.

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

Committee divided.

Ayes, 44.

| | |
|----------------------|---------------------|
| Mr. Ashton, | Mr. Moxham, |
| Mr. Lee. | Mr. Brinsley Hall, |
| Mr. Carruthers, | Mr. Henley, |
| Mr. Wade, | Mr. R. J. Anderson, |
| Mr. Dick, | Mr. W. W. Young, |
| Mr. Levy, | Mr. Morton, |
| Mr. Jessep, | Mr. McFarlane, |
| Mr. Moore, | Mr. Fleming, |
| Mr. McCoy, | Mr. Ball, |
| Mr. Latimer, | Mr. Fegan, |
| Mr. Hindmarsh, | Dr. Arthur, |
| Mr. Mahony, | Mr. Davidson, |
| Mr. Cohen, | Mr. Donaldson, |
| Mr. Walter Anderson, | Mr. Reynoldeon, |
| Mr. Fell, | Mr. Law, |
| Mr. Robson, | Mr. Miller, |
| Mr. Booth, | Mr. O'Conor, |
| Mr. Downes, | Mr. Briner, |
| Mr. Hogue, | Mr. W. Millard. |
| Mr. Fallick, | |
| Mr. Gillies, | <i>Tellers,</i> |
| Mr. Nobbs, | Mr. Oakes, |
| Mr. Kelly, | Mr. Creswell. |

Noes, 24.

| | |
|----------------------|-----------------|
| Mr. Charlton, | <i>Tellers,</i> |
| Mr. Arthur Griffith, | |
| Mr. McNeill, | Mr. Jones, |
| Mr. Macdonell, | Mr. Estell. |
| Mr. Scobie, | |
| Mr. Crick, | |
| Mr. Nicksen, | |
| Mr. Cann, | |
| Mr. Holman, | |
| Mr. Sullivan, | |
| Mr. McLaurin, | |
| Mr. Collins, | |
| Mr. Broughton, | |
| Mr. O'Sullivan, | |
| Mr. Thrower, | |
| Mr. Nicholson, | |
| Mr. Burgess, | |
| Mr. Meehan, | |
| Mr. Hollis, | |
| Mr. Dacey, | |
| Mr. Edden, | |
| Mr. Gardiner. | |

Words stand.

And the clause having been further amended as indicated,—

No. 5.

SAME BILL.

Same clause.

Motion made (*Mr. Crick*) to insert at end of paragraph (g) the words "and no bar shall be allowed on club premises for the sale of liquor."

And

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 25 OCTOBER, 1905, A.M.

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

Committee divided.

Ayes, 47.

Mr. Lee,
Mr. Ashton,
Mr. Wade,
Mr. Hogue,
Mr. Jessop,
Mr. Robson,
Mr. Oakes,
Mr. Carruthers,
Mr. Crick,
Mr. Fegan,
Mr. Hindmarsh,
Mr. Morton,
Mr. Walter Anderson,
Mr. Cohen,
Mr. Moore,
Mr. Mahony,
Mr. O'Conor,
Mr. Downes,

Mr. R. J. Anderson,
Mr. Fallick,
Mr. Davidson,
Mr. Latimer,
Mr. Gillies,
Mr. Kelly,
Mr. McCoy,
Mr. Jones,
Mr. Nobbs,
Mr. Booth,
Mr. Moxham,
Mr. Brinsley Hall,
Mr. Ball,
Mr. Henley,
Mr. W. W. Young,
Mr. Miller,
Mr. McFarlane,
Mr. Collins,

Mr. Law,
Mr. W. Millard,
Mr. Levy,
Mr. Fleming,
Mr. Creswell,
Mr. Cann,
Mr. McNeill,
Mr. Dick,
Mr. Nielson.
Tellers,
Mr. Donaldson,
Mr. Arthur Griffith.

Noes, 16.

Mr. Burgess,
Mr. Charlton,
Mr. Macdonell,
Mr. Scobie,
Mr. Holman,
Mr. Hollis,
Mr. Edden,
Mr. Meehan,
Mr. Dacey,
Mr. Estell,
Mr. Nicholson,
Mr. Thrower,
Mr. McLaurin,
Mr. Fell.

Tellers,

Mr. Briner,
Mr. Reynoldson.

Words inserted.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

And clauses 38 to 43 having been agreed to,—

No. 6.

SAME BILL.

Issue of
certificate of
registration.

Clause 44. When an application for the registration of a club is granted, a certificate of registration under the hand of the clerk of such court, in the form prescribed, shall be issued to the club. A fee of "five" pounds shall be paid in respect of the grant or renewal of such certificate for the first forty members of the club, and a further sum of one pound for every additional forty members or fraction thereof. [*Read.*]

Motion made (*Mr. Crick*) to leave out from line 3 the word "five" and insert the word "thirty" instead thereof.

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

Committee divided.

Ayes, 39.

Mr. Mahony,
Mr. Hogue,
Mr. Morton,
Mr. Wade,
Mr. Ashton,
Mr. Carruthers,
Mr. Jessop,
Mr. O'Conor,
Mr. Creswell,
Mr. Latimer,
Mr. Nicholson,
Mr. Booth,
Mr. Fell,
Mr. Fallick,
Mr. Lee,
Mr. Cohen,
Mr. Levy,
Mr. Dick,
Mr. Hindmarsh,
Mr. Law,
Mr. McFarlane,
Mr. McCoy,
Mr. Estell,
Mr. Moore,

Mr. Nobbs,
Mr. Oakes,
Mr. Davidson,
Mr. Brinsley Hall,
Mr. Moxham,
Mr. Walter Anderson,
Mr. Henley,
Mr. Ball,
Mr. R. J. Anderson,
Mr. Robson,
Mr. Downes,
Mr. W. Millard,
Mr. Reynoldson.

Tellers,

Mr. Macdonell,
Mr. Fleming.

Noes, 22.

Mr. Edden,
Mr. Scobie,
Mr. Kelly,
Mr. Cann,
Mr. Holman,
Mr. McNeill,
Mr. Thrower,
Mr. Crick,
Mr. McLaurin,
Mr. Nielson,
Mr. Hollis,
Mr. Charlton,
Mr. Miller,
Mr. Burgess,
Mr. Meehan,
Mr. Jones,
Mr. W. W. Young,
Mr. Fegan,
Mr. Donaldson,
Mr. Briner.

Tellers,

Mr. Collins,
Mr. Gillies.

Word stands.

Clause, as read, agreed to.

And clauses 45 to 54 having been agreed to,—

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

WEDNESDAY, 25 OCTOBER, 1905.

No. 7.

LIQUOR (AMENDMENT) BILL.

Clause 55 having been agreed to,—

Clause 56. The number of licenses in an "electorate" shall not, except in pursuance of special authority granted as hereinafter in this Act provided, at any time exceed the number of licenses of the same description including conditional licenses in the electorate at the commencement of this Act. [*Read.*]

Number of
licenses not to
exceed present
number.

Motion

Motion made (*Mr. Arthur Griffith*) to leave out from line 1 the word "electorate" and insert the words "municipality or shire" instead thereof.

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

Committee divided.

Ayes, 47.

| | | |
|-------------------|------------------|------------------------------|
| Mr. Moore, | Mr. Fallick, | Mr. Perry (<i>Liverpool</i> |
| Mr. Nobbs, | Mr. McFarlane, | <i>Plains</i>), |
| Mr. Ashton, | Mr. Waddell, | Mr. Kelly, |
| Mr. Wade, | Mr. Storey, | Mr. Holman, |
| Mr. Cohen, | Mr. Nielsen, | Mr. Fegan, |
| Mr. Dick, | Mr. Sullivan, | Mr. Eden George, |
| Mr. Creswell, | Mr. Reynoldson, | Mr. Estell, |
| Mr. Hogue, | Mr. Ball, | Mr. Edden, |
| Mr. Hindmarsh, | Mr. Mackenzie, | Mr. Walter Anderson, |
| Mr. Latimer, | Mr. Kearney, | Mr. O'Sullivan, |
| Mr. Carruthers, | Mr. Davidson, | Mr. W. Millard, |
| Mr. Booth, | Mr. Fleming, | Mr. Henley. |
| Mr. Lee, | Mr. Thrower, | |
| Mr. Mahony, | Mr. J. H. Young, | <i>Tellers,</i> |
| Mr. Downes, | Mr. Thomas, | Mr. Jessep, |
| Mr. Brinsley Hal. | Mr. W. W. Young, | Mr. Morton. |
| Mr. Robson, | Mr. Donaldson, | |

Noes, 9.

| |
|------------------------------|
| Mr. Machan, |
| Mr. Charlton, |
| Mr. Hollis, |
| Mr. Cann, |
| Mr. Perry (<i>The Rich-</i> |
| <i>mond</i>), |
| Mr. Briner, |
| Mr. McLaurin. |
| <i>Tellers,</i> |
| Mr. Arthur Griffith, |
| Mr. Daley. |

Word stands.

And the clause having been amended as indicated,—

No. 8.

SAME BILL.

Same clause.

Motion made (*Mr. Nielsen*) to add at end of clause the words "Provided always that the "Licensing Court may grant a certificate of transfer of a license from one electorate to "another."

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

Committee divided.

Ayes, 14.

| |
|----------------------|
| Mr. Jones, |
| Mr. Macdonell, |
| Mr. Kelly, |
| Mr. Arthur Griffith, |
| Mr. Dacey, |
| Mr. Hollis, |
| Mr. Scobie, |
| Mr. Estell, |
| Mr. Sullivan, |
| Mr. O'Sullivan, |
| Mr. McLaurin, |
| Mr. Burgess. |

Tellers,

| |
|--------------|
| Mr. Daley, |
| Mr. Nielsen. |

| | |
|----------------------|------------------------------|
| Mr. Charlton, | Mr. Robson, |
| Mr. Hogue, | Mr. Jessep, |
| Mr. McGowen, | Mr. Mackenzie, |
| Mr. Cann, | Mr. Waddell, |
| Mr. Levy, | Mr. Fegan, |
| Mr. Moore, | Mr. Perry (<i>The Rich-</i> |
| Mr. Cohen, | <i>mond</i>), |
| Mr. Wade, | Mr. Donaldson, |
| Mr. Lee, | Mr. Creswell, |
| Mr. Carruthers, | Mr. Latimer, |
| Mr. Ball, | Mr. R. J. Anderson, |
| Mr. Ashton, | Mr. Gillies, |
| Mr. Walter Anderson, | Mr. John Hurley, |
| Mr. J. H. Young, | Mr. Reynoldson, |
| Mr. Downes, | Mr. Fleming, |
| Mr. Fallick, | Mr. W. W. Young, |
| Mr. Edden, | Mr. Hindmarsh, |
| Mr. Nicholson, | Mr. Henley, |

Noes, 49.

| |
|--------------------|
| Mr. McFarlane, |
| Mr. Brinsley Hall, |
| Mr. Fell, |
| Mr. Collis, |
| Mr. Thomas, |
| Mr. Nobbs, |
| Mr. Eden George, |
| Mr. Booth, |
| Mr. W. Millard, |
| Mr. O'Conor, |
| Mr. Mahony, |
| Mr. Dick. |

Tellers,

| |
|---------------|
| Mr. Kearney, |
| Mr. Davidson. |

Addition of proposed words negatived.

Clause, as amended, agreed to.

And clauses 57 and 58 having been agreed to,—

No. 9.

SAME BILL.

Clause 59. (1) Except where resolution C of this section has previously been carried, and is in force in an electorate, the following resolutions shall be submitted to the vote of electors:—

- (a) That the number of licenses existing in the electorate continue. (Resolution A.)
- (b) That the number of licenses existing in the electorate be reduced. (Resolution B.)
- (c) That no licenses be granted in the electorate. (Resolution C.) And the voting-paper shall be in the form of Schedule Two.

(2) Where resolution C has been previously carried, and is in force in the electorate, the resolutions submitted shall be:—

- (d) That licenses be restored in the electorate. (Resolution D.)
- (e) ~~That licenses be not restored in the electorate.—(Resolution E.)~~

And the voting-paper shall be in the form of Schedule Three. [*Read.*]

Motion made (*Mr. Arthur Griffith*) to insert the following words to follow paragraph (c)

- (d) That no liquor shall be manufactured, brought into, or distributed within the electorate.

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

Committee

Committee divided.

Ayes, 9.

Mr. McLaurin,
Mr. Fegan,
Mr. Gardiner,
Mr. Daley,
Mr. Arthur Griffith,
Mr. Jones,
Mr. John Hurley.

Tellers,

Mr. Burgess,
Mr. Charlton.

Mr. Macdonell,
Mr. Holman,
Mr. Scobie,
Mr. Dick,
Mr. Hollis,
Mr. Wade,
Mr. Ashton,
Mr. Cann,
Mr. Nielsen,
Mr. Levy,
Mr. Robson,
Mr. McGowen,
Mr. Meehan,
Mr. Nicholson,
Mr. Edden,
Mr. Broughton,
Mr. Davidson,
Mr. Booth,
Mr. Downes,
Mr. Lee,
Mr. Sullivan,
Mr. Carruthers,
Mr. Waddell,

Noes, 63.

Mr. Latimer,
Mr. Perry (*The Richmond*),
Mr. Reynoldson,
Mr. Gillies,
Mr. Donaldson,
Mr. R. J. Anderson,
Mr. Richards,
Mr. Ball,
Mr. O'Sullivan,
Mr. Hogue,
Mr. Thrower,
Mr. Nobbs,
Mr. Law,
Mr. W. W. Young,
Mr. J. H. Young,
Mr. Mahony,
Mr. Brinsley Hall,
Mr. Hindmarsh,
Mr. Fallick,
Mr. Kearney,
Mr. Eden George,
Mr. Fell,

Mr. Miller,
Mr. McCoy,
Mr. Perry (*Liverpool Plains*),
Mr. Briner,
Mr. Collins,
Mr. McFarlane,
Mr. Moore,
Mr. Thomas,
Mr. W. Millard,
Mr. O'Connor,
Mr. Cohen,
Mr. Estell,
Mr. Mackenzie,
Mr. Fleming,
Mr. McNeill,
Mr. Dacey.

Tellers,

Mr. Jessep,
Mr. Creswell.

Insertion of proposed words negatived.

And the clause having been amended as indicated,—

Clause, as amended, agreed to.

No. 10.

SAME BILL.

What majority is required for carrying resolutions.

Clause 60. (1) "Resolution" A or B or E of the last preceding section is carried if a majority in number of the votes given is in favour of any such resolution.

(2) Resolution C is carried if ~~two-thirds~~ **three-fifths** at least in number of the votes given is in favour of that resolution: Provided that where less than such number is so given, the votes given in favour of resolution C shall be added to the votes given for resolution B.

(3) Resolution D is carried if ~~two-thirds~~ **three-fifths** at least in number of the votes given is in favour of that resolution.

(4) Provided that if the total number of votes given for the resolutions is less than one-half of the number of electors on the electoral rolls for the electorate no resolution is carried, and the vote is of no effect.

(4) Provided that resolution C or D shall not be carried unless thirty per centum or more of the number of electors on the electoral rolls for the electorate vote for such resolution. [*Read.*]

Motion made (*Mr. Arthur Griffith*) to insert in line 1 before the word "Resolution" the word "Any."

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

Committee divided.

Ayes, 12.

Mr. Cann,
Mr. Fegan,
Mr. Estell,
Mr. McGowen,
Mr. Daley,
Mr. Arthur Griffith,
Mr. Burgess,
Mr. Walter Anderson,
Mr. Briner,
Mr. Meehan.

Tellers,

Mr. Charlton,
Mr. Gardiner.

Mr. Mahony,
Mr. Miller,
Mr. McNeill,
Mr. Scobie,
Mr. Hollis,
Mr. Dacey,
Mr. Nielsen,
Mr. Edden,
Mr. Carruthers,
Mr. Jessep,
Mr. Wade,
Mr. Reynoldson,
Mr. Ashton,
Mr. Davidson,
Mr. Levy,
Mr. Thomas,
Mr. R. J. Anderson,
Mr. Fallick,
Mr. Creswell,
Mr. Cohen,
Mr. Nicholson,
Mr. Broughton,
Mr. Booth,

Noes, 65.

Mr. Kelly,
Mr. Waddell,
Mr. Perry (*The Richmond*),
Mr. Oakes,
Mr. Gillies,
Mr. Donaldson,
Mr. Law,
Mr. Richards,
Mr. Latimer,
Mr. W. W. Young,
Mr. Sullivan,
Mr. McCoy,
Mr. McLaurin,
Mr. Nobbs,
Mr. Perry (*Liverpool Plains*),
Mr. Henley,
Mr. J. H. Young,
Mr. Eden George,
Mr. Mackenzie,
Mr. Brinsley Hall,
Mr. Moore,

Mr. O'Sullivan,
Mr. John Hurley,
Mr. W. Millard,
Mr. Fleming,
Mr. Hindmarsh,
Mr. Dick,
Mr. Lee,
Dr. Arthur,
Mr. Fell,
Mr. Downes,
Mr. McFarlane,
Mr. Robson,
Mr. Thrower,
Mr. Hogue,
Mr. Jones,
Mr. Macdonell,
Mr. Ball,
Mr. O'Connor,
Mr. Holman.

Tellers,

Mr. Collins,
Mr. Kearney.

Insertion of proposed word negatived.

And the clause having been amended as indicated,—

Clause, as amended, agreed to.

And clauses 61, 62, and 63 having been agreed to,—

No.

No. 11.

SAME BILL.

Clause 64. (1) Where resolution B is carried, the special court having jurisdiction within the electorate shall— Resolution B,
how given effect
to.

(a) determine the reduction to be made in the number of the existing licenses exclusive of those which, under a previous vote, will cease to be in force at the expiration of the prescribed period, or registered club.
Provided that—

- (i) Where such number exceeds twelve, and is less than twenty-four, such number shall be reduced by at least "two."
- (ii) Where such number is twenty-four or more, but is less than thirty-six, such number shall be reduced by at least three.
- (iii) Where such number is thirty-six or more, such number shall be reduced by at least four.

(b) for the purpose of the said reduction, cause a classification of the licensed premises to be made as hereinafter provided;

(c) make the reduction by declaring that certain specified licenses of each description shall cease to be in force.

* * * * *

(4) The licenses of any premises as to which paragraph (a) of subsection two of this section applies shall cease to be in force at the expiration of such period not being less than six nor greater than twelve months from the date of the vote as the court may fix. Other licenses.

The licenses of premises as to which paragraph (b) or paragraph (c) of the said subsection applies shall cease to be in force at the expiration of such period, not being less than one nor greater than two years from the date aforesaid as the court may fix.

If, after giving effect to the provisions of this section relating to premises as to which paragraphs (a), (b), and (c), aforesaid apply, the desired reduction of the number of licenses has not been made, the special court may apply the reduction to other premises. In such case the licenses of such other premises may be renewed from time to time, but shall cease to be in force at the expiration of three years, counting from the date of the notification in the Gazette of the determination of the special court as to the reduction:

Provided that where such special court finds that such other premises are held under a written lease or written agreement for a lease which existed on the twenty-fourth day of August, one thousand nine hundred and five, and which at the date of the notification of the determination of the court has more than three years to run, the license of such premises shall not, under this section, cease to be in force until the determination of the lease or the expiration of eight years from the commencement of this Act, whichever event happens first; and if the said court finds that the said premises were, on the first day of September, one thousand nine hundred and five, and on the date of the notification of the determination of the court, owned by the licensee, the license of such premises shall not, under this section, cease to be in force until the expiration of the eight years above mentioned.

Provided further that nothing in this subsection shall prevent the refusal of the renewal or the cancellation or the forfeiture of a license or the disqualification of premises for any lawful cause.

Unless the said lease or agreement shall have been duly stamped without fine within the period provided by law and shall have been registered in the Registrar-General's office prior to the first day of December, 1905, the licensee shall be excluded from the benefits of any extension of time beyond the three years first above mentioned.

(5) In any such proceedings as aforesaid by a special court—

- (a) classifying licensed premises; or
- (b) declaring that licenses shall cease to be in force,

any person who may be directly affected by the determination of the court in such proceedings may appear before the court and shall be heard. [Read.]

Right to appear
before court.

And the clause having been amended as indicated,—

Motion made (*Mr. Arthur Griffith*), to leave out from line 2 of paragraph (i) the word "two" and insert the word "three" instead thereof.

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

Committee

Committee divided.

| | Ayes, 60. | | Noes, 15. |
|------------------------------|------------------|------------------------------|----------------------|
| Mr. Ashton, | Mr. Bennett, | Mr. Scobie, | Mr. Meehan, |
| Mr. Wade, | Mr. Gillies, | Mr. Hollis, | Mr. Estell, |
| Mr. Thrower, | Mr. Dacey, | Mr. Perry (<i>Liverpool</i> | Mr. Burgess, |
| Mr. Carruthers, | Mr. J. H. Young, | <i>Plains</i>), | Mr. Fegan, |
| Mr. Davidson, | Mr. Holman, | Mr. Reynoldson, | Mr. Gardiner, |
| Mr. Jessop, | Mr. Miller, | Mr. Oakes, | Mr. Charlton, |
| Mr. Booth, | Mr. Law, | Mr. McLaurin, | Mr. Dacey, |
| Mr. Latimer, | Mr. Waddell, | Mr. Downes, | Mr. Arthur Griffith, |
| Mr. O'Connor, | Mr. Dick, | Mr. Mackenzie, | Mr. Jones, |
| Mr. Robson, | Mr. Hindmarsh, | Mr. McNeill, | Mr. Cann, |
| Mr. Kelly, | Mr. Nielsen, | Mr. Ball, | Mr. McGowen, |
| Mr. Cohen, | Mr. Kearney, | Mr. O'Sullivan, | Mr. John Hurley, |
| Mr. Hogue, | Mr. Thomas, | Mr. Fallick, | Mr. McFarlane. |
| Mr. R. J. Anderson, | Mr. Henley, | Mr. Eden George, | <i>Tellers,</i> |
| Mr. Brinsley Hall, | Mr. Morton, | Mr. Moore, | Dr. Arthur, |
| Mr. Broughton, | Mr. Nicholson, | Mr. Sullivan. | Mr. Walter Anderson. |
| Mr. Creswell, | Mr. Nobbs, | <i>Tellers,</i> | |
| Mr. McCoy, | Mr. Donaldson, | Mr. Mahony, | |
| Mr. Lee, | Mr. Fleming, | Mr. Levy. | |
| Mr. Collins, | Mr. W. Millard, | | |
| Mr. Perry (<i>The Rich-</i> | Mr. Briner, | | |
| <i>mond</i>), | Mr. Edden, | | |

Word stands.

And the Committee continuing to sit till after Midnight,—

THURSDAY, 26 OCTOBER, 1905, A.M.

And the clause having been further amended as indicated,—

No. 12.

SAME BILL.

Same clause.

Motion made (*Mr. Wade*) to insert after last line on page 6 the words,—

Provided that where such special court finds that such other premises are held under a written lease or written agreement for a lease which existed on the twenty-fourth day of August, one thousand nine hundred and five, and which at the date of the notification of the determination of the court has more than three years to run, the license of such premises shall not, under this section, cease to be in force until the determination of the lease or the expiration of eight years from the commencement of this Act, whichever event happens first; and if the said court finds that the said premises were, on the first day of September, one thousand nine hundred and five, and on the date of the notification of the determination of the court, owned by the licensee, the license of such premises shall not, under this section, cease to be in force until the expiration of the eight years above mentioned.

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

Committee divided.

| | Ayes, 62. | | Noes, 7. |
|--------------------|---------------------|------------------------------|----------------------|
| Mr. Lee, | Mr. Gillies, | Mr. Edden, | Mr. Arthur Griffith, |
| Dr. Arthur, | Mr. Law, | Mr. Morton, | Mr. Fegan, |
| Mr. Creswell, | Mr. O'Sullivan, | Mr. Ball, | Mr. Cann, |
| Mr. Wade, | Mr. Waddell, | Mr. W. Millard, | Mr. Gardiner, |
| Mr. Robson, | Mr. Thrower, | Mr. Perry (<i>Liverpool</i> | Mr. Walter Anderson. |
| Mr. Cohen, | Mr. Mackenzie, | <i>Plains</i>), | <i>Tellers,</i> |
| Mr. Carruthers, | Mr. Collins, | Mr. O'Connor, | Mr. Charlton, |
| Mr. Sullivan, | Mr. Fleming, | Mr. Jones, | Mr. McFarlane. |
| Mr. Jessop, | Mr. McLaurin, | Mr. Bennett, | |
| Mr. Dacey, | Mr. Latimer, | Mr. Macdonell, | |
| Mr. Davidson, | Mr. Kearney, | Mr. Dacey, | |
| Mr. Ashton, | Mr. Kelly, | Mr. Briner, | |
| Mr. Mahony, | Mr. Downes, | Mr. Dick, | |
| Mr. Oakes, | Mr. Donaldson, | Mr. McNeill, | |
| Mr. Nobbs, | Mr. Henley, | Mr. Nielsen, | |
| Mr. Levy, | Mr. Eden George, | Mr. Meehan, | |
| Mr. Brinsley Hall, | Mr. Burgess, | Mr. Estell, | |
| Mr. Hindmarsh, | Mr. Miller, | <i>Tellers,</i> | |
| Mr. Fallick, | Mr. Hollis, | Mr. Thomas, | |
| Mr. Booth, | Mr. R. J. Anderson, | Mr. McCoy. | |
| Mr. Moore, | Mr. Hogue, | | |
| Mr. Nicholson, | Mr. Holman, | | |

Words inserted.

And the clause having been further amended as indicated,—

Clause, as amended, agreed to.

And clauses 65 to 68, the Schedules, postponed clauses 3, 21, 22, and 35, and certain new clauses having been dealt with,—

No.

No. 13.

SAME BILL.

New clause to follow clause 34.

Sections forty-six, forty-seven, fifty-one and fifty-two, and Part VI of the Principal Act, and section seven to "eighteen" of this Act shall apply to registered clubs governed by this Act.

In applying such enactments, "club premises" shall be read for "licensed premises," and "secretary of the club" for "licensee" or holder of a license under Part III of the Principal Act. [*Read.*]

Motion made (*Mr. Holman*) to insert in line 2 after the word "eighteen" the figures "20a, "21, and 22."

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

Committee divided.

Ayes, 22.

| | |
|------------------|-----------------|
| Mr. Dacey, | |
| Mr. Nielsen, | <i>Tellers,</i> |
| Mr. Jones, | Mr. Briner, |
| Mr. McNeill, | Mr. McLaurin. |
| Mr. O'Sullivan, | |
| Mr. Holman, | |
| Mr. Miller, | |
| Mr. Gillies, | |
| Mr. Fegan, | |
| Mr. Hollis, | |
| Mr. Donaldson, | |
| Mr. Thrower, | |
| Mr. Meahan, | |
| Mr. Gardiner, | |
| Mr. Burgess, | |
| Mr. Charlton, | |
| Mr. Collins, | |
| Mr. Kearney, | |
| Mr. Eden George, | |
| Mr. Bennett. | |

Noes, 38.

| | |
|---------------------|------------------------------|
| Mr. Mahony, | Mr. Latimer, |
| Mr. Oakes, | Mr. Macdonell, |
| Mr. Hogue, | Mr. O'Connor, |
| Mr. Creswell, | Mr. Nicholson, |
| Mr. Wade, | Mr. Booth, |
| Mr. Lee, | Mr. Henley, |
| Mr. Levy, | Mr. Fallick, |
| Mr. Ashton, | Mr. Cohen, |
| Mr. Waddell, | Mr. Fleming, |
| Mr. Ball, | Mr. Kelly, |
| Mr. Moore, | Mr. Walter Anderson, |
| Mr. Robson, | Mr. Morton, |
| Mr. Downes, | Mr. W. Millard, |
| Mr. Mackenzie, | Mr. Perry (<i>Liverpool</i> |
| Mr. Dick, | <i>Plains</i>), |
| Mr. Sullivan, | Mr. Jessep. |
| Mr. Nobbs, | <i>Tellers,</i> |
| Mr. Law, | Mr. Thomas, |
| Mr. R. J. Anderson, | Mr. Cann. |
| Mr. Hindmarsh, | |
| Mr. Davidson, | |

Insertion of proposed figures negatived.

New clause, as read, agreed to.

And certain other new clauses and the Title having been dealt with,—

On motion of Mr. Wade, the Temporary Chairman (*Mr. Latimer*) left the Chair to report the Bill with amendments to the House, including an amendment in the Title.

W. S. MOWLE,
Clerk Assistant.

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1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 16.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 1 NOVEMBER, 1905, A.M.

No. 1.

LIQUOR (AMENDMENT) BILL. (Recommittal for reconsideration of Clauses 21 and 23):—

Clause 21. (1) No licensee shall sell or supply liquor in more than "one" bar-room in or upon his licensed premises, unless he has obtained the permission of the court so to do. But the provisions of this subsection shall not apply to any person holding a publican's license at the commencement of this Act, until the expiration of six months from such commencement. Only one bar, except by permission of court.

For the purposes of this section, a room divided into compartments by wooden partitions, approved by the licensing court, shall be one room if there are doors in the partition giving at all times direct access from one such compartment to another.

(2) Every applicant for such permission shall, with the notice of his application, deposit with the clerk of the court the fee hereinafter mentioned, and deliver a plan showing the position of the proposed additional bar-room. Application.

(3) A fee equal to the fee payable for a new license for such premises, or for the renewal of such license, as the case may be, of twenty pounds shall be paid annually in respect of every additional bar-room for which such permission is granted, in addition to the fee payable for such a new license or renewal. Fee.

(4) No such additional bar-room shall be deemed to form any part of the accommodation required by section twenty-four or section twenty-five of the Principal Act. Additional bar not part of accommodation.

(5) No licensee shall let or sublet any bar on his licensed premises. [Read.] Subletting bar.

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

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

Committee divided.

Ayes, 45.

Noes, 14.

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| Mr. Mahony, | Mr. Hindmarsh, | Mr. Charlton, | Mr. Macdonell, |
| Mr. Cohen, | Mr. Robson, | Mr. Law, | Mr. Estell, |
| Mr. Thomas, | Mr. Levy, | Mr. Oakes, | Mr. Burgess, |
| Mr. Wade, | Mr. Nobbs, | Mr. R. J. Anderson, | Mr. Jones, |
| Mr. Carruthers, | Mr. Lee, | Mr. Walter Anderson, | Mr. Meehan, |
| Mr. Creswell, | Mr. Booth, | Mr. Perry (Liverpool Plains), | Mr. Levien, |
| Mr. Fegan, | Mr. Reynoldson, | Mr. W. W. Young, | Mr. Briner, |
| Mr. Ball, | Mr. Gillies, | Mr. Mackenzie, | Mr. McGarry, |
| Mr. J. H. Young, | Mr. Downes, | Mr. Moore, | Mr. Scobie, |
| Mr. Miller, | Mr. McFarlane, | Mr. Gardiner, | Mr. Thrower, |
| Mr. Jessep, | Mr. Ashton, | Mr. Edden, | Mr. Holman, |
| Mr. O'Connor, | Mr. Dick, | <i>Tellers,</i> | Mr. Hollis. |
| Mr. Hogue, | Mr. Donaldson, | Mr. Collins, | <i>Tellers,</i> |
| Mr. Cann, | Mr. Moxham, | Mr. McCoy. | Mr. McNeill, |
| Mr. Nicholson, | Mr. Henley, | | Mr. Nielsen. |
| Mr. Fallick, | Mr. W. Millard, | | |

Word stands.

And the clause having been amended as indicated,—

Clause, as amended, agreed to.

And clause 23 having been agreed to,—

On motion of Mr. Wade, the Temporary Chairman (Mr. Latimer) left the Chair to report the Bill 2°, with further amendments, to the House.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 17.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 14 NOVEMBER, 1905.

No. 1.

NATIONAL LIBRARY BILL.

(Resolution.)

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

Resolved,—That it is expedient to bring in a Bill to sanction the erection of a National Library for the State of New South Wales.

Amendment moved (*Mr. Arthur Griffith*) to add the words "with funds to be provided from the Consolidated Revenue Fund."

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

Committee divided.

Ayes, 13.

Mr. Dacey,
Mr. Scobie,
Mr. Maedonell,
Mr. McGowan,
Mr. Daley,
Mr. Arthur Griffith,
Mr. Charlton,
Mr. Hollis,
Mr. Gardiner,
Mr. Burgess,
Mr. McGarry.

Tellers,

Mr. Nielsen,
Mr. Jones.

Noes, 33.

| | |
|----------------------|------------------------------|
| Mr. Ball, | Mr. Eden George, |
| Mr. Moore, | Mr. R. J. Anderson, |
| Mr. Carruthers, | Mr. Henley, |
| Mr. Cohen, | Mr. Mahony, |
| Mr. Wade, | Mr. Perry (<i>Liverpool</i> |
| Mr. Lee, | <i>Plains</i>), |
| Mr. Hogue, | Mr. Ashton, |
| Mr. Downes, | Mr. Fallick, |
| Mr. Waddeil, | Mr. O'Connor, |
| Mr. Robson, | Mr. Booth, |
| Mr. Davidson, | Mr. Nicholson, |
| Mr. O'Sullivan, | Mr. Briner, |
| Mr. McLaurin, | Mr. Morton, |
| Mr. Dick, | Mr. W. W. Young. |
| Mr. McFarlane, | <i>Tellers</i> , |
| Mr. Walter Anderson, | Dr. Arthur, |
| Mr. Gillies, | Mr. Moxham. |
| Mr. Nobbs, | |

Addition of proposed words negatived.

Resolution, as read, agreed to.

On motion of Mr. Lee, the Temporary Chairman (*Mr. Jessep*) left the Chair to report that the Committee had come to a resolution.

No. 2.

COUNTRY TOWNS WATER AND SEWERAGE (AMENDMENT) BILL:—

Clauses 1 to 7 having been agreed to,—

Clause 8. (1) Where there appears to be any escape of water or sewage, the council may open up any ground under which any pipes, drains, or sewers of the council, laid or made under the Country Towns Water and Sewerage Acts, 1880-1905, or any pipes, drains, or sewers communicating therewith are situate, and examine those pipes, drains, and sewers, and make such repairs to or alterations in the same as it may consider necessary: Council may open up ground and search for leaks.

(2) Except in cases of emergency the council shall, before opening any ground, "give" at least twenty-four hours notice to the person in possession of or having the control or management of the same. Council to give notice before opening ground.
In

In opening any ground and doing any work in pursuance of this section, the council shall do no more damage than is unavoidable, and shall reinstate the ground so far as possible in its former condition.

In default of compliance with any of the above requirements the council shall be liable to a penalty not exceeding *ten* pounds, and shall further compensate the owner of the ground for any damage occasioned by its default as aforesaid, and such compensation may be recovered in any court of competent jurisdiction.

(3) If upon examination it is found that water or sewage escapes by reason of a defect or break in any pipe, drain, or sewer communicating with but not being a pipe, drain, or sewer of the council, the expenses of opening up and reinstating the ground, and of examining and repairing the pipe, drain, or sewer may be recovered by the council from the owner or occupier of the premises supplied with water, or drained, as the case may be.

[*Read.*]

Motion made (*Mr. Norton*) to insert in line 1 of subsection (2), after the word "give," the words "at least twenty-four hours."

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

Committee divided.

Ayes, 39.

Mr. Wade,
Mr. Moore,
Mr. Robson,
Mr. Lee,
Mr. Mahony,
Mr. Ball,
Mr. Hogue,
Mr. Dick,
Mr. Fegan,
Mr. O'Connor,
Mr. Nicholson,
Mr. Carruthers,
Mr. Morton,
Mr. Fallick,

Mr. Nobbs,
Mr. Broughton,
Mr. Downes,
Mr. McCoy,
Mr. Levy,
Mr. Davidson,
Mr. Waddell,
Mr. Scobie,
Mr. John Hurley,
Mr. Norton,
Mr. Estell,
Mr. Charlton,
Mr. McFarlane,
Mr. McLaurin,

Mr. O'Sullivan,
Dr. Arthur,
Mr. W. W. Young,
Mr. Henley,
Mr. Perry (*Liverpool
Plains*),
Mr. Eden George,
Mr. Briner,
Mr. McGarry,
Mr. W. Millard.

Tellers,

Mr. Law,
Mr. Gillies.

Noes, 8.

Mr. Gardiner,
Mr. Jones,
Mr. McGowen,
Mr. Cann,
Mr. Meehan,
Mr. Macdonell.

Tellers,

Mr. Dacey,
Mr. Hollis.

Words inserted.

Clause, as amended, agreed to.

And clauses 9 to 15 having been agreed to,—

No. 3.

SAME BILL.

Power to make alterations in and additions to works.

Clause 16. It shall be deemed to have been and shall be lawful for the Governor to carry out such alterations, modifications, and extensions of and additions to any works of water supply, sewerage, or drainage, as he thinks desirable, whether such works have been constructed by the Governor and notified as complete, or not so notified, or constructed by the Minister or the council.

Such alterations, modifications, extensions, and additions shall be taken over by the council, paid for, and otherwise dealt with in the same way as works constructed by the Minister, and for that purpose the provisions of the Country Towns Water Supply and Sewerage Acts, 1880-1905 shall apply in respect thereof. [*Read.*]

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

Committee divided.

Ayes, 36.

Mr. Carruthers,
Mr. Moore,
Mr. Lee,
Dr. Arthur,
Mr. Nobbs,
Mr. Mahony,
Mr. Ball,
Mr. Norton,
Mr. Fegan,
Mr. Nicholson,
Mr. Wade,
Mr. Morton,
Mr. Fallick,

Mr. Robson,
Mr. Cohen,
Mr. Broughton,
Mr. Downes,
Mr. Hogue,
Mr. Estell,
Mr. Scobie,
Mr. Cann,
Mr. Law,
Mr. McFarlane,
Mr. Gillies,
Mr. Walter Anderson,
Mr. McCoy,

Mr. R. J. Anderson,
Mr. Henley,
Mr. McLaurin,
Mr. O'Sullivan,
Mr. Perry (*Liverpool
Plains*),
Mr. W. Millard,
Mr. Dick,
Mr. Davidson.

Tellers,

Mr. Briner,
Mr. Charlton.

Noes, 9.

Mr. McGowen,
Mr. Dacey,
Mr. Hollis,
Mr. Meehan,
Mr. Miller,
Mr. Jones,
Mr. W. W. Young.

Tellers,

Mr. Gardiner,
Mr. Macdonell.

Agreed to.

And the remaining clauses and the Schedule having been agreed to, on motion of Mr. Lee, the Chairman left the Chair to report the Bill, with amendments, to the House.

WEDNESDAY, 15 NOVEMBER, 1905.

No. 4.

NATIONAL LIBRARY BILL:—

Clauses 1 to 4 having been agreed to,—

Clause 5. The cost of carrying out the said work, estimated at one hundred and twenty thousand four hundred and forty-four pounds, may be defrayed from "such Loan Votes as are now "or may hereafter be applicable to that purpose," and shall not under any circumstances exceed the estimated cost by more than ten per centum. [*Read.*]

Motion made (*Mr. Perry, The Richmond*) to leave out from lines 2 and 3, the words "such "Loan Votes as are now or may hereafter be applicable to that purpose" and insert the words "the Consolidated Revenue Fund" instead thereof.

Question

Cost, and how defrayed.

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

| | | | |
|-----------------|------------------------------|------------------|------------------------------|
| Ayes, 35. | | Noes, 11. | |
| Mr. Dick, | Mr. J. H. Young, | Mr. Donaldson, | Mr. Estell, |
| Mr. Carruthers, | Mr. Nicholson, | Mr. Morton, | Mr. Charlton, |
| Mr. Ashton, | Mr. Moore, | Mr. Moxham, | Mr. Macdonell, |
| Mr. Nobbs, | Mr. Mahony, | Mr. Eden George, | Mr. Hollis, |
| Mr. Hogue, | Mr. John Hurley, | Mr. Kearney, | Mr. Edden, |
| Mr. Norton, | Mr. Davidson, | Mr. W. Millard. | Mr. McGarry, |
| Mr. Lee, | Mr. Reynoldson, | <i>Tellers,</i> | Mr. Scobie, |
| Mr. Jessep, | Mr. Perry (<i>Liverpool</i> | Mr. McLaurin, | Mr. Perry (<i>The Rich-</i> |
| Mr. Robson, | <i>Plains</i>), | Mr. Ball. | <i>mond</i>), |
| Mr. Broughton, | Mr. Walter Anderson, | | Mr. Briner. |
| Mr. O'Sullivan, | Mr. Mackenzie, | | <i>Tellers,</i> |
| Mr. Downes, | Mr. Waddell, | | Mr. Daley, |
| Mr. O'Connor, | Mr. Fegan, | | Mr. Arthur Griffith. |
| Mr. Fallick, | Mr. McFarlane, | | |

Words stand.

Clause, as read, agreed to.

No. 5.

SAME BILL.

SCHEDULE.

The site of the proposed building is "that to the north of the present garden attached to Parliament House, with flank frontage to Macquarie-street, and extending northward and eastward over land now partly occupied by an enclosed plantation, electric power-house, Richmond Terrace and the Outer Domain, as is indicated upon the plans. It is intended that the main façade of the building shall face north, overlooking the Palace Garden Grounds, requiring some deviation and rearrangement of the Domain entrance, roads, and fencing in its immediate vicinity."

The building is rectangular in plan, with two inner court-yards, the general disposition being a main front entrance to the north, leading direct into a central reading-room, flanked on the western side by the portion to be devoted to the Mitchell Library, and on the eastern side by a lofty bookstack and the accommodation generally required for the State Library. The basement (although somewhat under the general level) will have its windows above the ground level.

The portion to be devoted to the Mitchell Library consists of three floors, viz., basement, ground, and first floors, with one portion of the latter having special top-lighting for picture-gallery purposes.

The State Library also contains basement, ground, and first floors, with galleries and reading-room dome, and bookstack on six floors.

The whole of the building is designed to accommodate metal and other fittings requisite for library, search, and exhibition purposes.

The construction of the building throughout is of a fireproof character.

The ventilation is to be provided by motive power, with distributors throughout all the bookstacks.

The design generally is in the Italian Renaissance style, the external faces being in stone and the internal areas in brick and stone. [*Read.*]

Motion made (*Mr. Daley*) to leave out from lines 1 to 7 the words "that to the north of the present garden attached to Parliament House, with flank frontage to Macquarie-street, and extending northward and eastward over land now partly occupied by an enclosed plantation, electric power-house, Richmond Terrace and the Outer Domain, as is indicated upon the plans. It is intended that the main façade of the building shall face north, overlooking the Palace Garden Grounds, requiring some deviation and rearrangement of the Domain entrance, roads, and fencing in its immediate vicinity." and insert the words "on the eminence of the Dawes' Point Reserve" instead thereof.

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

| | | | |
|--------------------|------------------------------|------------------------------|-----------------|
| Ayes, 43. | | Noes, 23. | |
| Mr. Hogue, | Mr. Walter Anderson, | Mr. Macdonell, | <i>Tellers,</i> |
| Mr. Carruthers, | Mr. Law, | Mr. Charlton, | |
| Mr. Cohen, | Mr. Gillies, | Mr. Edden, | Mr. Norton, |
| Mr. Fallick, | Mr. Perry (<i>Liverpool</i> | Mr. Thrower, | Mr. Estell. |
| Mr. Lee, | <i>Plains</i>), | Mr. McGowen, | |
| Mr. John Hurley, | Mr. Moxham, | Mr. Nielsen, | |
| Mr. Levy, | Mr. Nobbs, | Mr. Scobie, | |
| Mr. Robson, | Mr. McCoy, | Mr. Perry (<i>The Rich-</i> | |
| Mr. Jessep, | Mr. Mackenzie, | <i>mond</i>), | |
| Mr. Ball, | Mr. Booth, | Mr. Briner, | |
| Mr. Reynoldson, | Mr. Davidson, | Mr. McLaurin, | |
| Mr. Mahony, | Mr. R. J. Anderson, | Mr. Miller, | |
| Mr. Moore, | Mr. W. W. Young, | Mr. Dacey, | |
| Mr. McFarlane, | Mr. Fegan, | Mr. Nicholson, | |
| Dr. Arthur, | Mr. Morton, | Mr. Hollis, | |
| Mr. Oakes, | Mr. Dick, | Mr. Burgess, | |
| Mr. J. H. Young, | Mr. W. Millard, | Mr. Daley, | |
| Mr. O'Connor, | Mr. Henley, | Mr. Jones, | |
| Mr. Wade, | Mr. Gardiner. | Mr. McGarry, | |
| Mr. Downes, | <i>Tellers,</i> | Mr. Broughton, | |
| Mr. Kearney, | Mr. Donaldson, | Mr. O'Sullivan, | |
| Mr. Brinsley Hall, | Mr. Creswell. | Mr. Eden George. | |
| Mr. Latimer, | | | |

Words stand.

Schedule, as read, agreed to.

And the Preamble having been agreed to, on motion of Mr. Lee, the Chairman left the Chair to report the Bill, without amendment, to the House.

THURSDAY,

THURSDAY, 16 NOVEMBER, 1905.

No. 6.

SUPPLY—ESTIMATES OF EXPENDITURE, 1905-1906.

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 £5,251 for Legislative Council for the year 1905-6.

Motion made (*Mr. McGarry*),—That the item, "President, £900," be reduced by £150,—and Question put.

Committee divided.

Ayes, 38.

| | |
|----------------------|----------------------|
| Mr. Macdonell, | Mr. McNeill, |
| Mr. Nielsen, | Mr. Briner, |
| Mr. Estell, | Mr. Cann, |
| Mr. Hollis, | Mr. Arthur Griffith, |
| Mr. Scobie, | Mr. McGarry, |
| Mr. Sullivan, | Mr. W. W. Young, |
| Mr. Jones, | Dr. Arthur, |
| Mr. Nicholson, | Mr. Collins, |
| Mr. Dacey, | Mr. Kearney, |
| Mr. Burgess, | Mr. Oakes, |
| Mr. Kelly, | Mr. Charlton, |
| Mr. Meehan, | Mr. Edden, |
| Mr. Thrower, | Mr. Eden George, |
| Mr. Jessep, | Mr. Gardiner, |
| Mr. R. J. Anderson, | Mr. W. Millard. |
| Mr. Walter Anderson, | |
| Mr. Booth, | <i>Tellers,</i> |
| Mr. McGowen, | Mr. Norton, |
| Mr. O'Sullivan, | Mr. Miller. |
| Mr. Brinsley Hall, | |

Noes, 29.

| | |
|-----------------|------------------|
| Mr. Dick, | Mr. Reynoldson, |
| Mr. Moore, | Mr. Ball, |
| Mr. Wade, | Mr. Morton, |
| Mr. Hogue, | Mr. John Hurley, |
| Mr. Carruthers, | Mr. Fallick, |
| Mr. Ashton, | Mr. Moxham, |
| Mr. Mackenzie, | Mr. Gillies. |
| Mr. Fegan, | <i>Tellers,</i> |
| Mr. Davidson, | Mr. Fell, |
| Mr. McFarlane, | Mr. Cohen. |
| Mr. Creswell, | |
| Mr. Nobbs, | |
| Mr. Robson, | |
| Mr. Downes, | |
| Mr. Levy, | |
| Mr. O'Connor, | |
| Mr. Latimer, | |
| Mr. Lee, | |
| Mr. Donaldson, | |
| Mr. Law, | |

Item reduced.

And the item, "Chairman of Committees, £470," having been reduced by £70,—

No. 7.

*Same Estimate.*Motion made (*Mr. Norton*),—That the item, "Clerk of the Parliaments, £690," be reduced by £90,—and Question put.

Committee divided.

Ayes, 33.

| | |
|----------------------|---------------------|
| Mr. Burgess, | Mr. Oakes, |
| Mr. Jones, | Mr. W. W. Young, |
| Mr. Thrower, | Mr. Kelly, |
| Mr. Edden, | Mr. Kearney, |
| Mr. Hollis, | Mr. Dacey, |
| Mr. Macdonell, | Mr. McNeill, |
| Mr. Nielsen, | Mr. Collins, |
| Mr. Scobie, | Mr. Jessep, |
| Mr. Miller, | Mr. Donaldson, |
| Mr. W. Millard, | Mr. Norton, |
| Mr. Cann, | Mr. Booth, |
| Mr. Charlton, | Mr. McGowen, |
| Mr. Arthur Griffith, | Mr. R. J. Anderson. |
| Mr. Gardiner, | <i>Tellers,</i> |
| Mr. Nicholson, | Mr. Daley, |
| Mr. Briner, | Mr. Sullivan. |
| Mr. McGarry, | |
| Mr. Eden George, | |

Noes, 27.

| | |
|-----------------|-----------------|
| Mr. Lec, | Mr. Dick, |
| Mr. Davidson, | Mr. Nobbs, |
| Mr. Hogue, | Mr. Fallick, |
| Mr. Wade, | Mr. McFarlane, |
| Mr. Moore, | Mr. Cohen, |
| Mr. Ashton, | Mr. Ball, |
| Mr. Carruthers, | Mr. Reynoldson. |
| Mr. Fegan, | <i>Tellers,</i> |
| *Mr. Levy, | Mr. Latimer, |
| Mr. O'Connor, | Mr. Law. |
| Mr. Mackenzie, | |
| Mr. Gillies, | |
| Mr. Moxham, | |
| Mr. Morton, | |
| Mr. Downes, | |
| Mr. Creswell, | |
| *Mr. Levy, | |
| Mr. Robson, | |

* So in Tellers' Lists.

Item reduced.

No. 8.

*Same Estimate.*Motion made (*Mr. Miller*),—That the item, "Clerk Assistant, £500," be reduced by £50,—and Question put.

Committee divided.

Ayes, 32.

| | |
|----------------|----------------------|
| Mr. McGowen, | Mr. Jessep, |
| Mr. Scobie, | Mr. Briner, |
| Mr. Nielsen, | Mr. Nicholson, |
| Mr. Miller, | Mr. McGarry, |
| Mr. Daley, | Mr. Eden George, |
| Mr. Macdonell, | Mr. Oakes, |
| Mr. Dacey, | Mr. W. W. Young, |
| Mr. Sullivan, | Mr. Kelly, |
| Mr. Edden, | Mr. Kearney, |
| Mr. Thrower, | Mr. R. J. Anderson, |
| Mr. Jones, | Mr. W. Millard, |
| Mr. Burgess, | Mr. Cann, |
| Mr. Hollis, | Mr. Charlton. |
| Mr. McNeill, | <i>Tellers,</i> |
| Mr. Booth, | Mr. Collins, |
| Mr. Norton, | Mr. Arthur Griffith. |
| Mr. Donaldson, | |

Noes, 28.

| | |
|-----------------|-----------------|
| Mr. Cohen, | Mr. Robson, |
| Mr. Davidson, | Mr. Levy, |
| Mr. Hogue, | Mr. O'Connor, |
| Mr. Wade, | Mr. Ashton, |
| Mr. Moore, | Mr. Latimer, |
| Mr. Nobbs, | Mr. Law, |
| Mr. Dick, | Mr. Lec, |
| Mr. Carruthers, | Mr. Morton, |
| Mr. Fegan, | Mr. Henley, |
| Mr. Reynoldson, | Mr. Gillies, |
| Mr. Ball, | Mr. Moxham. |
| Mr. Fallick, | <i>Tellers,</i> |
| Mr. McFarlane, | Dr. Arthur, |
| Mr. Downes, | Mr. Mackenzie. |
| Mr. Creswell, | |

Item reduced.

No.

No. 9.

SUPPLY.

Same Estimate.

Motion made (Mr. Jessep),—That the item, "Usher of the Black Rod and First Clerk, £450," be reduced by £40,—and Question put.

Committee divided.

Ayes, 34.

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|----------------------|-----------------|
| Mr. Miller, | Mr. Kelly, |
| Mr. McGowen, | Mr. Dacey, |
| Mr. Macdonell, | Dr. Arthur, |
| Mr. Nielsen, | Mr. Kearney, |
| Mr. Fegan, | Mr. Edden, |
| Mr. Hollis, | Mr. Thrower, |
| Mr. McNeill, | Mr. Jones, |
| Mr. Arthur Griffith, | Mr. Burgess, |
| Mr. Norton, | Mr. Charlton, |
| Mr. Donaldson, | Mr. Cann, |
| Mr. Jessep, | Mr. Henley, |
| Mr. Collins, | Mr. W. Millard, |
| Mr. Briner, | Mr. Gardiner, |
| Mr. Nicholson, | Mr. Daley. |
| Mr. McGarry, | |
| Mr. Eden George, | <i>Tellers,</i> |
| Mr. Oakes, | Mr. Estell, |
| Mr. W. W. Young, | Mr. Scobie. |

Noes, 27.

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|-----------------|---------------------|
| Mr. Wade, | Mr. Mackenzie, |
| Mr. Moore, | Mr. Latimer, |
| Mr. Davidson, | Mr. Law, |
| Mr. Cohen, | Mr. Lec, |
| Mr. Hogue, | Mr. R. J. Anderson, |
| Mr. Nobbs, | Mr. Moxham, |
| Mr. Booth, | Mr. Gillies. |
| Mr. Carruthers, | <i>Tellers,</i> |
| Mr. Dick, | Mr. Levy, |
| Mr. Reynoldson, | Mr. Morton. |
| Mr. Ball, | |
| Mr. Fallick, | |
| Mr. McFarlane, | |
| Mr. Downes, | |
| Mr. Creswell, | |
| Mr. Robson, | |
| Mr. O'Connor, | |
| Mr. Ashton, | |

Item reduced.

Reduced estimate, Legislative Council (£4,851), agreed to.

No. 10.

Legislative Assembly.

Question proposed,—That there be granted to His Majesty a sum not exceeding £10,110 for Legislative Assembly for the year 1905-6.

Motion made (Mr. Miller),—That the item, "Speaker, £1,200," be reduced by £200,—and Question put.

Committee divided.

Ayes, 47.

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|----------------------|------------------|
| Mr. Wade, | Mr. Norton, |
| Mr. Carruthers, | Mr. Donaldson, |
| Mr. Levy, | Mr. Law, |
| Mr. Miller, | Mr. Jessep, |
| Mr. McGowen, | Mr. Collins, |
| Mr. Estell, | Mr. Thrower, |
| Mr. Scobie, | Mr. Kearney, |
| Mr. Hogue, | Dr. Arthur, |
| Mr. Ball, | Mr. Kelly, |
| Mr. Macdonell, | Mr. W. W. Young, |
| Mr. Burgess, | Mr. Oakes, |
| Mr. Dick, | Mr. Eden George, |
| Mr. Nobbs, | Mr. McGarry, |
| Mr. Cann, | Mr. Nicholson, |
| Mr. Edden, | Mr. Lec, |
| Mr. Hollis, | Mr. Reynoldson, |
| Mr. Arthur Griffith, | Mr. W. Millard, |

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|---------------------|
| Mr. Henley, |
| Mr. Charlton, |
| Mr. R. J. Anderson, |
| Mr. O'Connor, |
| Mr. Dacey, |
| Mr. Jones, |
| Mr. Daley, |
| Mr. Gardiner, |
| Mr. Gillies, |
| Mr. Booth, |
| Mr. Briner. |
| <i>Tellers,</i> |
| Mr. McNeill, |
| Mr. Nielsen. |

Noes, 12.

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|-----------------|
| Mr. Davidson, |
| Mr. Cohen, |
| Mr. Fallick, |
| Mr. Downes, |
| Mr. Creswell, |
| Mr. Fegan, |
| Mr. Morton, |
| Mr. Mackenzie, |
| Mr. Latimer, |
| Mr. Moxham. |
| <i>Tellers,</i> |
| Mr. Robson, |
| Mr. McFarlane. |

Item reduced.

No. 11.

Same Estimate.

Motion made (Mr. Arthur Griffith),—That the item, "Chairman of Committees, £740," be reduced by £40,—and Question put.

Committee divided.

Ayes, 44.

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|----------------------|------------------|
| Mr. Wade, | Dr. Arthur, |
| Mr. Carruthers, | Mr. Kelly, |
| Mr. Levy, | Mr. W. W. Young, |
| Mr. Miller, | Mr. Oakes, |
| Mr. Jones, | Mr. McGarry, |
| Mr. McGowen, | Mr. Nicholson, |
| Mr. Estell, | Mr. Reynoldson, |
| Mr. Scobie, | Mr. Lec, |
| Mr. Hogue, | Mr. W. Millard, |
| Mr. Macdonell, | Mr. Henley, |
| Mr. Burgess, | Mr. Charlton, |
| Mr. Dick, | Mr. Mechan, |
| Mr. Nobbs, | Mr. Briner, |
| Mr. Cann, | Mr. Nielsen, |
| Mr. Edden, | Mr. Daley, |
| Mr. Hollis, | Mr. Gardiner, |
| Mr. Arthur Griffith, | Mr. Gillies, |
| Mr. McNeill, | Mr. Booth, |
| Mr. Norton, | Mr. Dacey. |
| Mr. Law, | <i>Tellers,</i> |
| Mr. Collins, | Mr. Jessep, |
| Mr. Thrower, | Mr. Donaldson. |
| Mr. Kearney, | |

Noes, 14.

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|------------------|
| Mr. Ball, |
| Mr. Davidson, |
| Mr. Cohen, |
| Mr. Fegan, |
| Mr. Latimer, |
| Mr. Robson, |
| Mr. McFarlane, |
| Mr. Fallick, |
| Mr. Creswell, |
| Mr. Morton, |
| Mr. Moxham, |
| Mr. Eden George. |
| <i>Tellers,</i> |
| Mr. Mackenzie, |
| Mr. Downes. |

Item reduced.

No.

No. 12.

SUPPLY.

*Same Estimate.*Motion made (*Mr. Miller*),—That the item, "Clerk of Assembly, £900," be reduced by £100,—

And the Committee continuing to sit till after Midnight,—

FRIDAY, 17 NOVEMBER, 1905, A.M.

Question put.

Committee divided.

Ayes, 38.

| | |
|----------------------|---------------------|
| Mr. Jöiles, | Dr. Arthur, |
| Mr. Burgess, | Mr. W. W. Young, |
| Mr. Miller, | Mr. Charlton, |
| Mr. Nielsen, | Mr. McGarry, |
| Mr. Scobie, | Mr. Nicholson, |
| Mr. Estell, | Mr. Dacey, |
| Mr. Edden, | Mr. Reynoldson, |
| Mr. McGowen, | Mr. Henley, |
| Mr. Cann, | Mr. Eden George, |
| Mr. Macdonell, | Mr. R. J. Anderson, |
| Mr. Ball, | Mr. Gillies, |
| Mr. Hollis, | Mr. Daley, |
| Mr. Jessep, | Mr. W. Millard, |
| Mr. McNeill, | Mr. Booth, |
| Mr. Norton, | Mr. Briner, |
| Mr. Arthur Griffith, | Mr. Kelly. |
| Mr. Donaldson, | |
| Mr. Law, | <i>Tellers,</i> |
| Mr. Collins, | Mr. Oakes, |
| Mr. Thrower, | Mr. Kearney. |

Noes, 24.

| | |
|--------------------|-----------------|
| Mr. Moore, | Mr. O'Connor, |
| Mr. Cohen, | Mr. Dick. |
| Mr. Wade, | <i>Tellers,</i> |
| Mr. Hogue, | Mr. Davidson, |
| Mr. Levy, | Mr. Latimer. |
| Mr. McCourt, | |
| Mr. Carruthers, | |
| Mr. Fallick, | |
| Mr. Ashton, | |
| Mr. Fegan, | |
| Mr. Downes, | |
| Mr. Creswell, | |
| Mr. McFarlane, | |
| Mr. Robson, | |
| Mr. Mackenzie, | |
| Mr. Lee, | |
| Mr. Nobbs, | |
| Mr. Brinsley Hall, | |
| Mr. Moxham, | |
| Mr. Morton, | |

Item reduced.

No. 13.

*Same Estimate.*Motion made (*Mr. Miller*),—That the item, "Clerk Assistant, £700," be reduced by £50,—
and Question put.

Committee divided.

Ayes, 38.

| | |
|----------------------|---------------------|
| Mr. Daley, | Mr. Thrower, |
| Mr. Jones, | Mr. Kearney, |
| Mr. Burgess, | Mr. Oakes, |
| Mr. Miller, | Mr. Edden, |
| Mr. Nielsen, | Mr. McGowen, |
| Mr. Scobie, | Mr. Cann, |
| Mr. Hollis, | Mr. Macdonell, |
| Mr. McNeill, | Mr. Ball, |
| Mr. Norton, | Mr. Gillies, |
| Mr. Arthur Griffith, | Mr. R. J. Anderson, |
| Mr. Donaldson, | Mr. Eden George, |
| Mr. Law, | Mr. Henley, |
| Mr. Collins, | Mr. W. Millard, |
| Mr. Reynoldson, | Mr. Booth, |
| Mr. Dacey, | Mr. Briner, |
| Mr. Nicholson, | Mr. Kelly. |
| Mr. McGarry, | |
| Mr. Charlton, | <i>Tellers,</i> |
| Mr. W. W. Young, | Mr. Jessep, |
| Dr. Arthur, | Mr. Estell. |

Noes, 23.

| | |
|--------------------|-----------------|
| Mr. Moore, | Mr. Latimer. |
| Mr. Cohen, | <i>Tellers,</i> |
| Mr. Wade, | Mr. Robson, |
| Mr. Hogue, | Mr. Morton. |
| Mr. Davidson, | |
| Mr. Levy, | |
| Mr. McCourt, | |
| Mr. Carruthers, | |
| Mr. Fallick, | |
| Mr. McFarlane, | |
| Mr. Creswell, | |
| Mr. Downes, | |
| Mr. Fegan, | |
| Mr. Ashton, | |
| Mr. Moxham, | |
| Mr. Mackenzie, | |
| Mr. Nobbs, | |
| Mr. Brinsley Hall, | |
| Mr. O'Connor, | |
| Mr. Dick, | |

Item reduced.

No. 14.

*Same Estimate.*Motion made (*Mr. Miller*),—That the item, "Second Clerk Assistant, £594," be reduced by
£34,—and Question put.

Committee divided.

Ayes, 37.

| | |
|----------------------|---------------------|
| Mr. Burgess, | Mr. Thrower, |
| Mr. Daley, | Dr. Arthur, |
| Mr. Miller, | Mr. W. W. Young, |
| Mr. Nielsen, | Mr. Charlton, |
| Mr. Scobie, | Mr. McGarry, |
| Mr. Estell, | Mr. Nicholson, |
| Mr. Macdonell, | Mr. Dacey, |
| Mr. Cann, | Mr. Reynoldson, |
| Mr. McGowen, | Mr. Henley, |
| Mr. Edden, | Mr. Eden George, |
| Mr. Hollis, | Mr. R. J. Anderson, |
| Mr. Jessep, | Mr. Gillies, |
| Mr. McNeill, | Mr. W. Millard, |
| Mr. Norton, | Mr. Booth, |
| Mr. Arthur Griffith, | Mr. Kelly. |
| Mr. Donaldson, | |
| Mr. Law, | <i>Tellers,</i> |
| Mr. Collins, | Mr. Jones, |
| Mr. Oakes, | Mr. Ball. |
| Mr. Kearney, | |

Noes, 23.

| | |
|--------------------|-----------------|
| Mr. Lee, | Mr. O'Connor. |
| Mr. Moore, | <i>Tellers,</i> |
| Mr. Wade, | Mr. Fallick, |
| Mr. Hogue, | Mr. Cohen. |
| Mr. Davidson, | |
| Mr. Levy, | |
| Mr. McCourt, | |
| Mr. Nobbs, | |
| Mr. McFarlane, | |
| Mr. Creswell, | |
| Mr. Downes, | |
| Mr. Fegan, | |
| Mr. Ashton, | |
| Mr. Morton, | |
| Mr. Moxham, | |
| Mr. Brinsley Hall, | |
| Mr. Robson, | |
| Mr. Dick, | |
| Mr. Mackenzie, | |
| Mr. Latimer, | |

No.

No. 15.

SUPPLY.

Same Estimate.

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

Committee divided.

Ayes, 33.

Noes, 25.

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|--------------|----------------------|
| Mr. Burgess, | Mr. Oakes, |
| Mr. Daley, | Mr. Kearney, |
| Mr. Jones, | Mr. Thrower, |
| Mr. Miller, | Dr. Arthur, |
| Mr. Nielsen, | Mr. Charlton, |
| Mr. Scobie, | Mr. McGarry, |
| Mr. Ball, | Mr. Nicholson, |
| Mr. Edden, | Mr. Dacey, |
| Mr. Cann, | Mr. Henley, |
| Mr. McGowen, | Mr. Eden George, |
| Mr. McNeill, | Mr. R. J. Anderson, |
| Mr. Estell, | Mr. W. Millard, |
| Mr. Hollis, | Mr. Booth. |
| Mr. Jessep, | <i>Tellers,</i> |
| Mr. Kelly, | Mr. Donaldson, |
| Mr. Norton, | Mr. Arthur Griffith. |
| Mr. Law, | |
| Mr. Collins, | |

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|--------------------|-----------------|
| Mr. Lee, | Mr. Gillies, |
| Mr. Moore, | Mr. Ashton, |
| Mr. Cohen, | Mr. Fegan, |
| Mr. Wade, | Mr. Downes, |
| Mr. Hogue, | Mr. McFarlane, |
| Mr. Davidson, | Mr. Gardiner. |
| Mr. Levy, | <i>Tellers,</i> |
| Mr. McCourt, | Mr. Moxham, |
| Mr. Carruthers, | Mr. Creswell. |
| Mr. Fallick, | |
| Mr. Dick, | |
| Mr. Latimer, | |
| Mr. Reynoldson, | |
| Mr. Nobbs, | |
| Mr. Brinsley Hall, | |
| Mr. Morton, | |
| Mr. O'Conor, | |

Item reduced.

And the item, "Clerk of Records, £476," having been reduced by £26,—

Reduced Estimate, Legislative Assembly (£9,627), agreed to.

And the Estimates, Legislative Council and Assembly and Parliamentary Library, having been agreed to,—

No. 16.

Parliamentary Reporting Staff.

Question proposed,—That there be granted to His Majesty a sum not exceeding £6,167 for Parliamentary Reporting Staff for the year 1905-6.

Motion made (Mr. Miller),—That the item, "Principal Shorthand-writer, £365," be reduced by £65,—and Question put.

Committee divided.

Ayes, 19.

Noes, 33.

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|----------------------|-----------------|
| Mr. Burgess, | <i>Tellers,</i> |
| Mr. Estell, | |
| Mr. Jones, | Mr. Dacey, |
| Mr. Miller, | Mr. Charlton. |
| Mr. Jessep, | |
| Mr. Scobie, | |
| Mr. McNeill, | |
| Mr. Macdonell, | |
| Mr. Ball, | |
| Mr. Hollis, | |
| Mr. Kearney, | |
| Mr. Thrower, | |
| Mr. R. J. Anderson, | |
| Mr. Oakes, | |
| Mr. McGarry, | |
| Mr. W. Millard, | |
| Mr. Arthur Griffith. | |

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|-----------------|--------------------|
| Mr. Cohen, | Mr. Mackenzie, |
| Mr. Wade, | Mr. Henley, |
| Mr. Hogue, | Mr. Brinsley Hall, |
| Mr. Davidson, | Mr. Booth, |
| Mr. Nobbs, | Mr. Downes, |
| Dr. Arthur, | Mr. Eden George, |
| Mr. Carruthers, | Mr. Collins, |
| Mr. O'Conor, | Mr. Latimer, |
| Mr. Moore, | Mr. Donaldson, |
| Mr. McFarlane, | Mr. Dick, |
| Mr. Fallick, | Mr. Kelly, |
| Mr. Levy, | Mr. Gillies, |
| Mr. Creswell, | Mr. Norton. |
| Mr. Lee, | <i>Tellers,</i> |
| Mr. Ashton, | Mr. Reynoldson, |
| Mr. Morton, | Mr. Briner. |
| Mr. Moxham, | |
| Mr. W.W. Young, | |

Reduction of item negatived.

Estimate, Parliamentary Reporting Staff, agreed to.

No. 17.

Parliamentary Standing Committee on Public Works.

Question proposed,—That there be granted to His Majesty a sum not exceeding £1,126 for Parliamentary Standing Committee on Public Works for the year 1905-6.

Motion made (Mr. Estell),—That the item, "Secretary, £600," be reduced by £100,—and Question put.

Committee

Committee divided.

Ayes, 32.

| | |
|----------------------|------------------|
| Mr. Burgess, | Mr. Law, |
| Mr. Estell, | Mr. Nicholson, |
| Mr. Hollis, | Mr. Briner, |
| Mr. Jessep, | Mr. Booth, |
| Mr. Nielsen, | Mr. McGarry, |
| Mr. Scobie, | Mr. W. W. Young, |
| Mr. Daley, | Mr. Charlton, |
| Mr. Edden, | Mr. Kearney, |
| Mr. Ball, | Mr. Thrower, |
| Mr. Macdonell, | Mr. Jones, |
| Mr. McNeill, | Mr. Collins, |
| Mr. Dacey, | Mr. Eden George, |
| Mr. R. J. Anderson, | Mr. Miller. |
| Mr. Norton, | <i>Tellers,</i> |
| Mr. McGowen, | Mr. Henley, |
| Mr. Arthur Griffith, | Mr. Gardiner. |
| Mr. Reynoldson, | |

Noes, 25.

| | |
|--------------------|-----------------|
| Mr. O'Connor, | Mr. Downes, |
| Mr. Moore, | Mr. Dick, |
| Mr. McFarlane, | Mr. Donaldson, |
| Mr. Fallick, | Mr. Gillics, |
| Mr. Lee, | Mr. Mackenzie, |
| Mr. Robson, | Mr. Latimer. |
| Mr. Ashton, | <i>Tellers,</i> |
| Mr. Hogue, | Mr. Cohen, |
| Mr. Nobbs, | Mr. Creswell. |
| Dr. Arthur, | |
| Mr. Carruthers, | |
| Mr. Wade, | |
| Mr. Morton, | |
| Mr. Moxham, | |
| Mr. Levy, | |
| Mr. Brinsley Hall, | |
| Mr. W. Millard, | |

Item reduced.

Reduced estimate, Parliamentary Standing Committee on Public Works (£1,026), agreed to.

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 18.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 22 NOVEMBER, 1905.

No. 1.

SUPPLY—ESTIMATES OF EXPENDITURE, 1905-1906.

The Estimates of the Department of Colonial Secretary having been postponed,—

TREASURER AND SECRETARY FOR FINANCE AND TRADE.

Treasury.

Question proposed,—That there be granted to His Majesty a sum not exceeding £26,477 for Treasury for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Chief Accountant, £750," be reduced by £50,—and question put.

Committee divided.

Ayes, 21.

Mr. Sullivan,
Mr. Hollis,
Mr. Nielsen,
Mr. Macdonell,
Mr. Arthur Griffith,
Mr. Daley,
Mr. Dacey,
Mr. McGowen,
Mr. Norton,
Mr. McNeill,
Mr. W. W. Young,
Mr. Charlton,
Mr. McGarry,
Mr. Thrower,
Mr. Edden,
Mr. Miller,
Mr. Meehan,
Mr. Burgess,
Mr. Jones.

Tellers,

Mr. Jessep,
Mr. Estell.

Noes, 46.

| | |
|------------------|------------------------------|
| Mr. Mahony, | Mr. McLaurin, |
| Mr. Hogue, | Mr. Ashton, |
| Mr. Coben, | Mr. Ball, |
| Mr. Dick, | Mr. O'Connor, |
| Mr. Wade, | Mr. Downes, |
| Mr. Lee, | Mr. Booth, |
| Mr. Carruthers, | Mr. Brinsley Hall, |
| Mr. Creswell, | Mr. R. J. Anderson, |
| Mr. J. H. Young, | Dr. Arthur, |
| Mr. Morton, | Mr. Reynoldson, |
| Mr. Thomas, | Mr. Kearney, |
| Mr. Moore, | Mr. McCoy, |
| Mr. Robson, | Mr. W. Millard, |
| Mr. Fleming, | Mr. Henley, |
| Mr. Hindmarsh, | Mr. Walter Anderson, |
| Mr. McFarlane, | Mr. Perry (<i>Liverpool</i> |
| Mr. Oakes, | <i>Plains</i>), |
| Mr. Mackenzie, | Mr. Nobbs, |
| Mr. Fallick, | Mr. Storey, |
| Mr. Davidson, | Mr. Moxham. |
| Mr. Law, | <i>Tellers,</i> |
| Mr. Latimer, | Mr. Donaldson, |
| Mr. Fegan, | Mr. Levy. |
| Mr. Gillies, | |
| Mr. Collins, | |

Reduction of item negatived.

No. 2.

SUPPLY.

*Same Estimate.*Motion made (*Mr. Meehan*),—That the item, "Receiver, £700," be reduced by £50,—and

Question put.

Committee divided.

Ayes, 20.

Mr. Estell,
Mr. Hollis,
Mr. Arthur Griffith,
Mr. Daley,
Mr. Jones,
Mr. Burgess,
Mr. Meehan,
Mr. Dacey,
Mr. McGowen,
Mr. Norton,
Mr. McNeill,
Mr. Jessop,
Mr. W. W. Young,
Mr. Charlton,
Mr. Thrower,
Mr. McGarry,
Mr. Edden,
Mr. Miller.

Tellers,

Mr. Nielsen,
Mr. Macdonell.

Mr. Mahony,
Mr. Hogue,
Mr. Cohen,
Mr. Wade,
Mr. Lee,
Mr. Carruthers,
Mr. Creswell,
Mr. J. H. Young,
Mr. Levy,
Mr. Moiton,
Mr. Thomas,
Mr. Moore,
Mr. Robson,
Mr. Fleming,
Mr. Hindmarsh,
Mr. McFarlane,
Mr. Oakes,
Mr. Mackenzie,
Mr. Fallick,
Mr. Dick,
Mr. Latimer,
Mr. Fegan,

Noes, 45.

Mr. Gillies,
Mr. Collins,
Mr. McLaurin,
Mr. Donaldson,
Mr. Ashton,
Mr. Ball,
Mr. O'Connor,
Mr. Downes,
Mr. Booth,
Mr. Brinsley Hall,
Mr. R. J. Anderson,
Dr. Arthur,
Mr. Reynoldson,
Mr. Kearney,
Mr. McCoy,
Mr. Perry (*Liverpool
Plains*),
Mr. Walter Anderson,
Mr. Henley,
Mr. W. Millard,
Mr. Nobbs,
Mr. Moxham.

Tellers,

Mr. Law,
Mr. Davidson.

Reduction of item negatived.

And the Committee continuing to sit till after Midnight,—

No. 3.

THURSDAY, 23 NOVEMBER, 1905, A.M.

*Same Estimate.*Motion made (*Mr. McGarry*),—That the item, "Sub-Accountant, £550," be reduced by £40,—and Question put.

Committee divided.

Ayes, 20.

Mr. Nielsen,
Mr. Estell,
Mr. Hollis,
Mr. Meehan,
Mr. Jones,
Mr. Burgess,
Mr. Miller,
Mr. Edden,
Mr. McGarry,
Mr. Thrower,
Mr. Charlton,
Mr. W. W. Young,
Mr. Jessop,
Mr. McNeill,
Mr. Macdonell,
Mr. Norton,
Mr. McGowen,
Mr. Dacey.

Tellers,

Mr. Daley,
Mr. Arthur Griffith.

Mr. Mahony,
Mr. Hogue,
Mr. Cohen,
Mr. Wade,
Mr. Lee,
Mr. Carruthers,
Mr. J. H. Young,
Mr. Levy,
Mr. Dick,
Mr. Davidson,
Mr. Law,
Mr. Latimer,
Mr. Fegan,
Mr. Gillies,
Mr. Collins,
Mr. Donaldson,
Mr. Morton,
Mr. Thomas,
Mr. Moore,
Mr. Robson,
Mr. Fleming,
Mr. Hindmarsh,

Noes, 45.

Mr. McFarlane,
Mr. Oakes,
Mr. Mackenzie,
Mr. Fallick,
Mr. Ashton,
Mr. Ball,
Mr. O'Connor,
Mr. Downes,
Mr. Booth,
Mr. Brinsley Hall,
Mr. Walter Anderson,
Dr. Arthur,
Mr. Reynoldson,
Mr. Kearney,
Mr. McCoy,
Mr. Perry (*Liverpool
Plains*),
Mr. R. J. Anderson,
Mr. Henley,
Mr. W. Millard,
Mr. Nobbs,
Mr. Moxham.

Tellers,

Mr. McLaurin,
Mr. Creswell.

Reduction of item negatived.

No. 4.

*Same Estimate.*Motion made (*Mr. Miller*),—That the item, "Chief Clerk, £550," be reduced by £50,—and Question put.

Committee divided.

Ayes, 19.

Mr. Jones,
Mr. Burgess,
Mr. Miller,
Mr. Meehan,
Mr. McGarry,
Mr. Thrower,
Mr. Charlton,
Mr. W. W. Young,
Mr. Jessop,
Mr. Macdonell,
Mr. McNeill,
Mr. Dacey,
Mr. McGowen,
Mr. Nielsen,
Mr. Hollis,
Mr. Estell,
Mr. Arthur Griffith.

Tellers,

Mr. Norton,
Mr. Daley.

Noes, 44.

Mr. Mahony,
Mr. Dick,
Mr. Moore,
Mr. Kearney,
Mr. Hogue,
Mr. Cohen,
Mr. Wade,
Mr. Lee,
Mr. Carruthers,
Mr. J. H. Young,
Mr. Levy,
Dr. Arthur,
Mr. McFarlane,
Mr. Robson,
Mr. Fleming,
Mr. Hindmarsh,
Mr. Oakes,
Mr. Mackenzie,
Mr. Fallick,
Mr. Creswell,
Mr. Davidson,
Mr. Gillies,
Mr. Latimer,
Mr. Walter Anderson,

Mr. Fegan,
Mr. Donaldson,
Mr. McLaurin,
Mr. McCoy,
Mr. R. J. Anderson,
Mr. Reynoldson,
Mr. Brinsley Hall,
Mr. Downes,
Mr. Law,
Mr. Booth,
Mr. Ball,
Mr. Ashton,
Mr. W. Millard,
Mr. Henley,
Mr. Morton,
Mr. Perry (*Liverpool
Plains*),
Mr. Moxham,
Mr. Nobbs.

Tellers,

Mr. Thomas,
Mr. Collins.

Reduction of item negatived.

No. 5.

No. 5.

SUPPLY.

Same Estimate.

Motion made (*Mr. Miller*),—That the item, "Examiner of Accounts, £500," be reduced by £40,—and Question put.

Committee divided.

Ayes, 15.

Mr. Arthur Griffith,
Mr. Estell,
Mr. Hollis,
Mr. Meehan,
Mr. Dacey,
Mr. Nielsen,
Mr. McGowen,
Mr. Macdonell,
Mr. McNeill,
Mr. Thrower,
Mr. McGarry,
Mr. Charlton,
Mr. W. W. Young.

Tellers,

Mr. Miller,
Mr. Jones.

Mr. Mahony,
Mr. Cohen,
Mr. Nobbs,
Mr. Fallick,
Mr. Wade,
Mr. Creswell,
Mr. Carruthers,
Mr. Hogue,
Mr. J. H. Young,
Mr. Levy,
Dr. Arthur,
Mr. Moore,
Mr. McFarlane,
Mr. Robson,
Mr. Fleming,
Mr. Hindmarsh,
Mr. Mackenzie,

Noes, 40.

Mr. Dick,
Mr. Lee,
Mr. Fegan,
Mr. Latimer,
Mr. R. J. Anderson,
Mr. Donaldson,
Mr. Jessep,
Mr. Ashton,
Mr. Ball,
Mr. Booth,
Mr. Law,
Mr. Downes,
Mr. Reynoldson,
Mr. Morton,
Mr. Thomas,
Mr. Henley,
Mr. Walter Anderson,

Mr. W. Millard,
Mr. Perry (*Liverpool
Plains*),
Mr. McCoy,
Mr. Moxham.

Tellers,

Mr. Oakes,
Mr. Gillies.

*Reduction of item negatived.
Estimate, Treasury, agreed to.*

No. 6.

Stamp Duties.

Question proposed,—That there be granted to His Majesty a sum not exceeding £5,355 for Stamp Duties for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Commissioner of Stamp Duties and Taxation, £800," be reduced by £100,—and Question put.

Committee divided.

Ayes, 16.

Mr. Jones,
Mr. McGowen,
Mr. Miller,
Mr. Arthur Griffith,
Mr. Estell,
Mr. Hollis,
Mr. Daley,
Mr. McNeill,
Mr. Nielsen,
Mr. W. W. Young,
Mr. Charlton,
Mr. Dacey,
Mr. Meehan,
Mr. Burgess.

Tellers,

Mr. Thrower,
Mr. McGarry.

Mr. Mahony,
Mr. Nobbs,
Mr. Fallick,
Mr. Wade,
Mr. Creswell,
Mr. Hogue,
Mr. Carruthers,
Mr. J. H. Young,
Mr. Levy,
Dr. Arthur,
Mr. Moore,
Mr. McFarlane,
Mr. Robson,
Mr. Hindmarsh,
Mr. Mackenzie,
Mr. Dick,
Mr. Fegan,
Mr. Lee,

Noes, 41.

Mr. Oakes,
Mr. Latimer,
Mr. R. J. Anderson,
Mr. Gillies,
Mr. Donaldson,
Mr. Jessep,
Mr. Ashton,
Mr. Ball,
Mr. Booth,
Mr. Law,
Mr. Downes,
Mr. Reynoldson,
Mr. Morton,
Mr. Thomas,
Mr. McCoy,
Mr. Perry (*Liverpool
Plains*),
Mr. W. Millard,

Mr. Walter Anderson,
Mr. Henley,
Mr. Macdonell,
Mr. Moxham.

Tellers,

Mr. Cohen,
Mr. Fleming.

*Reduction of item negatived.
Estimate, Stamp Duties, agreed to.*

No. 7.

Land and Income Tax.

Question proposed,—That there be granted to His Majesty a sum not exceeding £40,535 for Land and Income Tax for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Commissioner of Taxation, £800," be reduced by £100,—and Question put.

Committee divided.

Ayes, 17.

Mr. Jones,
Mr. McGowen,
Mr. Miller,
Mr. Arthur Griffith,
Mr. Estell,
Mr. Hollis,
Mr. Daley,
Mr. Thrower,
Mr. McNeill,
Mr. Norton,
Mr. Macdonell,
Mr. Nielsen,
Mr. Charlton,
Mr. McGarry,
Mr. Edden.

Tellers,

Mr. Meehan,
Mr. Burgess.

Mr. Mahony,
Mr. Cohen,
Mr. Nobbs,
Mr. Fallick,
Mr. Carruthers,
Mr. Creswell,
Mr. Hogue,
Mr. J. H. Young,
Mr. Levy,
Dr. Arthur,
Mr. McFarlane,
Mr. Robson,
Mr. Fleming,
Mr. Hindmarsh,
Mr. Mackenzie,
Mr. Thomas,
Mr. Dick,
Mr. Fegan,
Mr. Lee,

Noes, 43.

Mr. Oakes,
Mr. Latimer,
Mr. R. J. Anderson,
Mr. Gillies,
Mr. Donaldson,
Mr. Collins,
Mr. Jessep,
Mr. Kearney,
Mr. Reynoldson,
Mr. Downes,
Mr. Law,
Mr. Booth,
Mr. O'Connor,
Mr. Davidson,
Mr. Ball,
Mr. Ashton,
Mr. Henley,
Mr. Walter Anderson,
Mr. W. Millard,

Mr. Perry (*Liverpool
Plains*),
Mr. McCoy,
Mr. Moxham.

Tellers,

Mr. Morton,
Mr. Brinsley Hall.

*Reduction of item negatived.
Estimate, Land and Income Tax, agreed to.*

And the Estimates, Gold Receivers, Gold and Escort, and Government Printer, having been agreed to,—

No. 8.

No. 8.

SUPPLY.

Explosives.

Question proposed,—That there be granted to His Majesty a sum not exceeding £7,936 for Explosives for the year 1905-6.

Motion made (*Mr. Arthur Griffith*),—That the Estimate be reduced by £1,000,—and Question put.

Committee divided.

Ayes, 17.

Mr. McGarry,
Mr. Arthur Griffith,
Mr. Nielsen,
Mr. Miller,
Mr. McGowen,
Mr. Macdonell,
Mr. Jones,
Mr. Burgess,
Mr. Dacey,
Mr. Meehan,
Mr. Estell,
Mr. Norton,
Mr. Edden,
Mr. McNeill,
Mr. W. W. Young.

Tellers,

Mr. Charlton,
Mr. Hollis.

Mr. Cohen,
Mr. Hogue,
Mr. Wade,
Mr. Nobbs,
Mr. Creswell,
Mr. Carruthers,
Mr. Ashton,
Mr. Levy,
Mr. J. H. Young,
Mr. Moore,
Mr. Hindmarsh,
Mr. O'Connor,
Mr. Mackenzie,
Mr. McFarlane,
Mr. Fleming,
Mr. Dick,
Mr. Davidson,
Mr. Donaldson,
Mr. Latimer,

Noes, 40.

Mr. Kearney,
Mr. Gillies,
Mr. Lee,
Mr. Law,
Mr. Fallick,
Mr. Morton,
Mr. McLaurin,
Mr. R. J. Anderson,
Mr. Booth,
Mr. Downes,
Mr. McCoy,
Mr. Brinsley Hall,
Mr. Collins,
Mr. Walter Anderson,
Mr. Henley,
Mr. Thomas,
Mr. Perry (*Liverpool Plains*),
Mr. W. Millard,

Mr. Moxham.
Tellers,
Mr. Mahony,
Dr. Arthur.

Reduction of Estimate negatived.

Estimate, Explosives, agreed to.

And the estimate, Shipping Masters, having been agreed to,—

No. 9.

Navigation.

Question proposed,—That there be granted to His Majesty a sum not exceeding £75,410 for Navigation for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Superintendent, £840," be reduced by £80,—and Question put.

Committee divided.

Ayes, 16.

Mr. Charlton,
Mr. McGarry,
Mr. Miller,
Mr. Nielsen,
Mr. McGowen,
Mr. Macdonell,
Mr. Hollis,
Mr. Estell,
Mr. Edden,
Mr. Dacey,
Mr. W. W. Young,
Mr. Jones,
Mr. Burgess,
Mr. Meehan.

Tellers,

Mr. Thrower,
Mr. McNeill.

Mr. Mahony,
Mr. Cohen,
Mr. Hogue,
Mr. Wade,
Mr. Nobbs,
Mr. Creswell,
Mr. Carruthers,
Mr. Ashton,
Mr. Levy,
Mr. J. H. Young,
Mr. Moore,
Mr. Jessep,
Mr. Robson,
Mr. Hindmarsh,
Mr. O'Connor,
Mr. Mackenzie,
Mr. McFarlane,
Mr. Fleming,

Noes, 45.

Mr. Dick,
Mr. Oakes,
Mr. Fallick,
Mr. Morton,
Mr. McLaurin,
Dr. Arthur,
Mr. R. J. Anderson,
Mr. Booth,
Mr. Downes,
Mr. Brinsley Hall,
Mr. Collins,
Mr. Walter Anderson,
Mr. Henley,
Mr. Thomas,
Mr. Perry (*Liverpool Plains*),
Mr. W. Millard,
Mr. Moxham,

Mr. Law,
Mr. Lee,
Mr. Gillies,
Mr. Kearney,
Mr. Latimer,
Mr. Donaldson,
Mr. Ball,
Mr. Davidson.

Tellers,

Mr. Reynoldson,
Mr. McCoy.

Reduction of item negatived.

No. 10.

Same Estimate.

Motion made (*Mr. Miller*),—That the item "Deputy-Superintendent, £650," be reduced by £50,—and question put.

Committee divided.

Ayes, 14.

Mr. Charlton,
Mr. McGarry,
Mr. McGowen,
Mr. Macdonell,
Mr. Thrower,
Mr. Hollis,
Mr. McNeill,
Mr. W. W. Young,
Mr. Dacey,
Mr. Meehan,
Mr. Burgess,
Mr. Jones.

Tellers,

Mr. Miller,
Mr. Nielsen.

Mr. Mahony,
Mr. Cohen,
Mr. Hogue,
Mr. Wade,
Mr. Nobbs,
Mr. Creswell,
Mr. Carruthers,
Mr. Ashton,
Mr. J. H. Young,
Mr. Moore,
Mr. Robson,
Mr. O'Connor,
Mr. Mackenzie,
Mr. Gillies,
Mr. Fleming,
Mr. Dick,

Noes, 44.

Mr. Davidson,
Mr. Donaldson,
Mr. Latimer,
Mr. Kearney,
Mr. Lee,
Mr. Levy,
Mr. Law,
Mr. Reynoldson,
Mr. Brinsley Hall,
Mr. McCoy,
Mr. Downes,
Mr. Booth,
Mr. R. J. Anderson,
Dr. Arthur,
Mr. McLaurin,
Mr. Morton,

Mr. Fallick,
Mr. Oakes,
Mr. Henley,
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Thomas,
Mr. Perry (*Liverpool Plains*),
Mr. Collins,
Mr. Ball,
Mr. Moxham.

Tellers,

Mr. Jessep,
Mr. Hindmarsh.

Reduction of item negatived.

[No. 11.

No. 11.

SUPPLY.

Same Estimate.

Motion made (*Mr. Thrower*),—That the item, "Secretary, £500," be reduced by £50,—and Question put.

Committee divided.

Ayes, 12.

Mr. Charlton,
Mr. McGarry,
Mr. Miller,
Mr. Nielsen,
Mr. Hollis,
Mr. McNeill,
Mr. W. W. Young,
Mr. Meehan,
Mr. Burgess,
Mr. Jones.

Tellers,

Mr. Thrower,
Mr. Estell.

Mr. Mahony,
Mr. Cohen,
Mr. Hogue,
Mr. Wade,
Mr. Nobbs,
Mr. Creswell,
Mr. Carruthers,
Mr. Ashton,
Mr. Jessep,
Mr. J. H. Young,
Mr. Dick,
Mr. Downes,
Mr. Fleming,
Mr. Gillies,
Mr. Mackenzie,
Mr. O'Connor,

Noes, 44.

Mr. Robson,
Mr. Hindmarsh,
Mr. Ball,
Mr. Davidson,
Mr. Donaldson,
Mr. Latimer,
Mr. Lec,
Mr. Levy,
Mr. Law,
Mr. Fallick,
Mr. Morton,
Mr. McLaurin,
Dr. Arthur,
Mr. R. J. Anderson,
Mr. Booth,
Mr. McCoy,

Mr. Brinsley Hall,
Mr. Reynoldson,
Mr. Henley,
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Thomas,
Mr. Perry (*Liverpool Plains*),
Mr. Collins,
Mr. Moore,
Mr. Moxham.

Tellers,

Mr. Oakes,
Mr. Kearney.

Reduction of item negatived.

No. 12.

Same Estimate.

Motion made (*Mr. Thrower*),—That the item, "Engineer-Surveyor, Inspector, and Examiner, £700," be reduced by £50,—and Question put.

Committee divided.

Ayes, 11.

Mr. Charlton,
Mr. Miller,
Mr. Nielsen,
Mr. Estell,
Mr. Thrower,
Mr. Meehan,
Mr. Burgess,
Mr. Hollis,
Mr. McNeill.

Tellers,

Mr. McGarry,
Mr. Jones.

Mr. Mahony,
Mr. Cohen,
Mr. Hogue,
Mr. Wade,
Mr. Nobbs,
Mr. Creswell,
Mr. Carruthers,
Mr. Ashton,
Mr. Jessep,
Mr. J. H. Young,
Mr. Dick,
Mr. Moore,
Mr. Hindmarsh,
Mr. Robson,
Mr. O'Connor,
Mr. Mackenzie,

Noes, 44.

Mr. Fleming,
Mr. Davidson,
Mr. Lec,
Mr. Donaldson,
Mr. Latimer,
Mr. Kearney,
Mr. Oakes,
Mr. Levy,
Mr. Law,
Mr. Fallick,
Mr. Morton,
Mr. McLaurin,
Dr. Arthur,
Mr. R. J. Anderson,
Mr. Booth,
Mr. McCoy,

Mr. Brinsley Hall,
Mr. Reynoldson,
Mr. Henley,
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Thomas,
Mr. Perry (*Liverpool Plains*),
Mr. Collins,
Mr. Moxham,
Mr. Ball.

Tellers,

Mr. Gillies,
Mr. Downes.

Reduction of item negatived.

Estimate, Navigation, agreed to.

And the Estimates, Life Boats, &c., and Administration of Old-age Pensions Act, having been agreed to,—

No. 13.

Government Savings Bank.

Question proposed,—That there be granted to His Majesty a sum not exceeding £21,693 for Government Savings Bank for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Comptroller, £650," be reduced by £50,—and Question put.

Committee divided.

Ayes, 11.

Mr. Hollis,
Mr. Edden,
Mr. Estell,
Mr. Charlton,
Mr. Thrower,
Mr. Meehan,
Mr. McGarry,
Mr. Miller,
Mr. Macdonell.

Tellers,

Mr. Burgess,
Mr. Nielsen.

Mr. Cohen,
Mr. Hogue,
Mr. Carruthers,
Mr. Wade,
Mr. Ashton,
Mr. Lee,
Mr. Jessep,
Mr. J. H. Young,
Mr. Nobbs,
Mr. Fleming,
Mr. Hindmarsh,
Mr. Jones,
Mr. O'Connor,
Mr. Moore,
Mr. Dick,

Noes, 41.

Mr. McLaurin,
Mr. Booth,
Mr. Perry (*Liverpool Plains*),
Mr. Oakes,
Mr. Davidson,
Mr. R. J. Anderson,
Mr. Collins,
Mr. McCoy,
Mr. Brinsley Hall,
Mr. Levy,
Mr. Ball,
Mr. Kearney,
Dr. Arthur,
Mr. Thomas,

Mr. Latimer,
Mr. Law,
Mr. Reynoldson,
Mr. Donaldson,
Mr. Gillies,
Mr. Fallick,
Mr. Henley,
Mr. Creswell,
Mr. W. Millard,
Mr. Moxham.

Tellers,

Mr. Mackenzie,
Mr. Robson.

Reduction of item negatived.

Estimate, Government Savings Bank, agreed to.

And the remaining Estimates of the Department of the Treasurer and Secretary for Finance and Trade having been agreed to,—

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

THURSDAY,

THURSDAY, 23 NOVEMBER, 1905.

No. 14.

SUPPLY.

The Estimates of the Department of Railways having been postponed,—

DEPARTMENT OF THE ATTORNEY-GENERAL AND OF JUSTICE:—

The Estimates, Department of the Attorney-General and of Justice, the Judges, Prothonotary and Registrar in Divorce, Master in Equity, Registrar-in-Bankruptcy, Probate and Intestate Estates Office, having been agreed to,—

Sheriff:

Question proposed,—That there be granted to His Majesty a sum not exceeding £26,877 for Sheriff for the year 1905-6.

Motion made (*Mr. Macdonell*),—That the item, "Sheriff, £750," be reduced by £50,—and Question put.

Committee divided.

Ayes, 18.

Mr. Cain,
Mr. Jones,
Mr. Daley,
Mr. McGowen,
Mr. Hollis,
Mr. Macdonell,
Mr. Holman,
Mr. Meehan,
Mr. Gardiner,
Mr. Charlton,
Mr. McNeill,
Mr. Thrower,
Mr. Miller,
Mr. Burgess,
Mr. Daley,
Mr. McGarry.

Tellers,

Mr. Nielsen,
Mr. Estell.

Mr. Cohen,
Mr. Levy,
Mr. Collins,
Mr. Davidson,
Mr. McCoy,
Mr. Carruthers,
Mr. Wade,
Mr. Perry (*The Richmond*),
Mr. Hogue,
Mr. Moore,
Mr. Robson,
Mr. Booth,
Mr. Fleming,
Mr. Kearney,
Mr. Jessep,
Mr. Fallick,
Mr. O'Conor,
Mr. Lee,
Mr. Ashton,

Noes, 40.

Mr. McFarlane,
Mr. Latimer,
Mr. Donaldson,
Mr. Morton,
Mr. Ball,
Mr. Thomas,
Mr. Hindmarsh,
Mr. W. Millard,
Mr. Brinsley Hall,
Mr. Law,
Mr. Richards,
Mr. R. J. Anderson,
Mr. Dick,
Dr. Arthur,
Mr. Henley,
Mr. Perry (*Liverpool Plains*),
Mr. Moxham,
Mr. Walter Anderson,
Mr. Nobbs.

Tellers,

Mr. Creswell,
Mr. Gillies.

*Reduction of item negatived.
Estimate, Sheriff, agreed to.*

No. 15.

District Courts.

Question proposed,—That there be granted to His Majesty a sum not exceeding £3,662 for District Courts for the year 1905-6.

Motion made (*Mr. Macdonell*),—That the item, "Registrar, £525," be reduced by £25,—and Question put.

Committee divided.

Ayes, 17.

Mr. Cann,
Mr. Jones,
Mr. Estell,
Mr. McGowen,
Mr. Holman,
Mr. Meehan,
Mr. Macdonell,
Mr. Nielsen,
Mr. Dacey,
Mr. Miller,
Mr. Gardiner,
Mr. McNeill,
Mr. Thrower,
Mr. Charlton,
Mr. McGarry.

Tellers,

Mr. Daley,
Mr. Hollis.

Noes, 35.

Mr. Robson,
Mr. Fleming,
Mr. Davidson,
Mr. Levy,
Mr. Carruthers,
Mr. Ashton,
Mr. Wade,
Mr. O'Conor,
Mr. Moore,
Mr. Hogue,
Mr. Cohen,
Mr. Booth,
Mr. Kearney,
Mr. Fallick,
Mr. Dick,
Mr. Gillies,
Mr. Creswell,
Mr. McFarlane,
Mr. Latimer,

Mr. Nobbs,
Mr. Jessep,
Mr. Ball,
Mr. Hindmarsh,
Mr. W. Millard,
Mr. Brinsley Hall,
Mr. Law,
Dr. Arthur,
Mr. Henley,
Mr. Perry (*Liverpool Plains*),
Mr. Richards,
Mr. Moxham,
Mr. Walter Anderson,
Mr. R. J. Anderson.

Tellers,

Mr. Donaldson,
Mr. Collins.

*Reduction of item negatived.
Estimate, District Courts, agreed to.*

No. 16.

Coroners.

Question proposed,—That there be granted to His Majesty a sum not exceeding £4,628 for Coroners for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Coroner for City and District of Sydney, and Police Magistrate for State, £650," be reduced by £50,—and Question put.

Committee

Committee divided.

Ayes, 17.

Mr. McGarry,
Mr. Thrower,
Mr. Miller,
Mr. Nielsen,
Mr. Meehan,
Mr. Holman,
Mr. Macdonell,
Mr. Estell,
Mr. Hollis,
Mr. Jones,
Mr. McNeill,
Mr. McGowen,
Mr. Dacey,
Mr. Burgess,
Mr. Cann.

Tellers,

Mr. Charlton,
Mr. Gardiner.

Mr. Robson,
Mr. Levy,
Mr. Collins,
Mr. Davidson,
Mr. Ashton,
Mr. Dick,
Mr. Wade,
Mr. Hindmarsh,
Mr. O'Connor,
Mr. Moore,
Mr. Carruthers,
Mr. Thomas,
Mr. Cohen,
Mr. Booth,
Mr. Kearney,
Mr. Fallick,
Mr. Hogue,
Mr. Ball,
Mr. Walter Anderson,

Noes, 39.

Mr. W. Millard,
Mr. Henley,
Mr. R. J. Anderson,
Mr. Gillies,
Mr. Latimer,
Mr. McFarlane,
Mr. Lee,
Mr. Donaldson,
Mr. Nobbs,
Mr. Creswell,
Mr. Fleming,
Mr. Morton,
Mr. McCoy,
Mr. Moxham,
Dr. Arthur,
Mr. Perry (*Liverpool
Plains*),
Mr. Richards,
Mr. Jessep.

Tellers,

Mr. Law,
Mr. Brinsley Hall.

Reduction of item negatived.

Estimate, Coroners, agreed to.

No. 17.

SUPPLY.

Petty Sessions.

Question proposed,—That there be granted to His Majesty a sum not exceeding £86,156 for Petty Sessions for the year 1905-6.

Motion made (*Mr. Thrower*),—That the item, "Sydney Stipendiary Magistrates, at £750, £4,500," be reduced by £50.

Mr. Walter Anderson moved,—“That the Question be now put.”

Question put,—That the Question be now put.

Ayes, 33.

Mr. Nobbs,
Mr. Wade,
Mr. Carruthers,
Mr. Law,
Mr. Creswell,
Mr. Robson,
Mr. Levy,
Mr. Cohen,
Mr. Moore,
Mr. Booth,
Mr. Brinsley Hall,
Mr. Lee,
Mr. Ashton,
Mr. Fallick,
Mr. Walter Anderson,
Mr. Hogue,
Mr. Dick,
Mr. Kearney,
Mr. McCoy,
Mr. Fleming,
Mr. Davidson,
Mr. Perry (*Liverpool
Plains*),
Mr. McFarlane,
Mr. R. J. Anderson,
Dr. Arthur,
Mr. O'Connor,
Mr. Moxham,
Mr. Henley,
Mr. Ball,
Mr. Jessep,
Mr. W. Millard.

Tellers,

Mr. Donaldson,
Mr. Hindmarsh.

Noes, 14.

Mr. Charlton,
Mr. Macdonell,
Mr. Holman,
Mr. Jones,
Mr. Gardiner,
Mr. Nielsen,
Mr. Hollis,
Mr. Miller,
Mr. Burgess,
Mr. Cann,
Mr. Meehan,
Mr. McNeill.

Tellers,

Mr. Thrower,
Mr. McGarry.

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of at "least thirty members."

Agreed to.

No. 18.

Same Estimate.

Question put,—That the item be reduced.

Committee divided.

Ayes, 14.

Mr. Holman,
Mr. Miller,
Mr. Jones,
Mr. Hollis,
Mr. Cann,
Mr. Nielsen,
Mr. Charlton,
Mr. McGarry,
Mr. Thrower,
Mr. Burgess,
Mr. Meehan,
Mr. McNeill.

Tellers,

Mr. Gardiner,
Mr. Macdonell.

Noes, 33.

Mr. Levy,
Mr. Moore,
Mr. Lee,
Mr. Wade,
Mr. Carruthers,
Mr. Creswell,
Mr. Dick,
Mr. Cohen,
Mr. Robson,
Mr. Ashton,
Mr. Booth,
Mr. Fallick,
Mr. Hindmarsh,
Mr. Thomas,
Mr. Donaldson,
Mr. Hogue,
Mr. Walter Anderson,
Mr. Brinsley Hall,
Mr. McFarlane,
Mr. Davidson,
Mr. R. J. Anderson,
Mr. Henley,
Mr. Fleming,
Mr. Perry (*Liverpool
Plains*),
Mr. Moxham,
Mr. O'Connor,
Mr. McCoy,
Mr. Ball,
Mr. Jessep,
Mr. W. Millard,
Mr. Nobbs,
Tellers,
Mr. Law,
Mr. Kearney.

Reduction of item negatived.

No. 19.

No. 19.

SUPPLY.

Same Estimate.

And Mr. Gardiner, the Honorable Member for Orange, desiring to move, That the same item be reduced by £40, the Chairman ruled the amendment out of order, on the ground the amount was not of a substantial character, and practically tested the Committee on the same issue.

Whereupon Mr. Gardiner 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 after a motion to reduce the item, £4,500, by £50, had been negatived, Mr. Gardiner, the Honorable Member for Orange, moved that the item be reduced by £40. The Chairman ruled that the amendment was not a substantial reduction, and practically tested the Committee on the same issue, and he, therefore, refused to accept it.”

Question put.

Committee divided.

Ayes, 14.

Mr. Holman,
Mr. Jones,
Mr. Gardiner,
Mr. Meehan,
Mr. Burgess,
Mr. Thrower,
Mr. McGarry,
Mr. Hollis,
Mr. Cann,
Mr. Macdonell,
Mr. Charlton,
Mr. McNeill.

Tellers,

Mr. Miller,
Mr. Nielsen.

Noes, 35.

| | |
|----------------------|------------------------------|
| Mr. Moore, | Mr. Brinsley Hall, |
| Mr. Carruthers, | Mr. McFarlane, |
| Mr. Lee, | Mr. Thomas, |
| Mr. Wade, | Mr. Jessep, |
| Mr. Dick, | Mr. R. J. Anderson, |
| Mr. Cohen, | Mr. Davidson, |
| Mr. Robson, | Dr. Arthur, |
| Mr. Ashton, | Mr. Perry (<i>Liverpool</i> |
| Mr. Booth, | <i>Plains</i>), |
| Mr. Fallick, | Mr. O'Conor, |
| Mr. Law, | Mr. McCoy, |
| Mr. Kearney, | Mr. W. Millard, |
| Mr. Hindmarsh, | Mr. Nobbs, |
| Mr. Latimer, | Mr. Ball, |
| Mr. Donaldson, | Mr. Moxham. |
| Mr. Hogue, | |
| Mr. Fleming, | Tellers, |
| Mr. Walter Anderson, | Mr. Creswell, |
| Mr. Gillies, | Mr. Levy. |

Negatived.

No. 20.

Same Estimate.

Question proposed,—That the Estimate be agreed to.

Mr. Carruthers moved, “ That the Question be now put.”

Question put,—That the Question be now put.

Committee divided.

Ayes, 35.

| | |
|--------------------|------------------------------|
| Mr. Moore, | Mr. Donaldson, |
| Mr. Nobbs, | Mr. Latimer, |
| Mr. Carruthers, | Mr. Fleming, |
| Mr. Wade, | Mr. Hogue, |
| Mr. Levy, | Mr. Ashton, |
| Mr. Lee, | Mr. McFarlane, |
| Mr. Creswell, | Mr. Davidson, |
| Mr. Cohen, | Mr. R. J. Anderson, |
| Mr. Robson, | Mr. Jessep, |
| Mr. Booth, | Mr. Walter Anderson, |
| Mr. Ball, | Mr. O'Conor, |
| Mr. Brinsley Hall, | Mr. Perry (<i>Liverpool</i> |
| Mr. Fallick, | <i>Plains</i>), |
| Mr. Dick, | Mr. McCoy, |
| Mr. Law, | Mr. Gillies, |
| Mr. Hindmarsh, | Dr. Arthur, |

Mr. Moxham,
Mr. W. Millard.
Tellers,
Mr. Thomas,
Mr. Kearney.

Noes, 14.

Mr. Burgess,
Mr. Macdonell,
Mr. Hollis,
Mr. Holman,
Mr. Nielsen,
Mr. Cann,
Mr. Meehan,
Mr. Miller,
Mr. Charlton,
Mr. McGarry,
Mr. Thrower,
Mr. McNeill,
Tellers,
Mr. Jones,
Mr. Gardiner.

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of “ at least thirty members.”

Agreed to.

No. 21.

Same Estimate.

Question put,—That the Estimate be agreed to.

Committee divided.

Ayes, 35.

| | |
|--------------------|------------------------------|
| Mr. Moore, | Mr. Thomas, |
| Mr. Nobbs, | Mr. McFarlane, |
| Mr. Carruthers, | Mr. Davidson, |
| Mr. Wade, | Mr. R. J. Anderson, |
| Mr. Levy, | Mr. Jessep, |
| Mr. Lee, | Mr. Walter Anderson, |
| Mr. Creswell, | Mr. Gillies, |
| Mr. Cohen, | Mr. McCoy, |
| Mr. Robson, | Mr. Perry (<i>Liverpool</i> |
| Mr. Booth, | <i>Plains</i>), |
| Mr. Brinsley Hall, | Mr. O'Conor, |
| Mr. Fallick, | Dr. Arthur, |
| Mr. Dick, | Mr. Ball, |
| Mr. Law, | Mr. Moxham, |
| Mr. Kearney, | Mr. W. Millard. |
| Mr. Donaldson, | Tellers, |
| Mr. Latimer, | Mr. Fleming, |
| Mr. Hogue, | Mr. Hindmarsh. |
| Mr. Ashton, | |

Noes, 14.

Mr. Gardiner,
Mr. Jones,
Mr. Macdonell,
Mr. Hobnan,
Mr. Hollis,
Mr. Nielsen,
Mr. Miller,
Mr. McGarry,
Mr. McNeill,
Mr. Meehan,
Mr. Cann,
Mr. Burgess.
Tellers,
Mr. Charlton,
Mr. Thrower.

Estimate, Petty Sessions, agreed to.

No. 2

No. 22.
SUPPLY.

Prisons.

Question proposed,—That there be granted to His Majesty a sum not exceeding £89,937, for Prisons, for the year 1905-6.

Mr. Booth moved,—“That the Question be now put.”

Question put,—That the Question be now put.

Committee divided.

Ayes, 35.

| | |
|--------------------|------------------------------|
| Mr. Moore, | Mr. Davidson, |
| Mr. Carruthers, | Mr. R. J. Anderson, |
| Mr. Wade, | Mr. Hogue, |
| Mr. Levy, | Mr. Hindmarsh, |
| Mr. Jessep, | Mr. Kearney, |
| Mr. Lee, | Mr. Donaldson, |
| Mr. Creswell, | Mr. Dick, |
| Mr. Cohen, | Mr. Fleming, |
| Mr. Nobbs, | Mr. Law, |
| Mr. Booth, | Mr. Perry (<i>Liverpool</i> |
| Mr. Brinsley Hall, | <i>Plains</i>), |
| Mr. Fallick, | Mr. Gillics, |
| Mr. Latimer, | Mr. Moxham, |
| Mr. Ashton, | Mr. W. Millard, |
| Mr. Robson, | Mr. Ball. |
| Mr. O'Conor, | <i>Tellers,</i> |
| Dr. Arthur, | |
| Mr. Thomas, | Mr. Richards, |
| Mr. McFarlane, | Mr. McCoy. |

Noes, 15.

| |
|----------------------|
| Mr. Charlton, |
| Mr. Nielsen, |
| Mr. Gardiner, |
| Mr. Holman, |
| Mr. Hollis, |
| Mr. Burgess, |
| Mr. Cann, |
| Mr. Meehan, |
| Mr. Miller, |
| Mr. Thrower, |
| Mr. Walter Anderson, |
| Mr. McGarry, |
| Mr. McNeill. |
| <i>Tellers,</i> |
| Mr. Jones, |
| Mr. Macdonell. |

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of “at least thirty members.”

Agreed to.

No. 23.

Same Estimate.

Question put,—That the Estimate be agreed to.

Committee divided.

Ayes, 35.

| | | |
|--------------------|------------------------------|-----------------|
| Mr. Moore, | Mr. Donaldson, | <i>Tellers,</i> |
| Mr. McCoy, | Mr. Dick, | |
| Mr. Hindmarsh, | Mr. Fleming, | Mr. Thomas, |
| Mr. Carruthers, | Mr. Law, | Mr. Davidson. |
| Mr. Wade, | Mr. R. J. Anderson, | |
| Mr. Levy, | Mr. McFarlane, | |
| Mr. Jessep, | Dr. Arthur, | |
| Mr. Lee, | Mr. O'Conor, | |
| Mr. Creswell, | Mr. Robson, | |
| Mr. Latimer, | Mr. Ashton, | |
| Mr. Fallick, | Mr. Perry (<i>Liverpool</i> | |
| Mr. Brinsley Hall, | <i>Plains</i>), | |
| Mr. Booth, | Mr. Gillics, | |
| Mr. Nobbs, | Mr. Richards, | |
| Mr. Cohen, | Mr. Ball, | |
| Mr. Hogue, | Mr. Moxham, | |
| Mr. Kearney, | Mr. W. Millard. | |

Noes, 15.

| |
|----------------------|
| Mr. Nielsen, |
| Mr. Gardiner, |
| Mr. Macdonell, |
| Mr. Holman, |
| Mr. Jones, |
| Mr. Hollis, |
| Mr. Miller, |
| Mr. Thrower, |
| Mr. Walter Anderson, |
| Mr. McGarry, |
| Mr. McNeill, |
| Mr. Meehan, |
| Mr. Cann. |
| <i>Tellers,</i> |
| Mr. Charlton, |
| Mr. Burgess. |

Estimate, Prisons, agreed to.

No. 24.

Public Service Board.

Question proposed,—That there be granted to His Majesty a sum not exceeding £7,008 for Public Service Board, for the year 1905-6.

And proposals to reduce the item, “Secretary, £600,” by £100 and £50 respectively, having been negatived,—

Question proposed,—That the Estimate be agreed to.

Mr. Fallick moved,—“That the Question be now put.”

Question put,—That the Question be now put.

Committee divided.

Ayes, 36.

| | | |
|-----------------|------------------------------|--------------------|
| Mr. Moore, | Mr. Thomas, | Mr. Fallick, |
| Mr. Nobbs, | Dr. Arthur, | Mr. Brinsley Hall, |
| Mr. Jessep, | Mr. W. Millard, | Mr. Cohen, |
| Mr. Wade, | Mr. McCoy, | Mr. Davidson, |
| Mr. Carruthers, | Mr. Gillics, | Mr. Ball. |
| Mr. Creswell, | Mr. Perry (<i>Liverpool</i> | <i>Tellers,</i> |
| Mr. Levy, | <i>Plains</i>), | |
| Mr. Lee, | Mr. Richards, | Mr. Robson, |
| Mr. Dick, | Mr. Walter Anderson, | Mr. Moxham. |
| Mr. Hindmarsh, | Mr. R. J. Anderson, | |
| Mr. Latimer, | Mr. McFarlane, | |
| Mr. Law, | Mr. Kearney, | |
| Mr. O'Conor, | Mr. Booth, | |
| Mr. Fleming, | Mr. Hogue, | |
| Mr. Donaldson, | Mr. Ashton, | |

Noes, 13.

| |
|-----------------|
| Mr. Macdonell, |
| Mr. Nielsen, |
| Mr. Hollis, |
| Mr. Thrower, |
| Mr. Gardiner, |
| Mr. Jones, |
| Mr. Miller, |
| Mr. Charlton, |
| Mr. McGarry, |
| Mr. McNeill, |
| Mr. Cann. |
| <i>Tellers,</i> |
| Mr. Burgess, |
| Mr. Meehan. |

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of “at least thirty members.”

Agreed to.

No. 25.

SUPPLY.

*Same Estimate.*Question put,—That the Estimate be agreed to.
Committee divided.

Ayes, 36.

| | |
|---------------------|------------------------------|
| Mr. Moore, | Mr. Hogue, |
| Mr. Nobbs, | Mr. Ashton, |
| Mr. Jessep, | Mr. Fallick, |
| Mr. Wade, | Mr. Robson, |
| Mr. Carruthers, | Mr. Brinsley Hall, |
| Mr. Creswell, | Mr. Moxham, |
| Mr. Levy, | Mr. Cohen, |
| Mr. Lee, | Mr. Gillies, |
| Mr. Dick, | Mr. Perry (<i>Liverpool</i> |
| Mr. Hindmarsh, | <i>Plains</i>), |
| Mr. Latimer, | Mr. McCoy, |
| Mr. Law, | Mr. W. Millard, |
| Mr. O'Conor, | Dr. Arthur, |
| Mr. Fleming, | Mr. Ball, |
| Mr. Donaldson, | Mr. Davidson. |
| Mr. Thomas, | <i>Tellers,</i> |
| Mr. Richards, | |
| Mr. R. J. Anderson, | Mr. Walter Anderson, |
| Mr. McFarlane, | Mr. Booth. |
| Mr. Kearney, | |

Noes, 14.

| |
|----------------|
| Mr. Burgess, |
| Mr. Macdonell, |
| Mr. Nielsen, |
| Mr. Hollie, |
| Mr. Thrower, |
| Mr. Holman, |
| Mr. Cann, |
| Mr. Meehan, |
| Mr. Gardiner, |
| Mr. Charlton, |
| Mr. McGarry, |
| Mr. McNeill. |

*Tellers,*Mr. Miller,
Mr. Jones.*Estimate, Public Service Board, agreed to.*

No. 26.

Industrial Arbitration.

Question proposed,—That there be granted to His Majesty a sum not exceeding £5,600 for Industrial Arbitration, for the year 1905-6.

Motion made (*Mr. Macdonell*),—That the item, "President of Court of Arbitration, under Industrial Arbitration Act (Temporary Court), at £1,100, for four months, £370," be reduced by £70,—and Question put.

Committee divided.

Ayes, 13.

| |
|----------------|
| Mr. Macdonell, |
| Mr. Burgess, |
| Mr. Jones, |
| Mr. Miller, |
| Mr. Nielsen, |
| Mr. Charlton, |
| Mr. Hollis, |
| Mr. Meehan, |
| Mr. Cann, |
| Mr. McGarry, |
| Mr. McNeill. |

*Tellers,*Mr. Thrower,
Mr. Gardiner.

Noes, 35.

| | |
|----------------------|------------------------------|
| Mr. Moore, | Mr. Fallick, |
| Mr. Carruthers, | Mr. Moxham, |
| Mr. Dick, | Mr. Fleming, |
| Mr. Robson, | Mr. Nobbs, |
| Mr. Hogue, | Dr. Arthur, |
| Mr. Levy, | Mr. Davidson, |
| Mr. Jessep, | Mr. Hindmarsh, |
| Mr. Gillies, | Mr. R. J. Anderson, |
| Mr. O'Conor, | Mr. McCoy, |
| Mr. Lee, | Mr. Ball, |
| Mr. Wade, | Mr. W. Millard, |
| Mr. Ashton, | Mr. Creswell, |
| Mr. Latimer, | Mr. Perry (<i>Liverpool</i> |
| Mr. Walter Anderson, | <i>Plains</i>), |
| Mr. McFarlane, | Mr. Thomas. |
| Mr. Law, | <i>Tellers,</i> |
| Mr. Booth, | |
| Mr. Brinsley Hall, | Mr. Donaldson, |
| Mr. Richards, | Mr. Kearney. |

Reduction of item negatived.

No. 27.

*Same Estimate.*Motion made (*Mr. Thrower*),—That the item, "Registrar, £800," be reduced by £100,—and Question put.

Committee divided.

Ayes, 12.

| |
|---------------|
| Mr. Thrower, |
| Mr. Jones, |
| Mr. Miller, |
| Mr. Nielsen, |
| Mr. Charlton, |
| Mr. Gardiner, |
| Mr. Hollis, |
| Mr. Cann, |
| Mr. Holman, |
| Mr. Meehan. |

*Tellers,*Mr. Burgess,
Mr. McGarry.

| |
|--------------------|
| Mr. Robson, |
| Mr. Moore, |
| Mr. Kearney, |
| Mr. Ashton, |
| Mr. Carruthers, |
| Mr. O'Conor, |
| Mr. Hogue, |
| Mr. Nobbs, |
| Mr. Brinsley Hall, |
| Mr. Moxham, |
| Mr. Levy, |
| Mr. Dick, |
| Mr. Donaldson, |
| Mr. Lee, |

Noes, 33.

| | |
|------------------------------|---------------------|
| Mr. Wade, | Mr. Creswell, |
| Mr. Jessep, | Mr. McCoy, |
| Mr. Latimer, | Mr. R. J. Anderson, |
| Mr. Walter Anderson, | Mr. Davidson. |
| Mr. McFarlane, | <i>Tellers,</i> |
| Mr. Fleming, | |
| Mr. Fallick, | Dr. Arthur, |
| Mr. Hindmarsh, | Mr. Thomas. |
| Mr. Booth, | |
| Mr. Law, | |
| Mr. Gillies, | |
| Mr. Richards, | |
| Mr. Perry (<i>Liverpool</i> | |
| <i>Plains</i>), | |

*Reduction of item negatived.**Estimate, Industrial Arbitration, agreed to.*

And the Estimate, Miscellaneous Services, having been agreed to,—

And the Estimates of the Department of the Secretary for Lands having been dealt with,—

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

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 19.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

TUESDAY, 28 NOVEMBER, 1905.

No. 1.

SUPPLY—ESTIMATES OF EXPENDITURE, 1905-1906.

SECRETARY FOR PUBLIC WORKS.

Establishment.

Question proposed,—That there be granted to His Majesty a sum not exceeding £97,135 for Establishment for the year 1905-6.

And the Committee continuing to sit till after Midnight,—

WEDNESDAY, 29 NOVEMBER, 1905, A.M.

Motion made (*Mr. Miller*),—That the item, "Under Secretary for Public Works, £1,000," be reduced by £100,—and Question put.

Committee divided.

Ayes, 13.

Mr. Burgess,
Mr. Edden,
Mr. Meehan,
Mr. Scobie,
Mr. Cann,
Mr. Macdonell,
Mr. Charlton,
Mr. McGarry,
Mr. Nielsen,
Mr. Miller,
Mr. Gardiner.

Tellers,

Mr. Thrower,
Mr. Estell.

Mr. Oakes,
Mr. Moore,
Mr. Carruthers,
Mr. Wade,
Mr. Creswell,
Mr. Broughton,
Mr. Lee,
Mr. Fegan,
Mr. Booth,
Mr. Perry (*The Richmond*),
Mr. Cohen,
Mr. Davidson,
Mr. McFarlane,
Mr. Thomas,
Mr. O'Connor,

Noes, 43.

Mr. Walter Anderson,
Mr. Ashton,
Mr. Levy,
Mr. Latimer,
Mr. J. H. Young,
Mr. Law,
Mr. Donaldson,
Mr. Fallick,
Mr. Ball,
Mr. Collins,
Mr. Gillics,
Mr. Kearney,
Mr. W. W. Young,
Mr. McLaurin,
Mr. R. J. Anderson,
Mr. Hindmarsh,

Mr. Brinsley Hall,
Mr. McCoy,
Mr. Reynoldson,
Mr. Henley,
Mr. Jones,
Mr. Moxham,
Mr. Hogue,
Mr. Nobbs,
Mr. W. Millard,
Mr. Jessop.

Tellers,

Mr. Robson,
Mr. Downes.

Reduction of item negatived.

No. 2.

Same Estimate.

Motion made (*Mr. Miller*),—That the item, "Government Architect, £1,064," be reduced by £100,—and Question put.

68644

379—

Committee

Committee divided.

Ayes, 14.

Mr. Estell,
Mr. Burgess,
Mr. Miller,
Mr. Nielsen,
Mr. Thrower,
Mr. McGarry,
Mr. Edden,
Mr. Charlton,
Mr. Macdonell,
Mr. Scobie,
Mr. Meehan,
Mr. Cann.

Tellers,

Mr. Gardiner,
Mr. Jones.

Mr. Ashton,
Mr. Cohen,
Mr. Levy,
Mr. Wade,
Mr. O'Connor,
Mr. Perry (*The Richmond*),
Mr. Fegan,
Mr. Booth,
Mr. Carruthers,
Mr. Lee,
Mr. Walter Anderson,
Mr. Broughton,
Mr. Moore,
Mr. McFarlane,
Mr. Creswell,

Noes, 39.

Mr. Downes,
Mr. Latimer,
Mr. Nobbs,
Mr. J. H. Young,
Mr. Law,
Mr. Donaldson,
Mr. Fallick,
Mr. Robson,
Mr. Reynoldson,
Mr. McCoy,
Mr. Brinsley Hall,
Mr. Hindmarsh,
Mr. R. J. Anderson,
Mr. McLaurin,
Mr. W. W. Young,
Mr. Kearney,

Mr. Gillies,
Mr. Collins,
Mr. Hogue,
Mr. Moxham,
Mr. Henley,
Mr. W. Millard.

Tellers,

Mr. Oakes,
Mr. Thomas.

Reduction of item negatived.

No. 3.

SUPPLY.

Same Estimate.

Question proposed,—That the estimate be agreed to.

Mr. J. H. Young moved,—“That the Question be now put.”

Question put,—That the Question be now put.

Committee divided.

Ayes, 36.

| | |
|------------------|----------------------|
| Mr. Ashton, | Mr. Walter Anderson, |
| Mr. Oakes, | Mr. Gillies, |
| Mr. Wade, | Mr. Collins, |
| Mr. Lee, | Mr. R. J. Anderson, |
| Mr. Carruthers, | Mr. Hindmarsh, |
| Mr. J. H. Young, | Mr. Brinsley Hall, |
| Mr. Nobbs, | Mr. McCoy, |
| Mr. O'Connor, | Mr. Kearney, |
| Mr. Levy, | Mr. Reynoldson, |
| Mr. Fallick, | Mr. Creswell, |
| Mr. McFarlane, | Mr. Henley, |
| Mr. Broughton, | Mr. W. Millard, |
| Mr. Booth, | Mr. McLaurin, |
| Mr. Downes, | Mr. Moxham, |
| Mr. Latimer, | Mr. Hogue. |
| Mr. Thomas, | <i>Tellers,</i> |
| Mr. Donaldson, | Mr. Cohen, |
| Mr. Robson, | Mr. Morton. |
| Mr. Law, | |

Noes, 16.

Mr. Burgess,
Mr. Estell,
Mr. Miller,
Mr. Nielsen,
Mr. Thrower,
Mr. Gardiner,
Mr. Jones,
Mr. Meehan,
Mr. Scobie,
Mr. Cann,
Mr. Hollis,
Mr. Edden,
Mr. W. W. Young,
Mr. McGarry.

Tellers,

Mr. Charlton,
Mr. Macdonell.

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of “at least thirty members,”—

Agreed to.

No. 4.

Same Estimate.

Question put,—That the estimate be agreed to.

Committee divided.

Ayes, 37.

| | |
|------------------|----------------------|
| Mr. Ashton, | Mr. McCoy, |
| Mr. Davidson, | Mr. Brinsley Hall, |
| Mr. Oakes, | Mr. Hindmarsh, |
| Mr. Wade, | Mr. R. J. Anderson, |
| Mr. Lee, | Mr. Collins, |
| Mr. Carruthers, | Mr. Gillies, |
| Mr. J. H. Young, | Mr. Walter Anderson, |
| Mr. Nobbs, | Mr. Robson, |
| Mr. O'Connor, | Mr. Thomas, |
| Mr. Levy, | Mr. Latimer, |
| Mr. Fallick, | Mr. Henley, |
| Mr. McFarlane, | Mr. McLaurin, |
| Mr. Broughton, | Mr. Moxham, |
| Mr. Booth, | Mr. Hogue, |
| Mr. Downes, | Mr. W. Millard. |
| Mr. Cohen, | <i>Tellers,</i> |
| Mr. Morton, | Mr. Donaldson, |
| Mr. Creswell, | Mr. Law. |
| Mr. Reynoldson, | |
| Mr. Kearney, | |

Noes, 16.

Mr. Burgess,
Mr. Charlton,
Mr. Estell,
Mr. Nielsen,
Mr. Gardiner,
Mr. Jones,
Mr. Meehan,
Mr. Macdonell,
Mr. Edden,
Mr. W. W. Young,
Mr. McGarry,
Mr. Hollis,
Mr. Cann,
Mr. Scobie.

Tellers,

Mr. Thrower,
Mr. Miller.

Estimate, Establishment, agreed to.

The remaining Estimates of the Department of the Secretary for Public Works, and the Estimates of the Department of Public Instruction, Labour and Industry, having been agreed to,—

No. 5.

No. 5.

SUPPLY—SECRETARY FOR MINES AND AGRICULTURE:—

Department of Mines.

Question proposed,—That there be granted to His Majesty a sum not exceeding £49,869 for Department of Mines for the year 1905-6.

Motion made (*Mr. Miller*),—That the item "Under Secretary, Government Geologist, and Warden, £1,000," be reduced by £100,—and Question put.

Committee divided.

Ayes, 9.

Mr. Burgess,
Mr. Miller,
Mr. Scobie,
Mr. Thrower,
Mr. Jones,
Mr. Meehan,
Mr. Charlton.

Tellers,

Mr. McNeill,
Mr. Nielsen.

Mr. Wade,
Mr. Moore,
Mr. Broughton,
Mr. Nobbs,
Mr. Robson,
Mr. Davidson,
Mr. Creswell,
Mr. Fallick,
Mr. J. H. Young,
Mr. Ashton,
Mr. Booth,

Noes, 28.

Mr. Levy,
Mr. Latimer,
Mr. Donaldson,
Mr. Hogue,
Mr. Law,
Mr. Lee,
Mr. Ball,
Mr. R. J. Anderson,
Mr. Moxham,
Mr. Downes,
Mr. Henley,

Mr. McLaurin,
Mr. Walter Anderson,
Mr. Thomas,
Mr. W. Millard.

Tellers,

Mr. Jessep,
Mr. Reynoldson.

*Reduction of item negatived.**Estimate, Department of Mines, agreed to.*

And the remaining Estimates of the Department of Secretary for Mines and Agriculture having been dealt with,—

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

WEDNESDAY, 29 NOVEMBER, 1905.

No. 6.

COLONIAL SECRETARY:—

Colonial Secretary.

Question proposed,—That there be granted to His Majesty a sum not exceeding £8,245 for Colonial Secretary for the year 1905-6.

And the House continuing to sit till after Midnight,—

THURSDAY, 30 NOVEMBER, 1905, A.M.

Motion made (*Mr. Miller*),—That the item, "Under Secretary, £1,000," be reduced by £100,—and Question put.

Committee divided.

Ayes, 16.

Mr. Estell,
Mr. Miller,
Mr. Nielsen,
Mr. Kelly,
Mr. Meehan,
Mr. Jones,
Mr. Burgess,
Mr. Cann,
Mr. Nicholson,
Mr. McGowen,
Mr. Charlton,
Mr. Thrower,
Mr. Hollis,
Mr. McGarry.

Tellers,

Mr. Holman,
Mr. Gardiner.

Noes, 36.

Mr. Scobie,
Mr. Wade,
Mr. Moore,
Mr. Hogue,
Mr. Lee,
Mr. Dick,
Mr. Carruthers,
Mr. Cohen,
Mr. Fallick,
Mr. O'Conor,
Mr. Mackenzie,
Mr. Ashton,
Mr. Thomas,
Mr. Ball,
Mr. Creswell,
Mr. Latimer,
Mr. Donaldson,
Mr. Law,
Mr. Gillies,

Mr. McCoy,
Mr. Booth,
Mr. Brinsley Hall,
Mr. McFarlane,
Mr. Hindmarsh,
Dr. Arthur,
Mr. Collins,
Mr. Davidson,
Mr. Henley,
Mr. Moxham,
Mr. Nobbs,
Mr. McLaurin,
Mr. John Hurley,
Mr. R. J. Anderson,
Mr. Walter Anderson.

Tellers,

Mr. Oakes,
Mr. Mahony.

*Reduction of item negatived.**Estimate, Colonial Secretary, agreed to.*

And the Estimates, Auditor-General and Aborigines Protection Board, having been agreed to,—

No. 7.

Police.

Question proposed,—That there be granted to His Majesty a sum not exceeding £444,082 for Police for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Inspector-General, £1,000," be reduced by £100,—and Question put.

Committee divided.

Ayes, 12.

Mr. Estell,
Mr. Miller,
Mr. Thrower,
Mr. Nielsen,
Mr. Macdonell,
Mr. Gardiner,
Mr. Burgess,
Mr. McGowen,
Mr. Cann,
Mr. McGarry.

Tellers,

Mr. Meehan,
Mr. Charlton.

Mr. Scobie,
Mr. Wade,
Mr. Mahony,
Mr. Moore,
Mr. Lee,
Mr. Creswell,
Mr. Ashton,
Mr. Carruthers,
Mr. Hogue,
Mr. Dick,
Mr. Cohen,
Mr. Fallick,
Mr. Mackenzie,
Mr. O'Conor,

Noes, 40.

Mr. Oakes,
Mr. Kelly,
Mr. Ball,
Mr. Latimer,
Mr. Law,
Mr. Gillies,
Mr. McCoy,
Mr. Morton,
Mr. O'Sullivan,
Mr. Booth,
Mr. Brinsley Hall,
Mr. McFarlane,
Dr. Arthur,
Mr. Collins,

Mr. Moxham,
Mr. Davidson,
Mr. Nobbs,
Mr. Reynoldson,
Mr. W. Millard,
Mr. John Hurley,
Mr. Henley,
Mr. McLaurin,
Mr. Walter Anderson,
Mr. R. J. Anderson.

Tellers,

Mr. Thomas,
Mr. Donaldson.

Reduction of item negatived.

And the Estimate, Lunacy, having been dealt with,—

No. 8.

No. 8.

SUPPLY.

Master in Lunacy.

Question proposed,—That there be granted to His Majesty a sum not exceeding £4,675 for Master in Lunacy for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "Master in Lunacy, £335," be reduced by £35,—and Question put.

Committee divided.

Ayes, 14.

Mr. Burgess,
Mr. Charlton,
Mr. Estell,
Mr. Miller,
Mr. Thrower,
Mr. Meehan,
Mr. Nielsen,
Mr. Jones,
Mr. Cann,
Mr. McGowen,
Mr. O'Sullivan,
Mr. McGarry.

Tellers,

Mr. Hollis,
Mr. Scobie.

Noes, 36.

Mr. Mahony,
Mr. Wade,
Mr. Nobbs,
Mr. Hogue,
Mr. Lee,
Mr. Creswell,
Mr. Carruthers,
Mr. Ashton,
Mr. Dick,
Mr. Moore,
Mr. Cohen,
Mr. Jessep,
Mr. Fallick,
Mr. Mackenzie,
Mr. O'Connor,
Mr. Oakes,
Mr. Booth,
Mr. McFarlane,
Mr. Collins,

Dr. Arthur,
Mr. McLaurin,
Mr. Gillies,
Mr. Latimer,
Mr. Donaldson,
Mr. Law,
Mr. Thomas,
Mr. Moxham,
Mr. Reynoldson,
Mr. Ball,
Mr. McCoy,
Mr. W. Millard,
Mr. Henley,
Mr. Walter Anderson,
Mr. R. J. Anderson.

Tellers,

Mr. John Hurley,
Mr. Morton.

Reduction of item negatived.

Estimate, Master in Lunacy, agreed to.

And the estimates, Medical Board; Department of Public Health; Government Statistician; Registry of Friendly Societies and Trades Unions; Government Asylums for the Infirm; State Children Relief Department; State Children's Relief Act—to recoup amount paid out of Consolidated Revenue Fund; Department of Fisheries; Fire Brigades; Botanic Gardens; Nursery Garden, Campbelltown; Government Domain (outer); Garden Palace Grounds; Centennial Park; Swimming Baths, Woolloomooloo Bay; Electoral Office; Registrar-General and Examiner of Patents; Registrar of Copyright; having been agreed to,—

No. 9.

Stores Supply and Tender Board.

Question proposed,—That there be granted to His Majesty a sum not exceeding £120,081 for Stores Supply and Tender Board for the year 1905-6.

Motion made (*Mr. Thrower*),—That the item, "Fees to Members of Board, £525," be omitted,—and Question put.

Committee divided.

Ayes, 35.

Mr. Burgess,
Mr. Charlton,
Mr. Holman,
Mr. Nielsen,
Mr. Miller,
Mr. Scobie,
Mr. Thrower,
Mr. Meehan,
Mr. Hollis,
Mr. O'Sullivan,
Mr. Nicholson,
Mr. Cann,
Mr. Estell,

Mr. McGarry,
Mr. Morton,
Mr. Latimer,
Mr. Jessep,
Mr. Donaldson,
Mr. Booth,
Mr. McGowen,
Mr. Oakes,
Mr. McLaurin,
Mr. Thomas,
Mr. John Hurley,
Mr. Moxham,
Mr. Ball,

Mr. Mackenzie,
Mr. Gillies,
Mr. Mahony,
Mr. Kelly,
Mr. Reynoldson,
Mr. Henley,
Mr. R. J. Anderson.

Tellers,

Mr. Law,
Dr. Arthur.

Noes, 9.

Mr. Nobbs,
Mr. Hogue,
Mr. Lee,
Mr. Dick,
Mr. O'Connor,
Mr. Collins,
Mr. W. Millard

Tellers,

Mr. Cohen,
Mr. Davidson.

Item omitted.

Reduced Estimate, Stores Supply and Tender Board (£119,556), agreed to.

And the Estimate, Charitable Allowances, having been agreed to,—

No. 10.

Miscellaneous Services.

Question proposed,—That there be granted to His Majesty a sum not exceeding £33,300 for Miscellaneous Services, for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "General Improvements, National Park, £3,500," be reduced by £500,—and Question put.

Committee

Committee divided.

Ayes, 4.

Mr. Miller,
Mr. McGarry.

Tellers,

Mr. Thrower,
Mr. Meehan.

Mr. Davidson,
Mr. Wade,
Mr. Cohen,
Mr. Nobbs,
Mr. Hogue,
Mr. Carruthers,
Mr. Holman,
Mr. O'Sullivan,
Mr. Kelly,
Mr. Nielsen,
Mr. McLaurin,
Mr. Creswell,
Mr. McGowen,
Mr. Moore,
Mr. Nicholson,

Noes, 43.

Mr. Cann,
Mr. O'Connor,
Mr. Ashton,
Mr. Charlton,
Mr. Mackenzie,
Mr. Dick,
Mr. Scobie,
Mr. Latimer,
Mr. Law,
Mr. Thomas,
Mr. Donaldson,
Mr. Jessep,
Mr. Morton,
Mr. Hollis,
Mr. Estell,

Mr. Fallick,
Mr. Collins,
Mr. Oakes,
Mr. Booth,
Mr. John Hurley,
Mr. Henley,
Mr. Moxham,
Mr. W. Millard,
Mr. Reynoldson,
Mr. R. J. Anderson,
Mr. Ball.

Tellers,

Dr. Arthur,
Mr. Gillies.

Reduction of item negatived.

No. 11.

SUPPLY.

Same Estimate.

Motion made (*Mr. Nielsen*),—That the item, "Rent of Premises for the Secretary to His Excellency the Admiral and Staff, £300," be omitted,—and Question put.

Committee divided.

Ayes, 13.

Mr. Cann,
Mr. Holman,
Mr. Miller,
Mr. Thrower,
Mr. Meehan,
Mr. Scobie,
Mr. Nielsen,
Mr. Jones,
Mr. Hollis,
Mr. Estell,
Mr. Charlton.

Tellers,

Mr. McGarry,
Mr. Kelly.

Noes, 34.

Mr. Wade,
Mr. Cohen,
Mr. Nobbs,
Mr. Carruthers,
Mr. O'Sullivan,
Mr. Hogue,
Mr. McLaurin,
Mr. Moore,
Mr. Nicholson,
Mr. O'Connor,
Mr. Ashton,
Mr. Mackenzie,
Mr. Dick,
Mr. Gillies,
Mr. Latimer,
Mr. Law,
Mr. Thomas,
Mr. Donaldson,

Mr. Jessep,
Mr. Morton,
Mr. Fallick,
Mr. Collins,
Mr. Oakes,
Mr. Booth,
Mr. John Hurley,
Mr. Reynoldson,
Dr. Arthur,
Mr. W. Millard,
Mr. Moxham,
Mr. Henley,
Mr. Ball,
Mr. R. J. Anderson,

Tellers,

Mr. Creswell,
Mr. Davidson.

Omission of item negatived.

No. 12.

Same Estimate.

Motion made (*Mr. Jessep*),—That the item, "Special Grant in aid of Kindergarten Classes, £600," be omitted,—and Question put.

Committee divided.

Ayes, 9.

Mr. McGarry,
Mr. Thrower,
Mr. Meehan,
Mr. Scobie,
Mr. Miller,
Mr. Jessep,
Mr. Cann.

Tellers,

Mr. Booth,
Mr. Donaldson.

Mr. Wade,
Mr. Hogue,
Mr. Jones,
Mr. Nielsen,
Mr. Nobbs,
Mr. Kelly,
Mr. O'Sullivan,
Mr. McLaurin,
Mr. Creswell,
Mr. Dick,
Mr. Hollis,
Mr. O'Connor,
Mr. Holman,

Noes, 35.

Mr. Nicholson,
Mr. Charlton,
Mr. Moore,
Mr. Lee,
Mr. Morton,
Mr. Fallick,
Mr. Collins,
Mr. Oakes,
Mr. Cohen,
Mr. Henley,
Mr. Reynoldson,
Dr. Arthur,
Mr. Estell,

Mr. Gillies,
Mr. Thomas,
Mr. Latimer,
Mr. Law,
Mr. John Hurley,
Mr. Ball,
Mr. R. J. Anderson.

Tellers,

Mr. W. Millard,
Mr. Moxham.

Omission of item negatived.

Estimate, Miscellaneous Services, agreed to.

And the Estimates for Railways having been dealt with, and the Statement of Payments from the vote, "Advance to Treasurer, 1904-5" agreed to,—

No. 13.

SUPPLY—ADDITIONAL ESTIMATES, 1905-6.

Question proposed,—That there be granted to His Majesty a sum not exceeding £37,347 for additional charge for the year 1905-6.

Motion made (*Mr. Miller*),—That the item, "The representatives of the late Alexander Oliver, for services rendered by the late Mr. Oliver during leave of absence, in inquiries relating to Norfolk Island and Federal Capital, £500," be omitted,—and Question put.

Committee

Committee divided.

Ayes, 13.

Mr. Burgess,
Mr. Nielsen,
Mr. Macdonell,
Mr. Thrower,
Mr. McGarry,
Mr. Hollis,
Mr. McNeill,
Mr. Jones,
Mr. Edden,
Mr. Meehan,
Mr. Miller.

Tellers,

Mr. Charlton,
Mr. Estell.

Mr. Moore,
Mr. Nobbs,
Mr. O'Connor,
Mr. Wade,
Mr. Carruthers,
Mr. O'Sullivan,
Mr. Scobie,
Mr. Jessop,
Mr. Lee,
Mr. Creswell,
Mr. Cohen,
Mr. Waddell,
Mr. Ball,
Mr. Latimer,
Mr. Dick.

Noes, 34.

Mr. Thomas,
Mr. Gillies,
Mr. Reynoldson,
Mr. Hogue,
Mr. Mackenzie,
Mr. Fallick,
Mr. Ashton,
Mr. Donaldson,
Mr. Henley,
Mr. Booth,
Mr. Law,
Mr. Walter Anderson,
Mr. McLaurin,
Mr. Hindmarsh,
Mr. W. Millard,

Mr. Moxham,
Mr. R. J. Anderson.

Tellers;

Mr. Downes,
Mr. Davidson.

Omission of item negatived.

No. 14.

SUPPLY.

Same Estimates.

Motion made (Mr. McGarry),—That the item, "Immigration—towards promoting, £2,000," be omitted.

Mr. Moxham moved,—“That the Question be now put.”

Question put,—That the Question be now put.

Committee divided.

Ayes, 36.

Mr. Thomas,
Mr. Brinsley Hall,
Mr. Carruthers,
Mr. Jessop,
Mr. O'Connor,
Mr. Ashton,
Mr. Wade,
Mr. Moxham,
Mr. Moore,
Mr. Nobbs,
Mr. Broughton,
Mr. Booth,
Mr. Downes,
Mr. Creswell,
Mr. John Hurley,
Mr. Davidson,
Mr. Latimer,
Mr. Lee,
Mr. Law,
Mr. McLaurin,
Mr. R. J. Anderson,
Mr. McFarlane,
Mr. Donaldson,
Mr. Waddell,
Mr. Bennett,
Mr. Walter Anderson,
Mr. Fallick,
Mr. McCoy,
Mr. Henley,
Dr. Arthur,
Mr. Reynoldson,
Mr. Dick,
Mr. Ball,
Mr. Hogue.
Tellers,
Mr. Hindmarsh,
Mr. Gillies.

Noes, 16.

Mr. Hollis,
Mr. Thrower,
Mr. Macdonell,
Mr. O'Sullivan,
Mr. Charlton,
Mr. Nielsen,
Mr. McNeill,
Mr. Perry (*The Richmond*);
Mr. Jones,
Mr. Edden,
Mr. Scobie,
Mr. Meehan,
Mr. W. W. Young,
Mr. McGarry.
Tellers,
Mr. Miller,
Mr. Gardiner.

And it appearing by the Tellers' Lists that the number in favour of the motion, being a majority, consisted of "at least thirty members."

Agreed to.

No. 15.

Same Estimates.

Question put, "That the item be omitted."

Committee divided.

Ayes, 19.

Mr. Estell,
Mr. Nielsen,
Mr. Miller,
Mr. Meehan,
Mr. O'Sullivan,
Mr. McNeill,
Mr. Hollis,
Mr. Macdonell,
Mr. Charlton,
Mr. Waddell,
Mr. Gardiner,
Mr. Thrower,
Mr. W. W. Young,
Mr. Edden,
Mr. Ball,
Mr. McGarry,
Mr. W. Millard.
Tellers,
Mr. Jones,
Mr. Scobie.

Omission of item negatived.

Noes, 36.

Mr. Moore,
Mr. Wade,
Mr. Broughton,
Mr. Carruthers,
Mr. Nobbs,
Mr. Davidson,
Mr. Creswell,
Mr. Jessop,
Mr. Perry (*The Richmond*),
Mr. Hindmarsh,
Mr. Lee,
Mr. Latimer,
Mr. McFarlane,
Mr. Donaldson,
Mr. Bennett,
Mr. Law,
Mr. Walter Anderson,
Mr. Gillies,
Mr. Reynoldson,
Mr. McLaurin,
Mr. McCoy,
Mr. Brinsley Hall,
Mr. Fallick,
Mr. Henley,
Mr. Moxham,
Mr. Booth,
Mr. Ashton,
Mr. Dick,
Mr. R. J. Anderson,
Mr. Hogue,
Mr. Cohen,
Dr. Arthur,
Mr. Downes,
Mr. O'Connor.
Tellers,
Mr. Thomas,
Mr. John Hurley.

No. 16.

No. 16.
SUPPLY.

Same Estimates.

Motion made (Mr. Miller),—That the item, "The representatives of the late F. Bridges— Allowance in view of the circumstances attending the retirement and death of the late Mr. Bridges, and claims to Gratuity, £500," be omitted,—and Question put.

Committee divided.

Ayes, 13.

Mr. Gardiner,
Mr. Miller,
Mr. Arthur Griffith,
Mr. Hollis,
Mr. McGarry,
Mr. Meehan,
Mr. Thrower,
Mr. Edden,
Mr. Charlton,
Mr. McNeill,
Mr. Estell.

Tellers,

Mr. Scobie,
Mr. Jones.

Mr. Fegan,
Mr. Moore,
Mr. O'Sullivan,
Mr. Nobbs,
Mr. Lee,
Mr. Perry (The Richmond),
Mr. O'Conor,
Mr. Hogue,
Mr. Hindmarsh,
Mr. McLaurin,
Mr. Waddell,
Mr. Morton,
Mr. Ball,
Mr. Law,

Noes, 41.

Mr. McFarlane,
Mr. Downes,
Mr. Jessep,
Mr. John Hurley,
Mr. Oakes,
Mr. Thomas,
Mr. Wade,
Mr. Booth,
Dr. Arthur,
Mr. Cohen,
Mr. W. W. Young,
Mr. Ashton,
Mr. Gillies,
Mr. Donaldson,
Mr. Brinsley Hall,

Mr. Walter Anderson,
Mr. R. J. Anderson,
Mr. Bennett,
Mr. Reynoldson,
Mr. Dick,
Mr. W. Millard,
Mr. Henley,
Mr. Moxham,
Mr. McCoy,
Mr. Creswell.

Tellers,

Mr. Broughton,
Mr. Davidson.

Omission of item negatived.

No. 17.

Same Estimates.

Motion made (Mr. Miller),—That the item, "Commercial Agents, £500," be omitted,—and Question put.

Committee divided.

Ayes, 12.

Mr. Miller,
Mr. Hollis,
Mr. Scobie,
Mr. Arthur Griffith,
Mr. Jones,
Mr. Estell,
Mr. McNeill,
Mr. Charlton,
Mr. Thrower,
Mr. Meehan.

Tellers,

Mr. McGarry,
Mr. Gardiner.

Mr. Moore,
Mr. O'Sullivan,
Mr. Broughton,
Mr. Lee,
Mr. Nobbs,
Mr. Davidson,
Mr. Perry (The Richmond),
Mr. O'Conor,
Mr. Hogue,
Mr. Thomas,
Mr. Wade,
Mr. Booth,
Dr. Arthur,
Mr. Ashton,

Noes, 41.

Mr. W. W. Young,
Mr. Jessep,
Mr. Gillies,
Mr. Donaldson,
Mr. Ball,
Mr. John Hurley,
Mr. R. J. Anderson,
Mr. Walter Anderson,
Mr. McCoy,
Mr. Reynoldson,
Mr. Dick,
Mr. Hindmarsh,
Mr. McLaurin,
Mr. Waddell,
Mr. Levy,

Mr. Moxham,
Mr. Law,
Mr. McFarlane,
Mr. Downes,
Mr. Creswell,
Mr. Bennett,
Mr. Latimer,
Mr. Cohen,
Mr. Henley,
Mr. W. Millard.

Tellers,

Mr. Morton,
Mr. Oakes.

Omission of item negatived.

Estimates agreed to.

And the statement of payments made during 1903-1904 and previous years from the Vote, "Advance to Treasurer, 1903-4 and previous years, on account of services of the years 1893, 1900-1, 1901-2, 1902-3, and 1903-4, having been 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.

THURSDAY, 30 NOVEMBER, 1905.

No. 18.

PUBLIC SERVICE APPEAL 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 appeals in certain matters from the decision of the Public Service "Board"; to constitute a Court to hear and decide such appeals; to make better provision for the grading and promotion of officers; to amend the Public Service Act, 1902; to place certain offices and officers under that Act; and for purposes consequent thereon or incidental thereto.

Amendment moved (Mr. Arthur Griffith) to insert after the word "Board" the words "or the Inspector-General of Police."

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

Committee divided.

Ayes, 21.

Mr. Nicholson,
Mr. Thrower,
Mr. Estell,
Mr. Arthur Griffith,
Mr. McGowen,
Mr. Scobie,
Mr. Hollis,
Mr. Macdonell,
Mr. Charlton,
Mr. Jones,
Mr. Bennett,
Mr. Gillies,
Mr. O'Sullivan,
Mr. W. W. Young,
Mr. Meehan,

Mr. Sullivan,
Mr. McLaurin,
Mr. McGarry,
Mr. Edden.

Tellers,

Mr. Kelly,
Mr. Daley.

Noes, 27.

Mr. Cohen,
Mr. Hogue,
Mr. Nobbs,
Mr. Dick,
Mr. Lee,
Mr. Carruthers,
Mr. J. H. Young,
Mr. Jessep,
Mr. Waddell,
Mr. Donaldson,
Mr. Reynoldson,
Mr. Latimer,
Mr. Law,
Mr. Hurley,
Mr. Collins,

Mr. Walter Anderson,
Mr. Perry (Liverpool Plains),
Dr. Arthur,
Mr. Eden George,
Mr. Downes,
Mr. Hindmarsh,
Mr. Moore,
Mr. Norton,
Mr. W. Millard,
Mr. Brinsley Hall.

Tellers,

Mr. Fallick,
Mr. Davidson.

Insertion of proposed words negatived.

No. 19.

No. 19.

Same Resolution.

Amendment moved (*Mr. Hollis*) to insert after the word "Board" the words "the Comptroller General of Prisons and the Inspector-General of the Insane."

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

Mr. Carruthers moved, That the Chairman leave the Chair, report progress, and ask leave to sit again at a later hour of the day.

Question put.

Committee divided.

| Ayes, 42. | | Noes, 18. | |
|-----------------|--|----------------------|----------------------|
| Mr. O'Connor, | Mr. Gillies, | Mr. Eden George, | Mr. Sullivan, |
| Mr. Ashton, | Mr. Creswell, | Mr. Henley. | Mr. Holman, |
| Mr. Wade, | Mr. Perry (<i>The Richmond</i>), | <i>Tellers,</i> | Mr. Jones, |
| Mr. Hogue, | Mr. Latimer, | Mr. Collins, | Mr. Daley, |
| Mr. Jessep, | Mr. Davidson, | Mr. Walter Anderson. | Mr. Cann, |
| Mr. Levy, | Mr. Law, | | Mr. Scobie, |
| Mr. Carruthers, | Mr. Donaldson, | | Mr. Arthur Griffith, |
| Mr. Lee, | Mr. Waddell, | | Mr. Macdonell, |
| Mr. Robson, | Mr. Bennett, | | Mr. Thrower, |
| Dr. Arthur, | Mr. Fegan, | | Mr. Meehan, |
| Mr. Nicholson, | Mr. Perry (<i>Liverpool Plains</i>), | | Mr. Edden, |
| Mr. Fallick, | Mr. Mahony, | | Mr. Estell, |
| Mr. Cohen, | Mr. Hindmarsh, | | Mr. Charlton, |
| Mr. Nobbs, | Mr. Morton, | | Mr. Kelly, |
| Mr. McFarlane, | Mr. Reynoldson, | | Mr. Hollis, |
| Mr. Moore, | Mr. O'Sullivan, | | Mr. McGarry. |
| Mr. Booth, | Mr. R. J. Anderson, | | <i>Tellers,</i> |
| Mr. Downes, | Mr. W. Millard, | | Mr. W. W. Young, |
| Mr. Dick, | | | Mr. Norton. |
| Mr. McLaurin, | | | |

Agreed to.

The Chairman left the Chair accordingly.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 20.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

MONDAY, 4 DECEMBER, 1905.

No. 1.

LOCAL GOVERNMENT (SHIRES) BILL.

(Consideration of Legislative Council's amendments.)

The Committee requiring that the amendments be put *seriatim*,—

And the amendments in clauses 3, 5, 8, 10, and 11 having been agreed to,—

Clause 16. (1) Any council desirous of acquiring land by compulsorily taking the same may, on passing a resolution by an absolute majority of its members, petition the Governor to authorise the appropriation or resumption of such land. The Governor may thereupon, if he thinks proper, authorise such appropriation or resumption. Resumption by Government on petition of council.

(2) In such case the Minister shall appropriate or resume the said land by Gazette notification under Division 1 of Part V of the Public Works Act, 1900, and thereupon shall notify that the land is, and thereupon it shall be, vested in the council as the body corporate of the shire. Such appropriation or resumption shall be deemed to be for the purpose of carrying out an authorised work within the meaning of the said Act. Land vested in council.

(3) Any sum paid by the Government as compensation for such land, together with interest and all necessary expenses incidental to the appropriation or resumption, shall be repaid by the council. The Governor shall, before authorising the appropriation or resumption, satisfy himself that the council has made provision to his satisfaction for such repayment. Compensation.

(4) In all cases of resumption under this Act, the compensation given shall be calculated on the basis of the assessment for the purpose of land tax or for the purpose of rating under this Act, plus ten per centum for forced sale, and damage caused by severance as provided in the Public Works Act, 1900 in accordance with the provisions of the Public Works Act, 1900. Basis of compensation.

(5) In lieu of the interest specified in subsection two of section one hundred and nineteen of the Public Works Act, 1900, the rate of interest payable by the Government or the council on sums due as compensation under this section shall be four per centum per annum. [*Considered.*] Rate of interest.

Motion made (*Mr. Carruthers*), That the Committee agree to the Legislative Council's amendment in clause 16.

Question put.

69137 400—A

Committee

Committee divided.

| Ayes, 33. | | Noes, 21. |
|------------------|----------------------|------------------------------|
| Mr. Mahony, | Mr. J. H. Young, | Mr. Meehan, |
| Mr. Cohen, | Mr. Hindmarsh, | Mr. Daley, |
| Mr. Jessep, | Mr. Thomas, | Mr. Hollis, |
| Mr. Hogue, | Mr. McFarlane, | Mr. Nielsen, |
| Mr. Carruthers, | Mr. Ashton, | Mr. McGowen, |
| Mr. Lee, | Mr. Fallick, | Mr. Arthur Griffith, |
| Mr. Nobbs, | Mr. R. J. Anderson, | Mr. Perry (<i>The Rich-</i> |
| Mr. Oakes, | Mr. Walter Anderson, | <i>mond</i>), |
| Mr. Downes, | Mr. Henley, | Mr. Bennett, |
| Mr. Latimer, | Mr. Eden George, | Mr. Burgess, |
| Dr. Arthur, | Mr. O'Connor, | Mr. Cann, |
| Mr. Mackenzie, | Mr. W. Millard, | Mr. Charlton, |
| Mr. Ball, | Mr. Booth, | Mr. Nicholson, |
| Mr. Law, | | Mr. Macdonell, |
| Mr. Wade, | | Mr. Jones, |
| Mr. John Hurley, | Mr. Fell, | Mr. Edden, |
| Mr. Moore, | Mr. Davidson. | Mr. W. W. Young, |
| Mr. Robson, | | Mr. Fegan, |

Legislative Council's amendment agreed to

And the remaining amendments made by the Legislative Council having been agreed to,—
On motion of Mr. Carruthers, the Chairman left the Chair to report to the House that the Committee had agreed to the Legislative Council's amendments in the Bill.

No. 2.

NORTH COAST RAILWAY BILL.

(*Resolution.*)

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

Resolved,—That it is expedient to bring in a Bill to sanction the construction of a line of railway from Maitland to South Grafton; to authorise the construction of the said line on public roads; to amend the Public Works Act, 1900, so far as it relates to the making and maintaining of fences along the said "line"; to provide for the use of the said line by the Constructing Authority, or by persons authorised by him; and for other purposes consequent thereon or incidental thereto.

And the Committee continuing to sit till after Midnight,—

TUESDAY, 5 DECEMBER, 1905, A.M.

Amendment moved (*Mr. McGowen*), to insert in line 4, after the word "line" the words "to provide for the imposition of a tax on certain lands in connection with such line and to make provision for the payment to the Railway Commissioners of a moiety of the revenue derived from the sale or leasing of certain Crown lands."

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

| Ayes, 23. | | Noes, 29. |
|----------------------|------------------|------------------------|
| Mr. Kelly, | Mr. Henley, | Mr. Nobbs, |
| Mr. Cann, | Mr. W. W. Young, | Mr. Hogue, |
| Mr. Jones, | Mr. Edden, | Mr. Carruthers, |
| Mr. Daley, | Mr. Latimer, | Mr. Lee, |
| Mr. Hollis, | Mr. McGarry, | Mr. Levy, |
| Mr. Jessep, | | Mr. Ashton, |
| Mr. Arthur Griffith, | <i>Tellers,</i> | Mr. Wade, |
| Mr. McGowen, | Mr. Fell, | Mr. O'Connor, |
| Mr. Thomas, | Mr. Miller. | Mr. Perry (<i>The</i> |
| Mr. Oakes, | | <i>Richmond</i>), |
| Mr. Nicholson, | | Mr. Fallick, |
| Mr. Estell, | | Mr. McFarlane, |
| Mr. Meehan, | | Mr. Bennett, |
| Mr. Burgess, | | Mr. R. J. Anderson, |
| Mr. Nielsen, | | Mr. Law, |
| Mr. Charlton, | | Mr. Ball, |
| | | Mr. J. H. Young, |
| | | Mr. Dick, |
| | | Mr. Hindmarsh, |
| | | Mr. Downes, |
| | | Mr. Brinsley Hall, |
| | | Mr. Booth, |
| | | Mr. Eden George, |
| | | Mr. Richards, |
| | | Mr. Robson, |
| | | Mr. McLaurin, |
| | | Mr. W. Millard, |
| | | Mr. Moore. |
| | | <i>Tellers,</i> |
| | | Mr. Briner, |
| | | Mr. Davison. |

Insertion of proposed words negatived.

No. 3.

Same Resolution.

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

Committee divided.

| Ayes, 27. | | Noes, 25. |
|------------------------------|-----------------|----------------------|
| Mr. Nobbs, | Mr. O'Connor, | Mr. Kelly, |
| Mr. Hogue, | Mr. Fallick, | Mr. McGowen, |
| Mr. Lee, | Mr. Downes, | Mr. Cann, |
| Mr. Levy, | Mr. Davidson, | Mr. Charlton, |
| Mr. Carruthers, | Mr. Henley, | Mr. Nielsen, |
| Mr. Wade, | Mr. Richards, | Mr. Jones, |
| Mr. Ashton, | Mr. Dick, | Mr. Arthur Griffith, |
| Mr. J. H. Young, | Mr. McLaurin, | Mr. Daley, |
| Mr. Brinsley Hall, | Mr. Moore, | Mr. Meehan, |
| Mr. Bennett, | Mr. W. Millard. | Mr. Estell, |
| Mr. McFarlane, | | Mr. Nicholson, |
| Mr. R. J. Anderson, | <i>Tellers,</i> | Mr. Edden, |
| Mr. Robson, | Mr. Law, | Mr. Miller, |
| Mr. Briner, | Mr. Hindmarsh. | Mr. Burgess, |
| Mr. Perry (<i>The Rich-</i> | | Mr. Hollis, |
| <i>mond</i>), | | Mr. Fell, |

Agreed to.

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

TUESDAY,

TUESDAY, 5 DECEMBER, 1905.

No. 4.

SYDNEY CORPORATION AMENDMENT BILL.(As amended and agreed to in Select Committee).*

Clauses 1 to 21 having been dealt with,—

Clause 22. (1) The council may, in respect of any land purchased or resumed by it under the authority of this Act, do all or any of the following things—

- (a) demolish or repair any buildings or erections thereon ;
- (b) construct new buildings or erections thereon ;
- (c) close, alter, widen, extend, or divert any existing public way thereon ;
- (d) construct and open any new public way thereon ;
- (e) alter the levels of such land, and alter existing drains, and construct new drains and stormwater sewers thereon ;
- (f) generally alter, remodel, and improve such land and buildings in such manner as the council may think fit ;
- (g) sell the whole or any portion of such land, in one or more lots, by public auction or private contract, and on such terms and conditions (including power to take securities for any balance of purchase money or allow such period for payment of same) as the council may think fit ;
- (g) *sell the whole or any portion of such land, in one or more lots, by public auction or private contract, and on such terms and conditions (including power to take securities for any balance of purchase money or allow such period for payment of same) as the council may think fit ;*
- (h g h) lease the whole or any portion of such land for such periods and on such terms and conditions as the council may think fit.

(2) All conveyances of land not under the provisions of the Real Property Act, 1900, sold under the powers conferred by this section shall, *mutatis mutandis*, be in the form of Schedule B to this Act.

(2) *All conveyances of land not under the provisions of the Real Property Act, 1900, sold under the powers conferred by this section shall, mutatis mutandis, be in the form of Schedule B to this Act.* [Read.]

Motion made (*Mr. Jessep*), to insert the following words to stand as paragraph (g) :—

- (g) sell the whole or any portion of such land, in one or more lots, by public auction or private contract, and on such terms and conditions (including power to take securities for any balance of purchase money or allow such period for payment of same) as the council may think fit.

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

Committee divided.

Ayes, 36.

| | |
|-----------------|----------------------|
| Mr. Hogue, | Mr. McFarlane, |
| Mr. Fallick, | Mr. Ball, |
| Mr. Levy, | Mr. Reynoldson, |
| Mr. Moore, | Mr. Collins, |
| Mr. Carruthers, | Mr. R. J. Anderson, |
| Mr. Wade, | Mr. Moxham, |
| Mr. Creswell, | Dr. Arthur, |
| Mr. Oakes, | Mr. Davidson, |
| Mr. Latimer, | Mr. Henley, |
| Mr. Lee, | Mr. Eden George, |
| Mr. Mahony, | Mr. Walter Anderson, |
| Mr. Fell, | Mr. W. Millard. |
| Mr. Cohen, | |
| Mr. O'Connor, | <i>Tellers,</i> |
| Mr. Hindmarsh, | Mr. Jessep, |
| Mr. Donaldson, | Mr. Morton. |
| Mr. Mackenzie, | |
| Mr. Ashton, | |
| Mr. Nobbs, | |
| Mr. Kearney, | |
| Mr. Storey, | |
| Mr. Lav, | |

Noes, 20.

| |
|------------------|
| Mr. Sullivan, |
| Mr. Nielsen, |
| Mr. McGowen, |
| Mr. Hollis, |
| Mr. Miller, |
| Mr. Nicholson, |
| Mr. Cann, |
| Mr. Charlton, |
| Mr. Estell, |
| Mr. Norton, |
| Mr. Jones, |
| Mr. W. W. Young, |
| Mr. Bennett, |
| Mr. Briner, |
| Mr. Fegan, |
| Mr. McLaurin, |
| Mr. O'Sullivan, |
| Mr. Gillicé. |
| <i>Tellers,</i> |
| Mr. Scobie, |
| Mr. Kelly. |

Words inserted.

And the clause having been further amended as indicated,—
Clause, as amended, agreed to.

No. 5.

SAME BILL.

Clause 23. It shall be lawful for the council from time to time, with the approval of the Governor, to borrow, in manner hereinafter provided and subject to the conditions hereinafter prescribed, any sum or sums of "money" for the aforesaid purposes, or any of them, or for any of the purposes of the Municipal Council of Sydney Electric Lighting Act, or for constructing or improving the public ways of the said city. And all sums lawfully borrowed under this Act shall be deemed to be secured upon the corporate rates and revenues of the council from whatever source arising, and the following conditions, qualifications, and provisions shall regulate the borrowing of moneys and issue of debentures under this Act:—

* * * * *

[Read.]

Motion made (*Mr. Storey*), to insert in line 3 after the word "money" the words "not exceeding five hundred thousand pounds during the year 1906, and one hundred thousand pounds in any one year afterwards."

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

Committee

* Amendments made by the Committee of the Whole in the Select Committee's amendments in this Bill are shown by the words struck out being underlined, and the words inserted being printed in italics.

Committee divided.

Ayes, 4.

Mr. Nielsen,
Mr. McGarry.

Tellers,

Mr. Gardiner,
Mr. Storey.

Noes, 52.

Mr. Hogue,
Mr. Nobbs,
Mr. Hollis,
Mr. Charlton,
Mr. Cann,
Mr. Fegan,
Mr. Carruthers,
Dr. Arthur,
Mr. Law,
Mr. Oakes,
Mr. Jessep,
Mr. Kelly,
Mr. Hindmarsh,
Mr. Eden George,
Mr. Latimer,
Mr. Collins,
Mr. Reynoldson,
Mr. Kearney,

Mr. R. J. Anderson,
Mr. Donaldson,
Mr. Henley,
Mr. Davidson,
Mr. Bennett,
Mr. Moore,
Mr. Mackenzie,
Mr. Ball,
Mr. Booth,
Mr. Norton,
Mr. Ashton,
Mr. Sullivan,
Mr. Wade,
Mr. Downes,
Mr. Fell,
Mr. Mahony,
Mr. McGowen,
Mr. Miller,

Mr. Nicholson,
Mr. Cohen,
Mr. Lee,
Mr. O'Sullivan,
Mr. Levy,
Mr. Moxham,
Mr. Fallick,
Mr. Jones,
Mr. Walter Anderson,
Mr. W. Millard,
Mr. Briner,
Mr. McLaurin,
Mr. Morton,
Mr. Creswell.

Tellers,

Mr. Estell,
Mr. Scobie.

Insertion of proposed words negatived.

Clause, as read, agreed to.

And clauses 24, 25, and 26 having been dealt with,—

No. 6.

SAME BILL.

Application
of proceeds
of sales,
leases,
sales.

Clause 27. The net proceeds of realisation of any land ~~sold~~ leased ~~sold~~ by the council under the provisions hereinafore contained, and the investments and securities representing the same, shall be set apart by the council and applied in or towards repayment of the loan raised by the council for the purchase or resumption of such land or the construction of works thereon. The interest upon such money and the investments or securities representing the same, ~~and the rents and proceeds of lands leased by the council under the powers hereinafore contained,~~ and the rents and proceeds of lands leased by the council under the powers hereinbefore contained, shall from time to time be paid into the city fund. [Read.]

And the clause having been amended, as indicated,—

Motion made (*Mr. Jessep*), to insert in line 6, after the word "same" the words "and the rents "and proceeds of lands leased by the council under the powers hereinbefore contained."

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

Committee divided.

Ayes, 37.

Mr. Oakes,
Mr. Mackenzie,
Mr. Lee,
Mr. Mahony,
Mr. Levy,
Mr. Jessep,
Mr. Carruthers,
Mr. Ashton,
Mr. Nobbs,
Mr. Latimer,
Mr. Moore,
Mr. Cohen,
Mr. Collins,
Mr. Ball,
Mr. Fallick,
Mr. Downes,
Dr. Arthur,

Mr. Law,
Mr. Kelly,
Mr. Booth,
Mr. Hogue,
Mr. Reynoldson,
Mr. Fell,
Mr. Morton,
Mr. Moxham,
Mr. R. J. Anderson,
Mr. Davidson,
Mr. Walter Anderson,
Mr. Donaldson,
Mr. Bennett,
Mr. Briner,
Mr. Kearney,
Mr. Henley,
Mr. W. Millard,

Mr. Creswell.
Tellers,
Mr. Storey,
Mr. McLaurin.

Noes, 15.

Mr. McGowen,
Mr. Nicholson,
Mr. McGarry,
Mr. Miller,
Mr. Gardiner,
Mr. Fegan,
Mr. Jones,
Mr. Estell,
Mr. Cann,
Mr. McNeill,
Mr. Sullivan,
Mr. Hollis,
Mr. Scobie.

Tellers,

Mr. Charlton,
Mr. Nielsen.

Words inserted.

And clauses 28 and 29 having been agreed to,—

No. 7.

SAME BILL.

Amendment of
the Second
Schedule of the
Principal Act.

Clause 30. The Second Schedule of the Principal Act is amended by omitting after the words "southern alignment of" (where they occur for the first time in that Schedule) the words "the South Head old road; thence by the southern alignment of that road easterly to its intersection with the line laid down, marked out by stone posts, and deemed to be the dividing line between the Sydney Common and the water reserve; thence again on the east by the said dividing line to its intersection with the southern boundary of the Sydney Common; thence by that boundary," and inserting in lieu thereof the words "Oxford-street; thence by the southern alignment of that street bearing easterly to its intersection with the northern building line of Park-road; thence by a line southerly to the intersection of the south-east side of Park-road with the eastern side of Lang-road; and thence on the east and south-east by the eastern and south-eastern sides of Lang-road before mentioned, bearing southerly and south-westerly until it meets the prolongation of the south-east side of Cook-road; and thence by the prolongation of that side of that road south-westerly to its intersection

intersection with the north-eastern side of Martin-road, being a point on the southern side of a dwarf wall on the southern side of the Grand Drive; thence by the southern, south-western, and north-western sides of that dwarf wall forming the northern, north-eastern, and south-eastern sides of Martin-road, to its intersection with the south-western side of Oxley-street; thence by a line crossing the Sydney to Randwick tramway and the Randwick-road to the intersection of the southern side of Lachlan-street extension with the south-western side of the Bunnerong-road; thence by that side of that road bearing south-easterly to the northern boundary of the Kensington Estate; thence by that boundary and part of the southern boundary of the Sydney Common bearing westerly. [Read.]

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

Committee divided.

Ayes, 39.

| | | |
|-----------------|---------------------|-----------------|
| Mr. Cohen, | Mr. McNeil, | Mr. Bennett, |
| Mr. Oakes, | Mr. Cann, | Mr. McLaurin, |
| Mr. Mahony, | Mr. Law, | Mr. Hollis, |
| Mr. Jessop, | Mr. Booth, | Mr. Scobie, |
| Mr. Carruthers, | Mr. Kelly, | Mr. Nielsen, |
| Mr. Levy, | Mr. Hogue, | Mr. Gardiner, |
| Mr. Nobbs, | Mr. Briner, | Mr. W. Millard, |
| Mr. Moore, | Dr. Arthur, | Mr. Estell, |
| Mr. Jones, | Mr. Moxham, | Mr. Creswell. |
| Mr. Fell, | Mr. McGowen, | <i>Tellers,</i> |
| Mr. Collins, | Mr. Davidson, | |
| Mr. Downes, | Mr. R. J. Anderson, | Mr. Kearney, |
| Mr. Fallick, | Mr. Henley, | Mr. Reynoldson. |
| Mr. Charlton, | Mr. Donaldson, | |

Noes, 7.

Mr. Sullivan,
Mr. Nicholson,
Mr. McGarry,
Mr. Fegan,
Mr. Latimer.

Tellers,

Mr. Storey,
Mr. Ball.

Agreed to.

And the Schedules and a new Schedule to stand as Schedule B having been agreed to,—

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

THURSDAY, 7 DECEMBER, 1905, A.M.

No. 8.

CROWN LANDS AMENDMENT BILL:—

Clauses 1 to 16 having been dealt with,—

Clause 17. A condition of ten years' residence shall attach to every conditional purchase lease, and the lessee shall within twelve months after the confirmation of his application commence to perform such condition: Provided that the commencement of residence may be extended to any date within five years of such confirmation, on such terms and conditions as to improvements and cultivation as may be agreed upon between the Board and the lessee. For the purposes of this Act, residence shall be taken to mean continuous and bona fide living, as the lessee's or purchaser's usual home, without any other habitual residence. "On application in the prescribed form, the Board may permit the residence condition to be performed in any adjacent village or town. Such permission may be conditional or unconditional." The Board or the Chairman ~~Minister~~ may, at any time after application in the prescribed form, and for due cause shown, suspend the condition of residence either unconditionally or on conditions.

The provisions of section nineteen of the Crown Lands Act Amendment Act, 1903, as regards residence by members of one family are hereby extended to conditional purchase leases or conditional purchases under this Act. [Read.]

Motion made (Mr. Nielsen) to leave out from lines 8, 9, and 10 the words "On application in the prescribed form, the Board may permit the residence condition to be performed in any adjacent village or town. Such permission may be conditional or unconditional."

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

Committee divided.

Ayes, 42.

| | | |
|----------------|------------------|----------------------|
| Mr. Levy, | Mr. Norton, | Mr. Broughton, |
| Mr. Cohen, | Mr. Law, | Mr. Booth, |
| Mr. Hogue, | Mr. McLaurin, | Mr. Henley, |
| Mr. Morton, | Mr. Moore, | Mr. Thomas, |
| Mr. Ashton, | Mr. Carruthers, | Mr. Charlton, |
| Mr. Hindmarsh, | Mr. Fallick, | Mr. Dick, |
| Mr. Nobbs, | Mr. Davidsen, | Mr. Downes, |
| Mr. Wade, | Mr. Creswell, | Mr. McCoy, |
| Mr. Collins, | Mr. Latimer, | Mr. Walter Anderson, |
| Mr. O'Connor, | Mr. Kearney, | Mr. Moxham. |
| Mr. Donaldson, | Mr. W. Millard, | <i>Tellers,</i> |
| Mr. Ball, | Mr. J. H. Young, | |
| Mr. Bennett, | Dr. Arthur, | Mr. Reynoldson, |
| Mr. Lee, | Mr. Kelly, | Mr. Scobie. |
| Mr. Cann, | Mr. Levien, | |

Noes, 12.

Mr. Meehan,
Mr. Gardiner,
Mr. Hollis,
Mr. Estell,
Mr. Miller,
Mr. Edden,
Mr. Nicholson,
Mr. Holman,
Mr. McGowen,
Mr. McGarry.

Tellers,

Mr. Burgess,
Mr. Nielson.

Words stand.

And the clause having been amended as indicated,—

Clause, as amended, agreed to.

And clause 18 having been agreed to,—

No. 9.

No. 9.

SAME BILL.

Conditional
lease purchase.

Clause 19. At any time after the confirmation of an application for a conditional purchase lease, the holder thereof may, on application in the prescribed form, and payment of a deposit at the rate of five per centum of the capital value of the land, and provided the lease is not liable to forfeiture, convert the same into a conditional purchase under this Act, which shall be held subject to all the conditions of the lease unperformed at the date of conversion, except the payment of rent. [*Read.*]

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

Committee divided.

Ayes, 35.

| | |
|------------------|----------------------|
| Mr. Levy, | Mr. Lee, |
| Mr. McLaurin, | Mr. Ball, |
| Mr. Morton, | Mr. Reynoldson, |
| Mr. Ashton, | Mr. Dick, |
| Mr. Hindmarsh, | Mr. Bennett, |
| Mr. Wade, | Mr. O'Connor, |
| Mr. Collins, | Mr. Thomas, |
| Mr. Nobbs, | Dr. Arthur, |
| Mr. Hogue, | Mr. Booth, |
| Mr. Moore, | Mr. Henley, |
| Mr. Carruthers, | Mr. Broughton, |
| Mr. Fallick, | Mr. Downes, |
| Mr. Davidson, | Mr. Walter Anderson, |
| Mr. Latimer, | Mr. W. Millard. |
| Mr. Kearney, | <i>Tellers,</i> |
| Mr. Moxham, | Mr. Donaldson, |
| Mr. McCoy, | Mr. Law. |
| Mr. Creswell, | |
| Mr. J. H. Young, | |

Noes, 17.

| |
|-----------------|
| Mr. Edden, |
| Mr. Macdonell, |
| Mr. Burgess, |
| Mr. Kelly, |
| Mr. Nielsen, |
| Mr. Cann, |
| Mr. Scobie, |
| Mr. Jones, |
| Mr. McGarry, |
| Mr. Charlton, |
| Mr. Holman, |
| Mr. Miller, |
| Mr. Hollis, |
| Mr. Nicholson, |
| Mr. Estell. |
| <i>Tellers,</i> |
| Mr. Meehan, |
| Mr. Gardiner. |

Clause, as read, agreed to.

And the remaining clauses, the Schedule, a new clause to follow clause 36, and the Title having been dealt with,—

On motion of Mr. Ashton, the Chairman left the Chair to report the Bill, with amendments, to the House, including an amendment in the Title.

THURSDAY, 7 DECEMBER, 1905.

No. 10.

LOAN BILL.

Stock may be
sold in London
or Sydney.

Clauses 1 to 3 having been agreed to,—

Clause 4. The loans so authorised as aforesaid may be negotiated wholly or in part in the form of Debentures or inscribed Stock in New South Wales "or in London." at such times and for such amounts and for such periods as may be directed by the Governor. [*Read.*]

Motion made (*Mr. Norton*), to leave out from line 2 the words "or in London."

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

Committee divided.

Ayes, 41.

| | |
|------------------------------------|------------------|
| Mr. Oakes, | Mr. Fallick, |
| Mr. Mahony, | Mr. J. H. Young, |
| Mr. Lee, | Mr. Ashton, |
| Mr. Carruthers, | Mr. Nobbs, |
| Mr. Wade, | Mr. Booth, |
| Mr. Perry (<i>The Richmond</i>), | Mr. McFarlane, |
| Mr. Fegan, | Mr. O'Sullivan, |
| Mr. Fell, | Mr. Waddell, |
| Mr. Cohen, | Mr. Jessep, |
| Mr. Moore, | Mr. Latimer, |
| Mr. Creswell, | Mr. John Hurley, |
| Mr. Dick, | Mr. Morton, |
| Mr. Hogue, | Mr. Davidson, |
| Mr. Downes, | Mr. Donaldson, |
| | Mr. Hindmarsh, |

| |
|--|
| Mr. Walter Anderson, |
| Mr. Perry (<i>Liverpool Plains</i>), |
| Mr. Richards, |
| Mr. Thomas, |
| Mr. Collins, |
| Mr. W. Millard, |
| Mr. Law, |
| Mr. Eden George, |
| Mr. Reynoldson, |
| Mr. W. W. Young. |
| <i>Tellers,</i> |
| Mr. Ball, |
| Mr. Gillies. |

Noes, 12.

| |
|----------------------|
| Mr. Charlton, |
| Mr. Norton, |
| Mr. Holman, |
| Mr. Nielsen, |
| Mr. Scobie, |
| Mr. Burgess, |
| Mr. Jones, |
| Mr. Cann, |
| Mr. Estell, |
| Mr. McGarry. |
| <i>Tellers,</i> |
| Mr. Arthur Griffith, |
| Mr. Gardiner. |

Words stand.

Clause, as read, agreed to.

And the remaining clauses having been dealt with,—

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

No. 11.

No. 11.

LIQUOR (AMENDMENT) BILL.

*(Consideration of Legislative Council's amendments.)*The Committee requiring that the amendments be put *seriatim*,—

The amendments in clauses 3, 8, 12, 16, 19, 21, 30, 32, 35, and 40 agreed to.

Clause 47. 45. In order that any club may be eligible to be registered, the rules of the club shall provide that—

Provision to be made in rules of clubs.

- (a) the business and affairs of the club shall be under the management of a committee elected for not less than twelve months by the general body of members ;
- (b) the committee shall hold periodical meetings, and minutes of all resolutions and proceedings of such committee shall be entered in a book to be provided for that purpose ;
- (c) the names and addresses of persons proposed as ordinary members of the club shall be displayed in a conspicuous place in the club premises for at least a week before their election, and an interval of not less than two weeks shall elapse between nomination and election of ordinary members ;
- (d) all members shall be elected by the general body of members, or by a general or an election committee, at a meeting or meetings duly convened, and a record shall be kept by the secretary of the club of the names of the members present and voting at such meetings ;
- (e) there shall be a defined subscription of not less than one pound per annum, payable by members quarterly, half-yearly, or annually in advance ;
- (f) correct accounts and books shall be kept, showing the financial affairs of the club and the particulars usually shown in books of account of a like nature ;
- (g) a visitor shall not be supplied with liquor in the club premises unless on invitation and in the company of a member, and no bar shall be allowed on club premises for the sale of liquor ;
- (h) no persons shall be allowed to become honorary or temporary members of the club or be relieved of the payment of the regular subscription, except those possessing certain qualifications defined in the rules, and subject to conditions and regulations prescribed therein ;
- (i) no person under twenty-one years of age shall be admitted a member of the club, and no liquor shall be sold or supplied to any person under that age : Provided that where the club is primarily devoted to some athletic purpose, there shall be no limitation of the age of a member of the club. **No liquor shall be sold or supplied to any person under twenty-one years of age.**

Provided that in the case of a club primarily devoted to some athletic purpose, the management of which is vested in trustees appointed by the Governor, such club shall, if the Governor so declares by proclamation in the Gazette, be exempted from compliance with the provisions of paragraphs (a), (c), and (d) of this section, and of paragraph (c) of the last preceding section, and such trustees shall for the purposes of this Act be deemed the elected committee of the club. [*Considered.*]

Motion made (*Mr. Wade*),—That the Committee agree to the Legislative Council's amendment in paragraph (g),—and Question put.

Committee divided.

Ayes, 40.

| | | |
|----------------------|--|-----------------|
| Mr. Thomas, | Dr. Arthur, | Mr. Davidson, |
| Mr. Lea, | Mr. Perry (<i>Liverpool Plains</i>), | Mr. Hindmarsh. |
| Mr. Ashton, | Mr. Perry (<i>The Richmond</i>), | <i>Tellers,</i> |
| Mr. Hogue, | Mr. Nobbs, | Mr. Morton, |
| Mr. Wade, | Mr. Law, | Mr. Ball. |
| Mr. Carruthers, | Mr. Kelly, | |
| Mr. Sullivan, | Mr. Scobie, | |
| Mr. Reynoldson, | Mr. Burgess, | |
| Mr. Walter Anderson, | Mr. Cohen, | |
| Mr. Mahony, | Mr. W. Millard, | |
| Mr. Moore, | Mr. Mackenzie, | |
| Mr. Booth, | Mr. Henley, | |
| Mr. Levien, | Mr. W. W. Young, | |
| Mr. Downes, | Mr. McGarry, | |
| Mr. John Hurley, | Mr. Eden George, | |
| Mr. Fallick, | Mr. Nicholson, | |
| Mr. J. H. Young, | Mr. Hollis, | |
| Mr. Estell, | | |
| Mr. Edden, | | |

Noes, 17.

| |
|----------------------|
| Mr. Fegan, |
| Mr. Arthur Griffith, |
| Mr. McGowen, |
| Mr. Waddell, |
| Mr. O'Sullivan, |
| Mr. Latimer, |
| Mr. McFarlane, |
| Mr. Donaldson, |
| Mr. McLaurin, |
| Mr. Bonnett, |
| Mr. Gillies, |
| Mr. Norton, |
| Mr. Broughton, |
| Mr. Cann, |
| Mr. Charlton. |
| <i>Tellers,</i> |
| Mr. Jessep, |
| Mr. Gardiner. |

Legislative Council's amendment agreed to.

And the remaining amendments in clause 45 having been agreed to,—

On motion of Mr. Carruthers, the Chairman left the Chair to report progress, and ask leave to sit again at a later hour of the day.

No. 12.

No. 12.

AT A LATER HOUR OF THE DAY,—

SAME BILL.

The amendments in clauses 46, 51, 54, 56, 58, 59, 61, 64, 65, and 69, having been agreed to,—

Resolution B.
how given effect
to

- Clause 74, 72. (1) Where resolution B is carried, the special court having jurisdiction within the electorate shall—

(a) determine the reduction to be made in the number of the existing licenses of the respective descriptions, exclusive of those which, under a previous vote, will cease to be in force at the expiration of the prescribed period, ~~or registered club~~—
Provided that—

- (i) Where such number exceeds twelve, and is less than twenty-four, such number shall be reduced by at least two.
(ii) Where such number is twenty-four or more, but is less than thirty-six, such number shall be reduced by at least three.
(iii) Where such number is thirty-six or more, such number shall be reduced by at least four.

- (b) for the purpose of the said reduction, cause a classification of the licensed premises to be made as hereinafter provided ;
(c) make the reduction by declaring that certain specified licenses of each description shall cease to be in force.
(d) notify in the Gazette its determination, and give notice to the licensees affected thereby.

Classification of
premises.

(2) The classification shall include licensed premises as to which the following conditions or any of them apply :—

(a) There have within the three years next preceding the taking of the vote been either two convictions for one of the following offences or one conviction for two of such offences made against the same or different licensees of the same premises, that is to say,—

- (i) selling or ~~allowed~~ **allowing** to be sold any liquor to persons under the age of eighteen years or to prohibited persons ;
(ii) selling or allowing to be sold liquor to persons in a state of intoxication ;
(iii) allowing gaming to be carried on on the premises ;
(iv) permitting the premises, or any portion thereof, to be used for purposes of prostitution ;
(v) permitting drunkenness on the premises ;
(vi) letting or subletting any bar **or the right to sell liquor** on the premises ;
(vii) **selling liquor " in prohibited hours ; "**

- (b) there has within the said three years been a conviction of any licensee of the premises for any one of the said offences ;
(c) it is proved that the business in the premises is so badly conducted as to be a serious inconvenience to persons requiring accommodation or a nuisance to neighbours, or that the premises are insufficiently provided with proper sanitary conveniences.

(3) In carrying out the said reduction the special court, in determining what licenses shall cease to be in force, shall—

- (a) consider the convenience of the public and the requirements of the several localities in the electorate ;
(b) subject to the above consideration, deal in the first place with the licenses of premises to which paragraph (a) of the last preceding subsection applies, and in the second and third places respectively with those to which paragraphs (b) and (c) of such subsection respectively apply.

Order of reduc-
tion of licenses to
which para-
graphs (a), (b)
and (c) apply.

(4) The licenses of premises to which paragraph (a) of subsection two of this section applies, shall cease to be in force at the expiration of such period not being less than six nor greater than twelve months from the date of the vote as the court may fix.

The licenses of premises to which paragraph (b) or paragraph (c) of the said subsection applies shall cease to be in force at the expiration of such period, not being less than one nor greater than two years from the date aforesaid as the court may fix.

If, after giving effect to the provisions of this section relating to premises to which paragraphs (a), (b), and (c) aforesaid apply, the desired reduction of the number of licenses has not been made, the special court may apply the reduction to other premises. In such case the licenses of such other premises may be renewed from time to time, but shall cease to be in force at the expiration of three years, counting from the date of the notification in the Gazette of the determination of the special court as to the reduction :

Provided that where such special court finds that **any** of such other premises are held under a written lease, or written agreement for a lease, which existed on the twenty-fourth day of August, one thousand nine hundred and five, and which at the date of the notification of the determination of the court has more than three years to run, the license of such premises shall not under this section cease to be in force until the determination of the lease, **or of the period for which such agreement is to have effect**, or the expiration of eight years from the commencement of this Act, whichever event happens first; and if the said court finds that the said premises were on the ~~first day of September,~~ **twenty-fourth day of August**, one thousand nine hundred and five, and on the date of notification of the determination of the court, owned by the licensee, **or that the licensee was on such dates the manager for the owner**, the license of such premises shall not under this section cease to be in force until the expiration of the eight years above mentioned :

Provided

Other licenses.

Provided further that nothing in this subsection shall prevent the refusal of the renewal or the cancellation or the forfeiture of a license or the disqualification of premises for any lawful cause.

Unless the said lease or agreement shall have been duly stamped without fine within the period provided by law and shall have been registered in the Registrar-General's office prior to the first day of December, one thousand nine hundred and five, or the indenture executed in pursuance of such agreement, whenever executed, has before the thirty-first day of December, one thousand nine hundred and five, or within such extended time, not exceeding fourteen days, as the Governor may allow, been registered in the department of the Registrar-General, and in the case of a lease or agreement executed before the thirteenth day of December, one thousand nine hundred and four, has been stamped before the fourteenth day of December, one thousand nine hundred and five, and in the case of a lease executed after the thirteenth day of December, one thousand nine hundred and four, has been stamped within the period within which it may lawfully be stamped without fine, the licensee shall be excluded from the benefit of any extension of time beyond the three years first above-mentioned.

(5) In any such proceedings as aforesaid by a special court—

- (a) classifying licensed premises ; or
- (b) declaring that licenses shall cease to be in force,

Right to appear before court.

any person who may be directly affected by the determination of the court in such proceedings may appear before the court and shall be heard. [*Considered.*]
 And the amendments down to that in paragraph (vi) of subsection (2) having been agreed to,—
 Motion made (*Mr. Arthur Griffith*), That the amendment in paragraph vii of subsection (2) be amended by leaving out the words "in prohibited hours" and inserting the words "on "Sunday."

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

| Ayes, 49. | | Noes, 19. |
|--|----------------------|----------------------|
| Mr. Levy, | Mr. Walter Anderson, | Mr. Bennett, |
| Mr. Lee, | Mr. John Hurley, | Mr. Dick, |
| Mr. Wade, | Mr. Eden George, | Mr. Morton, |
| Mr. Robson, | Mr. Richards, | Mr. Ball, |
| Mr. Jessep, | Mr. Hindmarsh, | Mr. Mackenzie, |
| Mr. Carruthers, | Mr. Thomas, | Mr. Norton. |
| Mr. Hogue, | Mr. R. J. Anderson, | <i>Tellers,</i> |
| Mr. Nobbs, | Mr. Law, | Mr. Charlton, |
| Mr. McGowen, | Mr. Ashton, | Mr. McCoy. |
| Mr. Fegan, | Mr. Kearney, | |
| Mr. Davidson, | Mr. Latimer, | |
| Dr. Arthur, | Mr. Downes, | |
| Mr. Perry (<i>Liverpool Plains</i>), | Mr. Booth, | |
| Mr. Reynoldson, | Mr. Mahony, | |
| Mr. Fell, | Mr. Fallick, | |
| Mr. McLaurin, | Mr. Cohen, | |
| Mr. Donaldson, | Mr. Gardiner, | |
| Mr. Miller, | Mr. Henley, | |
| Mr. Creswell, | Mr. Collins, | |
| Mr. Briner, | Mr. J. H. Young, | |
| | Mr. McFarlane, | |
| | | Mr. Hollis, |
| | | Mr. Holman, |
| | | Mr. Cann, |
| | | Mr. Arthur Griffith, |
| | | Mr. Kelly, |
| | | Mr. Burgess, |
| | | Mr. Macdonell, |
| | | Mr. Nicholson, |
| | | Mr. Edden, |
| | | Mr. Estell, |
| | | Mr. Sullivan, |
| | | Mr. McNeill, |
| | | Mr. Broughton, |
| | | Mr. Jones, |
| | | Mr. McGarry, |
| | | Mr. Waddell, |
| | | Mr. O'Sullivan. |
| | | <i>Tellers,</i> |
| | | Mr. Scobie, |
| | | Mr. Nielsen. |

Words stand.
Legislative Council's amendment agreed to.
 And the Legislative Council's amendments down to and including that on lines 20 and 21 of subsection (4) having been agreed to.

No. 13.
 SAME BILL.
Same clause.

Motion made (*Mr. Wade*),—That the Committee agree to the Legislative Council's amendment in lines 22 and 23 of subsection (4),—and Question put.
 Committee divided.

| Ayes, 51. | | Noes, 15. |
|-----------------|--|----------------------|
| Mr. Moore, | Mr. Dick, | Mr. W. W. Young, |
| Mr. Hogue, | Mr. Scobie, | Mr. Estell, |
| Mr. Nobbs, | Mr. Donaldson, | Mr. McGarry, |
| Mr. Levy, | Mr. Perry (<i>The Richmond</i>), | Mr. Briner, |
| Mr. Wade, | Mr. McCoy, | Mr. Hollis, |
| Mr. Carruthers, | Mr. Perry (<i>Liverpool Plains</i>), | Mr. Waddell, |
| Mr. Broughton, | Mr. Reynoldson, | Mr. Morton, |
| Mr. Kelly, | Mr. Fell, | Mr. Edden, |
| Mr. Sullivan, | Mr. Jones, | Mr. Collins, |
| Mr. Norton, | Mr. Nielson, | Mr. Mackenzie, |
| Mr. Creswell, | Mr. McLaurin, | Mr. Henley, |
| Mr. Lee, | Mr. Ashton, | Mr. McNeill, |
| Mr. Cohen, | Mr. Law, | Mr. Burgess. |
| Mr. Fallick, | Mr. R. J. Anderson, | <i>Tellers,</i> |
| Mr. Robson, | Mr. Hindmarsh, | Mr. Davidson, |
| Mr. Mahony, | Mr. Richards, | Mr. Kearney. |
| Mr. Booth, | Mr. Macdonell, | |
| Mr. Downes, | Mr. Eden George, | |
| Mr. Latimer, | | |
| | | Mr. McGowen, |
| | | Mr. Gardiner, |
| | | Dr. Arthur, |
| | | Mr. Charlton, |
| | | Mr. Thomas, |
| | | Mr. Miller, |
| | | Mr. Nicholson |
| | | Mr. Cann, |
| | | Mr. Jones |
| | | Mr. Fegan, |
| | | Mr. Walter Anderson, |
| | | Mr. McFarlane, |
| | | Mr. Bennett. |
| | | <i>Tellers,</i> |
| | | Mr. Jessep, |
| | | Mr. Arthur Griffith. |

Legislative Council's amendment agreed to.
 No. 14.
 400—B

No. 14.

SAME BILL.

Same clause.

Motion made (*Mr. Wade*),—That the Committee agree to the Legislative Council's amendment in lines 29 to 40 of subsection (4),—and Question put.

Committee divided.

Ayes, 57.

| | | |
|------------------------------------|--|----------------------|
| Mr. Nobbs, | Mr. Perry (<i>Liverpool Plains</i>), | Mr. Henley, |
| Mr. Wade, | Mr. Thomas, | Mr. Davidson, |
| Mr. Moore, | Mr. Kearney, | Mr. Collins, |
| Mr. Carruthers, | Mr. Thrower, | Mr. McGarry, |
| Mr. Broughton, | Mr. Scobie, | Mr. Hogue, |
| Mr. Jones, | Mr. Estell, | Mr. Hindmarsh, |
| Mr. Holman, | Mr. Donaldson, | Mr. Walter Anderson, |
| Mr. Creswell, | Mr. McLaurin, | Mr. W. Millard, |
| Mr. Cohen, | Mr. Lee, | Mr. Ball, |
| Mr. Fallick, | Mr. Reynolds, | Mr. Law, |
| Mr. Robson, | Mr. R. J. Anderson, | Mr. Fell, |
| Mr. Mahony, | Mr. Richards, | Mr. Briner, |
| Mr. Booth, | Mr. W. W. Young, | Mr. Burgess, |
| Mr. Downes, | Mr. John Hurley, | Mr. Hollis, |
| Mr. Latimer, | Mr. Nielsen, | Mr. Sullivan, |
| Mr. McCoy, | Mr. Eiden, | Mr. Macdonell. |
| Mr. Mackenzie, | Mr. Kelly, | <i>Tellers,</i> |
| Mr. Ashton, | Mr. Bennett, | Mr. Levy, |
| Mr. Dick, | Mr. Morton, | Mr. Norton. |
| Mr. Perry (<i>The Richmond</i>), | | |

Noes, 11.

| |
|----------------------|
| Mr. Gardiner, |
| Mr. McGowen, |
| Mr. Arthur Griffith, |
| Mr. Charlton, |
| Mr. Fegan, |
| Mr. Miller, |
| Mr. Nicholson, |
| Mr. Cann, |
| Mr. McFarlane. |
| <i>Tellers,</i> |
| Dr. Arthur, |
| Mr. Jessop. |

Legislative Council's amendment agreed to.

And the remaining amendments made by the Legislative Council having been agreed to,—

On motion of Mr. Wade, the Chairman left the Chair to report to the House that the Committee had agreed to the Legislative Council's amendments in the Bill.

W. S. MOWLE,
Clerk Assistant.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 1.

REGISTER OF PUBLIC BILLS ORIGINATED IN THE ASSEMBLY DURING THE SESSION OF 1905.

| Short Titles. | By whom initiated. | Originated in Committee of the Whole. | Message from Governor recommending provision for. | Ordered. | Presented and read 1 st . | Proceeded with under Standing Order 208. | Read 2 ^d and Committed. | Reported. | Recommitted. | Report adopted. | Read 3 ^d . | Passed, and sent to Council for concurrence. | Agreed to by Council without Amendment. | Agreed to by Council with Amendment. | Council's Amendments agreed to. | Council's Amendments disagreed to. | Order of the Day discharged and Bill withdrawn. | Assent reported. | Number of Act. | Remarks. |
|--|----------------------|---------------------------------------|---|----------|--------------------------------------|--|------------------------------------|-----------|--------------|-----------------|-----------------------|--|---|--------------------------------------|---------------------------------|------------------------------------|---|------------------|----------------|---|
| Appropriation | Mr. Carruthers ..... | ..... | 6 Sept. | ..... | 30 Nov. 30 Nov. | ..... | 30 Nov. | 30 Nov. | ..... | 30 Nov. | 30 Nov. | 30 Nov. | 5 Dec. | ..... | ..... | ..... | ..... | * | 29 | Standing Orders suspended, 20th November, 1905. Not returned by Legislative Council. |
| Borough of Brompton Naming | Mr. McCoy ..... | ..... | ..... | 19 July | 13 July | ..... | 5 Sept. | 5 Sept. | ..... | 5 Sept. | 6 Sept. | 6 Sept. | ..... | ..... | ..... | ..... | ..... | ..... | ..... | Motion made for 2 ^d and amendment to refer to Select Committee agreed to, 19th September, 1905. Progress report brought up, 28th Nov., 1905. |
| Bread (Amendment) | Mr. Broughton | 6 Sept. | ..... | 5 Sept. | 6 Sept. | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | Stopped by Prorogation. Message to Council, 22nd November, 1905. Council does not insist upon its amendment disagreed to by the Assembly, 23rd November, 1905, a.m. |
| Coal Mines Regulation (Amending) | Mr. Moore | 13 July | 11 July | 13 July | 18 July | ..... | 26 Oct. | 26 Oct. | ..... | 26 Oct. | 31 Oct. | 31 Oct. | ..... | 16 Nov. | ..... | 21 Nov. | ..... | 28 Nov. | 25 | Standing Orders suspended, 20th July. Founded on Resolution of Ways and Means. |
| Consolidated Revenue Fund | Mr. Carruthers | 28 July | 25 July | 26 July | 26 July | ..... | 26 July | 26 July | ..... | 26 July | 26 July | 26 July | ..... | ..... | ..... | ..... | ..... | 1 Aug. | 5 | Standing Orders suspended, 27th September, 1905. Founded on Resolution of Ways and Means. |
| Consolidated Revenue Fund (No. 2) .. | do ..... | ..... | 23 Sept. | ..... | 27 Sept. | ..... | 27 Sept. | 27 Sept. | ..... | 27 Sept. | 27 Sept. | 27 Sept. | ..... | ..... | ..... | ..... | ..... | 28 Sept. | 19 | Standing Orders suspended, 27th September, 1905. Founded on Resolution of Ways and Means. |
| Country Towns Water and Sewerage (Amendment) | Mr. Lee | 20 Oct. | 24 Oct. | 26 Oct. | 26 Oct. | ..... | 9 Nov. | 14 Nov. | ..... | 14 Nov. | 15 Nov. | 15 Nov. | ..... | 7 Dec. | ..... | ..... | ..... | * | 43 | Standing Orders suspended, 27th September, 1905. Founded on Resolution of Ways and Means. |
| Crimes (Amendment) | Mr. Wade ..... | ..... | ..... | 5 July | 19 July | ..... | 16 Aug. | 16 Aug. | ..... | 16 Aug. | 17 Aug. | 17 Aug. | ..... | ..... | ..... | ..... | ..... | 6 Sept. | 12 | ..... |
| Crown Lands Amendment | Mr. Ashton | 6 Dec. | 5 Dec. | 6 Dec. | 6 Dec. | ..... | 7 Dec. | 7 Dec. | ..... | 7 Dec. | 7 Dec. | 7 Dec. | ..... | ..... | ..... | ..... | ..... | * | 42 | Title amended, 7th December, 1905, a.m. |
| District Courts (Amendment) | Mr. Wade | 29 June | 21 June | 29 June | 29 June | ..... | 16 Aug. | 17 Aug. | ..... | 17 Aug. | 23 Aug. | 23 Aug. | ..... | 26 Oct. | ..... | ..... | ..... | 8 Nov. | 22 | ..... |
| Drummoyle Municipal Lands Sale | Mr. Henley ..... | ..... | ..... | 7 Sept. | 7 Sept. | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | Motion for 2 ^d and amendment to refer to Select Committee agreed to, 3rd November, 1905, a.m. Report brought up, 4th December, 1905. Stopped by Prorogation. |

* Assent not reported.

No. 1.—REGISTER OF PUBLIC BILLS (1905)—continued.

| Short Titles. | By whom initiated. | Originated in Committee of the Whole. | Message from Governor recommending provision for. | Ordered. | Presented and read 1 st . | Proceeded with under Standing Order 236. | Read 2 ^d and Committed. | Reported. | Recommitted. | Report adopted. | Read 3 ^d . | Passed, and sent to Council for concurrence. | Agreed to by Council without Amendment. | Agreed to by Council with Amendment. | Council's Amendments agreed to. | Council's Amendments disagreed to. | Council's Amendments agreed to and disagreed to. | Order of the Day discharged and Bill withdrawn. | Assent reported. | Number of Act. | Remarks. |
|--|--------------------|---------------------------------------|---|-------------|--------------------------------------|--|------------------------------------|-----------|--------------|-----------------|-----------------------|--|---|--------------------------------------|---------------------------------|------------------------------------|--|---|------------------|----------------|--|
| Explosives | Mr. Dick | 7 July a.m. | 4 July | 7 July a.m. | 7 July a.m. | 21 Nov. | 21 Nov. | 21 Nov. | ... | 21 Nov. | 22 Nov. | 22 Nov. | ... | 7 Dec. | ... | ... | ... | ... | 6 Sept. | 41 | Council does not insist upon its amendments, disagreed to by the Assembly, 8th December, 1905. |
| Government Motor Omnibus | Mr. Carruthers | 9 July | 4 July | 6 July | 6 July | 13 July | 13 July | 13 July | ... | 13 July | 19 July | 19 July | ... | 24 Aug. | 31 Aug. | ... | ... | ... | 21 Sept. | 13 | |
| Gun License | Mr. Broughton | 23 Nov. | 6 July | 28 Nov. | 28 Nov. | 23 Aug. | 23 Aug. | 23 Aug. | ... | 23 Aug. | 24 Aug. | 24 Aug. | ... | 6 Sept. | 14 Sept. | ... | ... | ... | 21 Sept. | 15 | |
| Habitual Criminals | Mr. Wade | 4 Aug. | 6 July | 9 Aug. | 15 Aug. | 22 Sept. | 22 Sept. | 22 Sept. | ... | 22 Sept. | 22 Sept. | 22 Sept. | ... | ... | ... | ... | ... | ... | 4 July | 1 | |
| Industrial Arbitration (Amendment) | do | 22 Sept. | 1 Aug. | 22 Sept. | 22 Sept. | 27 June | 27 June | 27 June | ... | 27 June | 28 June | 28 June | ... | ... | ... | ... | ... | ... | ... | ... | |
| Industrial Arbitration (Temporary Court) | do | 22 June | 22 June | 22 June | 22 June | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Inflammable Liquids | Mr. Dick | 7 July | 4 July | 7 July | 7 July | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Judges Pensions Abolition and Duties | Mr. Waddell | 7 July | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Judges Pensions Abolition and Duties (No. 2) | do | 7 July | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Jury (Amendment) | Mr. Wade | ... | ... | 23 June | 23 June | 5 July | 5 July | 5 July | ... | 5 July | 6 July | 6 July | ... | ... | ... | ... | ... | ... | ... | ... | |
| Landlord and Tenant (Amendment) | Mr. Holman | ... | ... | 27 June | 27 June | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Lands Commission | Mr. Wade | ... | ... | 19 July | 19 July | 20 July | 20 July | 20 July | ... | 20 July | 25 July | 25 July | ... | ... | ... | ... | ... | ... | ... | ... | |
| Lands Commission (Amendment) | do | ... | ... | 23 Aug. | 23 Aug. | 24 Aug. | 24 Aug. | 24 Aug. | ... | 24 Aug. | 24 Aug. | 24 Aug. | ... | ... | ... | ... | ... | ... | ... | ... | |
| Lands Commission (Witnesses) | do | ... | ... | 27 Sept. | 27 Sept. | 27 Sept. | 27 Sept. | 27 Sept. | ... | 27 Sept. | 27 Sept. | 27 Sept. | ... | ... | ... | ... | ... | ... | ... | ... | |
| Law of Evidence | Mr. Carruthers | ... | ... | 13 June | 13 June | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Liquor (Amendment) | Mr. Wade | 10 Aug. | 27 July | 11 Aug. | 26 Aug. | 6 Oct. | 1 Nov. | 1 Nov. | ... | 1 Nov. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| Liverpool Municipal Loans (Amendment) | Mr. Downes | ... | ... | 9 Nov. | 9 Nov. | 14 Nov. | 14 Nov. | 14 Nov. | ... | 14 Nov. | 15 Nov. | 15 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| Loan | Mr. Carruthers | ... | ... | 9 Nov. | 9 Nov. | 7 Dec. | 7 Dec. | 7 Dec. | ... | 7 Dec. | 7 Dec. | 7 Dec. | ... | ... | ... | ... | ... | ... | ... | ... | |
| Local Government Extension | do | 9 Aug. | 18 July | 10 Aug. | 10 Aug. | 22 Sept. | 22 Sept. | 22 Sept. | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Local Government (Shires) | do | 29 June | 20 June | 29 June | 29 June | 31 Aug. | 12 Oct. | 12 Oct. | ... | 12 Oct. | 17 Oct. | 17 Oct. | ... | ... | ... | ... | ... | ... | ... | ... | |
| Lotteries | Mr. Wade | 4 Oct. | 26 Sept. | 31 Aug. | 6 Sept. | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| Mining | Mr. Moore | 14 Nov. | 8 Nov. | 14 Nov. | 14 Nov. | 15 Nov. | 15 Nov. | 15 Nov. | ... | 15 Nov. | 16 Nov. | 16 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| National Library | Mr. Lee | 20 June | 21 June | 29 June | 29 June | 6 July | 13 July | 13 July | ... | 13 July | 19 July | 19 July | ... | ... | ... | ... | ... | ... | ... | ... | |
| Neglected Children and Juvenile Offenders. | Mr. Wade | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| Newcastle Friendly Societies and Trades Hall Site Act (Amendment). | Mr. Edden | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | 6 Sept. | 6 Sept. | 31 Oct. | 31 Oct. | 31 Oct. | ... | 31 Oct. | 1 Nov. | 1 Nov. | ... | | | | | | | | |

No. 2.—REGISTER OF PRIVATE BILLS INTRODUCED UPON PETITION TO THE ASSEMBLY DURING THE SESSION OF 1905.

| Short Titles. | By whom and when Petition presented. | Ordered. | Presented and read 1 st . | Referred to Select Committee. | Reported by Select Committee. | Read 2 ^d and committed. | Reported. | Report adopted. | Read 3 ^d , passed, and sent to Council for concurrence. | Agreed to by Council without amendment. | Assent. | Remarks. |
|---|--------------------------------------|----------|--------------------------------------|-------------------------------|-------------------------------|------------------------------------|-----------|-----------------|--|---|----------|---|
| Dioecse of Goulburn Church Land Sale | Mr. Ashton | 15 Aug. | 17 Aug. | 23 Aug. | 5 Sept. | 3 Oct. | 3 Oct. | 3 Oct. | 4 Oct. | 20 Oct. | 31 Oct. | |
| Moss Vale Cattle Sale-yards | Mr. Cohen | 25 July | 27 July | 10 Aug. | 24 Aug. | 5 Sept. | 5 Sept. | 5 Sept. | 6 Sept. | 20 Sept. | 29 Sept. | |
| Murrumbidgee Northern Water Supply and Irrigation | Mr. Briner | 27 June | 29 June | 11 July | 7 Sept. | .... | .... | .... | .... | .... | .... | Proceeded with under Standing Order 469. Stopped by prorogation. |
| Newcastle Agricultural, Horticultural, and Industrial Association | Mr. Fegan | 31 Oct. | 1 Nov. | 2 Nov. | 8 Nov. | 9 Nov. | 9 Nov. | 9 Nov. | 14 Nov. | 21 Nov. | 28 Nov. | |
| The New Railhead Estate and Coal Company (Limited) Transfer | Mr. Perry (<i>The Richmond</i>) | 22 Aug. | 23 Aug. | 24 Aug. | 29 Aug. | 17 Oct. | 17 Oct. | 17 Oct. | 19 Oct. | 14 Nov. | 21 Nov. | Standing Order suspended for presentation of petition, 22nd August, 1905. |

No. 3.—REGISTER OF PUBLIC AND PRIVATE BILLS BROUGHT FROM THE COUNCIL DURING THE SESSION OF 1905.

| Short Titles of— | | Brought up and read 1 st . | Read 2 ^d and committed. | Reported. | Report adopted. | Read 3 ^d , passed without Amendment, and sent to Council for concurrence. | Agreed to by Council. | Assent reported. | Number of Act. | Remarks. |
|---|-------------------------|---------------------------------------|------------------------------------|-----------|-----------------|--|-----------------------|------------------|----------------|---|
| Public Bills. | Private Bills. | | | | | | | | | |
| Apportionment | Bank of New South Wales | 29 June | 13 July | 13 July | 18 July | 19 July | .... | 25 July | 2 | |
| Centenary Park Sale (Conveyancing) | City Bank Act Extension | 19 July | 5 Sept. | 5 Sept. | 5 Sept. | 6 Sept. | .... | 12 Sept. | 6 | |
| Companies (Amendment) | | 20 July | 26 July | 26 July | 26 July | 27 July | .... | 2 Aug. | 6 | Proceeded with under Standing Order 269. |
| Conveyancing (Amendment) | | 23 June | 5 Sept. | 5 Sept. | 5 Sept. | 6 Sept. | .... | 12 Sept. | 6 | Stopped by Prorogation. |
| Crimes (Girls' Protection) | | 5 Dec. | .... | .... | .... | .... | .... | .... | .... | Stopped by Prorogation. |
| Darling Island Vesting | | 13 July | 19 Sept. | .... | .... | .... | .... | .... | .... | Motion made for 2 ^d , and amendment to refer to Select Committee negative, 10th September, 1905. Stopped by Prorogation. |
| Dentists Amendment | | 26 July | 19 Sept. | .... | .... | .... | .... | .... | .... | Stopped by Prorogation. |
| Fortifere and Validation of Leases | | 19 July | 27 July | 27 July | 27 July | 9 Aug. | .... | 17 Aug. | 7 | Stopped by Prorogation. |
| Money Lenders and Infants Loans | | 8 Nov. | .... | .... | .... | .... | .... | .... | .... | Stopped by Prorogation. |
| New South Wales Institution for the Deaf and Dumb, and the Blind Incorporation. | | 20 July | 9 Aug. | 9 Aug. | 9 Aug. | 10 Aug. | .... | 22 Aug. | 8 | Stopped by Prorogation. |
| Railways (Victorian and Queensland By-laws) Enabling | | 20 Oct. | 8 Nov. | 8 Nov. | 8 Nov. | .... | .... | 10 Nov. | 24 | Stopped by Prorogation. |
| Sydney Diocesan Revenues | | 29 June | 8 Aug. | 8 Aug. | 8 Aug. | .... | .... | 22 Aug. | 10 | Stopped by Prorogation. |
| Vagrancy (Amendment) | | 29 June | 11 July | 11 July | 11 July | .... | .... | 27 July | 7 | Proceeded with under Standing Order 269. |
| Wollongong Harbour Trust Resumption | | 7 Dec. | 7 Dec. | 7 Dec. | 7 Dec. | .... | .... | 7 Dec. | 35 | |
| | | 20 July | 9 Aug. | 9 Aug. | 9 Aug. | 10 Aug. | .... | 22 Aug. | 9 | |

* Assent not reported.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REGISTER OF ADDRESSES AND ORDERS FOR PAPERS DURING THE SESSION 1905.

| NO. OF ADDRESS OR ORDER. | WHEN PASSED. | | ON WHOSE MOTION. | PAPERS APPLIED FOR. | | RETURN TO ADDRESS OR ORDER. | REGISTER NUMBER. | IF TO BE PRINTED. | |
|--------------------------|--------------|--------------|--------------------|---------------------|---|-----------------------------|------------------|-------------------------|----------------|
| | VOTES. | | | By Address. | By Order. | | | | Date of Order. |
| | No. | Date. |  |  |  |  |  |  |  | Entry. |
| 5 | 31 | 1905. | Mr. Estell..... | | Abattoirs, Newcastle..... | 1905. | 1305. | 1905. | |
| 1 | 8 | 23 Aug..... | Mr. Fegan..... | | Application of R. D. Berry for land under the Mining Act—Mineral Lease applications by the Bellambi Coal Company. | 16 Aug..... | 346 | 17 Aug. | |
| 8 | 40 | 13 Sept..... | Mr. Briner..... | | Bellingen Roads District..... | | | | |
| 6 | 34 | 30 Aug..... | Mr. Cohen..... | | Compensation to Civil Servants deprived of Leave of Absence..... | 18 Oct..... | 566 | 19 Oct. | |
| 19 | 66 | 15 Nov..... | Mr. Sullivan..... | | Ex-Senior-constable T. G. Wright's Retirement from the Police Force..... | 7 Dec..... | 780 | | |
| 12 | 46 | 27 Sept..... | Mr. Briner..... | | Governor-General's and State Governor's Residences in New South Wales..... | | | | |
| 15 | 51 | 10 Oct..... | Mr. Fegan..... | | Hospital Expenses of Constable Gilfoyle..... | 18 Oct..... | 575 | 21 Oct. | |
| 20 | 73 | 30 Nov..... | Dr. Arthur..... | | Lease for Extension of Baths at The Spit..... | | | | |
| 11 | 46 | 27 Sept..... | Mr. Downes..... | | Liverpool Asylum..... | 18 Oct..... | 574 | | |
| 7 | 38 | 7 "..... | Mr. Henley..... | | Married Women occupying Government Positions..... | 28 Nov..... | 723 | | |
| 9 | 40 | 13 "..... | Mr. Law..... | | Mr. Hall, Acting Government-Statistician..... | 21 Sept..... | 583 | | |
| 16 | 56 | 24 Oct..... | Mr. Holman..... | | Railway Coal Contract for Western Lines..... | 25 Oct..... | 606 | | |
| 14 | 51 | 10 "..... | Mr. Broughton..... | | do do (Further Returns)..... | 28 Nov..... | 720 | | |
| 17 | 64 | 9 Nov..... | Mr. Booth..... | | Railway Deviation between Como and Hurstville..... | 17 Oct..... | 569 | | |
| 10 | 44 | 21 Sept..... | Mr. Scobie..... | | Removal of Mr. McFadden, Railway Department, from Clyde to Darling Harbour..... | 23 Nov..... | 721 | | |
| 4 | 31 | 23 Aug..... | Mr. Briner..... | | Reserves within the Central Division Area of the Murray Electorate..... | 19 Oct..... | 583 | 21 Oct. | |
| 2 | 26 | 10 "..... | Mr. Broughton..... | | Roads, Bellingen District..... | 11 "..... | 552 | | |
| 3 | 29 | 17 "..... | Mr. Fegan..... | | Superannuation Fund..... | 18 Oct..... | 567 | 24 Oct, (in part). | |
| | | | | | Turbine Engines for the Ultimo Power-house..... | | | 7 Dec, (in completion). | |
| 13 | 46 | 27 Sept..... | Mr. Sullivan..... | | Vessels Registered in New South Wales and other States..... | 21 Nov..... | 692 | | |
| 18 | 66 | 15 Nov..... | Mr. Holman..... | | Western Collieries supplying Coal to Railway Commissioners..... | | | | |

1905.

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. | | | | |
| 16 | 27 | 8 Nov. 1904, Second Session. | Mr. Cohen | | | 1904, Second Session, 19 Dec., 1905. | 684 | 1904, Second Session, * 29 June, 1905. | |
| 21 | 29 | 10 Nov. 1892. | Mr. Estell | | | Coal Traffic, Newcastle and Maitland Districts | 131A | 26 October. | |
| 104 | 103 | 17 March 1904. | Mr. Garrard | | | Convictions under the Licensing Act. | 604 | 29 June. | |
| 23 | 32 | 17 Nov. Second Session. | Mr. Briner | | | Government Advertisements in Newspapers | 87 | 29 " | |
| 13 | 20 | 25 Oct. " | Mr. Daley | | | Gratuities and Bonuses paid to Officers in the Public Service | 310 | 10 August. | |
| 15 | 24 | 1 Nov. " | Mr. Eden George | | | Police Superannuation Fund | 181 | 29 June. | |
| 18 | 28 | 9 " | Mr. Gillies | | | Public Works passed by the Parliamentary Standing Committee on Public Works. | 233 | 20 July. | |
| 25 | 34 | 23 Nov. " | Mr. Cohen | | | Temporary Employees in the Public Service | 178 | 6 July. | |

* Returned to Chief Secretary's Department.

REGISTER OF SEPARATE AND JOINT ADDRESSES (NOT BEING FOR PAPERS) TO THE GOVERNOR, DURING THE SESSION OF 1905.

| 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. | On whose Motion. | No. | Date. | By whom. | No. | Date. | By whom. | No. | Date. | By whom and how. | |
| The Lieutenant-Governor's Opening Speech | 1 | 13 June 1905. | Mr. Downes | 5 | 22 June 1905. a.m. | 3 | 6 | 27 June 1905. | 1 | 6 | 27 June 1905. | 1 | His Excellency the Lieutenant-Governor. |
| Construction of Locomotives within the State | 38 | 7 Sept. " | Mr. Carruthers | 38 | 8 Sept. a.m. | 8 | ... | ... | ... | ... | ... | ... | ... |
| Treatment of this State by the Federal Parliament | 78 | 8 Dec. " | Mr. Carruthers | 78 | 8 Dec. " | 5 | ... | ... | ... | ... | ... | ... | ... |

Legislative Assembly Office,
Sydney, 9 December, 1905.

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

Sydney: William Applegate Gullick, Government Printer -1905.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STANDING AND SELECT COMMITTEES APPOINTED DURING THE SESSION OF 1905.

| No. OF COMMITTEE. | DESIGNATION OF COMMITTEE. | WHEN AND HOW APPOINTED. | MEMBERS. | CHAIRMAN. | No. OF MEETINGS. | | No. OF WITNESSES EXAMINED. | WHEN REPORTED. |
|-------------------|---------------------------------------|---|--|---------------------|------------------|-------|----------------------------|---|
| | | | | | Called. | Held. | | |
| 1 | Lieutenant-Governor's Opening Speech. | 13 June, 1905. Votes No. 1. Entry 9 ... (On motion of Mr. Downes.) | { Mr. R. J. Anderson, Mr. Henley, Mr. Cohen, Mr. McCoy, Mr. Fallick, Mr. Downes. | Mr. Downes | 1 | 1 | None | 1905. 13 June. |
| 2 | Elections and Qualifications | 14 June, 1905. Votes No. 2. Entry 2 ... (By Mr. Speaker's Warrant.) | { Mr. Dacey, Mr. Brinsley Hall, Mr. Macdonnell, Mr. Holman, Mr. Morton, Mr. J. H. Young. | ..... | None | None | None | ..... |
| 3 | Standing Orders* | 23 June, 1905. Votes No. 7. Entry 6 ... (On motion of Mr. Carruthers.) | { Mr. Speaker, Mr. Orick, Mr. Waddell, Mr. Cohen, Mr. Perry (The Richmond), Mr. Carruthers. | ..... | None | None | None | ..... |
| 4 | Library† | 28 June, 1905. Votes No. 7. Entry 7 ... (On motion of Mr. Carruthers.) | { Mr. Speaker, Mr. O'Sullivan, Mr. Levy, Mr. Mahony, Mr. Hogue. | The President | 5 | 5 | None | ..... |
| 5 | Refreshment‡ | 28 June, 1905. Votes No. 7. Entry 8 ... (On motion of Mr. Dick.) | { Mr. Spender, Mr. Sullivan, Mr. Ducey, Mr. Levien, Mr. Jessep. | Mr. Levien | 1 | 1 | None | ..... |
| 6 | Printing§ | 28 June, 1905. Votes No. 7. Entry 9 ... (On motion of Mr. Dick.) | { Mr. Fegan, Mr. Miller, Mr. Gillies, Mr. W. Millard, Mr. Hon'ef. | Mr. McFarlane | 27 | 24 | None | { 29 June; 6, 13, 20, 27 July; 10, 17, 24, 31 August; 7, 14, 21, 28 September; 5, 19, 25, 26 Octo- ber; 7, 9, 16, 23, 30 November; 7, 8, December. |
| 7 | Dairying Industry | 4 July, 1905. Votes No. 9. Entry 9 ... (On motion of Mr. Davidson.) | { Mr. Moore, Mr. Jones, Dr. Arthur, Mr. Morton, Mr. Fallick, | Mr. Davidson | 25 | 21 | 19 | 30 November (Pro- gress). |

* Confers on subjects of mutual concernment with a similar Committee of the Legislative Council. † Acts in conjunction with a similar Committee of the Legislative Council. ‡ Leave given to sit during the sittings of the House, 5 and 19 October, 1905. § Leave given to sit during the sittings of the House for remainder of the Session, 25 October, 1905, a.m.

STANDING AND SELECT COMMITTEES APPOINTED DURING THE SESSION OF 1905—continued.

| No. of COMMITTEE. | DESIGNATION OF COMMITTEE. | WHEN AND HOW APPOINTED. | MEMBERS. | CHAIRMAN. | No. of MEETINGS. | | No. of WITNESSES EXAMINED. | WHEN REPORTED. |
|-------------------|--|---|---|---------------------|------------------|-------|----------------------------|-----------------------|
| | | | | | Called. | Held. | | |
| 8 | Murrumbidgee Northern Water Supply and Irrigation Bill. | 11 July, 1905. Votes No 12. Entry 4 (On motion of Mr. Briner.) | { Mr. Lee, Mr. Bennett, Mr. Eden George, Mr. Ball, Mr. McGarry, Mr. Hogue, Mr. Bennett, Mr. Fallick, Mr. Nicholson, Mr. W. W. Young, Mr. Wade, Mr. Edden, Mr. Jaw, Mr. Brinsley Hall, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. Briner | 12 | 12 | 11 | 1905. 7 September. |
| 9 | Refusal of the Pharmacy Board to register Mr. Walter Trafford. | 18 July, 1905. Votes No. 15. Entry 8 (On motion of Mr. Gillies.) | { Mr. Collins, Mr. Charlton, Mr. Thomas, Mr. Levis, Mr. Gillies, Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. Gillies | 19 | 16 | 10 | 30 November. |
| 10 | Case of Thomas Foster, tried for bigamy. | 18 July, 1905. Votes No. 15. Entry 9 (On motion of Mr. John Hurley.) | { Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. John Hurley | 5 | 4 | 2 | 3 August. |
| 11 | Landlord and Tenant (Amendment) Bill. (Public Bill) | 8 August, 1905. Votes No. 24. Entry 5 (On motion of Mr. O'Sullivan.) | { Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. O'Sullivan | 13 | 11 | 32 | 26 September. |
| 12 | Moss Vale Cattle Sale-yards Bill | 10 August, 1905. Votes No. 26. Entry 9 (On motion of Mr. Cohen.) | { Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. Cohen | 1 | 1 | 2 | 24 August. |
| 13 | Diocese of Goulburn Church Land Sale Bill. | 23 August, 1905. Votes No. 31. Entry 6 (On motion of Mr. Ashton.) | { Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. Ashton | 1 | 1 | 1 | 5 September. |
| 14 | The New Redhead Estate and Coal Company Limited Transfer Bill. | 24 August, 1905. Votes No. 32. Entry 9 (On motion of Mr. Perry, The Richmond.) | { Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. Perry | 1 | 1 | 1 | 29 August. |
| 15 | Allegation by the Rev. W. Woolfs Rutledge respecting an appointment to the Public Service. | 29 August, 1905. Votes No. 33. Entry 8 (On motion of Mr. Arthur Griffith.) | { Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. Arthur Griffith | 12 | 9 | 10 | 25 October. |
| 16 | Claim of Robert Roberts, late Book-binder, Registrar-General's Department. | 12 September, 1905. Votes No. 39. Entry 5 (On motion of Mr. Broughton.) | { Mr. Wade, Mr. Davidson, Mr. Latimer, Mr. Fegan, Mr. Levis, Mr. John Hurley, Mr. Holman, Mr. Fallick, Mr. Dacey, Mr. Broughton, Mr. Reynolds, Mr. Hogue, Mr. Honley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Ashton. Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Perry (The Richmond). Mr. Dick, Mr. Fegan, Mr. John Hurley, Mr. Edden, Mr. Jessep, Mr. Carruthers, Mr. Briner, Mr. Nobbs, Mr. Levy, Mr. Kelly, | Mr. Broughton | 8 | 6 | 11 | 25 October. |

STANDING AND SELECT COMMITTEES APPOINTED DURING THE SESSION OF 1905—continued.

| No. of COMMITTEE. | DESIGNATION OF COMMITTEE. | WHEN AND HOW APPOINTED. | MEMBERS. | CHAIRMAN. | No. of MEETINGS. | | No. of WITNESSES EXAMINED. | WHEN REPORTED. |
|-------------------|---|--|--|--------------------|------------------|-------|----------------------------|--------------------------------|
| | | | | | Called. | Held. | | |
| 17 | Bread (Amendment) Bill.* (Public Bill.) | 19 September, 1905. Votes No. 42. Entry 10 (On motion of Mr. Ashton.) | { Mr. McGarry, Mr. Nobbs, Mr. Charlton, Mr. Hollis, Mr. Walter Anderson, Mr. W. W. Young, Mr. Levy, Mr. Asbton, Mr. Broughton, Mr. Lee, Mr. Walter Anderson, Mr. J. H. Young, Mr. Law, Mr. Kelly, Mr. Brinsley Hall, Mr. W. Millard, Mr. Scobie, Mr. Henley. } { Mr. R. J. Anderson, Mr. Jessep, Mr. Throver, Mr. Law, Mr. Downes, Mr. Gillies, Mr. O'Connor, Mr. Broughton, Mr. Jones. } { Mr. Perry (The Richmond), Mr. Estell, Mr. Gillies, Mr. Moxham, Mr. Follick, Mr. Reynolds, Mr. Edden, Mr. Dick, Mr. Fegan, Mr. Charlton, Mr. Henley, Mr. Dacey, Mr. Jones, Mr. Hogue, Mr. Briner, Mr. Lattimer, Mr. Bennet, Mr. Follick, Mr. Holman, Mr. Jessep, Mr. Kelly, Mr. Levy, Mr. McNeill, Mr. Oakes, Mr. Norton, Mr. McGowen, Mr. Briner, Mr. O'Sullivan, Mr. Wade, Mr. Oakes, Mr. Arthur Griffith, Mr. Waddell, Mr. Holman, Mr. Dick, Mr. Kelly, Mr. Booth, Mr. Jessep. } | Mr. Broughton | 8 | 7 | 12 | 1905. 28 November (Pro-gress). |
| 18 | Claim of Mr. F. E. Stowe: Electric Tram, Darling-street, Balmain. | 3 October, 1905. Votes No. 48. Entry 9 (On motion of Mr. Henley.) | | Mr. Henley | 9 | 8 | 8 | 22 November. |
| 19 | Sale of Articles manufactured in New South Wales. | 3 October, 1905. Votes No. 48. Entry 12 (On motion of Mr. R. J. Anderson.) | | Mr. R. J. Anderson | 9 | 7 | 10 | 29 November (Pro-gress). |
| 20 | Newcastle Agricultural, Horticultural, and Industrial Association Bill. | 2 November, 1905. Votes No. 61. Entry 3 (On motion of Mr. Fegan.) | | Mr. Fegan | 1 | 1 | 3 | 8 November. |
| 21 | Drummoyne Municipal Lands Sale Bill. (Public Bill.) | 3 November, 1905, a.m. Votes No. 61. Entry 7. (On motion of Mr. Holman.) | | Mr. Henley | 7 | 6 | 7 | 4 December. |
| 22 | Sydney Corporation Amendment Bill†† (Public Bill.) | 15 November, 1905. Votes No. 66. Entry 11 (On motion of Mr. Jessp.) | | Mr. Jessep | 8 | 7 | 9 | 28 November. |
| 23 | Testator's Family Maintenance. (Public Bill.) | 28 November, 1905. Votes No. 71. Entry 10 (On motion of Mr. Jessp.) |  | ..... | 2 | None | None | ..... |

* Leave given to sit during the sittings of the House or any adjournment to make visits of inspection, 5 October, 1905.
 † Leave given to sit during any adjournment of the House, 16 November, 1905.
 †† Leave given to make visits of inspection, 21 November, 1905.

Legislative Assembly Office,
 Sydney, 9 December, 1905.

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

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, Votes No. 7, Entry 9, 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. | When laid upon Table. | When laid upon Table. | Recommended by the Committee. | Remarks. |
|-------------------------------|--|--------------------|-----------------------|-----------------------|-------------------------------|-------------------|
| Specification | of Contract for the Supply and delivery of Steel and Iron manufactured in the State of New South Wales. | ..... | ..... | 13 June 1905. | To be printed | Already in print. |
| Statistical information | with regard to the State of New South Wales. | ..... | ..... | 13 " | " | " |
| Report | of the Royal Commission, together with Minutes of Evidence, Plans, &c., in connection with the Sydney Water Supply (Caharact Dam). | ..... | ..... | 13 " | " | " |
| " | of the Hunter District Water Supply and Sewerage Board for year ended 30th June, 1904, together with annexures. | ..... | ..... | 13 " | " | " |
| Notification | of resumption of land, under the Public Works Act, 1900, for the construction of the Cabal Artesian Well. | ..... | ..... | 13 " | Not to be printed. | |
| " | of resumption of land, under the Public Works Act, 1900, for the construction of the Pagan Creek Bore. | ..... | ..... | 13 " | " | " |
| " | of resumption of land, under the Public Works Act, 1900, for the construction of Sewerage Works for Newcastle and Suburbs. | ..... | ..... | 13 " | " | " |
| " | of resumption of land, under the Public Works Act, 1900, for the construction of the Mungyer Bore. | ..... | ..... | 13 " | " | " |
| " | of resumption of land, under the Public Works Act, 1900, for the construction of the Moomin Artesian Well. | ..... | ..... | 13 " | " | " |
| " | of resumption of land, under the Public Works Act, 1900, for the construction of the Hay Sewerage. | ..... | ..... | 13 " | " | " |
| " | of formation of a road between Jersey and Dyrabaok streets, in the town of Casino, in connection with the Grafton to Casino Railway. | ..... | ..... | 13 " | " | " |
| " | of resumption of land, under the Public Works Act, 1900, for the deviation of an Occupation Road at 65 miles 31 chains on proclaimed Plan of the Railway from Casino to Lismore. | ..... | ..... | 13 " | " | " |
| " | of resumption of land, under the Public Works Act, 1900, for the construction of certain Drainage Works for the Western Suburbs of the City of Sydney. | ..... | ..... | 13 " | " | " |

| 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, for the construction of the Eurie Lurie Bore. | ..... | Mr. Lee | 13 June | Not to be printed. | ..... |
| " | of resumption of land under the Public Works Act, 1900, for the extension of Union-street as a means of access to Isington Park, and the Pumping Station to be constructed for Sewerage purposes | ..... | " | 13 " | " | ..... |
| " | of resumption of land under the Public Works Act, 1900, for the construction of the Rowena Bore. | ..... | " | 13 " | " | ..... |
| " | of resumption of land under the Public Works Act, 1900, for the construction and erection of the Cundletown Dock, on the Manning River. | ..... | " | 13 " | " | ..... |
| " | of resumption of land under the Public Works Act, 1900, for the protection of Macquarie River bank at Denison Bridge, Kathurst | ..... | " | 13 " | " | ..... |
| Report | of the completion of the Rookwood Necropolis Drainage, 1st Division: Main Line, Branch, Main Drain, Branch Drain, Pipe Line towards East-street, Agricultural Pipes, 2nd Division: Main Line, East-street Sewer, Agricultural Pipes, Branch Stormwater Channel, Subsoil Drain Extensions, Jewish Cemetery Extension, Outlet Extension. Rookwood Asylum: Sewerage, Septic Tanks and Filters, Effluent Pipe, Collecting Sewer, Branches to Receiving Pit and Scobie's Ward. | ..... | " | 13 " | " | ..... |
| Additional By-laws | Metropolitan, prohibiting the wilful waste of water, and the use of revolving sprays or other mechanical sprinklers for watering gardens, prepared and made by the Board of Water Supply and Sewerage. | ..... | " | 13 " | " | ..... |
| Proclamation | annulling, amending, and adding Regulations to Schedule 1 of the Scaffolding and Lifts Act, 1902, and Proclamations published in the Gazette of 14th August, 1903, and 19th April, 1904. | ..... | " | 13 " | " | ..... |
| Report | of the completion of the Balmain Low-level Sewerage Pumping Station No. 11; Rising Main, Sewer to Longnose Point, Branch to Cove-street, Sewer to Ferdinand-street, Stormwater Channel, Sewer to Ronald-street, Branch. | ..... | " | 13 " | " | ..... |
| " | of the completion of the Low-level Sewerage System, Electrical Power Mains and Telephone Cables, Line to Pumping Station No. 14, Line to Pumping Station No. 11. | ..... | " | 13 " | " | ..... |
| " | of the completion of the Pymont High-level Sewer Extension, Contract No. 545. | ..... | " | 13 " | " | ..... |
| Amended By-law | in connection with the Water Supply of the Municipal District of Parkes, under the Country Towns Water and Sewerage Act of 1880. | ..... | " | 13 " | " | ..... |
| Report | of the completion of the Miller's and Dawes' Points Low-level Sewerage, Pumping Station No. 14, Rising Main, Dawes' Point Sewer, Gasworks Branch, Overflow. | ..... | " | 13 " | " | ..... |
| By-laws | Board of Water Supply and Sewerage—Metropolitan Drainage—Mossman's or Mosman's Bay Stormwater Channel, or Drain, or Sewer. | ..... | " | 13 " | " | ..... |
| By-law | in connection with the Water Supply of the Municipal District of Cobar, under the Country Towns Water and Sewerage Act of 1880. | ..... | " | 13 " | " | ..... |
| By-laws | in connection with the Water Supply of the Borough of Picton, under the Country Towns Water and Sewerage Act of 1880. | ..... | " | 13 " | " | ..... |
| Report | of the proceedings of the Pharmacy Board during the year 1904. | ..... | Mr. Diok | 13 " | To be printed. | Already in print. |
| " | of the Railway Commissioners on Railways and Tramways for Quarter ended 31st December, 1904. | ..... | " | 13 " | " | " |
| " | of the Railway Commissioners on Railways and Tramways for Quarter ended 31st March, 1905. | ..... | " | 13 " | " | " |

| Description of Paper. | Subject of Paper. | By whom Moved for. | When laid upon Table. | When laid upon Table. | Recommended by the Committee. | Remarks. |
|--------------------------|---|--------------------|-----------------------|-----------------------|-------------------------------|--------------------------------------|
| Report | of the Executive Committee of the New South Wales Public Disaster Relief Fund for the year 1904. | ..... | ..... | 1905. 13 June..... | ..... | Postponed for further consideration. |
| Statement | of Bank Liabilities and Assets for quarter ended 31st December, 1904 of Public Companies' Liabilities and Assets for Quarter ended 31st December, 1904. | Mr. Dick ..... | ..... | 13 " | Not to be printed. | |
| Notification | of resumption and appropriation of land under the Public Works Act, 1900, for deviation of the Great Western Railway, at Sodwalls. | " ..... | ..... | 13 " | " | |
| " | of resumption of land under the Public Works Act, 1900, for maintenance of the railway traffic between Casino and Lismore. | " ..... | ..... | 13 " | " | |
| " | of resumption of land under the Public Works Act, 1900, for grade improvements at Peshurst. | " ..... | ..... | 13 " | " | |
| " | of resumption of land under the Public Works Act, 1900, for extension of and access to the Railway Station Yard at Woy Woy. | " ..... | ..... | 13 " | " | |
| " | of appropriation of land under the Public Works Act, 1900, for extension of the Railway Station Yard at Moolah. | " ..... | ..... | 13 " | " | |
| " | of appropriation of land under the Public Works Act, 1900, for improvement of the tram terminal arrangements at Mosman's Bay. | " ..... | ..... | 13 " | " | |
| " | of appropriation of land under the Public Works Act, 1900, for erection of residence for railway night officer at Medlow Bath. | " ..... | ..... | 13 " | " | |
| Regulations | under the Pharmacy Act, 1897 ..... | " ..... | ..... | 13 " | " | |
| " | under the Sydney Harbour Kales Act, 1904 ..... | " ..... | ..... | 13 " | " | |
| " | under the Sydney Harbour Trust Act, 1900 ..... | " ..... | ..... | 13 " | " | |
| Amended Regulation | under the Navigation Act, 1901, relating to the lights to be carried by ferry punts, &c., crossing navigable waters. | " ..... | ..... | 13 " | " | |
| " | under the Stamp Duties Act, 1898, the Probate Duties (Amendment) Act, 1899, and the Stamp Duties (Amendment) Act, 1904. | " ..... | ..... | 13 " | " | |
| Notification | of repeal of Regulation No. 33 under the Advances to Settlers Acts respecting the appointment of Mr. James Burt as Chief Clerk, Treasury Department. | " ..... | ..... | 13 " | " | |
| Abstract | of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884. | Mr. Ashton..... | ..... | 13 " | " | |
| " | of alterations and cancellations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884. | " ..... | ..... | 13 " | " | |
| " | of Crown Lands reserved from sale for the preservation of Water Supply, or other Public Purposes, under the Crown Lands Act of 1884. | " ..... | ..... | 13 " | " | |
| Notification | of resumption of land, under the Public Works Act, 1900, for establishing a Public Park at New Lambton. | " ..... | ..... | 13 " | " | |
| Report | of the Miners' Accident Relief Board for 1904 | Mr. Moore ..... | ..... | 13 " | To be printed. | Already in print. |
| Proclamation | declaring Asbestos to be a Mineral within the meaning of the Mining on Private Lands (Amendment) Act, 1902. | " ..... | ..... | 13 " | Not to be printed | |
| " | declaring Gypsum to be a Mineral within the meaning of the Mining on Private Lands (Amendment) Act, 1902. | " ..... | ..... | 13 " | " | |
| " | declaring Scheelite to be a Mineral within the meaning of the Mining on Private Lands (Amendment) Act, 1902. | " ..... | ..... | 13 " | " | |
| " | declaring Kaolin to be a Mineral within the meaning of the Mining on Private Lands (Amendment) Act, 1902. | " ..... | ..... | 13 " | " | |
| Regulations | under the Stock Act, 1901, regarding the introduction of meat from Queensland. | " ..... | ..... | 15 " | " | |
| " | under the Stock Act, 1901, regarding the introduction of stock from Queensland. | " ..... | ..... | 15 " | " | |
| Proclamations | under the Stock Act, 1901 ..... | " ..... | ..... | 15 " | " | |

| Description of Paper. | Subject of Paper. | By whom Moved for. | By whom laid upon Table. | When laid upon Table. | Recommended by the Committee. | Remarks. |
|--|---|--------------------|--------------------------|-----------------------|-------------------------------|----------|
| Minutes | Copies of His Excellency the Governor and the Executive Council, transmitted under the directions contained in the 34th section of the Audit Act, 1902, authorising transfers of amounts from one head of service to supplement a Vote for another service, viz. :— | ..... | Mr. Speaker | 1905. 20 June..... | Not to be printed. | |
| | (a) £500 from Vote "Exports and Cold Storage Branch"—Contingencies, to the Vote "Commercial Agents"—Contingencies. | | | | | |
| | (b) £500 from Vote "Exports and Cold Storage Branch"—Contingencies, to the Vote "Commercial Agents"—Contingencies. | | | | | |
| | (c) £500 from Vote "Public Buildings" Schedule, to the Vote "Railways and Tramways." | | | | | |
| | (d) £2,000 from Vote "Roads" Schedule, to the Vote "Rents, cleaning, &c., and Departmental Contingencies." | | | | | |
| | (e) £3,000 from Vote "Roads" to the Vote "Equipment, Travelling, &c." | | | | | |
| | (f) £1,200 from Vote "Roads" to the Vote "Punts, Ferries, and Launches." | | | | | |
| | (g) £500 from the Vote "Department of Public Health" to the Vote "Bubonic Plague—Expenses and Compensation." | | | | | |
| | (h) £700 from the Vote "Lunacy—Institutions for the Lunsane generally," to the Vote "Lunatic Patients." | | | | | |
| | (i) £750 from Votes "To pay officers of the Department of the Attorney-General and of Justice who may be granted extended leave of absence, &c.;" and "To provide for new positions which may be created after the Estimates have been passed by Parliament," to the Vote "To meet legal expenses of all Departments of the State." | | | | | |
| Papers | copies of, respecting the cancellation of Gold Leases Nos. 970 and 986 (Lachlan). | ..... | Mr. Moore | 20 June..... | Not to be printed. | |
| Proclamation..... | under the Vine and Vegetation Diseases Act, 1901, prohibiting the introduction of Potatoes grown in New Zealand. | ..... | " ..... | 20 " | " | " |
| " | under the Vine and Vegetation Diseases Act, 1901, prohibiting the introduction of Potatoes grown in Norfolk Island. | ..... | " ..... | 20 " | " | " |
| Regulations and Amended Regulations..... | under the Fertilizers Act, 1904 ..... | ..... | " ..... | 20 " | " | " |
| Amended Regulations..... | under the Mining Act, 1874..... | ..... | " ..... | 20 " | " | " |
| Report | of the Department of Mines for the year 1904 ..... | ..... | " ..... | 20 " | " | " |
| Return to an Order | " Government Advertisements in Newspapers" ..... | ..... | Mr. Carruthers | 20 " | " | " |
| Notification | of appropriation and resumption of land under the Public Works Act, 1900, for improvement of Water Supply at Mulwree Ponds, Goulburn. | ..... | " ..... | 20 " | " | " |
| Report | of the Proceedings of the Conference between the Commonwealth and State Ministers, held at Hobart, February, 1905. | ..... | " ..... | 20 " | " | " |
| " | of the Department of Lands for the year 1904 ..... | ..... | Mr. Ashton | 21 " | " | " |
| Papers..... | Copies of, relating to the Promotion of Messrs. T. F. Furber and R. F. Sellors, Officers of the Department of Lands, in accordance with Regulation No. 455, under the Public Service Act, 1902. | ..... | " ..... | 21 " | " | " |

| 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 | under the Public Health Act, 1902 | | Mr. Hogue | 27 June | Not to be printed. | |
| By-laws | of the Municipal District of Smithfield and Fairfield | | " | 27 " | " | |
| " | of the Municipal District of Ryde | | " | 27 " | " | |
| Amended By-law | of the Borough of Junee | | " | 27 " | " | |
| Return to an Order | " Police Superannuation Fund " | Mr. Eden George | " | 27 " | To be printed. | |
| " | " Charges preferred against Major Lee, D.S.O. " | Mr. Cohen | " | 27 " | " | |
| Report | of the Police Department for the year 1904 | | " | 27 " | " | |
| " | of the Director of Botanic Gardens and Domains for the year 1904 | | " | 27 " | " | |
| " | of the Wollongong Fire Brigades Board for the year ended 31st March, 1903 | | " | 27 " | " | |
| " | of the Goulburn Fire Brigades Board for the year 1904 | | " | 27 " | " | |
| Additional regulations | under the State Children Relief Act, 1901 | | " | 27 " | Not to be printed. | Already in print. |
| Amended regulation | " | | " | 27 " | " | |
| Regulations | under the Fisheries Act, 1902 | | " | 27 " | " | |
| By-law | of the Sydney Hospital | | " | 27 " | " | |
| Regulations | in respect of the Sanitary Area of Portland, under the Public Health Act, 1902 | | " | 27 " | " | |
| By-laws | of the Municipal District of Liverpool, under the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902 | | " | 27 " | " | |
| " | of the Municipal District of Bega, under the Public Health Act, 1902, and the Municipalities Act, 1897 | | " | 27 " | " | |
| " | of the Borough of Temora, under the Nuisances Prevention Act, 1897, and the Municipalities Act, 1897 | | " | 27 " | " | |
| " | of the Municipal District of Wellington, under the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| " | of the Municipal District of North Illawarra, under the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| " | of the Municipal District of Maclean, under the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| " | of the Municipal District of Gunnedah, under the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| " | of the Borough of Singleton, under the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| By-law | of the Municipal District of Forbes, under the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| " | of the Municipal District of Molong, under the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| By-laws | of the Borough of Gosford, under the Municipalities Act, 1897, and the Nuisances Prevention Act, 1897 | | " | 27 " | " | |
| " | of the Municipal District of Wickham | | " | 27 " | " | |
| " | of the Municipal District of Laverell | | " | 27 " | " | |
| " | of the Municipal District of Ingleburn | | " | 27 " | " | |
| " | of the Borough of Hunter's Hill | | " | 27 " | " | |
| " | of the Municipal District of Broken Hill | | " | 27 " | " | |
| " | of the Borough of West Maitland | | " | 27 " | " | |
| " | of the Borough of Armidale | | " | 27 " | " | |
| " | of the Borough of Orange | | " | 27 " | " | |
| By-law | of the Municipal District of Manly | | " | 27 " | " | |
| " | of the Municipal District of Hay | | " | 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. |
|--|--|-------------------------|--------------------------|----------------------------------|--|----------|
| By-law Information Return Statement | of the Borough of Goulburn respecting the Vote for aiding Public Baths of Convictions against Onofrio Fava for breaches of the Sunday Trading Act. | ..... ..... ..... | Mr. Hogue " " " " | 1905. 27 June 27 " 27 " | Not to be printed. To be printed. " " | |
| Report | showing the number of Architects employed in the Public Works Department, on 31st December, 1903, and at date, with names and salaries in each case. | ..... | Mr. Lee | 28 " | " | |
| Notifications | of the Royal Commission of Inquiry into the formation, constitution, and working of the Machine Shearers and Shed Employees' Union, Industrial Union of Employees. | ..... | Mr. Wade | 28 " | " | |
| Gazette Notices | of Special Lease and extension of Special Lease granted under the Crown Lands Acts 1884 and 1895, to the Kensington Recreation Grounds Company (Limited). | ..... | Mr. Ashton | 28 " | Not to be printed. | |
| Abstract | 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. | ..... | " | 28 " | " | |
| | of Crown Lands intended to be dedicated to Religious Purposes, under the Crown Lands Alienation Act of 1861. | ..... | " | 28 " | " | |

No. 3 Committee Room,
Legislative Assembly,
29th June, 1905.

JOHN MCFARLANE,
Chairman.

Sydney: William Applegate Gullick, Government Printer.—1905.

[64.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 2.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 1, dated 29th June, 1905, 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 Executive Committee of the N.S.W. Public Disaster Relief Fund for the year 1904. | Mr. Dick | 13 June | 1905. | Not to be printed. | |
| Return to an Order | "Temporary Employees in the Public Service" | Mr. Cohen | 29 | " | To be printed. | |
| Report | of the Fire Brigades Board, Sydney, for the year 1904 | " | 29 | " | " | Already in print. |
| Minutes | copies of, of His Excellency the Governor and the Executive Council, transmitted under the directions contained in the 34th section of the Audit Act, 1902, authorising transfers of amounts from one head of service to supplement a vote for another service, viz.:— (a) £700 from Vote "Coroners—Contingencies," to the Vote "To meet legal expenses of all Departments of the State." (b) £3,000 from the Vote "Pastures Protection Act," to the following Votes, viz., £2,000 to the Vote "To pay compensation in connection with the resumption of land for Roads under the Public Roads Act"; £500 to the Vote "To meet cost of Postage and Railway Freight, Stamps, &c.;" and £500 to the Vote "Survey of Lands—Contingencies." (c) £4,500 from Vote "Department of Lands" to the Vote "Survey of Lands—Contingencies." | Mr. Speaker | 29 | " | Not to be printed. | |
| Interim Report | of the Local Government Commissioners, together with Appendix | Mr. Carruthers | 4 July | | To be printed | Already in print. |
| Despatch | from the Secretary of State for the Colonies, respecting an order of the King in Council of the 20th March, 1905, amending the practice with regard to the issue of appearance orders to respondents who have appeared to an appeal to His Majesty in Council. | Mr. Wade | 4 | " | Not to be printed. | |
| By-law | of the Municipal District of Liverpool, under the Nuisances Prevention Act, 1897. | Mr. Hogue | 4 | " | " | " |

| Description of Paper. | Subject of Paper. | By whom Moved for. | By whom laid upon Table. | When laid upon Table. | Recommended by the Committee. | Remarks. |
|-----------------------|---|--------------------|--------------------------|-----------------------|-------------------------------|----------|
| Minutes | Copies of, of His Excellency the Governor and the Executive Council, transmitted under the directions contained in the 34th section of the Audit Act, 1902, authorising transfers of amounts from one head of Service to supplement a vote for another Service, viz. — (a) £19,000 from the Vote "Railway Working Expenses" to the following Votes, viz. —£1,195 to the Vote "To pay Municipal Rates on Government Buildings"; £195 to the Vote "Management of and expenses in connection with payment of half-yearly dividends on Inscribed Stock by the Bank of England"; £8,060 to the Vote "Exchange on remittances within and beyond the Colony"; £105 to the Vote "Commission on payment of Debenture, and interest on Debentures in Sydney"; £1,400 to the Vote "Sewerage and Water Rates, &c., various Public Buildings, &c., Sydney and Country Towns"; £3,425 to the Vote "To pay interest on uninvested cash balances at the credit of various Trusts, and other accounts in the temporary possession of the Government"; £770 to the Vote "To pay interest on Special Deposits by the Savings Bank of New South Wales"; £3,850 to the Vote "Darling Harbour Resumptions — Repairs to Resumed Properties." (b) £100 from the Vote "Police"; £200 from the Vote "Botanic Gardens"; £500 from the Vote "Department of Public Health (Contingency Vote)" to the Vote "Stores Supply and Tender Board." (c) £4,000 from the Vote "Police," to the Vote "Government Asylums for the Infirm." | ..... | Mr. Speaker | 5 July | Not to be printed. | |
| Notification | of resumption of land, under the Public Works Act, 1900, in connection with the Water Supply for the village of Lyndhurst, under the Infant Protection Act, 1904. | ..... | Mr. Lee | 5 " | " | " |
| Regulations | of Crown Lands reserved from sale for the preservation of Water Supply, or other public purposes, under the Crown Lands Act of 1884. | ..... | Mr. Hogue | 5 " | " | " |
| Abstract | of Sites for Cities, Towns and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 5 " | " | " |
| " | of alterations and cancellations in Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | " ..... | 5 " | " | " |
| " | of Crown Lands authorised to be dedicated to Public Purposes, under the Crown Lands Act of 1884. | ..... | " ..... | 5 " | " | " |
| 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. | ..... | " ..... | 5 " | " | " |

No. 3 Committee Room,
Legislative Assembly,
6th July, 1905.

JOHN McFARLANE,
Chairman.

Sydney: William Applegate Gullick, Government Printer. —1005.

[3d.]

1905.
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

No. 3.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 2, dated 6th July, 1905, 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 Sydney Harbour Rates Act, 1904..... | ..... | Mr. Carruthers | 1905. 6 July | Not to be printed. | Already in print. |
| Report .. | of the Public Service Board on the General Working of the State Clothing Factory, together with Minutes of Evidence. | ..... | " ..... | 6 " | To be printed | " |
| Comments | by the Comptroller of Railway Stores on Report of the Public Service Board respecting the General Working of the State Clothing Factory. | ..... | " ..... | 6 " | " | " |
| Reply | of the Public Service Board to the Comments of the Comptroller of Railway Stores respecting the General Working of the State Clothing Factory. | ..... | " ..... | 6 " | " | " |
| Report | of the Public Service Board on the State Labour Bureau, with a view to its reformation. | ..... | " ..... | 6 " | " | " |
| Rules | relating to the examination of Masters and Mates in the Coast trade, under the Navigation Act, 1901. | ..... | " ..... | 11 " | Not to be printed. | " |
| Correspondence..... | between the Commonwealth Government and the Government of New South Wales respecting the Federal Capital Site. | ..... | " ..... | 11 " | 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. | Remark |
|---------------------------------|--|--------------------|--------------------------|-----------------------|-------------------------------|--------|
| Letter from the Auditor-General | transmitting for presentation to the Legislative Assembly, copies of Minutes of His Excellency the Governor and the Executive Council, authorising transfers of amounts from one head of service to supplement a vote for another service, viz. :— (a) £500, from the Vote "Agriculture Branch—Contingencies" to the Vote "Stores Supply and Tender Board." (b) £75, from the Vote "School of Mines and Assay Works" to the Vote "Stores Supply and Tender Board." (c) £12,030, viz., £1,030 from "Commission on payments in England by Government Financial Agents"; £5,000 from "Darling Harbour Resumptions—Interest on Compensation Money"; and £6,000 from "Railway Working Expenses," to the following Votes :— "Sewerage and Water Rates, &c., various Public Buildings, &c., Sydney and Country Towns," £2,025; "Interest on Advances by Banks in London," £3,610; "Stores Supply and Tender Board," £1,000; "Government Asylums for the Insane," £4,220; "Institutions for the Insane generally," £1,000; "Maintenance, &c., of Telephones," £175. (d) £58, from the Vote "Explosives" to the Vote "Stores Supply and Tender Board," and £160, from the Vote "Advances to Settlers Board" to the Vote "Stores Supply and Tender Board." | | Mr. Speaker | 1905. 12 July | Not to be printed. | |
| By-law | of the Municipal District of Rockdale, under the Public Health (Nightsoil Removal) Act, 1902. | | Mr. Hogue | 12 | " | " |
| By-laws | of the Municipal District of Maclean, under the Public Health Act, 1902, and the Public Health (Nightsoil Removal) Act, 1902. | | " | 12 | " | " |

No. 3 Committee Room,
Legislative Assembly,
13th July, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 4.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 3, dated 13th July, 1905, 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. | |
|--------------------------|--|--------------------|--------------------------|-----------------------|-------------------------------|--------------------------------------|
| Return to an order | " Public Works passed by the Parliamentary Standing Committee on Public Works." | Mr. Gillies | Mr. Carruthers | 13 July | To be printed. | |
| Report | by the Sydney Harbour Trust respecting the steam launch "Lady Hopetoun," | " | " | 18 " | " | Postponed for further consideration. |
| Memorandum | respecting the Regent-street Dispensary. | " | " | 18 " | To be printed. | |
| Proclamation | under the Vine and Vegetation Diseases Act, 1901, prohibiting the introduction of eel-worms of the family <i>Anguillulidae</i> . | Mr. Moore | Mr. Moore | 18 " | Not to be printed. | |
| Proclamation | under the Vine and Vegetation Diseases Act, 1901, declaring eel-worms of the family <i>Anguillulidae</i> , to be a disease. | " | " | 18 " | " | |
| Return | of areas available for settlement between the Woronora River and George's River, and other Crown lands within a radius of 30 miles of the city of Sydney. | " | Mr. Ashton | 18 " | To be printed. | |
| Reports | of the Public Service Board upon investigation made by them into— (a) the erection of the Prince Alfred Hospital Pavilions; (b) the letting of a contract for joinery work to Messrs. Brown and Tapson in connection with the erection of the Prince Alfred Hospital Pavilions. | " | Mr. Lee | 18 " | " | |
| Report | of the Railway Commissioners on Railways and Tramways, for quarter ended 30 June, 1905. | " | Mr. Carruthers | 19 " | " | Already in print. |
| Report | by the Board of Health, respecting two Kanaka Lepers appearing in court recently as witnesses. | " | " | 19 " | " | |
| By-laws | of the Borough of Newcastle | " | Mr. Hogue | 19 " | Not to be printed. | |
| By-laws | of the Municipal District of Balranald, under the Nuisances Prevention Act, 1897. | " | " | 19 " | " | |
| Amended Regulation | under the Metropolitan Traffic Act, 1900 | " | " | 19 " | " | |
| Amended Regulation | No. 218, under the Crown Lands Acts | " | Mr. Ashton | 19 " | " | |

No. 3 Committee Room,
Legislative Assembly,
20th July, 1905.

JOHN MCFARLANE,
Chairman.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 4, dated 20th July, 1905, 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 | by the Sydney Harbour Trust respecting the steam launch "Lady Hopekoun." | ..... | Mr. Carruthers | 18 July 1905. | To be printed. | |
| Amended Regulations | under the Gold and Mineral Dredging Act, 1899 ..... | ..... | Mr. Moore | 20 | Not to be printed. | |
| Report | of the Senate of the University of Sydney for the year 1904 ..... | ..... | Mr. O'Connor | 20 | To be printed. | |
| " | of the Trustees of the Public Library of New South Wales for the year 1904. | ..... | " ..... | 20 | " | |
| Additional By-law | in connection with the Water Supply of the Municipal District of Moama, under the Country Towns Water and Sewerage Act of 1880. | ..... | Mr. Lee | 25 | Not to be printed. | |
| Notification | of resumption of land, under the Public Works Act, 1900, for the drainage of the village of Berrigan. | ..... | " ..... | 25 | " | |
| " | of resumption of land, under the Public Works Act, 1900, for the protection of the Macquarie River bank, at Denison Bridge, Bathurst. | ..... | " ..... | 25 | " | |
| Regulations | under the Justices (Fees) Act, 1904 ..... | ..... | Mr. Wade | 25 | " | |
| Notification | of resumption of land under the Public Works Act, 1900, for the construction of the Narrandera sewerage. | ..... | Mr. Lee | 26 | " | |
| Reply | of the Public Service Board to the comments of the Comptroller of Railway Stores respecting the general working of the State Clothing Factory. | ..... | Mr. Carruthers | 26 | To be printed. | In substitution of paper laid upon the Table on 6th July, 1905. |
| Abstract..... | of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Aslton | 26 | Not to be printed. | |
| Abstract..... | of Crown Lands reserved from sale for the preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884. | ..... | " ..... | 26 | " | |
| Gazette Notice | setting forth the mode in which it is proposed to deal with the dedication of certain lands under the Crown Lands Act of 1884. | ..... | " ..... | 26 | " | |

No. 3 Committee Room,
Legislative Assembly,
27th July, 1905.

JOHN MCFARLANE,
Chairman.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 5, dated 27th July, 1905, 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 pension payments, &c., for the year 1901-5, required by section 48 of the Old-age Pensions Act, 1900. | ..... | Mr. Carruthers | 8 August 1905. | To be printed. | Already in print. |
| Report | of the Railway Commissioners on Railways and Tramways for year ended 30th June, 1905. | ..... | " ..... | 8 " | " | " |
| Regulation | under the Sydney Harbour Trust Act, 1900. | ..... | " ..... | 8 " | Not to be printed. | Already in print |
| Press | of papers and facts relating to the proposed local manufacture of locomotives. | ..... | " ..... | 8 " | To be printed | (In substitution for press laid upon the Table, 26th July, 1905). |
| Return to an Order | "Gratuities and bonuses paid to officers in the Public Service" | Mr. Daley | Mr. Hogue | 8 " | Not to be printed. | " |
| By-law | of the Municipal District of Cobar, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902. | ..... | " ..... | 8 " | " | " |
| By-laws | of the Borough of Narrandera, under the Nuisances Prevention Act, 1897. | ..... | " ..... | 8 " | " | " |
| By-law | of the Municipal District of Manly, under the Public Parks Act, 1902, and the Municipalities Act, 1897. | ..... | " ..... | 8 " | " | " |
| By-law | of the Municipal District of Hay, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902. | ..... | " ..... | 8 " | " | " |
| By-laws | of the Municipal District of Hurstville, under the Municipalities Act, 1897. | ..... | " ..... | 8 " | " | " |
| Amended Regulations | Nos. 35 and 36, under the Crown Lands Acts ..... | ..... | Mr. Ashton | 8 " | " | " |
| Amended Form | No. 107, under the Crown Lands Acts ..... | ..... | " ..... | 8 " | " | " |
| Report | of the completion of the Rose Bay Storm-water Drain, Sewerage Contract No. 85. | ..... | Mr. Lee | 8 " | " | " |
| Notification | of resumption of land under the Public Works Act, 1900, for the construction of a cutting from the Murrumbidgee River to Cudgel Creek. | ..... | " ..... | 8 " | " | " |
| Report | of the Royal Commission of Inquiry into the discrepancy between the estimated cost of the Cataract Dam and the amount it is now anticipated it will cost to complete the structure, together with copies of Commissions, Minutes of Proceedings, and Evidence. | ..... | " ..... | 8 " | To be printed | Already in print. |
| Amended Regulations | for the conduct and management of the affairs of the Savings Bank of New South Wales. | ..... | Mr. Carruthers | 9 " | Not to be printed. | " |
| Report | on the First Quinquennial Investigation of the Miners' Accident Relief Fund. | ..... | Mr. Moore | 9 " | To be printed. | " |

No. 3 Committee Room,
Legislative Assembly,
10th August, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 7.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 6, dated 10th August, 1905, 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. |
|-----------------------------|---|--------------------|--------------------------|--------------------------|-------------------------------|---|
| By-laws | of the Municipal District of Bourke, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902. | ..... | Mr. Hogue | 1905. 10 August | Not to be printed. | ..... |
| Report | of the Board of Health on a Fourth Outbreak of Plague at Sydney, 1904. | ..... | " ..... | 10 " | To be printed | Already in print. |
| Return | of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903. | ..... | Mr. Ashton | 10 " | Not to be printed. | ..... |
| Minutes | by the Railway Commissioners in regard to the amended tender from the Clyde Engineering Company for the local manufacture of locomotives. | ..... | Mr. Carruthers | 15 " | To be printed | Already in print. |
| Further Correspondence..... | between the Commonwealth Government and the Government of New South Wales respecting the Federal Capital Site and the residence of the Governor-General in New South Wales. | ..... | " ..... | 15 " | " | (In supplementation of the correspondence and papers on these matters, laid upon the Table on the 11th July, and 1st August, 1905.) |
| Abstract..... | of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 16 " | Not to be printed. | ..... |
| " | of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | " ..... | 16 " | " | " |

| Description of Paper. | Subject of Paper. | By whom Moved for. | By whom laid upon Table. | When laid upon Table. | Recommended by the Committee. | Remarks. |
|--------------------------|---|--------------------|--------------------------|--------------------------|-------------------------------|----------|
| Abstract..... | of Crown Lands reserved from sale for the Preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashion | 1905. 16 August | Not to be printed. | |
| " | of Crown Lands authorised to be dedicated to public purposes, under the Crown Lands Act of 1884. | ..... | " ..... | 16 | " | |
| Gazette Notice | setting forth the mode in which it is proposed to deal with the dedication of certain lands, under the Crown Lands Act of 1884 and the Public Trusts Act, 1897. | ..... | " ..... | 16 | " | |
| Correspondence | respecting the appointment of Secretary and Shorthand-writer to the Royal Commission on Lands Administration. | ..... | " ..... | 16 | To be printed. | |
| Report | of the Trustees of the Sydney Grammar School, for the year 1904. | ..... | Mr. O'Conor | 16 | " | |
| " | of the Superintendent of the Carpenterian Reformatory, for the year 1904. | ..... | " ..... | 16 | " | |
| " | of the Superintendent of the Industrial School for Girls, Parramatta, for the year 1904. | ..... | " ..... | 16 | " | |
| " | of the Nautical School-ship "Sobraon," for the year ended 30th April, 1905. | ..... | " ..... | 16 | " | |
| Return to an Order | " Application of R. D. Barry for land under the Mining Act—Mineral lease applications by the Bellambi Coal Company." | ..... | Mr. Moore | 16 | " | |
| | | Mr. Fegan | Mr. Moore | 16 | " | |

No. 3 Committee Room,
Legislative Assembly,
17th August, 1905.

JOHN MCFARLANE,
Chairman.

Printer: William Applegate Gullick, Government Printer, 1905.

[14]

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 8.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 7, dated 17th August, 1905, 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. |
|-------------------------------------|---|--------------------|--------------------------|-----------------------|-------------------------------|--|
| Papers..... | in connection with the special leave of absence granted to Mr. Harry Landers, Clerk, Registrar-General's Department. | ..... | Mr. Lee | 17 August | Not to be printed. | |
| By-laws | of the Municipal District of Cobarr ..... | ..... | " | " | " |  |
| " | of the Borough of Richmond, under the Nuisances Prevention Act, 1897. | ..... | " | " | " |  |
| Amended Regulation | under the Fisheries Act, 1902 ..... | ..... | " | " | " |  |
| Regulation..... | under the Parliamentary Electorates and Elections Act, 1902..... | ..... | " | " | " |  |
| Report | of the Royal Commission of Inquiry into the Discrepancy between the Estimated Cost of the Cataract Dam, and the amount it is now anticipated it will cost to complete the structure; together with copies of Commissions, Minutes of Proceedings, Evidence, and Appendix. | ..... | " | " | To be printed | Already in print. (In substitution of paper laid upon Table on 8th Aug., 1905.) |
| Amended and Additional Regulations. | Nos. 15, 41, 42, 43, 50, 348, 462, 463, 464, under the Public Service Act, 1902. | ..... | Mr. Wade | 17 " | Not to be printed. | |
| Report | of the completion of the Mosman Sewerage, Middle Harbour Slopes Easements. | ..... | Mr. Lee | 22 " | " | |
| " | on the Licmar Pneumatic System of Sewage Collection, by Mr. E. M. de Burgh, M. Inst. C.E., Principal Assistant Engineer, Public Works Department. | ..... | " | 22 " | To be printed | Already in print. |
| " | of the Stock Branch of the Department of Mines and Agriculture for the year 1904. | ..... | Mr. Moore | 22 " | " | |

| Description of Paper. | Subject of Paper. | By whom Moved for. | By whom laid upon Table. | When laid upon Table. | Recommended by the Committee. | Remarks. |
|--------------------------|---|--------------------|--------------------------|--------------------------|-------------------------------|----------|
| By-laws | of the Municipal Districts of Carrington, Hamilton, Merewether, and Wickham, under the Public Health Act, 1902. | ..... | Mr. Hogue .. | 1905. 22 August | Not to be printed. | |
| " | of the Municipal District of Braidwood, under the Public Health Act, 1902. | ..... | " | 22 " | " | " |
| By-law | of the Borough of Temora, under the Nuisances Prevention Act, 1897. | ..... | " | 22 " | " | " |
| " | of the Borough of Mudgee, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902. | ..... | " | 22 " | " | " |
| Additional By-laws | of the Borough of Mudgee..... | ..... | " | 22 " | " | " |
| By-laws | of the Municipal District of Morce..... | ..... | " | 22 " | " | " |
| Information | of the Borough of Windsor, under the Nuisances Prevention Act, 1897. | ..... | Mr. Moore | 23 " | To be printed. | |
| " | respecting the amount of business transacted at the Mining Registrars' offices at East and West Wyalong for the past eighteen months. | ..... | Mr. Hogue | 23 " | Not to be printed. | |
| " | of the Borough of Lithgow ..... | ..... | " | 23 " | " | " |
| " | of the Borough of Lithgow, under the Public Health Act, 1902 ..... | ..... | " | 23 " | " | " |
| " | of the Municipal District of Maclean, under the Nuisances Prevention Act, 1897, and Public Health (Night-soil Removal) Act, 1902. | ..... | " | 23 " | " | " |

No. 3 Committee Room,
Legislative Assembly,
24th August, 1905.

JOHN MCFARLANE,
Chairman.

Sydney: William Applegate Gullick, Government Printer.—1905.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 9.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 8, dated 24th August, 1905, 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 fines or penalties inflicted under the Industrial Arbitration Act, 1901. | ..... | Mr. Wade | 24 August | ..... | Postponed for further consideration. Already in print. |
| Minutes | of evidence given at the inquiry by the Public Service Board into the general working of the Electoral Office, and defects in the Electoral Acts. | ..... | Mr. Carruthers | 24 " | Not to be printed. | |
| Correspondence | between the Head of the Government and the Railway Commissioners upon the subject of the local manufacture of locomotives. | ..... | " | 24 " | To be printed* | (In supplementation of the documents laid upon the Table on 15th August, 1905.) |
| Return | respecting royalty and license fees received from Camden Haven, Hastings and Macleay Rivers Districts. | ..... | Mr. Ashton | 24 " | Not to be printed. | |
| By-laws | of the Borough of Lithgow, under the Nuisances Prevention Act, 1897. | ..... | Mr. Hogue | 29 " | " | |
| By-law | of the Borough of New Lambton, under the Nuisances Prevention Act, 1897. | ..... | " | 29 " | " | |
| " | of the Municipal District of Forbes, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902. | ..... | " | 29 " | " | |
| Correspondence, &c. | upon the subject of the local manufacture of locomotives..... | ..... | Mr. Carruthers | 30 " | To be printed* | (In supplementation of the documents laid upon the Table on the 15th and 24th August, 1905.) |
| Return | showing amounts paid to witnesses as expenses in attending the Royal Commission of Inquiry into the Administration of the Lands Department. | ..... | Mr. Ashton | 30 " | " | |

* To be printed as one paper.

No. 3 Committee Room,
Legislative Assembly,
31st August, 1905.

JOHN McFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 10.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 9, dated 31st August, 1905, 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 fines or penalties inflicted under the Industrial Arbitration Act, 1901. | ..... | Mr. Wade | 1905. 24 August | To be printed. | |
| Papers | having reference to the claim of Mr. F. E. Stowe in respect of a device submitted by him to the Department of Public Works in connection with the Darling-street tramway extension, Balmain. | ..... | Mr. Lee | 31 | Not to be printed. | |
| Letter | from the Secretary to the Royal Commission of Inquiry into the administration of the Lands Department, enclosing copy of the sworn evidence of Mr. J. Tighe Ryan, Editor of the <i>Catholic Press</i> , taken before the Royal Commission, in compliance with the resolution passed by the Legislative Assembly on the 22nd August, 1905. | ..... | Mr. Speaker | 5 September | To be printed. | |
| Correspondence | upon the subject of the local manufacture of locomotives. | ..... | Mr. Carruthers | 5 | " | (In further supplement- ation of the docu- ments laid upon the Table on the 15th, 24th, & 30th August, 1905.) Already in print. |
| Additional Regulation | under the Water and Drainage Act, 1902. | ..... | Mr. Lee | 5 | Not to be printed. | |
| Report | on the Coast Hospital, Little Bay, for the year 1904. | ..... | " ..... | 5 | To be printed. | |
| Additional By-laws | of the Municipal District of Balranald. | ..... | " ..... | 5 | Not to be printed. | |
| Notice | of intention to declare that Conditional Purchase No. 04-1, district of Maitland, being portions 44 and 48, parish of Haddon, county of Northumberland, applied for by Robert Scott Nicholls, shall cease to be voidable. | ..... | Mr. Ashton | 5 | " | |

| 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 Additional Conditional Purchase No. 03-7, district of Picton, being portion 94, parish of Jooriland, county of Westmoreland, applied for by Joseph Donohue, shall cease to be voidable. | ..... | Mr. Ashton | 1905. 5 September | Not to be printed. | (In further supplement of the documents laid upon the Table on the 11th July, 1st and 15th August, 1905.) |
| Correspondence | between the Commonwealth, Government and the Government of New South Wales respecting the Federal Capital Site. | ..... | Mr. Carruthers | 6 | To be printed | (In further supplement of the documents laid upon the Table on the 15th, 24th and 30th August, and 5th September, 1905.) |
| " | from Mr. Kirkcaldie, Railway Commissioner, to the Honorable the Premier, upon the subject of the local manufacture of locomotives | ..... | " ..... | 6 | " | |
| Abstract..... | of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 6 | Not to be printed. | |
| " | of Crown Lands reserved from sale for the preservation of Water Supply, or other Public Purposes, under the Crown Lands Act of 1884. | ..... | " ..... | 6 | " | |
| " | of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884. | ..... | " ..... | 6 | " | |
| Gazette Notice | setting forth the mode in which it is proposed to deal with the Dedication of certain Lands, under the Crown Lands Act of 1884. | ..... | " ..... | 6 | " | |
| Notice..... | of intention to declare that additional conditional purchase No. 03-3, district of Parkes, being portion No. 26, parish of Salisbury, counties of Kennedy and Cunningham; and conditional lease No. 34287, district of Parkes, being portion No. 36, parish of Redcliffe, counties of Kennedy and Cunningham, applied for by Thomas Horatio Little, for the Citizens' Life Assurance Company, Limited, shall cease to be voidable. | ..... | " ..... | 6 | " | |
| " | of intention to declare that additional conditional purchase No. 04-4, district of Hay, being portions Nos. 64 and 65, parish of Booligal, county of Nicholson, applied for by Charles John Boxshall, shall cease to be voidable. | ..... | " ..... | 6 | " | |
| " | of intention to declare that additional conditional purchase No. 04-42, district of Mudgee, being portion No. 262, parish of Guldong, county of Phillip, applied for by Michael John Noy, shall cease to be voidable. | ..... | " ..... | 6 | " | |

No. 3 Committee Room,
Legislative Assembly,
Sydney, 7th September, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 11.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 10, dated 7th September, 1905, 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. |
|----------------------------|--|--------------------|--------------------------|-----------------------|-------------------------------|-------------------|
| Amended By-laws Papers. | of the University of Sydney respecting the Special Increment of Salary granted to Mr. Finlayson, Assistant Teacher of the Alma Public School. | ..... | Mr. O'Connor | 1905. 7 September | Not to be printed. | |
| Return | of expenditure from Commonwealth and State Funds on Commonwealth Government House, Sydney, from 1st January, 1901, to 7th September, 1905. | ..... | Mr. Carruthers | 7 " | To be printed. | |
| Information | respecting State Grants to the Kindergarten Union of New South Wales. | ..... | Mr. Hogue | 7 " | Not to be printed. | |
| Report | by the Superintendent of the Metropolitan Fire Brigade, on the risk from fire to employees and others in large establishments in the City. | ..... | " | 7 " | To be printed. | |
| By-laws | of the Municipal District of Yass, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902 | ..... | " | 7 " | Not to be printed. | |
| List | of, and information relating to, Shires in Victoria | ..... | Mr. Lee | 12 " | To be printed | Already in print. |
| Reports | by Mr. Henry Deane, M.A., M.Inst. C.E., Engineer-in-Chief for Railway and Tramway construction, Department of Public Works, upon various engineering matters investigated during his recent visit to Europe and America. | ..... | " | 12 " | " | |
| Amended Regulation | under the Government Savings Bank Act, 1902 | ..... | Mr. Dick | 13 " | Not to be printed. | |
| Report | of the Public Service Board for the year 1904 | ..... | Mr. Wade | 13 " | To be printed | Already in print. |
| Return | of leases granted under the provisions of section 18 of the Crown Lands Acts Amendment Act, 1903. | ..... | Mr. Lee | 13 " | Not to be printed. | |

No. 3 Committee Room,
Legislative Assembly,
Sydney, 14th September, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 12.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 11, dated 14th September, 1905, 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. |
|-------------------------------------|--|--------------------|--------------------------|-----------------------------|-------------------------------|--------------------------------------|
| Papers..... | relative to the proposed refund to Messrs. Haynes and Richards of the expenses incurred by them in connection with the hearing of the Petition of Mr. John Haynes against the return of Mr. Edwin Richards as Member for the Electoral District of Mudgee. | ..... | Mr. Carruthers | 1905. 14 September | To be printed. | |
| Report | by the Inspector-General of the Insane on the state and condition of the Hospitals and other Institutions for the Insane, for the year ended 31st December, 1904. | ..... | Mr. Hogue | 14 | " | |
| Regulations | under the Explosives Act, 1902 ..... | ..... | Mr. Carruthers | 19 | Not to be printed. | |
| Schedule..... | to the Estimates for 1905-6 ..... | ..... | " ..... | 19 | To be printed..... | |
| Regulations | under the Industrial Arbitration Act, 1901 ..... | ..... | Mr. Wade | 20 | Not to be printed. | |
| Amended and Additional Regulations. | under the Public Service Act, 1902 ..... | ..... | " ..... | 20 | " | |
| Minute | respecting the increase of salary granted to Mr. E. W. Fegan, Clerk in the Ministerial Office of the Department of the Attorney-General and of Justice. | ..... | " ..... | 20 | " | |
| Report | of the Trustees of the Australian Museum for the year ended 30th June, 1905. | ..... | Mr. O'Connor | 20 | To be printed. | |
| By-laws | of the Municipal District of Broken Hill..... | ..... | Mr. Hogue | 20 | Not to be printed. | |
| By-laws | of the Municipal District of Walcha ..... | ..... | " ..... | 20 | " | |
| Return | of expenditure by the Public Works Department within the Shires area for eight years from 1st July, 1897, to 30th June, 1905. | ..... | Mr. Lee | 20 | To be printed | Already in print. |
| Report | of the Harbour Improvement on the Clarence River improvements.. | ..... | " ..... | 20 | " | |
| Papers | having reference to the contract of Messrs. Brown and Tapson for the supply and delivery of joinery for two new pavilions at Prince Alfred Hospital, Sydney, and their claims in connection therewith. | ..... | " ..... | 20 | " | Postponed for further consideration. |

JOHN MCFARLANE,
Chairman.

No. 3 Committee Room,
Legislative Assembly,
Sydney, 21st September, 1905.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 13.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 12, dated 21st September, 1905, as follows:—

| Description of Paper. | Subject of Paper. | By whom Moved for. | When laid upon Table. | By whom laid upon Table. | When laid upon Table. | Recommended by the Committee. | Remarks. |
|----------------------------------|---|--------------------|-----------------------|--------------------------|-----------------------|-------------------------------|--------------------------------------|
| Papers..... | having reference to the contract of Messrs. Brown and Tapson for the supply and delivery of joinery for two new pavilions at Prince Alfred Hospital, Sydney, and their claims in connection therewith. | ..... | ..... | Mr. Lee | 20 September | To be printed. | |
| Report | of the Education Commissioners on Agricultural, Commercial, Industrial, and other forms of Technical Education. | ..... | ..... | Mr. O'Connor | 21 " | " | Already in print. |
| Report | of the completion of the residue of site of the septic tanks, Chatswood-Willoughby sewerage, under the Metropolitan Water and Sewerage Acts, 1880-1889. | ..... | ..... | Mr. Lee | 21 " | Not to be printed. | |
| Report | of the Forestry Branch, Department of Lands, for the period from 1st January, 1904, to 30th June, 1905. | ..... | ..... | Mr. Ashton | 21 " | To be printed..... | " |
| Return to an Order | " Mr. Hall, Acting Government Statistician " | Mr. Law ..... | ..... | Mr. Hogue | 21 " | " | Postponed for further consideration. |
| Papers | relating to the proposed contract to be entered into with W. Sandford, Limited, for the manufacture, supply, and delivery of steel and iron to be manufactured in New South Wales, for a period of seven years. | ..... | ..... | Mr. Lee | 26 " | To be printed | Already in print. |
| Return | showing expenditure on roads in The Murray electorate, from 1st July, 1904, to 30th June, 1905. | ..... | ..... | " ..... | 26 " | Not to be printed. | |
| Twenty-second Annual Report..... | on Inscribed Stock, under the Inscribed Stock Act, 1902..... | ..... | ..... | Mr. Dick | 26 " | To be printed | |
| Statements | of the total upkeep of the Houses of Parliament of the six States of the Commonwealth. | ..... | ..... | " ..... | 26 " | Not to be printed. | |
| Reasons | for granting special leave of absence on full pay to Mr. G. H. J. Hardwick, Clerk-in-Charge, Land-tax Assessment Book, Department of Taxation. | ..... | ..... | " ..... | 26 " | " | " |
| By-laws | and Regulations of the Municipal District of Hay, under the County Towns Water and Sewerage Act of 1880. | ..... | ..... | Mr. Lee | 27 " | " | " |
| Notification | of resumption of land under the Public Works Act, 1900, for construction of the Euraba Bore. | ..... | ..... | " ..... | 27 " | " | " |
| Further Return..... | respecting State Grants to the Kindergarten Union of New South Wales. | ..... | ..... | " ..... | 27 " | " | " |

JOHN MCFARLANE,
Chairman.

No. 3 Committee Room,
Legislative Assembly,
Sydney, 28th September, 1905.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 14.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 13, dated 28th September, 1905, 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 | "Mr. Hall, Acting Government Statistician" | Mr. Law | Mr. Hogue | 1905. 21 September ..... | ..... | Postponed for further consideration. |
| Abstract | of Crown Lands reserved from Sale for the Preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 28 September | Not to be printed. | |
| Abstract | of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 28 September | Not to be printed. | |
| Abstract | of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 28 September | Not to be printed. | |
| Gazette | of notices setting forth the mode in which it is proposed to deal with the Dedication of certain Lands, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 28 September | Not to be printed. | |
| Report | of the Registrar of Friendly Societies in relation to Trade Unions, Building Societies, and Co-operative Societies for the years 1903 and 1904, together with Appendices. | ..... | Mr. Hogue | 28 September | To be printed. | |
| Report | of the completion of the Paddington and City Stormwater Drainage under the Prisons Act, 1889. | ..... | Mr. Lee | 4 October | Not to be printed. | |
| Amended Regulation | of leases granted under the provisions of Section 18 of the Crown Lands Act Amendment Act, 1903. | ..... | Mr. Wade | 4 October | Not to be printed. | |
| Return | under the Parliamentary Electorates and Elections Act, 1902. | ..... | Mr. Ashton | 4 October | Not to be printed. | |
| Regulations | by Mr. Henry Deane, M.A., M. Inst. C.E., Engineer-in-Chief for Railway and Tramway Construction, upon Inter-urban Railways and the Electrification of Steam Rail Roads. | ..... | Mr. Hogue | 5 October | Not to be printed. | |
| Report ..... | ..... | ..... | Mr. Lee | 5 October | To be printed. | |

Parliamentary Library,
Legislative Assembly,
Sydney, 5th October, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 15.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 14, dated 5th October, 1905, 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 | " Mr. Hall, Acting Government Statistician " | Mr. Law | Mr. Hogue | 1905. 21 September ..... | ..... | Postponed for further consideration. |
| Papers. | regarding the agreement entered into between the Government of New South Wales and Peter Nicol Russell, Esquire, in respect to a further endowment of £50,000 for the Russell School of Engineering at Sydney University. | ..... | Mr. Lee | 10 October | To be printed. | |
| Amended Regulation | under the Stock Act of 1901 ..... | ..... | Mr. Moore | 10 October | Not to be printed. | |
| Return | of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903. | ..... | Mr. Ashton | 10 October | Not to be printed. | |
| Regulations | under the Sydney Harbour Trust Act, 1900 ..... | ..... | Mr. Carruthers | 10 October | Not to be printed. | |
| Regulations | under the Sydney Harbour Rates Act, 1904 ..... | ..... | Mr. Carruthers | 10 October | Not to be printed. | |
| Return | giving information with reference to proposed payments to members and ex-members of the Legislative Assembly, representing an equivalent in each case to the amount of allowance which would have been payable had Parliament been in Session at the date of their respective elections. | ..... | Mr. Hogue | 10 October | Not to be printed. | |
| Additional By-laws. | of the Municipal District of Wickham ..... | ..... | Mr. Hogue | 10 October | Not to be printed. | |
| Additional Regulations | under the Justices (Fees) Act, 1904 ..... | ..... | Mr. Wade | 11 October | Not to be printed. | |
| Report | of the Department of Lands for the half-year ended 30th June, 1905 ..... | ..... | Mr. Ashton | 11 October | To be printed. | |
| Return to an Order | " Roads, Bellingen District " | Mr. Hyner | Mr. Lee | 11 October | Not to be printed. | Already in print. |
| Report | of the completion of the Coogee and Waverley Eastern Slopes Drainage. | ..... | Mr. Lee | 11 October | 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. |
|---|--|-------------------------|----------------------------------|--------------------------|--|--------------------------------------|
| Return Additional By-laws | respecting the Government Workshops, Cockatoo Island of the Municipal District of Moree, under the Country Towns Water and Sewerage Act of 1880. | ..... | Mr. Lee | 1905. 17 October | Not to be printed. | |
| Return to an Order Cancellation of Regulations | "Railway deviation between Como and Hurstville," and amendment of Regulations Nos. 49, 74, 75, 76, 85, and 148, under the Crown Lands Acts. | Mr. Broughton | Mr. Carruthers Mr. Ashton | 17 October 17 October | Not to be printed. Not to be printed. | |
| By-laws | of the Municipal District of Moree, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902. | ..... | Mr. Hogue | 17 October | Not to be printed. | |
| Return to an Order Return to an Order | "Compensation to Civil Servants deprived of leave of absence" "Turbine engines for the Ufiamo Power-house" | Mr. Cohen Mr. Fegan | Mr. Carruthers Mr. Carruthers | 18 October 18 October | To be printed. | Postponed for further consideration. |
| Abstract | of 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 October | Not to be printed. | |
| Abstract | of sites for cities, towns, and villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 18 October | Not to be printed. | |
| Abstract | of alterations of designs of cities, towns, and villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 18 October | Not to be printed. | |
| Abstract | of Crown Lands intended to be dedicated to public purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 18 October | Not 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 Act of 1884. | ..... | Mr. Ashton | 18 October | Not to be printed. | |
| Return | of leases granted under the provisions of section 18, Crown Lands Act Amendment Act, 1903. | ..... | Mr. Ashton | 18 October | Not to be printed. | |
| Return to an Order Return to an Order | "Liverpool Asylum" "Hospital expenses of Constable Guilfoyle" | Mr. Downes Mr. Fegan | Mr. Hogue Mr. Hogue | 18 October 18 October | Not to be printed. Not to be printed. | Postponed for further consideration. |

JOHN McFARLANE,
Chairman.

No. 3 Committee Room,
Legislative Assembly,
Sydney, 19th October, 1905.

Sydney: William Applegate Gullick, Government Printer.—1905.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 15, dated 19th October, 1905, 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 | " Mr. Hall, Acting Government Statistician " | Mr. Law | Mr. Hogue | 21 September | Not to be printed. | |
| Return to an Order | " Turbine Engines for the Ullimo Power-house " | Mr. Fegan | Mr. Carruthers | 18 October | To be printed. | In part. |
| Return to an Order | " Hospital Expenses of Constable Guilfoyle " | Mr. Fegan | Mr. Hogue | 18 October | To be printed. | |
| Papers..... | relating to an increase of salary to Mr. J. Symonds, second-class assistant engineer, Department of Public Works. | ..... | Mr. Lee | 19 October | Not to be printed. | |
| Scale | of allowances to Jurors attending the Supreme and District Courts, and Courts of Quarter Sessions, in the State of N.S.W. | ..... | Mr. Wade | 19 October | Not to be printed. | |
| Return to an Order | " Reserves within the Central Division Area of the Murray Electorate. " | Mr. Scobie | Mr. Ashton | 19 October | To be printed. | |
| Amended Regulation | No. 50, and Amended Forms Nos. 31, 40, and 59, under the Pastures Protection Act, 1902. | ..... | Mr. Ashton | 19 October | Not to be printed. | |
| Report | of the Railway Commissioners on Railways and Tramways, for quarter ended 30th September, 1905. | ..... | Mr. Carruthers | 24 October | To be printed. | Already in print. |
| Report | of the Government Savings Bank for the year ended 30th June, 1905 | ..... | Mr. Carruthers | 24 October | To be printed. | Already in print. |
| Notification | of resumption of land under the Public Works Act, 1900, for improving the Tramway Service at Willoughby. | ..... | Mr. Carruthers | 24 October | Not to be printed. | |
| Return | respecting Oyster Culture Licenses at Port Stephens and Karuah River. | ..... | Mr. Hogue | 24 October | Not to be printed. | |
| Report | of the Board of Fisheries for N.S.W. for the year 1904..... | ..... | Mr. Hogue | 24 October | To be printed. | Already in print. |
| Report | of the President of the State Children Relief Board for the year ended 5th April, 1905. | ..... | Mr. Hogue | 24 October | To be printed. | Already in print. |
| Amended Regulation | under the Fisheries Act, 1902 | ..... | Mr. Hogue | 24 October | Not to be printed. | |
| By-law | of the Borough of Narrandera ..... | ..... | Mr. Hogue | 24 October | Not to be printed. | |
| By-laws | of the Borough of Grafton, under the Public Health Act, 1902, and the Public Health (Night-soil Removal) Act, 1902. | ..... | Mr. Hogue | 24 October | Not to be printed. | |
| Proclamation..... | declaring Slate to be a mineral within the meaning of the Mining on Private Lands (Amendment) Act, 1902. | ..... | Mr. Moore | 24 October | Not to be printed. | |

No. 3 Committee Room,
Legislative Assembly,
Sydney, 24th October, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 17.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 16, dated 24th October, 1905, 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 Conditions of Contract | "Coal Traffic, Newcastle and Maitland Districts" in connection with the construction of Locomotives by the Clyde Engineering Company. | Mr. Estell | Mr. Carruthers Mr. Carruthers | 1905. 25 October 25 October | To be printed. To be printed. | |
| Return to an Order Return | "Railway Coal Contract for Western Lines" of Leases granted under section 18 of the Crown Lands Act Amendment Act, 1903. | Mr. Holman | Mr. Carruthers Mr. Ashton | 25 October 25 October | Not to be printed. Not to be printed. | |
| Additional Rule Regulations | under the Industrial Arbitration Act, 1901 under the Neglected Children and Juvenile Offenders Act, 1905. | | Mr. Wade Mr. O'Conor | 25 October 26 October | Not to be printed. Not to be printed. | |

Reading Room, Legislative Assembly,
Sydney, 26th October, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 18.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 17, dated 26th October, 1905, 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 Labour Commissioners for the year ended 30th June, 1905, together with Appendices. | ..... | Mr. Lee | 1905. 31 October | To be printed. | ..... |
| Report | from the Parliamentary Standing Committee on Public Works, together with Minutes of Evidence, relating to the proposed erection of the Mitchell Library as part of the National Library for the State. | ..... | Mr. John Hurley | 31 October | To be printed. | Already in print. |
| By-law | of the Borough of Narrabri, under the Nuisances Prevention Act, 1897. | ..... | Mr. Hogue | 1 November | Not to be printed. | ..... |
| Return | showing amounts granted for the maintenance and improvement of each Park and Recreation Ground in the Metropolitan Area during the financial years 1902-1903, 1903-1904, and 1904-1905. | ..... | Mr. Ashton | 2 November | To be printed. | ..... |
| Map | showing the amount of land held by the Government on the fore-shores of Sydney Harbour, between Lady Macquarie's Chair and South Head, on the southern shore, and McMahon's Point and the Spit, and from the Spit to North Head, on the northern shore, except in regard to areas leased by the Sydney Harbour Trust. | ..... | Mr. Ashton | 2 November ..... | ..... | Postponed for further consideration. |
| Return | of Areas approved to be alienated, and list of Leases granted by the Sydney Harbour Trust Commissioners during the three years ended 30th June, 1905, on the foreshores of Sydney Harbour. | ..... | Mr. Ashton | 2 November ..... | ..... | Postponed for further consideration. |
| Communication | addressed by the Premier of New South Wales to the Prime Minister of the Commonwealth upon the question of the Federal Capital Site. | ..... | Mr. Carruthers | 2 November | To be printed. | ..... |
| Regulation | under the Centenary Celebration Act, 1887 | ..... | Mr. Carruthers | 2 November | Not to be printed. | ..... |
| Regulation | under the Public Works Act, 1900 | ..... | Mr. Lee | 2 November | Not to be printed. | ..... |

Reading Room, Legislative Assembly,
Sydney, 2nd November, 1905.

JOHN MCFARLANE,
Chairman.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 19.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 18, dated 2nd November, 1903, 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. |
|--------------------------|--|--------------------|--------------------------|-----------------------|-------------------------------|-------------------|
| Map..... | showing the amount of land held by the Government on the fore-shores of Sydney Harbour between Lady Macquarie's Chair and South Head on the southern shore, and McMahon's Point and the Spit, and from the Spit to North Head, on the northern shore, except in regard to areas leased by the Sydney Harbour Trust, of Areas approved to be alienated, and list of Leases granted by the Sydney Harbour Trust Commissioners during the three years ended 30th June, 1905, on the foreshores of Sydney Harbour. | ..... | Mr. Ashton..... | 2 November 1905..... | To be printed. | |
| Return..... | by the Surgeon-Superintendent of Liverpool Asylum upon the effect of the present state of George's River, on the inmates of Liverpool Asylum, and the possibilities to be effected by the construction of a weir at Broughton's, George's River. | ..... | Mr. Ashton..... | 2 November..... | To be printed. | |
| Report..... | of Accounts of the Sydney Harbour Trust, for the year ended 30th June, 1905. | ..... | Mr. Lee..... | 7 November..... | To be printed. | |
| Statement..... | respecting the proposed printing of the Commonwealth Postage Stamps at the Adelaide General Post Office. | ..... | Mr. Carruthers..... | 7 November..... | To be printed. | Already in print. |
| Correspondence..... | of the Municipal District of Manly..... | ..... | Mr. Carruthers..... | 7 November..... | To be printed. | |
| By-laws..... | under the Metropolitan Traffic Act, 1900..... | ..... | Mr. Hogue..... | 7 November..... | Not to be printed. | |
| Amended Regulations..... | for General Traffic, and Amended Regulations for Public Vehicles under the State Children Relief Act, 1901..... | ..... | Mr. Hogue..... | 7 November..... | Not to be printed. | |
| Regulation..... | showing particulars of land adjacent to the Grafton to Casino Railway line made available for settlement prior to, and after the opening of that line to traffic, and the areas applied for under the Sydney Harbour Trust Act, 1900..... | ..... | Mr. Hogue..... | 7 November..... | Not to be printed. | |
| Return..... | of Crown Lands reserved from Sale for the Preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashton..... | 7 November..... | To be printed. | |
| Regulation..... | of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Carruthers..... | 8 November..... | Not to be printed. | |
| Abstract..... | of Alterations of Designs of Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton..... | 8 November..... | Not to be printed. | |
| Abstract..... | of Leases granted under the provisions of section 18 of the Crown Lands Act Amendment Act, 1903. | ..... | Mr. Ashton..... | 8 November..... | Not to be printed. | |
| Return..... | of the Municipal District of Broken Hill, under the Nuisances Prevention Act, 1897, and the Public Health Act, 1902. | ..... | Mr. Hogue..... | 8 November..... | Not to be printed. | |
| Additional By-laws..... | ..... | ..... | Mr. Hogue..... | 8 November..... | Not to be printed. | |

JOHN MCFARLANE,
Chairman.

Reading Room,
Legislative Assembly,
Sydney, 9th November, 1905.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 20.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 19, dated 9th November, 1903, 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. |
|------------------------|---|--------------------|--------------------------|-----------------------|-------------------------------|---|
| Further correspondence | between the Commonwealth Government and the Government of New South Wales respecting the Federal Capital Site. | ..... | Mr. Carruthers | 14 November 1905. | To be printed. | |
| Letter | from the Premier of New South Wales to the Prime Minister of the Commonwealth, dated 10th November, 1903, relative to the suggested printing of all Commonwealth postage stamps at the Adelaide General Post Office. | ..... | Mr. Carruthers | 14 November | To be printed. | |
| Report | of the Department of Labour and Industry on the working of the Factories and Shops Act, Early Closing Acts, Shearers' Accommodation Act, &c., &c., during the year 1904. | ..... | Mr. O'Connor | 14 November | To be printed. | Already in print. |
| Report | of the Minister of Public Instruction for the year 1904 | ..... | Mr. O'Connor | 14 November | To be printed | Together with Appendices. |
| Report | of the Registrar of Friendly Societies for the years 1903 and 1904, with tables for the year 1903. | ..... | Mr. Hegue | 14 November | To be printed. | |
| By-laws | of the Borough of North Sydney | ..... | Mr. Hogue | 14 November | Not to be printed. | |
| Notification | of resumption of land, under the Public Works Act, 1900, for the construction of certain Sewerage Works for the town of Lismore. | ..... | Mr. Lee | 15 November | Not to be printed | |
| Amended Rule | of the Supreme Court, under the Equity Act, 1901 | ..... | Mr. Wade | 15 November | Not to be printed. | |
| Amended Regulations | Nos 110 and 150, and repeal of Regulation No. 140, under the Public Service Act, 1902. | ..... | Mr. Wade | 15 November | Not 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. Ashton | 15 November | Not to be printed. | |
| Abstract | of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 15 November | Not to be printed. | |
| Minute | by the Honorable C. A. Lee, Minister for Public Works, and Report of L. A. B. Wade, Principal Engineer for Rivers, Water Supply and Drainage, on the Barron-Jack Storage Reservoir and Northern Murrumbidgee Irrigation Scheme (With Plans) | ..... | Mr. Ashton | 15 November | Not to be printed. | |
|  |  | ..... | Mr. Lee | 16 November | To be printed. | Already in print. (In substitution of paper laid upon the Table on 31st October, 1905, and ordered to be printed.) |

JOHN MCFARLANE,
Chairman.

Reading Room, Legislative Assembly,
Sydney, 16th November, 1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 20, dated 16th November, 1905, 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 Hunter District Water Supply and Sewerage Board for the year ended 30th June, 1905. | ..... | Mr. Lee | 21 November 1905. | To be printed. | |
| Return | showing particulars of Meetings of Trustees of the Sydney Cricket Ground during the two-years ended 31st August, 1905. | ..... | Mr. Ashton | 21 November | To be printed. | |
| Amended Regulations | Nos. 158, 214, 218, and 227, under the Crown Lands Acts | ..... | Mr. Ashton | 21 November | Not to be printed. | |
| Statement | of Bank Liabilities and Assets for quarter ended 30th June, 1905 | ..... | Mr. Carruthers | 21 November | Not to be printed. | |
| Statement | of Public Companies Liabilities and Assets for quarter ended 30th June, 1905. | ..... | Mr. Carruthers | 21 November | Not to be printed. | |
| Statement | of Bank Liabilities and Assets for quarter ended 30th September, 1905. | ..... | Mr. Carruthers | 21 November | Not to be printed. | |
| Further correspondence | of Public Companies Liabilities and Assets for quarter ended 30th September, 1905. | ..... | Mr. Carruthers | 21 November | Not to be printed. | |
| Return to an Order | between the Commonwealth Government and the Government of New South Wales respecting the Federal Capital site. | ..... | Mr. Carruthers | 21 November | To be printed. | |
| Regulations | "Western Collieries supplying coal to Railway Commissioners" under the Sydney Harbour Trust Act, 1900 | Mr. Holman | Mr. Carruthers | 21 November | Not to be printed. | |
| Regulations | under the Sydney Harbour Trust Act, 1900 | ..... | Mr. Carruthers | 21 November | Not to be printed. | |
| Proclamation | declaring Marble to be a "Mineral", within the meaning of the Mining on Private Lands (Amendment) Act, 1902. | ..... | Mr. Carruthers | 21 November | Not to be printed. | |
| Amendment | of General Rule 30 of Section 55 of the Mines Inspection Act, 1901 | ..... | Mr. Moore | 21 November | Not to be printed. | |
| By-law | of the Borough of Auburn. | ..... | Mr. Hogue | 21 November | Not to be printed. | |
| Report | from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence and Appendix relative to the proposed Lower Canal and Boothtown Aqueduct—Sydney Water Supply. | ..... | Mr. John Hurley | 22 November | To be printed. | Already in print. |
| Report | of the Department of Public Works for the year ended 30th June, 1905. | ..... | Mr. Lee | 22 November | To be printed | Already in print. |
| Report | of the inquiry held by the Public Service Board into the Claims of Public Servants, retired in 1896, to compensation in lieu of extended leave of absence; together with Minutes of Evidence. | ..... | Mr. Carruthers | 22 November | Not to be printed. | |
| By-laws | of the Borough of West Maitland | ..... | Mr. Carruthers | 22 November | Not to be printed. | |
| Regulations | under the Registration of Firms Act, 1902 | ..... | Mr. Hogue | 22 November | Not to be printed. | |
| Rules | of the District Court, under the District Courts (Amendment) Act, 1905. | ..... | Mr. Wade | 22 November | Not to be printed. | |
| Notification | of resumption of land under the Public Works Act, 1900, for a Public Cemetery at Murwillumbah. | ..... | Mr. Ashton | 22 November | Not to be printed. | |
| Abstract | of Crown Lands reserved from Sale for the Preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 22 November | Not to be printed. | |

Printing Room, Legislative Assembly,
Sydney, 23th November, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 22.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 21, dated 23rd November, 1903, 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. |
|----------------------------------|--|--------------------|--------------------------|----------------------------|-------------------------------|--|
| Progress Report | from the Select Committee on "Bread (Amendment) Bill," together with the Proceedings of the Committee, Minutes of Evidence, and Appendix. | ..... | Mr. Broughton | 1905. 28 November | To be printed. | |
| Further Return to an Order | "Railway Coal Contract for Western Lines" | Mr. Holman | Mr. Carruthers | 28 November | Not to be printed. | Postponed for further consideration. |
| Return to an Order | "Removal of Mr. McFadden, Railway Department, from Clyde to Darling Harbour." | Mr. Booth | Mr. Carruthers | 28 November | Not to be printed. | Already in print. |
| List | Public Service, for the year 1905 ..... | ..... | Mr. Wade | 28 November | To be printed. | Already in print. |
| Return to an Order | "Married women occupying Government positions" | Mr. Henley | Mr. Hogue | 28 November | Not to be printed. | Already in print. |
| Report | of the Western Land Board of New South Wales for the period 1st January, 1905, to 30th June, 1905. | ..... | Mr. Aslton | 28 November | To be printed. | |
| Schedules | A to H, Estimates 1905-1906, Department of Public Works, (Roads, &c.). | ..... | Mr. Lee | 29 November | To be printed. | Already in print. |
| 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. Ashton | 29 November | Not to be printed. | |
| Regulations | in respect of the Sanitary Area at the Camp, Cataract Dam, under the Public Health Act, 1902. | ..... | Mr. Hogue | 29 November | Not to be printed. | |
| Report | of the Inquiry held by the Public Service Board into the cases of George Bulfin and William Webber, Callan Park and Rydalmere Asylums. | ..... | Mr. Hogue | 29 November | To be printed. | |
| Notifications | of resumption of land, under the Public Works Act, 1900, for Public School purposes at Nowranie, Upper Nambucca, Richmond Hill, Bowning, Nimbin, Oberne, Orara, and Dickerton. | ..... | Mr. O'Connor | 29 November | Not to be printed. | |
| Report | of the Inquiry held by the Public Service Board into the claims of Public Servants, retired in 1896, for compensation in lieu of extended leave of absence, together with Minutes of Evidence, from Parliamentary Standing Committee on Public Works, together with Minutes of Evidence and Appendix, relating to the proposed scheme for the treatment of sewage at the Western Suburbs Outfall, on the Rockdale Sewage Farm. | ..... | Mr. Carruthers | 22 November | To be printed. | Reported on, on 23 Nov. Referred for reconsideration, 30 Nov. 1905, a.m. (In print). Already in print. |
| Report ..... | ..... | ..... | Mr. John Hurley | 30 November | To be printed. | |

Reading Room,
Legislative Assembly,
Sydney, 30th November, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 23.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 29th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report No. 22, dated 30th November, 1905, 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..... | "Removal of Mr. McFadden, Railway Department, from Clyde to Darling Harbour." | Mr. Booth | Mr. Carruthers | 1905. 28 November | To be printed. | |
| Report | of the Sydney Harbour Trust Commissioners for the year ended 30th June, 1905. | ..... | Mr. Carruthers..... | 4 December | To be printed | With annexures. |
| Plan..... | to accompany the Report of the Hunter District Water Supply and Sewerage Board for the year ended 30th June, 1905, which was laid upon the Table on the 21st November, 1905. | ..... | Mr. Lee | 4 December | To be printed | To be attached to report. |
| By-laws | of the Borough of Albury ..... | ..... | Mr. Hogue | 4 December | Not to be printed. | |
| Report | of the Committee appointed to consider what steps should be taken to minimise the risk of fire and the danger of panic in Theatres, Public Halls, and other places of public concourse. | ..... | Mr. Hogue | 6 December | To be printed | Already in print. |
| Notification | of resumption of land under the Public Works Act, 1900, for the erection of a Wharf at Mouth of Wyong Creek, Tuggerah Lake. | ..... | Mr. Lee | 6 December | Not to be printed. | |
| Schedules | to Additional Estimates, 1905-6, Public Works Department ..... | ..... | Mr. Lee | 6 December | To be printed. | |
| Abstract | of Crown Lands reserved from Sale for the Preservation of Water Supply or other Public Purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 6 December | Not to be printed. | |
| Abstract | of Sites for Cities, Towns, and Villages, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 6 December | Not to be printed. | |
| Abstract | of Crown Lands intended to be dedicated to Public Purposes, under the Crown Lands Act of 1884. | ..... | Mr. Ashton | 6 December | 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. |
|--------------------------|--|--------------------|--------------------------|-----------------------|-------------------------------|--|
| 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. Ashton | 6 December | Not to be printed. | |
| Return | of Leases granted under the provisions of Section 18 of the Crown Lands Act Amendment Act, 1903. | ..... | Mr. Ashton | 6 December | Not to be printed. | |
| Amended scale | of fees under the District Courts (Amendment) Act, 1905 ..... | ..... | Mr. Wade | 7 December | Not to be printed. | |
| By-law | of the Municipal District of Coonamble, under the Nuisances Prevention Act, 1897, and the Public Health (Night-soil Removal) Act, 1902. | ..... | Mr. Hogue | 7 December | Not to be printed. | |
| By-law | of the Borough of The Glebe ..... | ..... | Mr. Hogue | 7 December | Not to be printed. | |
| By-law | of the Municipal District of West Narrabri..... | ..... | Mr. Hogue | 7 December | Not to be printed. | |
| Return to an Order | "Ex-Senior-constable T. G. Wright's retirement from the Police Force." | Mr. Sullivan | Mr. Hogue | 7 December | Not to be printed. | |
| Report | of the Department of Agriculture for the year ended 30th June, 1905. | ..... | Mr. Moore | 7 December | To be printed. | |
| Return to an Order | "Turbine Engines for the Ultimo Power-house" | Mr. Fegan | Mr. Carruthers | 18 October | To be printed | Reported on on 24 Oct., 1905. Referred for reconsideration 7 Dec., 1905. To be combined with portions ordered to be printed on 24 Oct., and printed as one document. |

Reading Room, Legislative Assembly,
Sydney, 7th December, 1905.

[3d.]

JOHN McFARLANE,
Chairman.

Sydney: William Applegate Gullick, Government Printer.—1905.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 24.

REPORT FROM PRINTING COMMITTEE.

THE PRINTING COMMITTEE of the Legislative Assembly, appointed under the Sessional Order of 28th June, 1905, Votes No. 7, Entry 9, have agreed to report to your Honorable House in relation to the Papers referred to them since their Report, No. 23, dated 7th December, 1905, 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. |
|------------------------------|--|--------------------|--------------------------|-----------------------|-------------------------------|----------|
| Additional Regulations | under the Water and Drainage Act, 1902 ..... | ..... | Mr. Lee | 8 December | 1905. Not to be printed. | |

Reading Room,
Legislative Assembly,
Sydney, 8th December, 1905.

JOHN MCFARLANE,
Chairman.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

**PETITION OF MR. JOHN HAYNES AGAINST THE RETURN
OF MR. EDWIN RICHARDS AS MEMBER FOR THE
ELECTORAL DISTRICT OF MUDGEE.**

(PAPERS RELATIVE TO THE PROPOSED REFUND TO MESSRS. HAYNES AND RICHARDS OF THE
EXPENSES INCURRED BY THEM IN CONNECTION WITH THE HEARING OF.)

Printed under No. 12 Report from Printing Committee, 21 September, 1905.

THESE papers are made available to Members of the Legislative Assembly as the result of an undertaking given by the Premier, in answer to a question without notice, that, before any payments were made to the parties concerned by way of reimbursement of expenses incurred in connection with the Petition, the House would be consulted.

The Elections and Qualifications Committee found that,—

- “A serious irregularity was committed at the Mudgee Public School-house booth by the Presiding Officer”;
- “The Committee make no award as to costs”; and
- “That the expenses of the witnesses summoned by the Committee be paid by the Government.”

The Estimates-in-Chief, it will be seen, in accordance with the Premier's undertaking, contain (p. 41) an item of £197 for the purpose in question (Mr. Richards £76 15s. and Mr. Haynes £120 2s.).

The claims of the contending parties to this consideration are principally based upon the finding of the Elections and Qualifications Committee, that an officer connected with the conduct of the election was guilty of negligence.

The Committee, as cited above, recommended payment of the expenses of witnesses summoned by it, and this has already been given effect to.

The witnesses in respect of which the parties to the appeal now claim expenses are those produced by themselves.

The precedents of this character (five in all) are enumerated on pages 2 and 3 of these papers.

The statement of costs originally submitted by each claimant were submitted to the Crown Solicitor, by whom they were taxed, and the proposed Vote represents the claims after having undergone the scrutiny of the Crown Law officers.

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 initialled 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.

John Haynes, Esq., to The Hon. J. H. Carruthers, Premier.

Dear Mr. Carruthers, Park and Castlereagh Streets, Sydney, 11 January, 1905.

I desire to ask that the Government make a refund to me of my expenses, amounting to £136, in connection with my recent petition on the Mudgee election.

I may state that, though the Committee did not give me a verdict, they practically, in another way, did do so—their determination in this respect being distinctly in the public interest. They added to their report the opinion that grave irregularities had occurred at one of the Mudgee polling-booths, and they called the attention of the Hon. the Colonial Secretary to the matter. Since then the Returning Officer at Mudgee has resigned. My petition was, therefore, clearly in the public interest.

I, therefore, ask a refund of my expenses, amounting to £136, and am anxious to know if the Government can see their way to submit the item on the next Estimates for Parliamentary consideration. There are precedents for this course.

Yours truly,
JOHN HAYNES.

Is there any precedent for this?—J.H.C., 12/1/05.

Edwin Richards, Esq., to The Hon. J. H. Carruthers, Premier.

Dear Sir, Parliament House, 18 January, 1905.

The Elections and Qualifications Committee, in concluding the petition matter moved by Mr. Haynes, made the recommendation that the Government should "pay costs."

The inquiry was most expensive, having dragged into twelve sittings.

It is not for me to make comment, feeling sure that, as reasonable men, the Government will recognise the hardship involved, when I was not an offender, and Parliament would be just as reasonable to sympathise.

I now leave the matter with you, thus formally introduced.

Faithfully yours,
EDWIN RICHARDS.

See Premier's minute on B. 669. Clerk of Correspondence, 21 Jan., 1905. Letter to Mr. Richards accordingly.—G.A.H., 21/1/05. Records put away.—J. Burt, 24/1/05.

The Chief Accountant to The Under Secretary for Finance and Trade.

Subject:—Application of Mr. John Haynes to be allowed expenses in connection with Petition *re* Mudgee Election, 1904.

[*Memorandum.*]

The Treasury, Account Branch, Sydney, 19 January, 1905.

No precedent can be found in a case analogous to Mr. Haynes', but the undermentioned Votes have been sanctioned in connection with elections declared void through irregularities:—

1892.—Compensation to Messrs. J. B. Nicholson and Andrew Lysaght, for expenses incurred by them in seeking re-election, caused through their seats being declared vacant on account of irregularities in the conduct of the election, &c.—£100 each.

1895-6.—Compensation to Messrs. J. C. L. Fitzpatrick and W. C. Wall for expenses incurred by them when seeking re-election, caused through the election for the district of Rylstone being declared void owing to errors of judgment on the part of the officials who conducted the said election—£150 each.

1898-9,

- 1898-9.—Towards expenses of Major Ferris and Dowell O'Reilly, candidates for Parramatta, at election of 27th July, 1898, voided on account of irregularities of officials—£100 each.
- 1900-1.—Expenses of candidates (S. Smith and T. Taylor) at second election, Canterbury, rendered necessary through error of Returning Officer—£100 each.
- 1901-2.—Expenses of Messrs. P. J. Clara and A. Stewart in connection with Condoublin election, declared void by Elections and Qualifications Committee—£100 each.

C. G. L. BOYCE,
Chief Accountant.

Submitted for special consideration. Mr. Haynes claims £136. The finding of the Elections and Qualifications Committee is very clearly set out on page 7 of the Report.—C. J. SAUNDERS, 20/1/05. Inform Messrs. Haynes and Richards of these precedents, and say their case is not similar.—J.H.C., 20/1/05. Mr. Heath.—J.B., 20/1/05. Done.—G.A.H., 21/1/05.

The Acting Under Secretary for Finance and Trade to John Haynes, Esq.

Sir,

The Treasury, New South Wales, Sydney, 21 January, 1905.

Referring to your letter of 11th instant, asking that your costs in your recent petition against the return of Mr. E. Richards for Mudgee, at the General Election, may be placed on the Estimates, I have the honor, by direction of the Premier and Colonial Treasurer, to hand you, enclosed, a memorandum showing the precedents which can be traced for taking votes on the Estimates in election matters.

Mr. Carruthers desires me to point out, however, that your petition in connection with the late Mudgee Election is not similar to any of the cases shown in the list.

I have, &c.,

C. J. SAUNDERS,
Acting Under Secretary for Finance and Trade.

The Acting Under Secretary for Finance and Trade to Edwin Richards, Esq., M.L.A.

Sir,

The Treasury, New South Wales, Sydney, 21 January, 1905.

Referring to your letter of 18th instant in regard to the costs *in re* the petition of Mr. John Haynes respecting the Mudgee election, I have the honor, by direction of the Premier and Colonial Treasurer, to enclose a memorandum showing the precedents which can be traced for taking votes on the Estimates in election matters.

Mr. Carruthers desires me to point out, however, that the petition, Haynes *versus* Richards, in connection with the late Mudgee election, is not similar to any of the cases shown in the list.

I have, &c.,

C. J. SAUNDERS,
Acting Under Secretary for Finance and Trade.

Edwin Richards, Esq., M.L.A., to The Acting Under Secretary for Finance and Trade.

Dear Sir,

Mudgee, 31 January, 1905.

In reply to yours of 21st January, in response to my request contained in communication of 18th January, I have the honor to further represent that, though the case Haynes *versus* Richards may not be on all-fours with the cases cited, the fact remains that the Committee of Elections and Qualifications unanimously recommended the payment of costs incurred in the petition.

The Committee recognised that the case was one of extreme hardship to both parties. The investigation showed that there were irregularities on the part of officials conducting the election—that their blunders brought about the trouble which led to the protest.

I was, of course, compelled to contest the petition, though confident that in the course of the election I had done no wrong. Yet I have been penalised, and this following an election in an extensive electorate, requiring great expense.

The circumstances covering the whole case are of an unusual character, as a perusal of the evidence will show. The Committee practically censured those appointed for the good conduct of the election, acquitted me of any complicity, and finally said, because of this "the Government should reimburse the parties." I feel sure this view would be endorsed by Parliament, knowing as I do that expressions of sympathy were conveyed to me by men from both sides of the House.

Seeing that Parliament is not likely to sit for three months, I again respectfully ask for recognition of my claim.

Faithfully yours,

EDWIN RICHARDS.

Submitted.—J. BURT, 2/2/05. The Committee made no award as to costs, but directed that the expenses of witnesses summoned by the Committee be paid by the Government.—C.J.S., 3/2/05. Inform as above, and that such have been paid.—J.A., 3/2/05. Inform Mr. Richards.—J. BURT, 8/2/05. Clerk of Correspondence, 10/2/05. Mr. Richards informed.—G.A.H., 13/2/05. Records.—J.B., 14/2/05.

The Acting Under Secretary for Finance and Trade to Edwin Richards, Esq., M.L.A.

Sir

The Treasury, New South Wales, Sydney, 13 February, 1905.

Referring to your letter of 31st ultimo, and previous correspondence, in regard to the costs *in re* the petition of Mr. John Haynes respecting the Mudgee election, I have the honor, by direction of the Acting Premier and Colonial Treasurer, to inform you that the Committee of Elections and Qualifications made no awards as to costs, but directed that the expenses of witnesses summoned by the Committee be paid by the Government, and that such expenses have been paid.

I have, &c.,

C. J. SAUNDERS,

Acting Under Secretary for Finance and Trade.

Ask Mr. Richards, M.P., and Mr. John Haynes to submit the costs they were put to in respect of the petition lodged against the Mudgee election with a view to moderation by the Crown Solicitor, who is to be instructed to tax or moderate them, so that amounts can be ascertained for placing on the Estimates to recoup them for the expenses incurred by them in respect of the issues upon which it was found that the Returning or Presiding Officer had been in error. Better first get from Mr. Arnold the proceedings of the inquiry by the Elections and Qualifications Committee, also the report, so as to be sure of the wording of any letter to these gentlemen.—J.H.C., 21/4/05. The Under Secretary.

Previous papers will probably give most of above particulars.—C.J.S., 25/4/05. Mr. Robinson,— Attach papers *re* Mr. Haynes application.—J. BURT, 26/4/05. Now attached.—J.H.R. As the previous papers give no details of the expenses incurred by Messrs. Richards and Haynes, a letter in terms of the Premier's minute may now be written.—J. BURT, 27/4/05. Submitted; prepare draft letter.—C.J.S., 28/4/05. Clerk of Correspondence, 29/4/05. Draft letter herewith.—R.L.C.C., 1/5/05. Mr. Richards, M.L.A., and Mr. Haynes informed.—R.L.C.C., 2/5/05. Await replies.—J.B., 3/5/05.

The Acting Under Secretary for Finance and Trade to Edwin Richards, Esq., M.L.A.

Sir,

The Treasury, New South Wales, Sydney, 2 May, 1905.

Following up my letter to you of 13th February last, in regard to the costs in respect of the petition of Mr. John Haynes *re* the Mudgee election, I am directed by the Premier and Colonial Treasurer to request that you will be so good as to furnish a statement of the costs incurred by you in such connection.

I am to add that the Crown Solicitor will be instructed to tax or moderate such costs, and that, when the amount has been ascertained, a sum will be submitted on the Estimates for the purpose of recouping you the expenses incurred in respect of the issues upon which it was found that the Presiding Officer had been in error.

I have, &c.,

C. J. SAUNDERS,

Acting Under Secretary for Finance and Trade.

The Acting Under Secretary for Finance and Trade to John Haynes, Esq.

Sir,

The Treasury, New South Wales, Sydney, 2 May, 1905.

Following up my letter to you of 21st January last, in regard to the costs in respect of the petition *re* the Mudgee election, I am directed by the Premier and Colonial Treasurer to request that you will be so good as to furnish a statement of the costs incurred by you in such connection.

I am to add that the Crown Solicitor will be instructed to tax or moderate such costs, and that, when the amount has been ascertained, a sum will be submitted on the Estimates for the purpose of recouping you the expenses incurred in respect of the issues upon which it was found that the Presiding Officer had been in error.

I have, &c.,

C. J. SAUNDERS,

Acting Under Secretary for Finance and Trade.

Edwin Richards, Esq., M.L.A., to The Acting Under Secretary for Finance and Trade.

Dear Sir,

Parliament, New South Wales, Sydney, 22 May, 1905.

The account herewith was shown by me to the Premier in March last. Personal expenses, outside of legal costs, were considerable, as may be imagined, in an inquiry covering twelve days. Of course one cannot ask for the like, or for the cost of wear and tear upon one's mind during such an ordeal. Yet it all, morally, might be scheduled "in respect of the issues upon which it was found that the presiding officer had been in error," and because of which decision of the Committee, that public officer resigned his position.

I trust in any taxing that may be attempted in regard to my solicitor's account, the fact will be borne in mind that Mr. H. A. Lyons is attorney of repute and standing, and that his items are the ordinary ones, his attendance personally covering twelve to twenty appearances at Parliament House.

Faithfully yours,

EDWIN RICHARDS.

Formally acknowledged, 24/5/05. Papers, please.—C.J.S., 24/5/05. Submitted. Shall this account be forwarded to the Crown Solicitor for review or shall it be held over pending receipt of Mr. Haynes' account.—J. BURT, 24/5/05. Mr. Richards' bill of costs for £76 15s. may be forwarded to Crown Solicitor for revision in accordance with the Premier's decision of 21st April, 1905; enclosed.—C.J.S., 25/5/05. Approved. I do not want any illiberal treatment, but a fair and reasonable amount to be fixed.—J.H.C., 25/5/05.

Mr.

Mr. H. A. Lyons to Edwin Richards, Esq., M.L.A.

Nos. 9 and 10, Lyndhurst Chambers, 84, Elizabeth-street, Sydney, 20 December, 1904.

Dear Sir, *Re* Petition of John Haynes.

Herewith I enclose my bill of costs herein. The account is only a skeleton, as I have cut out most of the work and made charges as low as possible. As you know, we were in attendance at House of Parliament for four weeks. The counsel's fees are also very small. Kindly let me have a cheque to cover same.

Yours truly,
H. A. LYONS.

[Enclosure.]

Edwin Richards, Esquire, M.L.A., to H. A. Lyons, Solicitor, Dr., *re* Petition of John Haynes and the Committee of Elections and Qualifications

| | £ | s. | d. |
|---|-----|----|----|
| 1904. | | | |
| October 17.—Attending you this day when you instructed me to act for you and to retain Messrs. James and Hall, as counsel on your behalf, and receiving copy petition lodged by Haynes, and conferring thereon | 0 | 5 | 0 |
| October 18.—Attending you when you handed me three copies of Electoral Act and your electoral right, and several letters and documents, and conferring | 0 | 5 | 0 |
| Perusing and considering petition and Electoral Act, and making long and voluminous notes as to allegations in petition and sections of Act, disproving same, and preparing brief—engaged two hours | 1 | 1 | 0 |
| Instruction for and handing brief and documents to Mr. James..... | 1 | 1 | 0 |
| Attending Mr. James with brief | 0 | 5 | 0 |
| Paid his fee and clerk | 7 | 12 | 0 |
| Brief for Mr. Hall..... | 1 | 1 | 0 |
| Attending him therewith | 0 | 5 | 0 |
| Paid his fee and clerk | 5 | 10 | 0 |
| Attending conference with counsel .. | 0 | 15 | 0 |
| October 20.—Attending before Committee from 10 o'clock until 1 o'clock, when hearing adjourned until Tuesday next at 11 o'clock | 2 | 2 | 0 |
| October 25.—The like this day from 11 o'clock until 3-30 o'clock, when hearing adjourned until Thursday next at 11 a.m. | 3 | 3 | 0 |
| October 27.—The like this day from 11 a.m. until 1 p.m., when hearing adjourned until 10-30 a.m. to-morrow .. | 2 | 2 | 0 |
| October 28.—The like this day from 10-30 a.m. until 4 p.m., when hearing adjourned until 1st November next | 3 | 3 | 0 |
| November 1.—The like this day from 10-30 a.m. until 4 p.m., when hearing adjourned until 10-30 a.m. to-morrow .. | 3 | 3 | 0 |
| November 2.—The like this day from 10 a.m. until 3 p.m., when hearing adjourned until the 8th instant at 10-30 a.m. | 3 | 3 | 0 |
| November 8.—The like this day from 10-30 a.m. until quarter to 5 p.m., when hearing adjourned until Thursday next | 3 | 3 | 0 |
| November 10.—The like this day from 10-30 a.m. until 11-30 a.m., when Chairman intimated that in opinion of Committee there was a case to answer on grounds 8, 9, and 10 of Petition, &c., when hearing adjourned until the 17th instant for you to call evidence in reply..... | 1 | 11 | 0 |
| November 16.—Attending Mr. MacDonald as to his evidence..... | 0 | 5 | 0 |
| Letter to Clerk of Committee for subpoenas for Messrs. Gibson and Perry..... | 0 | 3 | 6 |
| Attending at Parliament House with same..... | 0 | 2 | 6 |
| Attending Clerk (Mr. Christie) several times as to same..... | 0 | 5 | 0 |
| Attending Mr. James, conferring as to witnesses to be called on your behalf..... | 0 | 5 | 0 |
| Attending on receipt of subpoena for Mr. Gibson, and perusing..... | 2 | 2 | 0 |
| November 17.—Attending before Committee from 11 a.m. until 1 p.m., when hearing adjourned until 2 p.m., and then to 3-30 p.m., when counsel for petitioner addressed Committee | 2 | 2 | 0 |
| November 18.—The like this day from 10-30 a.m. until 3-30 p.m., when decision reserved for a few days, and subsequently given in your favour, and petition dismissed | 2 | 2 | 0 |
| Attending paying Mr. James refreshers for seven days | 0 | 5 | 0 |
| Paid | 21 | 0 | 0 |
| The like Mr. Hall..... | 0 | 5 | 0 |
| Paid | 11 | 0 | 0 |
| Innumerable attendances on you and Mr. Crossing, and two constables and others, also perusing letters sent to you; also, electoral rolls for the District of Mudgee, and many other matters not heretofore charged | £76 | 15 | 0 |

With compliments,
H. A. LYONS,
Solicitor.

20th December, 1904.

Mr. J. W. Holmes to The Under Secretary for Finance and Trade.

Sir,

Bank of New South Wales, Sydney, 5 May, 1905.

I have the honor to enclose herewith letter bearing even date herewith addressed to you by Mr. John Haynes, authorising and directing you to pay to this bank, as soon as available, the amount payable to him for costs in respect of his petition *re* the Mudgee Parliamentary election.

You will note that the authority is irrevocable. Please acknowledge receipt.

I have, &c.,
J. W. HOLMES,
Sub-Manager.

[Enclosure.]

John Haynes, Esq., to The Under Secretary for Finance and Trade.

Sir,

Sydney, 5 May, 1905.

I hereby authorise and direct you to pay to the Bank of New South Wales, Sydney, the amount payable to me for costs in respect of my petition *re* the Mudgee Parliamentary election so soon as same is available. This authority to be irrevocable.

I have, &c.,
JOHN HAYNES.

Submitted for the Under Secretary's information. I presume this notice has been sent in anticipation of payment being made to Mr. Haynes. Chief Accountant should note—J. BURR, 8/5/05. For the Premier's information. No sum has yet been allotted.—C.J.S., 10/5/05. Seen.—J.H.C., 10/5/05. Resubmit, 1st June, 1905.—J. BURR.

Mr.

Mr. J. W. Holmes to The Under Secretary for Finance and Trade.

Re John Haynes, Esq.

Bank of New South Wales, Sydney, 11 May, 1905.

Sir,

I have the honor to request that you favour me with a reply to my letter of the 5th inst.

I have, &c.,

J. W. HOLMES,

Sub-Manager.

John Haynes, Esq., to The Hon. C. G. Wade, Attorney-General.

Dear Sir,

Meadowbank, 10 May, 1905.

In reply to my letter to the Premier, the Hon. J. H. Carruthers, last January, I received a few days ago a note from the Treasury asking me to submit my bill of costs in *re* my petition against the return of the present Member for Mudgee, and herewith you will please find same.

As you are doubtless aware, though the seat was not given me, this verdict was practically annulled by the Committee passing a grave censure on the Returning Officer for the conduct of the election, since which censure that officer has resigned.

I am, &c.,

JOHN HAYNES.

[Enclosure.]

Bill of Costs *in re* Petition of John Haynes against the sitting Member for Mudgee.

Solicitor's costs.

| | |
|--|-----------|
| To costs of attendances on you, advising, drawing, and engrossing petition, attending you, reading over same, and obtaining your signature thereto; drawing briefs for two counsel; attending, bespeaking subpoenas, and forwarding same to Mudgee; very many attendances on you and counsel and the following witnesses from Mudgee—J. C. Garding, the Returning Officer, the Presiding Officer, U. Scoble, G. H. Crossing, G. F. Oram, Miss Payne, W. J. Hessel, Senior-sergeant Harvey, W. D. Owen, W. McIntyre, G. Pauling, J. A. Pitt, Carmichael, J. Tarrant, H. Low, J. J. Hickson, Constable Cobcroft, Constable Lamrock, Chapman, Constable McRae, W. R. Train, D. Evans, Constable Milling, and Mr. Horne; attending eleven times before Parliamentary Committee, when evidence was taken and petition dealt with; letters, telegrams, &c. | £42 0 |
| Paid Mr. Piddington..... | 51 7 0 |
| Paid Mr. Davidson..... | 30 8 0 |
| | £123 15 0 |
| Railway fares (return Mudgee to Sydney) of thirteen witnesses; conveyance other witnesses distant part of district to Mudgee; coaching; 10s. to 30s. per day for witnesses..... | £60 0 0 |
| Incidental expenses..... | 15 0 0 |
| | £198 15 0 |

Memo. for Mr. Wade.—The expenses charged me by counsel, solicitor, and witnesses were on the lowest scale, largely out of political sympathy over the case.—J.H.

The Hon. C. G. Wade, Attorney-General, to The Hon. J. H. Carruthers, Premier.

Attorney-General and Minister of Justice, New South Wales, 12 May, 1905.

My dear Carruthers,

I forward the enclosed letter, which I have received from Mr. John Haynes, for your consideration.

Yours, &c.,

C. G. WADE.

The A.G. has nothing to do with matter.

Memorandum.

Mr. Haynes should be informed that this matter does not come within the jurisdiction of the Hon. the Attorney-General, and that, therefore, his communication should be addressed to the Premier. The statement of costs which he submits, moreover, cannot be accepted as sufficient for purposes of official consideration. What is wanted is a bill of costs drawn up in the customary way, in order that it may be submitted to the Crown Law Officers for advice. Witnesses' expenses connected with the inquiry, the Premier believes, have already been paid.—E.B.H., 13/5/05. The Under Secretary for Finance and Trade.

Inform Mr. Haynes.—C. J. SAUNDERS, 15/5/05. Mr. Robinson,—Attach papers and forward to Mr. Heath.—J. BURT, 15/5/05. Papers attached. Clerk of Correspondence, 15/5/05. Letter to Mr. Haynes, as above.—G.A.H., 15/5/05. Re-submit with reply.—J.B., 15/5/05.

The Bank of New South Wales may be informed, in reply to their letter C. 05/4,524, that no sum has yet been allotted to Mr. Haynes.—J. BURT, 15/5/05. Clerk of Correspondence, 15/5/05. Done.—G.A.H., 16/5/05.

The Under Secretary for Finance and Trade to John Haynes, Esq.

Sir,

The Treasury, New South Wales, Sydney, 15 May, 1905.

Referring to your letter of 10th instant, addressed to the Attorney-General, and enclosing your claim *in re* your petition against the return of Mr. E. Richards as Member for Mudgee at the last General Election, I am directed to inform you that such letter should have been addressed to the Premier, as the matter under notice does not come within the jurisdiction of the Minister to whom it was addressed. Further, the statement of costs which you have forwarded cannot be accepted as sufficient for the purposes of official consideration. What is wanted is a bill of costs, drawn up in the ordinary way, in order that it may be submitted to the Crown Law Officers for advice.

It may be added that it is understood that the witnesses' expenses in connection with the inquiry have already been paid.

I have, &c.,

C. J. SAUNDERS,

Under Secretary for Finance and Trade.

The

The Under Secretary for Finance and Trade to the Sub-Manager, Bank of New South Wales, Sydney.

Sir, The Treasury, New South Wales, Sydney, 16 May, 1905.
Referring to your letter of 11th instant, *re* John Haynes, Esq., I have the honor to inform you that no sum has yet been allotted to Mr. Haynes.

I have, &c.,
C. J. SAUNDERS,
Under Secretary for Finance and Trade.

John Haynes, Esq., to The Hon. The Colonial Treasurer.

Sir, Meadowbank, 25 May, 1905.

Herewith detail of legal expenses *re* petition as required.

Regarding item £60, on paper dated 10/5/05, I desire to supply these extra particulars:—

The return fare, Mudgee to Sydney, was 37s. 6d. in each case—one or two first-class fares, 57s. 6d. return. Mr. Garling came down two or three times. Witness U. Scoble cost £5, having to coach from Leadville to Mudgee and back, and Mudgee to Sydney and back. Witness Hickson, brought to Mudgee, only cost £2 10s. Two Hargraves witnesses, £1 10s. and £2 each (or respectively). In Sydney the payment was 10s. per day for from two to six days; and in some cases the payments were 15s. per day.

Incidental expenses, £15, are portion of payments by myself, and expenses by Mr. Garling, who did not charge but a portion of out-of-pocket expenses.

Yours, &c.,
JOHN HAYNES.

[Enclosure.]

88, Pitt-street, Sydney, 22 May, 1905.

John Haynes, Esquire, to W. E. Hawkins.

Re Petition.

| 1904. | | £ | s. | d. | £ | s. | d. |
|---------------|---|----|----|----|---|----|----|
| September 21. | —Attending you hereon, conferring when you informed me that Mr. Richards had been returned Member for Mudgee, and instructions to lodge petition against his return | | 0 | 13 | 4 | | |
| | Letter to your electioneering secretary at Mudgee for information..... | | 0 | 5 | 0 | | |
| | Perusing correspondence and statements received from him (very long) | | 1 | 1 | 0 | | |
| | Attending you hereon, conferring, obtaining further information to enable me to draw petition | | 0 | 6 | 8 | | |
| | Drawing petition, 21 folios | | 1 | 11 | 6 | | |
| | Attending counsel, Mr. Lamb, with same to be settled, when he informed me that he could not say at present whether he could attend before Committee, and going into clauses with him, when he settled same..... | | 0 | 13 | 4 | | |
| | Fair copy petition to send to Mudgee | | 0 | 7 | 0 | | |
| October 5. | —Letter to your Mudgee secretary with same, and asking him if all the allegations can be sustained, and what evidence is procurable..... | | 0 | 5 | 2 | | |
| | Perusing very lengthy reply..... | | 0 | 3 | 4 | | |
| | Typing petition | | 0 | 11 | 6 | | |
| October 6. | —Attending you hereon, conferring, and reading over petition to you and obtaining your signature thereto..... | | 0 | 6 | 8 | | |
| | Letter to Hon. Chief Secretary enclosing petition | | 0 | 5 | 0 | | |
| October 8. | —Perusing letter from Chief Secretary's Office acknowledging receipt | | | | | | |
| | Attending you hereon, conferring and going into matter with you and obtaining names of witnesses to subpoena | | 0 | 13 | 4 | | |
| October 18. | —Attending at Parliamentary Committee Rooms when it was arranged that evidence be taken on Thursday, 20th instant..... | | 1 | 1 | 0 | | |
| | Instructions for brief to counsel including very many consultations and conferences, the whole of each day of hearing being given up to conferences and attendances before Committee, and other days also occupied in conferences | | 10 | 10 | 0 | | |
| | Drawing same | | 0 | 10 | 6 | | |
| | Copy documents for same and notes of evidence | | 0 | 16 | 6 | | |
| | Copy brief for second counsel | | 1 | 0 | 0 | | |
| October 20. | —Attending before Parliamentary Committee, when formal evidence taken, and matter adjourned till Tuesday, 25th instant. (Counsel not present) | | 2 | 2 | 0 | | |
| October 22. | —Attending at Parliamentary Committee Rooms bespeaking six subpoenas..... | | 0 | 6 | 8 | | |
| | Attending for and obtaining same | | 0 | 6 | 8 | | |
| | Letter to Mr. Garling, Mudgee, with same for service | | 0 | 5 | 2 | | |
| October 24. | —Attending Mr. Lamb, counsel, when he informed me that he could not attend before the Parliamentary Committee on Tuesday | | 0 | 6 | 8 | | |
| | Attending Mr. Blacket, when he informed me that he could not attend on Tuesday | | 0 | 6 | 8 | | |
| | Attending Mr. Scholes, when he informed me that he could not attend on Tuesday | | 0 | 6 | 8 | | |
| | Attending Mr. Piddington, when he informed me that he could take brief, and delivering same | | 0 | 6 | 8 | | |
| | Paid his fee and clerk | 11 | 0 | 0 | | | |
| | Attending Mr. Davidson, when he informed me that he could take brief and delivering same | | 0 | 6 | 8 | | |
| | Paid his fee and clerk | 7 | 12 | 0 | | | |
| | Attending making appointment for conference and informing both counsel | | 0 | 6 | 8 | | |
| | Attending counsel in long conference..... | | 1 | 1 | 0 | | |
| | Paid Mr. Piddington's fee | 2 | 7 | 0 | | | |
| | Paid Mr. Davidson's fee | 1 | 6 | 0 | | | |
| October 25. | —Attending you and Mr. Garling, and with you on counsel, in long conference..... | | 1 | 1 | 0 | | |
| | Attending with counsel before Parliamentary Committee, evidence gone into and matter adjourned to 27th instant | | 3 | 3 | 0 | | |
| | Attending Committee Rooms bespeaking subpoenas | | 0 | 6 | 8 | | |
| | Attending for and obtaining same | | 0 | 6 | 8 | | |
| | Letter to Mr. Davidson with same for service | | 0 | 5 | 2 | | |
| | Attending with counsel before Committee, evidence gone into and matter adjourned till to-morrow, rest of day in conference | | 2 | 2 | 0 | | |
| | Attending Committee Rooms, bespeaking subpoenas | | 0 | 6 | 8 | | |

October

| | £ s. d. | £ s. d. |
|--|----------|-----------|
| October 27.—Attending for and obtaining same | | 0 6 8 |
| Letter to Mr. Davidson, with same for service | | 0 5 2 |
| October 28.—Attending with counsel before Committee all day; evidence gone into, and matter adjourned till 1st November, 10-30 to 4 | | 3 3 0 |
| Attending Davidson to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 5 7 6 | |
| October 29.—Perusing letter from Mr. Davidson, asking for instructions as to serving subpoenas | | 0 3 4 |
| Drawing and despatching telegram to him | | 0 5 0 |
| Paid | 0 0 9 | |
| Long letter to him hereon, reporting progress | | 0 6 8 |
| October 31.—Perusing letter from Mr. Davidson stating that witnesses would leave to-night | | 0 3 4 |
| November 1.—Attending with counsel before Committee all day; evidence gone into, and matter adjourned till to-morrow, 10-30 to 4 p.m. | | 3 3 0 |
| Attending Mr. Piddington to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 7 12 0 | |
| Attending Mr. Davidson to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 5 7 6 | |
| Drawing and despatching telegram to Mr. Davidson | | 0 5 0 |
| Paid | 0 0 9 | |
| Letter to him reporting progress | | 0 6 8 |
| November 2.—Attending with counsel before Committee; evidence gone into, and matter adjourned till 8th instant, 10-30 to 3 p.m. | | 3 3 0 |
| Attending Mr. Piddington to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 7 12 0 | |
| Drawing and despatching telegram to Mr. Davidson | | 0 5 0 |
| Paid | 0 1 1 | |
| Perusing long letter from Mr. Davidson asking for instructions | | 0 3 4 |
| Perusing telegram from Mr. Davidson as to sending witnesses | | 0 3 4 |
| Drawing and despatching telegrams to Mr. Davidson to send witnesses as to crush | | 0 5 0 |
| Paid | 0 0 9 | |
| Letter to him reporting progress | | 0 5 2 |
| November 3.—Perusing very long letter from Mr. Davidson | | 0 3 4 |
| Long letter to him reporting progress | | 0 5 2 |
| November 4.—Drawing and despatching telegram to Mr. Davidson not to send any more witnesses | | 0 5 0 |
| Paid | 0 1 1 | |
| November 5.—Very long letter to Mr. Davidson reporting fully the position of the matter | | 0 6 8 |
| November 7.—Drawing and despatching telegram to Mr. Davidson to have list verified | | 0 5 0 |
| Paid | 0 0 9 | |
| November 8.—Attending with counsel before Committee; evidence gone into, and matter adjourned till 10th instant, 10-30 to 5-30 | | 5 5 0 |
| Attending Mr. Piddington to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 7 12 0 | |
| Attending Mr. Davidson to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 5 7 6 | |
| Drawing and despatching telegram to Mr. Garling | | 0 5 0 |
| Paid | 0 0 9 | |
| Perusing letter from Mr. Garling stating that he could not furnish a verified list from Mr. Oram | | 0 3 4 |
| November 10.—Attending with counsel before Committee; evidence gone into, and matter adjourned till 17th instant, 10-30 to 11-15 | | 2 2 0 |
| Letter to Mr. Davidson reporting progress | | 0 5 2 |
| November 12.—Letter to Mr. Davidson to forward declaration that electors attempted to vote, but were unable owing to the crush | | 0 5 2 |
| November 17.—Attending with counsel before Committee; evidence gone into, and matter adjourned till to-morrow, 11 to 4-30 | | 4 4 0 |
| Attending Mr. Piddington to mark refresher | | 0 6 8 |
| Paid refresher and clerk | 7 12 0 | |
| Attending Mr. Davidson to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 5 7 6 | |
| November 18.—Attending with counsel before Committee, when evidence gone into and matter adjourned till 22nd instant, 11 to 3 | | 3 3 0 |
| Attending Mr. Piddington to mark refresher | | 0 6 8 |
| Paid refresher fee and clerk | 7 12 0 | |
| November 29.—Attending with counsel before Committee, when petition dismissed | | 2 2 0 |
| | £82 0 11 | 69 6 0 |
| | | 42 0 0 |
| But say | | 82 0 11 |
| | | £124 0 11 |

May now be forwarded to the Crown Solicitor.—J. BURR, 26/5/05. Mr. Richards' legal expenses amounted to £76 15s., Mr. Haynes' to £124 0s. 11d. Mr. Haynes also claims for witnesses, but Mr. Richards does not so claim.—C.J.S., 26/5/05. To Crown Solicitor, who should ascertain what witnesses were paid by the Committee.—J.H.C., 26/5/05.

The Crown Solicitor. Attention is invited also to minute of the Premier, dated 25th instant, on papers C. 4,905 herewith.—J. BURR (for Under Secretary), B.C., the Treasury, 26/5/05. The recommendation of the Committee was that the witnesses *summoned by the Committee* be paid by the Government. These have been paid. I have *to-day* received from Mr. Haynes' solicitor a list (sent herewith "A") of amounts stated to have been paid by Mr. Haynes to witnesses summoned; not by the Committee, but by himself. Is it intended that these amounts should now be paid to Mr. Haynes by the Government? Kindly let me have instructions. Papers herewith.—Jno. V. TILLET, Crown Solicitor, B.C., 28/6/05. The Under Secretary for Finance and Trade.

Submitted as to whether the expenses (£58 7s.) of witnesses called by Mr. Haynes are to be paid.—J. BURR, 30/6/05. For special consideration.—C. J. SAUNDERS, 3/7/05. Only witnesses on the one issue actually called.—J.H.C., 18/7/05. The Crown Solicitor.—J.B. (for Under Secretary), B.C., the Treasury, 18/7/05.

[Enclosure.]

[Enclosure.]

"A."

HAYNES v. RICHARDS.

List of witnesses brought to Sydney and undermentioned expenses paid:—

| | £ | s. | d. |
|---|----|----|----|
| P. S. Garling | 10 | 10 | 0 |
| U. Scoble | 5 | 10 | 0 |
| G. F. Oram | 2 | 7 | 0 |
| Miss Louisa Payne..... | 2 | 7 | 0 |
| Senior-sergeant Harvey | 3 | 10 | 0 |
| W. D. Owen | 3 | 0 | 0 |
| G. J. C. Pauling..... | 2 | 17 | 0 |
| J. A. Pitt..... | 2 | 7 | 0 |
| W. D. Carmichael | 2 | 17 | 0 |
| J. Tarrant | 2 | 7 | 0 |
| H. Lord | 2 | 7 | 0 |
| Constable Cobcroft..... | 2 | 0 | 0 |
| W. R. Train | 2 | 7 | 0 |
| D. Evans (not called)..... | | | |
| Constable Milling | 2 | 7 | 0 |
| T. Patterson..... | 2 | 17 | 0 |
| Rope (not called) | 2 | 7 | 0 |
| J. J. Hickson (subpœnaed, but did not arrived in time, and therefore stopped) | 3 | 10 | 0 |
| Constable (also stopped at Mudgec)..... | 1 | 0 | 0 |
| Poll Clerk, Hargraves | 2 | 0 | 0 |

This is, with probable trifling errors, the amount of witnesses' expenses, train fare, &c., paid by me.
26/6/05.

JOHN HAYNES.

Mr. J. W. Holmes to The Under Secretary for Finance and Trade.

Sir,

Bank of New South Wales, Sydney, 13 June, 1905.

Referring to your letter of the 16th ultimo, B. 414, A. 5,302, I have the honor to draw your attention to my letter of the 5th ultimo, and to request you to advise me if the amount referred has yet been allotted to Mr. John Haynes.

I have, &c.,

JAS. W. HOLMES,

Sub-Manager.

Submitted. May be informed that the amount has not yet been allotted.—J. BURT, 16/6/05.
Yes.—C.J.S., 19/6/05. Under Secretary for Finance and Trade. Clerk of Correspondence, 19/6/05.
Bank informed.—G.A.H., 19/6/05. Place with 5/C. 4,989, on return.—J.B., 20/6/05.

The Under Secretary for Finance and Trade to The General Manager, Bank of New South Wales, Sydney.

Sir,

The Treasury, New South Wales, Sydney, 19 June, 1905.

In reply to your letter of date 13th instant, I have the honor to inform you that the amount therein referred to has not yet been allotted to Mr. John Haynes.

I have, &c.,

C. J. SAUNDERS,

Under Secretary for Finance and Trade.

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

[Memo.]

Crown Solicitor's Office, Sydney, 25 July, 1905.

Mudgee Election Petition.

MR. RICHARDS' costs have been rendered at £76 15s. The charges made are, in my opinion, reasonable, and I think this amount might be allowed in full.

Mr. Haynes' costs have been rendered at £124 0s. 11d. In my opinion £105 would be a fair and reasonable sum to allow.

Mr. Haynes' Witnesses.—In pursuance of the minute of the Honorable the Premier (18/7/05) that Mr. Haynes is to be repaid the amounts paid by him to "witnesses on the one issue actually called," I have perused the findings of the Committee and the evidence given. The finding of the Committee on the issue to which, I presume, the Premier refers, was as follows:—" (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 initialled by a person not authorised by the Act to sign or initial ballot-papers."

Of the witnesses named in the list supplied by Mr. Haynes, I find that only the following gave evidence as to what happened at the Mudgee Public School booth:—

| | £ | s. | d. |
|--------------------------|---|----|----|
| G. F. Oram | 2 | 7 | 0 |
| Miss Louisa Payne | 2 | 7 | 0 |
| G. J. C. Pauling | 2 | 17 | 0 |
| J. A. Pitt | 2 | 7 | 0 |
| H. Lord | 2 | 7 | 0 |
| T. Patterson | 2 | 17 | 0 |

£15 2 0

I understand, therefore, that the amounts paid to these witnesses as above stated may be refunded.

JNO. V. TILLET,

Crown Solicitor.

NOTE.—In connection with any payments to Messrs. Richards and Haynes, I think it is my duty to call attention to the fact that I have received instructions from the Taxation Commissioners to collect the following amounts for arrears of land and income-tax:—From Mr. Haynes, £118 15s. 8d; and for income-tax from Mr. Richards, £32 3s., and that these amounts are still unpaid.—JNO. V. T.

Submitted for Premier's consideration.—C. J. SAUNDERS, 28/7/05. For Cabinet.—J.H.C., 29/7/05. Mr. Harkness,—Inform the bank of the claim. Better do it personally to officer calling.—J.H.C., 1/8/05.

On inquiry from the Crown Solicitor, it has been ascertained that, although the amount of £118 5s. 8d. is due to Taxation Commissioners by Mr. Haynes and £32 3s. from Mr. Richards, judgment has only been recovered for portion of these amounts, as under :—J. Haynes, £44 4s. 10d. ; E. Richards, £10 3s. Subsequent arrears were not proceeded for, as the Crown Solicitor considered that no advantage would be gained by so doing. With reference to the Premier's direction to inform an officer of the bank personally of the Crown's claim, it is submitted whether such officer should be notified as to the whole amount due, or merely as to the amounts covered by the respective judgments. It is also submitted whether it is the Premier's desire that an amount should be placed on the Estimates for the current financial year to cover the costs of this election inquiry.—C. J. SAUNDERS, Under Secretary for Finance and Trade, 3/8/05.

There are to be added Mr. Hawkins' order for costs and ltn (?). Probably Crown Solicitor has these.—J.H.C. Get copies of these, to complete file.—C.J.S., 28/8/05. This order was not handed to me by Mr. Hawkins—only produced for my inspection. Mr. Hawkins says he will forward the original to the Treasury direct.—W.H.F. (for Crown Solicitor), 28/8/05.

Minute by The Premier.

MUDGE PETITION.

LET the amounts as settled go on the Estimates for Parliament to deal with. The amounts due to the Crown, of course, will have to be paid before any orders can be recognised.—J.H.C., 28/8/05.

Ascertain from Crown Solicitor this afternoon the amounts to be placed on the Estimates, in accordance with the decision of the Premier.—C. J. SAUNDERS, Under Secretary for Finance and Trade, 28/8/05.

For these amounts see my memo. of 25th ultimo. Assuming the Premier approves, the amounts will be :—Mr. Richards, costs, £76 15s. ; Mr. Haynes, costs, £105, and witnesses (subject to proof of payment as stated), £15 2s. ; total, £120 2s. Total for estimates, £76 15s., plus £120 2s. = £196 17s. I may add that although judgment has been obtained by the Taxation Commissioners for only £44 4s. 10d. in the case of Mr. Haynes, and £10 3s. in the case of Mr. Richards, there is no legal reason why the full amount of the debt due to the Crown as stated in my memo. should not be paid.—Jno. V. TILLET, Crown Solicitor, 28/8/05.

Chief Accountant to note the above amounts for Estimates.—C. J. SAUNDERS, Under Secretary for Finance and Trade, 28/8/05.

Mr. W. E. Hawkins, Solicitor, to The Under Secretary for Finance and Trade.

Re Petition of John Haynes.

Dear Sir, Batt, Rodd, and Purves' Chambers, 88, Pitt-street, Sydney, 28 August, 1905.

At the request of the Crown Solicitor, I forward herewith authority signed by Mr. John Haynes.

Yours truly,

W. E. HAWKINS

(per H.F.H.).

[Enclosure.]

John Haynes, Esq., to The Crown Solicitor.

Dear Sir,

Batt, Rodd, and Purves' Chambers, 88, Pitt-street, Sydney, 4 July, 1905.

I hereby authorise Mr. W. E. Hawkins, solicitor, to receive the amount payable to me in connection with my recent petition before the Parliamentary Elections Committee, less fifty pounds due herein to the Bank of New South Wales.

Yours truly,

JOHN HAYNES.

Register and place with papers in case ; also copy for file to complete.—C.J.S., 29/8/05.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

DIOCESE OF GOULBURN CHURCH LAND
SALE BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
5 September, 1905.

SYDNEY : WILLIAM APPELEGATE GULLICK, GOVERNMENT PRINTER.

1905.
[6d.]

1905.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 31. WEDNESDAY, 23 AUGUST, 1905.

6. DIOCESE OF GOULBURN CHURCH LAND SALE BILL (*Formal Motion*):—Mr. Ashton moved, pursuant to Notice,—
- (1.) That the Diocese of Goulburn Church Land Sale Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Donaldson, Mr. Scobie, Mr. Levy, Mr. O'Sullivan, Mr. Kelly, Mr. McCoy, Mr. Charlton, Mr. Ball, and the Mover.
- Question put and passed.
-

VOTES No. 36. TUESDAY, 5 SEPTEMBER, 1905.

4. DIOCESE OF GOULBURN CHURCH LAND SALE BILL:—Mr. Ashton, 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 23rd August, 1905; together with a copy of the Bill as amended and agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1905.

DIOCESE OF GOULBURN CHURCH LAND SALE BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred on 23rd August, 1905, the "*Diocese of Goulburn Church Land Sale 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 that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was not deemed necessary to make any amendment. (*See List page 4.)

Your Committee now beg to lay before your Honorable House the Bill with an amended Preamble.

JAMES ASHTON,
Chairman.

No. 2 Committee Room,
Legislative Assembly,
Sydney, 5th September, 1905.

1905.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 5 SEPTEMBER, 1905.

MEMBERS PRESENT:—

| | | |
|-----------------|-------------|----------------|
| Mr. O'Sullivan, | | Mr. Donaldson, |
| Mr. Scobie, | | Mr. Charlton, |
| | Mr. Ashton. | |

Mr. O'Sullivan called to the Chair, *pro tem*.

Entry from Votes and Proceedings appointing the Committee, *read* by the Clerk.

Resolved (*on motion of Mr. Scobie*),—That Mr. Ashton be Chairman of this Committee.

Printed copies of the Bill *referred*, together with original Petition to introduce same, before the Committee.

Present:—Mr. S. F. Betts (*Counsel*), instructed by (*Messrs. Betts and Son, Solicitors for the Bill*).

Augustine Matthew Betts (*Solicitor, Goulburn*), called in, sworn, and examined.

Witness withdrew.

Room cleared.

Preamble considered and amended.*

Question,—That this Preamble, as amended, stand part of the Bill,—put and passed.

Parties called in and informed.

Clauses 1 to 4 read and *agreed to*.

Schedules read and *agreed to*.

Title read and *agreed to*.

The Chairman here entered the room and took the Chair.

Chairman to report the Bill, with an amended Preamble, to the House.

* See Schedule of Amendment.

SCHEDULE OF AMENDMENT.

Page 2, Preamble. *Add* at end thereof, "Be it therefore enacted by the King's Most Excellent Majesty, "by and with the advice and consent of the Legislative Council and Legislative "Assembly of New South Wales in Parliament assembled, and by the authority of the "same as follows:—"

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1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

DIOCESE OF GOULBURN CHURCH LAND SALE BILL.

TUESDAY, 5 SEPTEMBER, 1905.

Present:—

MR. ASHTON,
MR. O'SULLIVAN,

MR. CHARLTON,
MR. DONALDSON,

MR. SCOBIE.

E. W. O'SULLIVAN, ESQ., IN THE CHAIR, *pro tem.*

Mr. Ashton called to the Chair.

Augustine Matthew Betts, sworn, and examined:—

1. *Chairman.*] You are a solicitor residing in and practising at Goulburn? Yes.
2. Will you explain to the Committee the object of this Bill? The object of the Bill is to enable the trustee of the lands, mentioned in the two Schedules of the Bill, to effect sales of the land by public auction or by private contract.
3. Will you briefly describe the land? The land in question consists of 2,475 acres, situated at Tarrago Lagoon, about 17 miles from Goulburn, and another block of 102 acres 2 roods and 31 perches, situated at Collector, 23 miles from Goulburn.
4. Will you explain to the Committee how the church obtained this land? The block of 2,745 acres was conveyed to the Bishop of Goulburn and his successors by deed, dated 30th June, 1865, made between John Campbell and William Robert Campbell, of the one part, and the Bishop of Goulburn and his successors, of the other part; and the second block of 102 acres 2 roods and 31 perches was conveyed to the Bishop of Goulburn and his successors by deed, dated 31st March, 1866, made between Joseph Bull, then of Goulburn, of the one part, and the bishop of Goulburn, of the other part. All these lands are vested in the Bishop and his successors as trustees, and not in his personal capacity.
5. Where these lands the private property of the gentlemen named? Yes; they were a gift by them to the church for the purposes of the see endowment—that is, to provide a stipend for the bishop of the diocese. I acted as agent for these properties for over twenty-five years, and had the management of them and the dealing with them. When the properties were handed over to the then bishop they were wholly unimproved, and there has always been a difficulty in dealing with the tenants. The question of fencing and repairs has from time to time created difficulties. The farms have generally been let to four or five different tenants. Sometimes they have been unoccupied for different periods, and one great difficulty has been the fencing. There were no fences on the land originally, and fences have had to be renewed from time to time. There are no funds, except the rents, to provide fencing or other improvements, and at the present time from 5 to 6 miles of fencing is required, notices having been received from adjoining owners requiring fences to be erected. In order to provide funds to carry out this fencing money would have to be borrowed; but there is no power to borrow money for that purpose in any of the deeds. Then again, in the case of a large block of 1,195 acres, it is very badly watered. In dry seasons, of which we have experienced many during the last few years, there is no natural water, and it would mean a very large expenditure to provide tanks and dams.

Witness—A. M. Batts, 5 September, 1905.

6. Do these lands lie between Lake Bathurst and Tarrago? No; they lie between Lake Bathurst and Gunning—about midway between the two, in a direct line.
7. And what about the land on the Collector side? That is also on the same side. It is in the parish of Tarrago. Another very serious difficulty we have in dealing with the property has been in regard to the briars. When the lands were handed over they were in some parts very much infested with briars, and on some of the adjoining properties nothing whatever has been done to eradicate this plant, and the trouble is increasing year by year. It has become so bad that on part of the land it would cost £5 or £6 per acre to get the briars taken out. If money were expended out of the annual income for these purposes, it would not be fair to the present Bishop, because he might get no benefit. He would lose the rental for three or four years, and the work might be done for the benefit of his successor, in all probability.
8. What is the gross rental of the land? I have made a calculation as to the rental during the last ten years, and the average has amounted to about £168. Out of that amount we had on one occasion to let one of the places rent free for two years in order to get some fencing done, and we have had to pay about £10 a year land tax and other payments, which have reduced the net average income during the last ten years to about £150.
9. For all the land? Yes, for all the land, per annum.
10. *Chairman.*] What is the probable amount that would be realised by the sale of the lands, and to what purpose is it proposed to be devoted? I feel quite certain that we could effect sales which would realise, on the whole, over £5,200. We have purchasers in view, if I may use the expression, to realise an amount over £5,200. Invested at 5 per cent., this would return £252 a year, instead of £150, which has been about the average net income for the last ten years. Previously to that it was even less. One reason why the present Bishop and previous bishops have desired that a sale of the land should be made, is the uncertainty of the income. As matters stand at present, they never know what the income will be. Sometimes the rent is not paid—tenants fail to pay; sometimes they ask for allowances on account of dry seasons; then they want repairs done of one kind or another, and the result is that the Bishop never knows what his income will be from year to year.
11. *Mr. Scobie.*] Have you any statements of account to be furnished to the Committee? No; I have no statements of account.
12. What has been the cost of superintendence during the years you have known the property? It has been in the shape of commission on the rents. A commission of 2½ per cent. has been paid for collecting the rents and managing the property. For all these reasons it is considered desirable that power should be given to effect sales.
13. *Chairman.*] What do you propose to do with the proceeds of the sales? As provided in the Bill they would be invested in real estate or Government funds, and the income would be applied to the same purposes as those of the trust. This Bill will not divert the trust in any shape, but simply alters the mode of investment.
14. *Mr. Scobie.*] You do not come forward with any proposal as to how you will invest the funds, except that you say, real estate or Government security? We are tied down by the Bill to those two classes of security. That will be found in clause 2. The moneys will be kept intact in those two forms of investment, and no other investments will be authorised.
15. *Chairman.*] Do you produce a copy of the resolution of the synod? Yes. The matter was brought before the synod at the last sitting, on the 29th April, 1904, and a resolution, of which I have a certified copy, was unanimously adopted by the synod after full discussion.
16. Will you read the resolution? It is as follows:—
- “That in the opinion of the Synod it is desirable that the Lord Bishop of Goulburn, should take whatever steps may be necessary for the purpose of obtaining legal sanction and authority to sell and dispose of the lands known as ‘The Tarradale Estate,’ and also 100 acres, or thereabouts, of land at Collector, such lands being at present held by the said Bishop in trust for the See Endowment Fund of the diocese.”
- That resolution was carefully considered by the members of the synod, and it was carried unanimously by a full synod. I may mention that the majority of the members of the synod are practical men—graziers and farmers—and men who are practically acquainted with the working of land and the dealing with land. I also produce the consent of the present Bishop of Goulburn, who is the sole trustee of the lands in question. It is dated the 1st September, 1905, and is as follows:—
- “As Bishop of the diocese of Goulburn, and as sole trustee of the land situated at Tarradale and Collector, the subject of the private Bill now before Parliament, I hereby give my assent to the said Bill being passed into law, and I desire to state that I believe it will be expedient that, in the interests of the trust, power should be given to the Bishop of the diocese, as such trustee as aforesaid, to sell and dispose of the property in question.”
- I have only to add that, under the existing legislation regarding the Church of England, we have no power in such a case as this to sell the land, except with the authority of Parliament, and therefore we are obliged to come to Parliament and ask for a Bill such as this to be passed into law.
17. What are the names of the tenants of the larger property? There is Mr. J. R. Baxter, of Collector; Mr. W. H. Poidevin, Mr. Macaulay, and a man named Michael Walsh.
18. They are all within an easy distance of Collector? Yes.
19. And where are the 100 acres? They are all close to Collector. That land is occupied by a man named Sheridan—I think it is William Sheridan.
20. In whom are these lands at present vested? In Christopher George Barlow, the present Bishop of Goulburn. He is the applicant for the Bill.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

MOSS VALE CATTLE SALE-YARDS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

24 August, 1905.

SYDNEY : WILLIAM APPLGATE GULLICK, GOVERNMENT PRINTER.

1905.

[6d.]

1905.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 26. THURSDAY, 10 AUGUST, 1905.

9. MOSS VALE CATTLE SALE-YARDS BILL (*Formal Motion*):—Mr. Cohen moved, pursuant to Notice,—
- (1.) That the Moss Vale Cattle Sale-yards Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Hogue, Mr. Henley, Mr. John Hurley, Mr. McFarlane, Mr. Fallick, Mr. Jones, Mr. Dacey, Mr. Estell, Mr. Nielsen, and the Mover.
- Question put and passed.
-

VOTES No. 32. THURSDAY, 24 AUGUST, 1905.

6. MOSS VALE CATTLE SALE-YARDS BILL:—Mr. Cohen, 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 10th August, 1905; together with Appendix and a copy of the Bill as agreed to by the Committee.
- Ordered to be printed.

* * * * *

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1905.

MOSS VALE CATTLE SALE-YARDS BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred on 10th August, 1905, the "*Moss Vale Cattle Sale-yards Bill*," beg to report to your Honorable House :—

That they have examined the witnesses named in the list* (whose (*See List page 4.) evidence will be found appended hereto), and the Preamble having been 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 J. COHEN,
Chairman.

No. 2 Committee Room,
Legislative Assembly,
24th August, 1905.

1905.

 PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 24 AUGUST, 1905.

MEMBERS PRESENT :—

| | |
|----------------|------------------|
| Mr. Cohen, | Mr. John Hurley, |
| Mr. McFarlane, | Mr. Estell, |
| Mr. Fallick, | Mr. Nielsen. |

Mr. Cohen 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.Henry Leighton Jones (*Mayor of Moss Vale*), called in, sworn, and examined.Witness *handed in* a letter from Mr. Frank A. Badgery, Chairman, Stock Sales Committee, expressing approval of the Council having control of the Sale-yards. (*Vide Appendix.*)

Witness withdrew.

Humphrey Richardson (*Council Clerk, Moss Vale*), called in, sworn, and examined.

Witness withdrew.

Room cleared.

Preamble considered.

Question—That this Preamble stand part of the Bill—put and passed.

Clauses 1 to 8 read and *agreed to*.Schedule read and *agreed to*.Title read and *agreed to*.

Chairman to report the Bill, without amendment, to the House.

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1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

MOSS VALE CATTLE SALE-YARDS BILL.

THURSDAY, 24 AUGUST, 1905.

Present:—

MR. ESTELL,
MR. FALLICK,

MR. NIELSEN.

MR. J. HURLEY,
MR. McFARLANE,

J. J. COHEN, Esq., IN THE CHAIR.

Henry Leighton Jones, sworn, and examined:—

1. *Chairman.*] You are a medical practitioner? A dentist.
2. You are Mayor of Moss Vale? Yes.
3. You have seen a copy of the Bill "to authorise the construction, maintenance, and regulation of cattle sale-yards by the Council of the municipal district of Moss Vale"? Yes.
4. Are the Moss Vale municipality the owners of the land described in the Schedule of the Bill? It was purchased by the Moss Vale municipality in 1895.
5. And it consists of 1 acre 3 roods 8 perches, more or less? Yes.
6. And is situated within the municipal district of Moss Vale? Yes.
7. What was it purchased for? For the purpose of public sale-yards.
8. Is it expedient that the cattle sale-yards should be established there? We have used it as a sale-yard since that time, and we have very large sales—some thousands of head of stock—put through every year.
9. You say you have used it—what do you mean by that? We have had yards constructed on it, and we have let it by tender yearly.
10. But the Council has got nothing else out of it? No.
11. And your desire is to have that entirely under the Council's control? Yes.
12. And you require full power to construct all necessary buildings? Yes.
13. And such other works as are necessary? Yes.
14. So as to get it entirely within your control? Yes.
15. You also desire power to appoint officers, and to make by-laws for the maintenance, regulation, and management of the sale-yards? Yes.
16. And you want power to levy fees in respect of cattle sold or brought for sale there, or at any other sale-yard in Moss Vale? Yes.
17. That, I believe, is the reason why you have introduced the Bill—to have an Act passed so as to give you these powers, without which you cannot make proper use of these cattle sale-yards? Yes.
18. *Mr. J. Hurley.*] Are there any other cattle sale-yards there? There is one other sale-yard.
19. Is it largely used? It is not being used at all at the present time. It has been used, but there has been some difficulty with the auctioneers as to whether they would sell in the one yard, or have the sales divided. The stockowners and salesmen have themselves decided that they will adopt the municipal yards.

We

Witnesses—H. L. Jones and H. Richardson, 24 August, 1905.

We have had a conference with them, and they will adopt the municipal yards as the sale-yards for the stock, so that they will have their buyers together. It is principally for the reason of having their buyers at the one place.

20. Is there any contention as between the Municipal yards and the private sale-yards? Practically none. I hold a letter from the Chairman of the Stockowners' Association, who, having met us in conference, agreed to certain fees that we should charge in the event of this Bill becoming law. The people to whom we have formerly let these yards by tender charged 3d. per head for store cattle, 6d. for fat cattle, and 1s. for horses, and lower rates, of course, for pigs.

21. *Chairman.*] Do you put that letter in? Yes. (*Vide Appendix.*)

22. *Mr. J. Hurley.*] So that the people are unanimous with regard to your action? Yes.

23. *Mr. Fallick.*] I suppose you desire to establish these new sale-yards for the purpose of getting a better revenue than you previously received? Yes. We have been letting these yards by tender for some years at an average rental of £20 per annum. We hope, if this Bill becomes law, that we shall be able to realise something like £100 per annum on these yards, which sum will be added, of course, to the rates of the municipality, and will go a long way towards the up-keep of the streets. Our streets and trees are certainly injured by the droves of cattle going through the town, and we hope to apply this money towards the maintenance of the streets.

24. Do you purpose laying out any further money on the sale-yards? We have laid out, within the last six weeks, the sum of £84. We have brought them right up to date, so that we now have accommodation for something like 1,500 head of cattle.

25. You have not borrowed any special sum of money for that purpose—that has been done out of the general rates? That has been done out of the rates. These last improvements are not all paid for, but we hope that the revenue will wipe that liability out within the next year.

26. *Mr. Estell.*] That expenditure would be absolutely necessary, even supposing you were going to, lease the yards again? We should have to get more accommodation, because we have often had a thousand head of cattle sold on the one day, and we have not had sufficient accommodation.

27. *Mr. Fallick.*] And you anticipate that the extra revenue which you will receive will be considerable? Certainly.

28. *Mr. McFarlane.*] Was there any division amongst the aldermen respecting this proposal? No, they were unanimous.

29. Was any reply sent to that letter from Mr. Badgery;—was it discussed by the Council? Yes, it was discussed by the Council. It bears a note which shows that. I think Mr. Badgery had a letter of thanks.

30. Perhaps I misunderstood your statement as to the fees. I notice that the fees mentioned in Mr. Badgery's letter do not agree with the fees you said would be charged if the yards were constructed? I did not finish my remarks when the Chairman asked me a question. I was going on to say that we formerly charged 3d. for stores, 6d. for fat cattle, and 1s. for horses, and after our conference we decided to meet the wishes of the stockowners, and reduce our fees to 2d. per head for all cattle.

31. So that you practically accepted the proposal made by Mr. Badgery with regard to the fees charged? Yes.

Humphrey Richardson, sworn, and examined:—

32. *Chairman.*] You are Council Clerk of Moss Vale? Yes.

33. You heard the evidence given by the Mayor just now; have you anything to add to it? No, I think the Mayor has given you pretty well all that is necessary.

34. And you endorse what the Mayor has said? Yes.

35. *Mr. J. Hurley.*] I suppose there is a general feeling that those who are disposing of stock would rather trust themselves in the hands of the Council than in those of indiscriminate agents? They would not be trusting themselves in the hands of the Council, they would still be dealing with the agents.

36. But the Bill practically makes the Council responsible? I do not think so. The Council do not bind them to any particular firm of agents. As a matter of fact I am an agent myself.

37. *Chairman.*] I forgot to ask you how long you had been Council Clerk? About 11 years.

38. *Mr. Fallick.*] I suppose all requirements have been complied with so far as the sanitary condition of the place is concerned; there have been no complaints in that direction? No complaints whatever. In fact, the Stockowners' Association concurred with the Council in making the late additions. It was on their recommendation that the yards were built in that particular way.

39. So that actually you have complied with all the requirements necessary to make these up-to-date sale-yards? Yes. The Stockowners' Association met there the other day, and were very pleased with the work that had been completed.

40. *Mr. Nielsen.*] Where are these sale-yards;—are they erected now? Yes.

41. And they were erected by the Council? They were erected ten years ago—the first portion of them; they have been added to since.

42. They are practically complete now, ready for use, or are they being used? They have been used for the last ten years.

43. And are there other sale-yards in the town? Yes; there is one private yard in the town.

44. And will competition be established between these municipal yards and the private yards? Not at all. We do not interfere with the private yards at all. There are certain agents who will sell at the municipal yards, and who will not go near the private yards. As a matter of fact, there is not a firm using the private yards at the present time.

45. And you are quite satisfied that this will be a financial success? I am certain about that.

46. It has not been up to the present? Well, it has not been, because nobody knew the value of it except the man who tendered for it.

47. *Chairman.*] You had not power to charge fees? No; we simply let it by tender. I paid myself more than the actual rent for the year.

48. *Mr. McFarlane.*] Are the yards leased at the present time? No; they have been under the control of the Council since last September.

Witness—H. Richardson, 24 August, 1905.

49. And you propose, I understand, to lease them by tender? No; certainly not. We propose to carry them on under the charge of a corporation officer, and charge fees.

50. *Mr. J. Hurley.*] If the Council are going to take the yards under their full control and charge fees, will they not make themselves responsible in regard to sales, irrespective of agents;—how do they hold control? They simply provide accommodation for the agents to sell cattle. Any agent can go to the Corporation yards in Sydney and demand so many yards in which to sell his cattle, and the Sydney Corporation do not take any responsibility.

51. These yards will be conducted on the same principle? Yes.

52. *Chairman.*] You take certain other responsibility—that the sale-yards are safe and proper yards for cattle to be kept in? Yes.

53. You have nothing to do with the agent's business? Not at all.

APPENDIX.

[To Evidence of Dr. H. L. Jones, 24 August, 1905.]

To His Worship the Mayor of Moss Vale,—

Sir,

Vine Lodge, Exeter, N.S.W., 17 May, 1905.

Following my verbal communication of last night, and in confirmation of same, I beg to inform you that in view of the fair and just manner in which your Council has treated the Stock Sale-yards Standing Committee, by reducing the rates on stock sold through the Municipal Sale-yards, and also by giving a pledge that when your Sale-yards Bill is passed you will not ask for higher rates than those agreed upon yesterday (viz.:—For horses, 6d.; horned cattle, 2d.; pigs, 2d.; and sheep or goats, ½d. per head); and also that you will proceed to make suggested improvements and additions to the present yards, we have decided to select the Municipal yards as the regular recognised stock sale-yards for the district.

Of course, all this is subject to ratification by your full Council at their next meeting of the arrangement made yesterday by the Council in Committee in conference with my Committee.

I am now writing to the firms of salesmen using these yards, advising them of our decision in this matter, and asking them after this week to hand your appointed official, by 4 o'clock p.m., day before sale, a list of stock intended to be yarded, so that he may allot yards in proportion, and decide order of sale by lot. Will you, therefore, kindly arrange that someone competent to carry out these duties may be available.

In conclusion, I desire to place on record the appreciation of, and thanks for, the considerate and courteous treatment we have received at your hands, and at the hands of each of your aldermen. It is our earnest desire that these cordial relations may continue to exist between the Council and the representatives of the stock owners.

I have, &c.,

FRANK A. BADGERY,
Chairman, Stock Sales Committee.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

MURRUMBIDGEE NORTHERN WATER SUPPLY
AND IRRIGATION BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
7 September, 1905.

SYDNEY: WILLIAM APPELEGATE GULLICK, GOVERNMENT PRINTER.

1905.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 12. TUESDAY, 11 JULY, 1905.

4. MURRUMBIDGEE NORTHERN WATER SUPPLY AND IRRIGATION BILL (*Formal Motion*):—Mr. Briner moved, pursuant to Notice—

(1.) That the Murrumbidgee Northern Water Supply and Irrigation Bill be referred to a Select Committee for consideration and report.

(2.) That such Committee consist of Mr. Lee, Mr. Bennett, Mr. Eden George, Mr. Ball, Mr. McGarry, Mr. McLaurin, Mr. Morton, Mr. Reynoldson, Mr. Scobie, and the Mover.

(3.) That the Report from the Select Committee of Session 1903, together with the proceedings of the Committee, and Minutes of Evidence, be referred to such Committee.

Question put.

The House divided.

Ayes, 43.

| | |
|------------------------------------|----------------------|
| Mr. Hogue, | Mr. Davidson, |
| Mr. Moore, | Mr. Law, |
| Mr. Carruthers, | Mr. John Hurley, |
| Mr. Ashton, | Mr. Thomas, |
| Mr. Wade, | Mr. W. Millard, |
| Mr. Lee, | Mr. R. J. Anderson, |
| Mr. O'Connor, | Mr. Walter Anderson, |
| Mr. Dick, | Mr. Morton, |
| Mr. Nobbs, | Mr. Wood, |
| Mr. Broughton, | Mr. Brinsley Hall, |
| Mr. Mackenzie, | Mr. McFarlane, |
| Mr. J. H. Young, | Mr. Bennett, |
| Mr. Creswell, | Mr. O'Sullivan, |
| Mr. Downes, | Mr. Briner, |
| Mr. Fallick, | Mr. Scobie, |
| Mr. Latimer, | Mr. McGarry, |
| Mr. Levien, | Mr. McLaurin, |
| Mr. Hindmarsh, | Mr. Reynoldson, |
| Mr. McCoy, | Mr. W. W. Young. |
| Mr. Henley, | |
| Mr. Moxham, | <i>Tellers,</i> |
| Mr. Perry (<i>The Richmond</i>), | Mr. Ball, |
| | Mr. Collins. |

Noes, 20.

| |
|----------------|
| Mr. Hollis, |
| Mr. Estell, |
| Mr. Charlton, |
| Mr. Meehan, |
| Mr. Kelly, |
| Mr. Miller, |
| Mr. Nicholson, |
| Mr. Daley, |
| Mr. McNeill, |
| Mr. Edden, |
| Mr. McGowen, |
| Mr. Dacey, |
| Mr. Nielsen, |
| Mr. Cann, |
| Mr. Jones, |
| Mr. Thrower, |
| Mr. Norton, |
| Mr. Crick. |

Tellers,

| |
|---------------|
| Mr. Burgess, |
| Mr. Richards. |

And so it was resolved in the affirmative.

VOTES No. 19. WEDNESDAY, 26 JULY, 1905.

2. MURRUMBIDGEE NORTHERN WATER SUPPLY AND IRRIGATION BILL:—The following Petitions were presented by the Members named, representing that the House had appointed a Select Committee to inquire into and report upon the Murrumbidgee Northern Water Supply and Irrigation Bill, and praying to be represented by counsel or solicitor or in person before such Committee, with the right to call, examine, and cross-examine witnesses:—

(1.) By Mr. Briner—From H. F. Chilcott, Manager of the Scottish-Australian Mining Company, Ltd.

(2.) By Mr. McGarry—From Jas. A. Brown, of Neutral Bay, Sydney.

Petitions received.

Ordered to be referred to the Select Committee.

VOTES No. 24. TUESDAY, 8 AUGUST, 1905.

2. MURRUMBIDGEE NORTHERN WATER SUPPLY AND IRRIGATION BILL:—Mr. Scobie presented a Petition from W. A. Macpherson, of Paika, near Balranald; Frederick Edmund Vandeleur, of Canally, near Balranald; and Samuel Lindsay, of Yanga, near Balranald; representing that the House had appointed a Select Committee to inquire into and report upon the Murrumbidgee Northern Water Supply and Irrigation Bill, and praying to be represented by solicitor or counsel, with power to send for persons and papers, and to examine and cross-examine witnesses.
Petition received.

VOTES.

VOTES No. 38. THURSDAY, 7 SEPTEMBER, 1905.

5. MURRUMBIDGEE NORTHERN WATER SUPPLY AND IRRIGATION BILL :—Mr. Briner, 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 11th July, 1905; together with Appendix and a copy of the Bill as amended and agreed to by the Committee.

Ordered to be printed.

* * * * *

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1905.

MURRUMBIDGEE NORTHERN WATER SUPPLY AND IRRIGATION BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 11th July, 1905, the "*Murrumbidgee Northern Water Supply and Irrigation Bill*,"—beg to report to your Honorable House :—

That they have examined the witnesses named in the List* (whose evidence will be found appended hereto) ; and that, the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the Bill, in which it was deemed necessary to make certain amendments. *See List, page 12.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

G. S. BRINER,
Chairman.

No. 2 Committee Room,
Legislative Assembly,
Sydney, 7th September, 1905.

1905.

 PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 18 JULY, 1905.

MEMBERS PRESENT :—

Mr. Scobie,

|
Mr. Briner.

Mr. McGarry,

Mr. Briner called to the Chair.

Entry from Votes and Proceedings appointing the Committee and referring the Report from the Select Committee of Session 1903, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to proceed with same, as well as copies of the Report from the Select Committee of Session 1903, before the Committee.

Present :—Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*).

[Adjourned till Tuesday, 25th July, at 2:30 o'clock.]

TUESDAY, 25 JULY, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. Ball,

Mr. Eden George,

Mr. McGarry,

Mr. McLaurin.

Present :—Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*).

Committee deliberated.

[Adjourned till Wednesday, 9th August, at 2:15 o'clock.]

WEDNESDAY, 9 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. Briner, in the Chair.

Mr. McGarry,

Mr. McLaurin,

Mr. Reynoldson,

Mr. Scobie.

Entries from Votes and Proceedings, with reference to the following Petitions, praying to be represented by counsel, or attorney, or in person, before the Select Committee, read by the Clerk :—

(1) From H. F. Chilcott, Manager of the Scottish-Australian Mining Company, Limited; (2) From Jas. A. Brown, of Neutral Bay, Sydney; (3) From W. A. Macpherson, of Paika, Frederick Edmund Vandeleur, of Canally station, near Balranald, and Samuel Lindsay, of Yanga, near Balranald.

Original Petitions before the Committee.

Resolved (*on motion of Mr. McGarry*), That the prayer of the Petitioners, respectively, be granted.

Present :—Mr. Bruce Smith and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. Adrian Knox (*Counsel for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

Committee deliberated.

Resolved (*on motion of Mr. Reynoldson*)—That this Committee agree to regard the evidence referred to it, in pursuance of a resolution of 11th July, 1905, taken before the Select Committee of Session 1903, as evidence before this Committee, reserving to each and all of the parties the right to supplement the evidence of previous witnesses or other witnesses, and if desired, to cross-examine any of the previous witnesses.

John Monash (*Civil Engineer, &c.*), called in, sworn, and examined.

Witness handed in Sketch Plan of Lower Murrumbidgee River (Longitudinal Section) [*Appendix "A"*].

[Adjourned till To-morrow at 11 o'clock a.m.]

 THURSDAY,

THURSDAY, 10 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. Bennett,
Mr. McGarry,
Mr. McLaurin,

Mr. Ball,
Mr. Reynoldson,
Mr. Scobie.

Present :—Mr. Bruce Smith, and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. Adrian Knox (*Counsel for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

John Monash, recalled, and further examined.

Witness handed in Diagram showing height and discharge of the Murrumbidgee River at Hay from year 1894 to 1903 (*Appendix B 1*); also Diagram showing effect of Barren Jack Reservoir upon flow past Hay (*Appendix B 2*).

[Adjourned till 2·15 o'clock This Day.]

Witness withdrew.

Committee deliberated.

[Adjourned till Tuesday, 15th August, at 2·15 o'clock.]

TUESDAY, 15 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. McGarry,

Mr. McLaurin.

Present :—Mr. Bruce Smith and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. A. W. I. Macansh (*Messrs. Fisher and Macansh, Solicitors, for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

Samuel Lindsay (*Grazier, of Yanga Station, near Balranald*), called in, sworn, and examined.

Witness withdrew.

Joseph Davis (*Under Secretary for Public Works*), called in, sworn, and examined.

Witness withdrew.

[Adjourned till to-morrow at 2·15 o'clock.]

WEDNESDAY, 16 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. McGarry,
Mr. McLaurin,

Mr. Reynoldson,
Mr. Scobie.

Present :—Mr. Bruce Smith and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. A. W. I. Macansh (*Messrs. Fisher and Macansh, Solicitors, for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

Committee deliberated.

Mr. Nathan produced a letter written by his firm to Mr. L. A. B. Wade, Principal Engineer for Water Supply and Sewerage, with regard to the flooding of the Good Hope Mine, and the reply received thereto.

Christopher Strathen (*Miner*) called in, sworn, and examined.

Witness withdrew.

Walter Trathen (*Miner*) called in, sworn, and examined.

Witness withdrew.

Peter Perry (*Miner*) called in, sworn, and examined.

Witness withdrew.

Henry Frederick Chilcott (*Manager, Scottish-Australian Mining Co., Limited*) called in, sworn, and examined.

Witness withdrew.

[Adjourned till To-morrow, at 2·15 o'clock.]

THURSDAY,

THURSDAY, 17 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. McGarry,
Mr. McLaurin,
Mr. Briner,

Mr. Morton,
Mr. Reynoldson,
Mr. Scobie.

In the absence of the Chairman, Mr. Reynoldson called to the Chair, *pro tem*.

Present :—Mr. Bruce Smith and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. A. W. I. Macansh (*Messrs. Fisher and Macansh, Solicitors, for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

James Alexander Brown (*Landowner*), called in, sworn, and examined.

The Chairman here entered the room and took the Chair.

Witness withdrew.

Hugh Giffen McKinney (*Civil Engineer, &c.*), called in, sworn, and examined.

Witness withdrew.

[Adjourned till Wednesday, 23rd August, at 2.15 o'clock.]

WEDNESDAY, 23 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. Ball,
Mr. Morton,

Mr. Reynoldson,
Mr. Scobie.

Present :—Mr. Bruce Smith, and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. Tom Rolin (*Counsel for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

Henry Frederick Chilcott, recalled, and further examined.

Witness withdrew.

Robert Gibson (*Promoter*) called in, sworn, and examined.

Witness withdrew.

Hugh Giffen McKinney, recalled, and further examined.

Witness withdrew.

[Adjourned till To-morrow at 10.45 o'clock a.m.]

THURSDAY, 24 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. Ball,
Mr. Bennett,

Mr. Scobie.

Eden George,
Mr. Reynoldson,

Present :—Mr. Bruce Smith and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. A. W. I. Macansh (*Messrs. Fisher and Macansh, Solicitors, for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

Hugh Giffen McKinney, recalled, and further examined.

Witness withdrew.

Leslie Augustus Burton Wade (*Principal Engineer for Rivers, Water Supply, and Drainage*) called in, sworn, and examined.

The Chairman having left the Chair, Mr. Reynoldson called to the Chair, *pro tem*.

Witness withdrew.

The Chairman here entered the room and took the Chair.

Hugh Giffen McKinney, recalled, and further examined.

Witness withdrew.

[Adjourned till Thursday, 31 August, at 10.45 o'clock a.m.]

THURSDAY, 31 AUGUST, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. Ball,
Mr. Bennett,
Mr. Eden George,

Mr. McLaurin,
Mr. Reynoldson,
Mr. Scobie.

Present :—Mr. Bruce Smith and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. Tom Rolin (*Counsel for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

Mr. Bruce Smith addressed the Committee.

Mr. Rolin addressed the Committee.

[Adjourned till 2 o'clock This Day.]

Mr. Rolin continued his address.

Mr. Nathan addressed the Committee.

Room cleared.

Preamble considered.

Question,—That this Preamble stand part of the Bill,—put and passed.

Parties called in and informed.

[Adjourned till Wednesday, 6th September, at 11 o'clock, a.m.]

WEDNESDAY, 6 SEPTEMBER, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. Bennett,
Mr. Eden George,
Mr. McGarry,

Mr. McLaurin,
Mr. Reynoldson,
Mr. Scobie.

Present :—Mr. Bruce Smith and Mr. W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley Mackenzie (*Messrs. Bowman and Mackenzie, Solicitors, for the Promoter*); Mr. Tom Rolin (*Counsel for Messrs. Macpherson, Vandeleur and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*); Mr. Jas. A. Brown, on his own behalf.

Bill considered.

Clauses 1 and 2 read and *agreed to*.

Clause 3 read,—

“Page 3, line 30. Amendment moved (*Mr. Scobie*) to *leave out* the word “three” and *insert* the word “five,”—instead thereof.

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

Committee divided.

Ayes, 4.

Noes, 2.

Mr. Eden George,
Mr. Reynoldson,
Mr. Bennett,
Mr. McLaurin.

Mr. Scobie,
Mr. McGarry.

And so it was resolved in the affirmative.

Word stands.

Clause, as read, *agreed to*.

Clause 4 read,—

Page 5, line 40. Amendment moved (*Mr. Scobie*) to *leave out* the words “dam or” and *insert* the words “three weirs and,”—instead thereof.

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

Committee divided.

Ayes, 4.

Noes, 2.

Mr. Eden George,
Mr. Reynoldson,
Mr. Bennett,
Mr. McLaurin.

Mr. Scobie,
Mr. McGarry.

And so it was resolved in the affirmative.

Words stand.

Clause, as amended,* *agreed to*.

Clause 5 read, amended,* and *agreed to*.

Clause 6 read and postponed.

Clauses 7 to 16 read and *agreed to*.

Clause 17 read, amended,* and *agreed to*.

Clauses 18 and 19 read and *agreed to*.

Clause

* See Schedule of Amendments.

Clause 20 read, amended,* and *agreed to*.

Clauses 21 to 25 read and *agreed to*.

Clause 26 read, amended,* and *agreed to*.

Clause 27 read and *agreed to*.

Clause 28 read.

Page 15, line 13. Amendment moved (*Mr. McGarry*) to *leave out* the word "wenty" and *insert* the words "one hundred,"—instead thereof.

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

Committee divided.

Ayes, 4.

Mr. Scobie,
Mr. Bennett,
Mr. Reynoldson,
Mr. McLaurin.

Noes, 1.

Mr. McGarry.

And so it was resolved in the affirmative.

Word stands.

Clause, as read, *agreed to*.

Clause 29 read, and *agreed to*.

Clause 30 read, and amended.*

[Adjourned till To-morrow at 11 o'clock a.m.]

THURSDAY, 7 SEPTEMBER, 1905.

MEMBERS PRESENT :—

Mr. Briner in the Chair.

Mr. Bennett,
Mr. McGarry,

Mr. Reynoldson.

Mr. McLaurin,
Mr. Morton,

PRESENTERS:—Mr. Bruce Smith and W. K. S. Mackenzie (*Counsel for the Promoter*); Mr. Harley MacKenzie (*Messrs. Bowman and Mackenzie, Solicitors for the Promoter*); Mr. A. W. I. Macansh (*Messrs. Fisher and Macansh, Solicitors, for Messrs. Macpherson, Vandeleur, and Lindsay, on behalf of the Lower Murrumbidgee Locking League*); Mr. A. W. Nathan (*Messrs. Westgarth, Nathan, & Co., Solicitors, for the Scottish-Australian Mining Company, Limited*).

Bill further considered.

Clause 30 further considered, further amended,* and *agreed to*.

Clause 31 read, amended,* and *agreed to*.

Clause 32 read, amended,* and *agreed to*.

Clause 33 read and *agreed to*.

Clause 34 read and *agreed to*.

Schedules read and *agreed to*.

Postponed clause 6 read and *agreed to*.

New clause 34 read and *negatived*.

Title read and *agreed to*.

Chairman to report the Bill, with amendments, to the House.

SCHEDULE OF AMENDMENTS.

| | |
|--------------------------------------|---|
| Page 6, clause 4, line 17. | <i>After</i> "dam" <i>insert</i> "and weirs" |
| Page 6, clause 4, line 39. | <i>After</i> "dam" <i>insert</i> "and weirs" |
| Page 7, clause 5, line 45. | <i>Omit</i> "six" <i>insert</i> "nine" |
| Page 8, clause 5, line 2. | <i>Omit</i> "six" <i>insert</i> "nine" |
| Page 12, clause 17, line 15. | <i>Add</i> at end of subsection four "mentioned in section sixteen" |
| Page 13, clause 20, line 15. | <i>Before</i> "works" <i>insert</i> "promoter's" |
| Page 13, clause 20, lines 15 and 16. | <i>Omit</i> "herein authorised" <i>insert</i> "mentioned in section sixteen" |
| Page 14, clause 26, line 41. | <i>After</i> "culvert" <i>insert</i> "ford, crossing;" |
| Page 16, clause 30, line 9. | <i>Add</i> at end of clause "In the event of the weir near Maude, being "constructed by the promoter the work of maintaining the same "shall be carried out by the promoter and in such case the whole "cost of such maintenance shall be repaid to him by the Govern- "ment;" |
| | "Provided that where in the opinion of the Minister the "promoter neglects to maintain any of such weirs he shall give "the promoter twenty-four hours' notice to repair the same, and in "the event of the promoters till neglecting, in the Minister's opinion, "to effect such repairs, the Minister shall, at the expense of the "promoter, repair the same as required, and recover the cost of such "work from the promoter as an ordinary debt for work done at "the promoter's request; and the whole of the costs incurred in "such recovery shall become a debt by the promoter to the "Government." |
| | Page |

*See Schedule of Amendments.

Page 16, clause 31, line 11. *Omit* "to members of the public"
 Page 16, clause 31, line 12. *Omit* "and" *insert* "or"
 Page 16, clause 31, line 12. *After* "domestic" *insert* "mining or other industrial"
 Page 16, clause 32, line 15. *After* "dam" *insert* "and weirs"

LIST OF WITNESSES.

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[3 Plans.]

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

APPOINTED TO INQUIRE INTO THE

MURRUMBIDGEE NORTHERN WATER SUPPLY AND
IRRIGATION BILL.

WEDNESDAY, 9 AUGUST, 1905.

Present:—

| | | |
|-----------------|--|--------------|
| Mr. McLAURIN, | \| | Mr. McGARRY, |
| Mr. REYNOLDSON, | \| | Mr. SCOBIE. |

G. S. BRINER, Esq., IN THE CHAIR.

Mr. Bruce Smith, with him Mr. W. K. S. Mackenzie, instructed by Messrs. Bowman and Mackenzie, appeared for the promoter of the Bill.

Mr. Adrian Knox appeared for Messrs. Vandeleur, Macpherson, and Lindsay (on behalf of the Lower Murrumbidgee Locking League).

Mr. A. W. Nathan appeared for the Scottish-Australian Mining Co., Limited.

Mr. Jas. A. Brown appeared on his own behalf.

John Monash, sworn, and examined:—

1. *Mr. Knox.*] What are your qualifications? I am a civil engineer; I am a master of civil engineering, Melbourne University, and Associate Member of the Institution of Civil Engineers, London. I hold the qualification under the Local Government Act, Victoria, and under the Water Supply Act, Victoria. I have been lecturer, and am examiner for hydraulic engineering, Melbourne University. I have had twenty-one years' practice in my profession.

2. In the practice of your profession, have you devoted your attention particularly to hydraulic engineering? Yes, chiefly.

3. Have you had practical experience in the Riverina district? Yes, I lived there for five years as a boy, and I have since frequently visited the district professionally.

4. Have you devised hydraulic engineering schemes for that district? Yes.

5. Have you seen this amended Bill and considered it carefully? Yes; I have also paid a visit to the district. I went there in January, 1904. I also examined the Murrumbidgee River from the Murray Junction up to Gum Creek, east of Maude, and down again on the right bank of the Murrumbidgee as far as Balranald. I went up the left bank and down the right.

6. What data did you get there? I first directed my observations to the condition of the river and riparian lands, but chiefly to the numerous offtakes and intakes that exist in the stream, recording the principal ones, locating their positions on maps which I had with me, and taking levels.

7. Did you also take the levels, as far as you were able to, of the bed of the river and of the water level at the time you were there? Yes, during the period of my visit, from first to last, taking the gauges at Balranald and Hay, there was no appreciable change in the state of the flow. It may be taken that the river was at a constant level, which was 10 inches below summer level. That was during January, 1904.

Witness—J. Monash, 9 August, 1905.

8. Have you also taken into consideration the records of past years, showing the flow of the river at different times? Yes, I saw in the first instance the public records of stream gauging on the Murrumbidgee flowing past Hay, and as far as those were published in the report of the Interstate Commission on the waters of the River Murray, and that information was afterwards supplemented by the Public Works Department up to the end of 1903.
9. Are there two years missing in the series? No, that was supplied to me afterwards. I have the completed document here to the end of 1903. The only gaps in that information which covers a period of eighteen years were the isolated occasions when the river was so flooded that the Hay gauge could not any longer record. That was during certain months of 1899 and 1894. Apart from that we have a continuous record from 1885 up to 1903 of the maximum, minimum, and mean flow of the Murrumbidgee past Hay.
10. Did you also inspect the lands subject to flooding? Yes.
11. I will take the section first. Will you explain to the Committee exactly what that shows? Yes, this is a longitudinal section of the Murrumbidgee River (*vide Appendix A*); it is made from my own surveys. In taking levels at the various points I commenced upon Government bench marks—that is to say, permanent bench marks left by Government surveyors. I subsequently obtained from the Public Works Department the reduced levels of those marks. Those enabled me to get all the levels, with this exception, that I cannot vouch for the levels down stream from Balranald, because I could find no bench marks there, but between Balranald and the uppermost point the levels are correctly taken. The longitudinal section shows the river from the Murray junction, which is on the left of the plan, up stream as far as Gum Creek. The uppermost line of all shows a number of indentations; those represent approximately to scale the various offtakes that I have referred to. The names of the principal offtakes had been given according to the nomenclature of the district. The lowermost line, which is marked "approximate bed of river," has been arrived at by actual survey from the surface of the ground to the bed of the river. The dotted line, marked "water surface ten inches below summer level," represents to proper scale the level of the river during the period of my visit. The figures that are below the plan and are not part of the section are as follows:—The lowest column of all, marked "Mileage," represents the Murrumbidgee from the Murray Junction, measured around the bends of the river, not in a straight line, but measured along the thread of the stream and put into the nearest half-mile, or, where I could get it more accurately, to the decimal of a mile, and they show the total distance from the Murray to Gum Creek to be 196 miles. I did not measure that, but I scaled the distance very carefully on public maps, parish maps, and station plans. By that means I was able to locate the actual mileage of the various offtakes, whose names are written above. The second column is a column of reduced levels, and shows the water level at the respective points against which the figures are written. These levels mean so many feet and decimals of feet above a datum, which is known here as the Water Conservation Branch datum. I do not know whether it is sea-level or not, but it is the same datum of levels as has been used by the departmental officers in the Interstate Commission Report. It is a standard datum. These figures give at the respective points the water level, and it will be seen when they come to be plotted that the water level is not a straight line from right to left of the map. But the grade of the river changes as the fall of the country changes and the configuration of the channel changes. I have, later on, worked out these grades. The third column from the bottom gives the levels of the river bank at the respective points, so that the depth from the bank of the river to the water can be ascertained at any one point by deducting the figure in the second column from the figure in the third column.
12. That is to the surface of the water at the time you were there? Yes, and it was 10 inches below summer level. This may all be made up to summer level by adding 10 inches. The last column of figures represents the level of the intake or offtake. That means the level at which the water would begin to leave the river as the river rises and to debouch upon the riparian lands.
13. That is to get out on to the flooded country? It will begin to flow at the levels marked in that column. I have endeavoured, as closely as it could be done on such a small scale, to indicate by the depth of these indentations the relative positions that the bottoms of these indentations would have.
14. That is to say, they are not strictly to scale, but they are as near as you could get them? Yes, they represent graphically the relative positions of the water surface to the bottom of the offtake and the surface of the ground on the banks.
15. Have you also prepared a plan showing the flooded country? Yes. This plan which I now produce has been compiled partly from the station plans and partly from the Government parish maps. It is a map of the district on a scale of 4 miles to the inch. It is not the result of survey. It covers a very large area of country, and it is in the nature of a picture. These straggling blue marks are what were supplied to me by the respective pastoral proprietors as a correct picture of the area of land which is subject to inundation. (*Vide Appendix A*.)
16. *Mr. Bruce Smith.* Have you taken these areas from the evidence before the Select Committee? No, I do not propose to give any evidence as to the areas. It is merely a picture. This map was prepared by compilation. It shows the whole of the offtakes which I have already referred to. In most cases names are given, but some I have been compelled to refer to by symbols. Here again, I do not profess that these marks accurately delineate the exact course of these offtakes. The map is to be regarded merely as a catalogue to bring out the fact that there are a number of them, and the particular disposition of them along the river. On this same map I have shown by red circles the positions as I interpret the provisions of this Bill for the three weirs therein proposed. The definition of the site in the schedule is not very clear to me, but this is as near as I can suppose it is intended to put them, and these two plans which I produce embody, as far as they can be brought to paper in a written form, the results of my observations as regards the position of the offtakes and the weirs proposed in the Bill.
17. What is the date represented by these maps? I think I was wrong in saying that it was the month of January. I find it was in April, 1904. They both represent the same date. There was no state of flood in April, 1904.
18. Then what does this represent? I have said that these blue-coloured areas are a compilation of the flood maps of the owners of the runs.
19. In what year? That I cannot say.
20. Is it the maximum flooded area? Not even that. It was given to me as the areas subject to inundation. It is not put as the maximum, but that may be inferred.
21. Does the date, April, 1904, also refer to the little plan? Yes.

22. *Mr. Knox.*] Will you tell us generally how the contour of the land trends with regard to the dip of the river bank? Taking a cross-section of the land at any part of the river generally, the immediate river bank is higher than the lands adjacent. The land falls away from the river. The general level, for a belt varying from 1 to 3 miles along the river, is on an average about 2 feet lower than the immediate banks.

23. Taking the area depicted there from Gum Creek westwards, what is the general slope of the country? The general trend is south-westerly. The contour lines in the vicinity of Gum Creek and towards the Lachlan Junction run very nearly north and south. Then they slightly swing, but the general trend of the fall is south-westerly generally along the course of the river, but there is no defined valley in the ordinary sense.

24. *Mr. Bruce Smith.*] The general contour of the country is a fall with the river? Yes, the river runs at right angles to the contour lines, but what I mean to imply is that, in an ordinary river, not in flat country like this, the contour lines run in curves, but in this country the contour lines are almost square with the river—that is to say, at a point several miles transverse to the river, it is generally at the same level as the river itself. That does not conflict with what I have said that on the river banks there is generally a rise of about 2 feet.

25. So that when the water gets into these side channels it fills in all of the land at the back of the banks? Yes, when the water gets out of the banks on to the country at the side, it is not a defined valley, it spreads according to the accidental configuration of the ground. I was able to see evidences of old flood lines. It is fair to say that, with regard to a good portion of these areas, I was able to personally verify the fact that they were lands subject to inundation.

26. *Mr. Knox.*] What was the average flow of the river at Hay for the last year of the series you have taken, that is from 1895 to 1903? When I computed these figures I made my computations, as far as I then had the figures, up to the middle of 1902. Up to that period the lowest average flow, taking one year, was in 1885, and the average flow for that year was 1,650 cubic feet per second.

27. What was the average for 1894? In contradistinction, that was a very ample year, and it averaged 8,500 cubic feet per second for the whole year, that is for every second of the year. That was one of the years when the Hay gauge refused to record, the water getting above the gauge. Although we know the minimum flow for any given month, we do not know the maximum, so that the figure is well under the mark.

28. What is the average flow at Hay for the whole period from 1885 to 1893? 3,900 cubic feet per second, that is over all the years.

29. Did you find a large variation between the average flow in different months of those years? Yes, according to the records. We have a characteristically dry year, and we have a characteristically wet year. Taking a typical dry year like 1896, the lowest average was 700 cubic feet per second for a whole month, while in the same the highest average, which occurred in July, was 6,850 cubic feet per second. That is a very wide fluctuation. By way of illustration, take a year with a typical high flow. By typical I do not mean exceptional. Engineers always discard the exceptional cases. Taking a typical high-flow year, like 1892, the smallest flow was in the month of April. That was 800 cubic feet per second, while the largest in October was 135,000 cubic feet per second.

30. *Chairman.*] What flow per second would be necessary to ensure flooding under present conditions? I cannot say that of my own knowledge, that would depend on the gauge-level at Hay, which I believe to be about 11 feet 6 inches. It is a matter of computation.

31. What flow would be necessary to ensure navigation? 2,000 cubic feet per second, under present circumstances. That would just give it. Some boats have greater draught than others, but 2,000 cubic feet per second would just ensure navigation.

32. *Mr. Knox.*] Do you know that evidence has been given to the effect that, on one occasion, the flow at Hay fell as low as 19 or 20 cubic feet per second? Yes, I saw that evidence. The records I have here do not bear that out at all.

33. That was given as the flow; is that any criterion of the normal summer level? Of course not, taking the whole period. I take it that that was in 1903. The average flow given in the Government records for March, 1903, is 230 cubic feet per second, and the absolute minimum is 150 cubic feet per second, which is very different from 19 cubic feet per second. These are figures from the Department; they come from Mr. Wade.

34. Are you aware that this Bill provides for a minimum flow past Narrandera of 500 cubic feet per second? Yes.

35. On these records that you say you have analysed, how would that flow compare with the present average of the whole year? It would be only a small percentage of it. A flow of 500 cubic feet per second would be 12½ per cent. in round numbers of the average flow that has been actually experienced down the river for the last seventeen years. It would also be lower or less than the average minimum flow, that is, taking the smallest monthly flow of each year—500 cubic feet per second would be less.

36. That is, taking the lowest month of each year and then the average of this lowest month—500 cubic feet would be less than that? Yes; that works out at 660 cubic feet per second as the average of the lowest monthly flows of the period.

37. I am taking 500 cubic feet per second at Hay instead of Narrandera, because you have the data for Hay;—if you had 500 cubic feet per second flow at Hay, what height would that be in the river as compared with the summer level? Allow me to answer that as regards Balranald, because it was at Balranald that I actually took the stream gauging. It would be more than 12 inches below summer level.

38. That is to say, 500 cubic feet per second at Balranald would mean a river flowing 1 foot below summer level? Yes.

39. How would 500 cubic feet per second at Narrandera compare with 500 cubic feet at Balranald? I should think there would be a very substantial loss under these conditions.

40. That is a loss between the water passing Narrandera as compared with the water passing at Balranald? Yes, if there were no obstruction in the river from any source. The river has fairly precipitous banks and a very flat bottom. A flow of 500 cubic feet per second would mean a sheet of water passing near the bottom with considerable area exposed, and that area in contact with the soil. There would be continuous loss by percolation and also by evaporation. Of course that would go on in any case, but I wish to convey that the percentage of loss from a given volume of flow would be much greater in a state of

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- of small flow than in a state of greater flow. I would expect, without being able to state a definite figure, a substantial loss as between 500 cubic feet per second at Narrandera and at Balranald.
41. If there were 500 cubic feet per second flow past Narrandera, you would not expect that to flow past Balranald? I am certain of that. The amount of loss is a matter for observation and not calculation.
42. *Mr. Reynoldson.*] Has any data been taken there? No; I think it would be very difficult. It would require a series of years of careful observation to arrive at anything definite.
43. Could you not assume the same average loss as has been ascertained in similar rivers where data has been taken? It is astonishing how much local considerations have to do with it. We all know that the evaporation in the district is 5 or 6 feet a year at least; that is vertical evaporation. We can conclude that there would be a substantial loss. I think I would be within the mark in saying that there would be 20 per cent. loss.
44. *Mr. Bruce Smith.*] What is the difference in mileage down the river from Narrandera to Balranald? About 400 miles.
45. *Mr. Knox.*] Are you aware that an estimate was made in the evidence before the former Committee that between Barren Jack and Narrandera there would be a loss of something like 25 per cent.? Yes; I am quite sure of this, that a flow of 500 cubic feet per second at Narrandera would give a river at Balranald very much below summer level.
46. Do you know the details prescribed by the Bill with regard to the dam at Barren Jack? Yes, and its storage capacity.
47. How would the construction of that dam affect the existing conditions of the lower river as to flooding? It would wholly alter them. Of course, no dam of reasonable dimensions could possibly stop floods, because a condition of flooding might occur at a time when the dam was full; but it would certainly wholly alter the distribution and the intensity of the flooding.
48. In what way? If you like, we will assume that the reservoir was full in December of any year, as the result of the previous snows and rains. We will assume that it is absolutely full; then comes the period of the summer drought, and while that continues the requirements provided in the Bill for diversion and for compensation water, would be drawn off from the reservoir. There would be a continual abstraction from the reservoir, which, of course, would also be replenished partially from time to time.
49. Would that result in the lowering of the water in the reservoir? Yes. Take some typical years, making the assumption that the available water is represented by the same records in other years, and also assuming that there is no appreciable waste. I make out that in an ordinary year this drawing off of the water in the reservoir would go on for six months, and in some years for eight months, before the time arrived when replenishments would again fill the reservoir. That means that about August or September of each year, as a usual normal thing, we would find the reservoir depleted—perhaps half empty. Then that space will capture the ordinary spring floods from the mountains. If they are very considerable, some water might escape. It is certain that the early floods in September and October would be captured to refill the reservoir. In point of fact, that is what it is there for as an engineering device. The consequence would be, that none of these floods would pass the reservoir until it was refilled; so that, without being able to say that it would destroy floods, I can say for a certainty that it would delay them and destroy their intensity.
50. Do you say there might be a flood when the reservoir is completed, because the reservoir might be full, and the flood-waters might come right over it? That might occur in an exceptionally wet year.
51. Assuming that a big dam were constructed at Barren Jack, would that enable the flow of the river right down to be controlled? Yes. The construction of the Barren Jack dam would convert the Murrumbidgee from a natural stream into an artificially-controlled water supply channel, except only as regards so much flood-water as the reservoir is not able to impound. Until the point of time arrives when the reservoir is overflowing, which will only occur during a limited period each year, the river Murrumbidgee will cease to be a natural river. It will become a channel controllable at will by the man who controls the regulating and discharging sluices of the reservoir.
52. So that the quantity of water passing down the channel of the river will be absolutely under the control of the persons controlling the dam? Yes; and absolutely determinable after a very little experience of such losses as have been referred to. One could predetermine to a nicety how much water should go out of the reservoir to create any desired set of conditions on the lower river.
53. Having that reservoir there, if it was desired to have a flow of, say, 1,600 cubic feet per second at Narrandera, and supposing you had the dam there for a series of years in order to make observations, you could determine what margin was necessary in order to do that? Yes, within a small percentage. If it was desired that a given quantity of water should pass at a given point, it would be easy to ascertain to an inch how much the sluices should be opened. As experience was gained they could arrive at it within a very close percentage.
54. In your opinion would the three weirs proposed in this Bill be sufficient for either navigation or flooding? In my opinion they would be sufficient for neither. Most emphatically they would not be sufficient for navigation, and as regards flooding, they would affect only a portion, and I think only a small portion of the total area now affected.
55. How many weirs would be the lowest number which would provide effectively for flooding and navigation between Gum Creek and the Murray junction, in the event of the dam being constructed? In answering that question I desire it to be understood that I do not put this forward as a finally matured scheme, but merely as an expression of opinion as to what would be the absolute minimum. I do not profess to say that a completer system of treatment would not be better, but I do put this forward as essential, that we must have at least five weirs to accomplish the objects which you name.
56. *Chairman.*] Where would you locate them? I have shown the location by green filled-up circles upon the second map which I have produced, and by the marks 1, 2, 3, 4, 5.
57. Would one be at Maude? No; one would be slightly down stream from Maude.
58. *Mr. Knox.*] We had better take them in their order;—beginning at Murray junction, and going up stream, where would the first one be? A little way up from the Murray junction, below the offtake of the Manic Creek.
59. Where would the second weir be? Practically in the same position as is designated in the Bill, 9 miles below Balranald.
60. *Mr. Reynoldson.*] What is the distance between the two? Forty-three miles.
61. Have you kept the five weirs a fairly equal distance apart? Yes, having regard to the fall of the river. No. 2 weir is 9 miles below Balranald. No. 3 is 94 miles from the Murray junction, and
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it is at the offtake of Tangrambally Creek. No. 4 is just below the junction of the Lachlan, within 2 or 3 miles of it. No. 5 weir is 9 miles down stream from Maude. Now as to the reasons that guided me in coming to that conclusion. First of all, I will deal with the question of navigation.

62. *Mr. Bruce Smith.*] What depth of vessel do you provide for? I can only answer it in this way: taking the information given by people who frequent the river, I have taken it that navigation for the lighter craft can commence 3 feet above summer level, and for normal traffic you require 4 feet above summer level, having regard to the present condition of the river as to snags.

63. I am asking what draught of vessel? I can only answer it in that way, not being a nautical man.

64. It is a simple matter for you to say what is navigable; you must take into consideration whether it is to be navigable for an ordinary boat or a P. and O. boat;—what depth of boat are you supposing? I am taking it for the craft which have in the past been in the habit of frequenting the river. I am taking the average craft. My information as to the state of the river which makes it navigable comes from people who are in the trade. For lighter craft it is necessary to have 3 feet above summer level, and for the larger craft about 4 feet above summer level. In determining the distance apart that the weirs would have to be, I had to select a distance which involved that the water at the tail end of what we call the pool of any one weir should be raised to a level which would not be less than 4 feet above summer level.

65. *Mr. Knox.*] What you call the tail end of a pool of a weir is immediately in front of the next weir above? Yes. The river would be converted into a series of steps like a staircase, as shown on the plan I produced. The plan indicates the result of my conclusions as to the necessary disposition of the weirs and the necessary heights of the respective steps of the water. This I wish to make quite clear, that these water levels as shown represent the condition of a stationary river. It is a river not flowing, a river at rest—that is to say, that each of these lines is drawn horizontally. In fact, however, the river is always flowing, and as a consequence the water rises in what we call a back-water curve up towards the next weir. The water surface in a state of flow cannot be level. There is a definite surface which is calculable—it is called the back-water curve; and when the conditions of the river channel are known the exact nature of the back-water curve is calculable. I had to take that into account, also having regard to the minimum flow of 500 cubic feet per second, and I came to the conclusion, firstly, that with a minimum flow of 500 cubic feet per second there was no arrangement by which five weirs can be made to ensure a permanently navigable river. You cannot with 500 cubic feet per second and only five weirs ensure a permanently navigable river. Of course, *a fortiori*, you cannot ensure it with three weirs.

66. *Mr. Bruce Smith.*] The 500 cubic feet per second is the minimum below which it cannot go? Yes; but assuming that the minimum flow is 500 cubic feet per second, I cannot find an arrangement with five weirs that will ensure permanent navigability.

67. You have not got that now? Yes, perhaps that is not an engineering question, but I say that for all times of the year, when the flow does not fall below 1,000 cubic feet per second, this arrangement of weirs will provide navigation. This will provide 4 feet above summer level throughout the whole length of the river under consideration.

68. *Mr. Knox.*] In your calculations on this plan, in order to get your 4 feet above summer level at the tail end of the pool, have you had to rely on the back-water curve? Yes. I will give you roughly the figures for that. The fall in the water surface fluctuates. In two of the weirs drawn on the plan, Nos. 4 and 5, the tail water runs out to summer level. The figures run in this way: that with the river at rest you get 4 feet above summer level in about 33 miles. If you take advantage of your back-water curve, you can go back to 45 miles. My weirs are disposed so as not to be above 45 miles apart.

69. That is with an assumed flow of 1,000 cubic feet per second? Yes. Then we would have permanent navigation. With 500 cubic feet per second as a minimum we would not have quite permanent navigation. It would not be permanent when it falls below 1,000 cubic feet per second.

70. *Mr. Bruce Smith.*] Are there degrees of permanency? What I meant to convey was that whenever the flow fell below 1,000 cubic feet per second, you would not have continuous navigation.

71. You say that it would not be quite continuous? Yes. Having arrived at approximate distances apart, I then had to select such localities within the approximate distances apart as would best suit the local conditions for serving the riparian lands with water by gravitation.

72. *Mr. Knox.*] That is in lieu of the present flooding? Yes, of course, appreciating all the time that the volume of these floods would be immensely reduced by diversions and by storage, and that we would have a very much lesser total volume of water available with the Barren Jack scheme in operation. The five weirs do not affect that question. With the Barren Jack scheme, and with the diversions proposed, the lower river would, of course, have a very much reduced volume of water available. The question is, how to apply that lesser available volume to the best advantage; therefore, it was necessary to select the most suitable points of offtake, having regard in doing that to existing natural channels, so as to avoid the necessity of expensive diversions. That I have attempted to do in the locations that I have fixed.

73. Will you explain briefly each different location? As regards No. 1, it has been placed below Manie Creek, because the water it backs up will be backed right up Manie Creek; and it will provide water for all the water frontage settlers, who, I think, are homestead lessees. I would point out that under the proposals of the Bill, with the lowest of the weirs at 9 miles below Balranald, the condition of the river below that point would be worse than ever. It would be worse than having no weirs at all in the river; because, first of all, the whole of the pastoral properties along that stretch of river would be wholly unserved with such a small flow as 500 cubic feet per second. Even with 1,000 cubic feet per second it would be useless to them, except for stock-watering purposes on the frontage paddocks. Furthermore, the Manie Creek homestead settlers could never get water from the Murrumbidgee.

74. It would never be backed into Manie Creek? Not from the Murrumbidgee. That influenced me in fixing the first of the weirs immediately below Manie Creek. Weir No. 2 is placed in the same position as that selected by the promoters of the Bill. I think it is a good position; it commands the conservation of water for Balranald township, and it also commands Yanga Creek. That fact may also be seen from the first drawing. The bed of Yanga Creek goes well below the water-level selected. The third weir has been located at a position from which from the lay of the country one could most readily, by artificial channels, let the water out from behind the weir to the lands to be served. In dealing with this question I kept before my mind the fact that I had to regard the district as a whole. It was not the question of the

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the conflicting interests of one holder against another, or one side against another. It was impossible for an engineer to have regard to those questions. I had to regard the district as one whole, right from Gum Creek down to the junction; and the question was, what is the best disposition for the common weal. To explain that more fully, let me call attention to Tala Creek, which is a very important creek. If one regarded only the interests of this holding, one would place the weir immediately below Tala Creek, because it would divert large quantities of water down Tala Creek; but it would wholly neglect the other side of the river. I had to select some other site which would effect the best compromise between the two sides, having regard to the fact that the configuration of the country is such that, with a weir at the place I have selected, a comparatively inexpensive channel from behind that weir will serve the same purpose as if the weir had been placed below Tala Creek. If water be required in Tala Creek, it has to be got from the reserves of water immediately up stream. My proposals here do certainly contemplate and necessitate that the pastoral proprietors concerned would have to construct such works as would enable them to avail themselves of the respective conservations of water, it being remembered all the time that the volume that will be available will be very much less than has been available in the past. When the Barren Jack scheme is in operation, all this water will have to be conducted to where it is required.

75. Where is the next weir? Immediately below the Lachlan junction. First of all, I consider it has to be somewhere in that locality, because of the navigation question, and that is a very suitable site by reason of being able to back a large amount of water up the Lachlan and hold it as a permanent lake from which diversions could be made to serve the back country. The last weir, No. 5, is at Nimmi Creek. There are two offtakes at Nimmi Creek, it is ana-branch, and almost dead level. The water will flow either way whichever end happens to flow first. My reason for locating it there is also because I wish to take advantage of the natural depression of Nimmi Creek, so that water can be conducted into the back country.

76. What height do you say it will be necessary to have these weirs? At varying heights, according to the fluctuating fall of the river. In the lower river my weir heights are—No. 1, 14 feet; No. 2, 12 feet 6 inches; No. 3, 12 feet; No. 4, 15 feet 6 inches.

77. That is what you have provided for in your plan. Suppose we take the suggestion in the Bill, that a weir should be built below Balranald, and the next weir about Breer-mill, and the next one up-stream from Maude;—how far would that be between the weir, at Breer-mill and Maude? Eighty-eight miles.

78. What height would the lower weir have to be to back up the water to the upper weir? To bring it to summer level alone, it would have to be a 27-foot weir. That would be impossible, because the banks of the river are not that depth.

79. So that with a 27-foot weir the water would not reach summer level at the other weir? No. It would be impossible to have any such height at Breer-mill. Again the space between the two lower weirs is considerable—that is, 54 miles. That is also beyond the limits of the capacity of the river bed. In all this weir construction you are absolutely limited by the depth of the river bed. You cannot have a weir raised above the surface of the country.

80. *Chairman.*] How far is the weir you propose below Maude from the site designed by the Works Department? I do not know whether this is the site proposed by the Works Department.

81. It was said by the witnesses that a weir at Maude would damage them;—how far is the proposed Government weir at Maude from the weir proposed by you? My difficulty is that I do not know whether the weir propounded in the Bill as above Maude is the same one as you have in your mind. Assuming it to be so, the answer is about 15 miles. My weir is 15 miles lower down. In fixing that, I had in my mind that the proper offtake to serve this country in question is Nimmi Creek. It commands a larger area of country than can be commanded by damming the river above the creek. The nearer you approach Hay, the deeper the river channel becomes, therefore, the less easy it is to get the water out of the river, once it is stored there.

THURSDAY, 10 AUGUST, 1905.

Present:—

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| Mr. BALL, | Mr. McLaurin, |
| Mr. BENNETT, | Mr. REYNOLDSON, |
| Mr. MCGARRY, | Mr. SCOBIE. |

G. S. BRINER, Esq., IN THE CHAIR.

Mr. Bruce Smith, with him Mr. W. K. S. Mackenzie, instructed by Messrs. Bowman and Mackenzie, appeared for the promoter of the Bill.

Mr. Adrian Knox appeared for Messrs. Vandeleur, Macpherson, and Lindsay (on behalf of the Lower Murrumbidgee Locking League).

Mr. A. W. Nathan, of Westgarth, Nathan, & Co., appeared for the Scottish-Australian Mining Co., Limited.

Mr. Jas. A. Brown appeared on his own behalf.

John Monash, recalled, and further examined:—

82. *Mr. Knox.*] Yesterday you referred to a document showing the river heights at Hay during certain years? Yes.

83. Is that the same document as Exhibit 2 in the report of the Interstate Commission on the Murray waters? Yes, with manuscript additions made by the Department of Public Works at my request. That brings the information right up to the end of 1903.

84. Did the original return, as annexed to the report of the Royal Commission, terminate early in 1902? Yes.

85. Then the report which you have used is that with the supplementary figures up to the end of 1903? Yes.

86. Have you got a chart which was prepared by the Works Department? Yes; this is also a Public Works Department chart.

87. Does that show the height and discharge of the Murrumbidgee at Hay from 1894 to 1903? Yes, we also have information with regard to the behaviour of the Murrumbidgee right back to 1879. (*Vide* Appendix B 1.)

88. I see there are some manuscript figures in the margin showing the discharge of cubic feet per second. Yes, these are as supplied to me by the Department; they were embodied in that document when it reached me. The whole is a departmental document showing the height and discharge of the Murrumbidgee at Hay above summer level.

89. The discharge in cubic feet per second past Hay is given as 650 cubic feet per second? Yes; at summer level, the flow past Hay is 650 cubic feet per second.

90. Speaking about the weirs proposed to be erected below Gum Creek, I mean all the weirs, what is the maximum height to which these weirs could be safely or properly constructed? For all the weirs, except No. 5, in my opinion 15 or 16 feet is the maximum. For No. 5 it would be safe to go to 17 feet 6 inches.

91. Does the height depend on the banks? On the depth of the bed of the natural stream, as at present. The river at Maude is deeper than it is down stream.

92. You told us yesterday that a weir such as you mention would throw the water back 45 miles;—would that depend on the grade of the water in the river? Yes, the steeper the grade the lesser the distance it would throw the water back.

93. And the grade is something like 4 inches in a mile? It varies pretty widely from 3½ inches to the mile at the Murray end, up to 6 inches to the mile at the Maude end; it gradually gets steeper.

94. Have you indicated on the section the sites of your proposed five weirs? Yes, the approximate sites. That is to say, there is no finality as to the exact position, having regard to engineering requirements of construction. I have not gone the length of selecting the sites, but they are within a mile or two.

95. Will you explain your answer to a question put by the Chairman yesterday? I was asked what flow in the river in its present condition would cause flooding. I find on investigation that a flow of 5,000 cubic feet per second past Hay, if sustained for a sufficiently long time, would cause flooding to commence over those areas, but it would require, say, 6,000 cubic feet per second for a moderate duration for flooding to commence. I am quite unable to indicate what proportion of the area would be covered by such a flooding, as I have not sufficient data, but certainly flooding would not commence below 5,000 cubic feet per second, and only then if that flow were maintained for a month or so.

96. You have considered the Bill as it stands; will you tell the Committee the objects that ought to be aimed at by the Bill so far as the question is concerned of conserving the present interests and position of the settlers down the river? Firstly, the construction of sufficient protective works of the nature that has been discussed in my evidence, so far as including thereunder two weirs in addition to the three weirs proposed in the amended Bill, and a redistribution as to sites of the three. Secondly, I think it important that the Bill should provide that no charge should be made by the promoter for the water stored or diverted by any of these weirs down the river. I think the Bill as it stands is open to the construction that a charge could be made. Thirdly, I think it is necessary to ensure that these protective works shall be constructed in order of time, so as to be in operation for the benefit of this district before storage and diversion commences, or, at any rate, simultaneously with it—that is to say, that storage and diversion shall not be in operation before the protective works shall be in operation.

97. Otherwise would the effect of storage and diversion be as you described yesterday, to prevent the flooding of the lower river before you had the compensating works to make up for it? Yes, and that period of want of compensating works would probably be very indefinite. Fourthly, I think that it is very necessary to closely define and limit the rights of the promoter as to diversion, particularly in times of a plentiful flow. Fifthly, there should be more ample provision as to the efficient maintenance of the protective works that have been discussed. Sixthly, we think it necessary to provide that the regulation and control of the whole of these protective works should be in the hands of either the Government or a representative public body similar to a trust.

98. Taking these *seriatim*, what methods would you suggest for attaining these objects. First, take No. 1, that is to ensure the construction of the five weirs? I would like to repeat that I mention five weirs as being the minimum number in my view that would conserve the objects I aim at, viz., the maintenance of navigable facilities and the maintenance of a supply of water to be brought to the lands by gravitation. That is the water which is now brought there naturally.

99. That is to say, to preserve the *status quo*? Yes, as nearly as it can be done artificially.

100. Then with regard to No. 2—no charge should be made for water supply. Does not clause 20 provide for a charge? I think it is clearly open to that construction. I think that without any limitation these words would entitle the promoter to charge for any water stored up by any of these weirs.

101. Should there be an amendment to confine the power of charging in respect of the water diverted by the weir at Narrandera? Yes, that being the clear policy of the Bill.

102. Now, with regard to No. 3—that is the order of construction of works. As the Bill stands, is there any provision as far as you can see compelling the construction of these lower river works? There is not. As I understand the Bill, there is simply power given to construct without any obligation to construct the lower river works. I see nothing mandatory on the promoter to construct those works. There is merely permission or power given to construct, but no compulsion.

103. *A fortiori*, is there no provision as to the order of time? None at all. Under the Bill as it stands, the head works may be constructed while the protective works that we are asking for may be delayed for years.

104. With the result that meanwhile the effect we fear would be arrived at? Would be in full operation.

105. Then on question No. 4,—that is the limitation of the power to divert—have you some suggestion to make? Yes, as I understand the Bill, the power to divert is limited to 750 cubic feet per second, except at times of plentiful flow, when the promoter is entitled to take up to half the total flow, with the permission of the Minister. As to that, I feel that great difficulty will arise in the operation of such a provision, for the reason that, as I stated yesterday, the river would cease to be a natural river. That is to say, the flow out from the Barren Jack reservoir, except at such times when the reservoir was absolutely overflowing, would be such a flow as is artificially predetermined by those having control. You could let out at will any predetermined quantity except at times when the reservoir was overflowing. There would be no natural surplus from the reservoir at all, except when the reservoir is full to overflowing. This provision may operate in this way: that if the reservoir were nearly but not quite full, and those who had control chose to let out 5,000 cubic feet per second, the promoter could then come along and say: I am entitled now to use up one half of this flow. But then the flow coming into the river out of the reservoir would not be a natural flow; it would be a flow artificially created. I think provision should be made here, that what is meant by a surplus of water or plentiful flow means an overflow from the reservoir at times when the reservoir was full.

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106. What you mean is this: that the power to exceed 750 cubic feet per second should be limited to the periods during which the reservoir is actually overflowing? Yes; that will occur for several months in every year, but unless it be defined that surplus flows should mean that, there would be very great difficulties in construing and working the provisions of the Bill.

107. Are there any particular months of the year during which you think any limitation should be placed on the additional diversion? Yes; the conditions of the lower districts are such that the floodings now enjoyed, unless they come in August, September, and October, are of very little use. It has been explained in evidence by various pastoralists that it is important to get these waters on to the land during the spring, otherwise they are of very little use to us. Consequently we think that it is necessary for our interests that we should at any rate get such overflows from the river as occur in July, August, and September, allowing them a month to reach us. I think that is not an unreasonable limitation, because in fact the greatest replenishment of the reservoir will occur towards the end of that period. That is the spring rains and snow water. In asking for the earliest spring overflow we are taking the chance of getting it, whereas there is considerable certainty that there will be substantial overflows in November and December of every year.

108. Then with regard to No. 5, the maintenance of the works, what do you suggest? The Bill is silent as to what is going to happen if any of these weirs fall into disrepair and become inoperative. There should be an obligation upon the promoter not merely to erect but also to maintain in effective operation the several works.

109. What about the way of compelling maintenance? There should be a penal clause and suspension or forfeiture of rights of diversion until necessary repairs were made.

110. Then with regard to control of the works on the lower river, what suggestion have you to make? These works will not carry out the objects that we have in view unless they are wisely controlled in the common interests of all concerned. They might be misused; the actual administration of the stored water might be misused to the disadvantage of some and to the benefit of others. We think, therefore, that their whole control should be governmental.

111. *Mr. Bruce Smith.*] Do you mean the promoter's canal? No, the lower protective works. The whole of those protective works should be under governmental control or, if not, under the control of a publicly constituted body such as a trust.

112. Like the Victorian Trusts? I do not know anything about the enactments in this State as to local government of that nature.

113. *Mr. Knox.*] Do you suggest some representative body? Yes, with legislative powers that will preserve the common interests.

114. Will you mark on the section which you put in yesterday, in red pencil, the effect approximately of the weirs suggested by Mr. Davis, the Under Secretary for Public Works? Yes. I have put upon Exhibit "A" marks in red pencil. I have already said that the Bill is not very definite in its location of the three weirs which it proposes, so that I put them in as nearly as I can. The weir at Balranald is at the left and substantially takes the same position as weir No. 2 that I have suggested. That weir will tail the water back to a point called Hall's Creek, and at Hall's Creek occurs the second weir proposed in the Bill. The third weir proposed in the Bill is at Best's Bend. I am pretty sure of the correct position of that because on the ground I saw the survey marks for that weir. Those three weirs located as they are on this plan show that firstly from the River Murray for a distance of 51 miles up stream, there will be no protective provision whatever, and therefore, for that reason alone, as far as navigation is concerned, it would be at an end, except on rare occasions, when there was a flood of sufficient magnitude to reach below Balranald. Again, as regards the weirs Nos. 1 and 2 proposed in the Bill, their distance apart approximately will be 54 miles. That is too long a distance to ensure the maintenance of navigable depth at the upper end of the lower weir pool, except again in times of very ample flow. The second weir proposed in the Bill will tail out within 10 miles of the Lachlan junction; it will tail right out. Coming from that point up to the third weir proposed near Maude, there will be an interval of 48 miles entirely unprovided with any means for artificially raising the river level. Here, again, is another break which would undoubtedly stop navigation.

115. And also stop flooding? Yes, there would be no provision to deal with the frontage lands—that is, if there were only three weirs.

116. *Chairman.*] If five weirs are there, will both flood and navigation be secured? Yes, that is my view.

117. *Mr. Knox.*] Have you considered without making a detailed estimate what the cost of the erection of the five necessary weirs with locks would amount to? Yes; of course I do not profess to give reliable estimates without much closer investigation. I have also had full regard to the special conditions of this country—that is, the want of suitable building material and the particularly friable nature of the country. I am of opinion that that these five weirs would be well covered by the sum of £70,000 as the total cost.

118. In making your estimate, have you taken into consideration the necessity for a lock in each weir to provide for navigation? Yes, and ample provision for dealing with such flood waters as we will get hereafter when the works are in operation.

119. *Mr. Bruce Smith.*] It is a perfect scheme? It think it is a very ample figure.

120. I take it that you appear here as representing certain down river landed proprietors? Also the Murrumbidgee Locking League.

121. May I take it that you came here yesterday and to-day as representing certain landholders down the river and to serve their interests? Yes, subject to this: that the landholders are members of a public body. I am not representing them in their personal capacity, but in their corporate capacity—as members of the Lower Murrumbidgee Locking League.

122. And the whole of your evidence has been conceived with a view of conserving their interests? Yes.

123. *Mr. Lindsay,* who appeared as a witness before the Committee in 1903, is one of the representatives of the organisation which you refer to? Yes.

124. Is *Mr. Macpherson* another representative? Yes; he is the President.

125. In 1903, those gentlemen gave lengthy evidence as to the floodings to which they have been accustomed, and as to the probable effect of this irrigation scheme upon those floodings? I believe so.

126. Had you advised them at that time? No.

127. I take it that you have looked at the whole of this scheme from their point of view professionally? No, I would like to explain exactly how I approached the matter. I was given the evidence and the Bill in its amended form; I was asked to make a thorough inspection of the locality, and say as an entirely independent person without regard to any outside consideration whether or not I could advise them to accept the Bill as it was amended.
128. Advise them to accept the Bill? Yes, as amended.
129. You have not made a single suggestion that occurred to you in the interests of the promoter? Except this, that I advised that the general scheme should not be opposed.
130. I am talking of your evidence. Have you given any evidence here in the interests of the promoter? No.
131. Your business as a professional engineer is to watch the interests of the people down the river? That is my present attitude.
132. Your attitude as a witness before this Committee? Yes.
133. Do you profess to know anything about the legal rights of your clients? No.
134. And whether or not they are entitled to any provision being made from a legal point of view? It is a question with which I have not concerned myself.
135. Have you read the evidence that was given in 1903? Yes, some time ago; not recently.
136. Are you aware that both Mr. Davis, the Under Secretary, and Mr. Wade, the Principal Engineer, told the Committee in 1903 that the Water Rights Act had taken away whatever legal rights the down river landowners had? I have a vague recollection that something of the kind was said, but I do not know by whom.
137. You have not considered this question from that point of view at all? Only from an engineering point of view.
138. Your scheme was really only a proposal as to what you think would be desirable in the interests of your clients? I have consistently said in my evidence that I would not like this to be regarded as my scheme, but simply as a statement of the minimum conditions which, in my opinion, would be necessary to reasonably maintain existing advantages so far as they can be artificially conserved.
139. And that assumes that they have a right to these periodical floodings? It is not founded upon any such assumption.
140. You said that it is to preserve the *status quo*; does not that assume that they are legally entitled to the present provision? No, my position simply expresses a fact.
141. Irrespective of whether they are entitled to it, your provision is to preserve existing conditions? Yes, as far as they can be preserved by artificial means.
142. Do you know that your clients of the Lower Murrumbidgee Locking League have actually taken legal advice on their water rights? I am quite unaware of it; it has never been discussed with me.
143. You do not know that they have been advised that they have none? I do not.
144. Over what length of river would your proposals extend or affect the river levels? In round numbers 200 miles.
145. Below what? Measuring up from the Murray towards Hay, not as far as Hay.
146. Over what length of the river would the five weirs affect the water level? About 200 miles.
147. And over those 200 miles it would make it a tolerably complete scheme? So far as navigation is concerned, yes; so far as irrigation by gravitation is concerned, it still awaits a great amount of investigation of details to say whether, as an engineering scheme, there should not be more than five weirs.
148. Would it secure navigation over 200 miles? Yes, for all times when the flow in the river was 1,000 cubic feet per second.
149. Where it does not exist at present? Where it does exist at present with flows of 2,000 cubic feet per second.
150. Your scheme would provide navigation under conditions in which it is not provided now? Quite true.
151. So far as navigation is concerned, you propose to improve the river? Yes; the amount of navigation that could take place in any year would be more assured and for a longer term.
152. Are you aware for what period on an average these landowners have been flooded hitherto? Only from hearsay; my information comes from witnesses.
153. You do not know anything beyond what Mr. Macpherson has said? Except that I do know from actual observation the results of the flooding of the land.
154. You cannot tell how often it has been there? No.
155. Your scheme would provide for periodical flooding after the erection of these weirs? Hardly that; it would provide for some floodings.
156. I am assuming that the dam is put up and the weirs, then it would provide for periodical flooding? My answer is, that it would not be flooding at all in the sense that we have it now. It would be bringing the water artificially to such levels that we could draw it and irrigate. It would have to be an artificial process of irrigation by gravitation.
157. Now, there is no process of irrigation except natural floods? No; except natural irrigation, which, I am ready to admit, is wasteful. A large amount of water is required to do but little work.
158. At present it is a haphazard sort of irrigation, depending upon the intermittent flooding of the river? Depending wholly on natural conditions.
159. But if the dam and the five weirs were constructed, it would give all these landowners a system of gravitated irrigation? I should say a moderate assurance of available water for gravitation in every year.
160. And a more valuable supply than the present intermittent one? Less in extent, but more certain in permanency.
161. Therefore, more reliable? I think more valuable, because more certain.
162. You even go so far as to propose that in the interests of those down-river landowners the dam should be utilised so as to give them the overflow in certain months of the year which would be convenient to them? No; that is not my position. I say that the overflows which would occur in certain months should be made available for use by the lower river proprietors.
163. Did you not say that you should have the overflows in August, September, and October? We should have such as would occur; we cannot ensure their occurrence, that depends upon nature.
164. Do you have them now every year in these months? Not every year.

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165. Then you would propose that they should get the overflows in months suitable to themselves which they do not get now? Which they do not get regularly now. I would propose, as a compensation for the much reduced quantity, that they should get a greater assurance of regularity at the right time.
166. That would be more valuable to them? That is a question I am unable to answer.
167. You are before the Committee, and of course they are keen enough to know that you are in the interests of the people down the river; will you answer that question—are not these proposals which you are making of a character which would be more valuable to your clients than the condition of things at present? I should like to admit that if I could, but I cannot honestly do so, because I think the greatly reduced quantity of water would mean that it would have to deal with a much lesser area of land. It is a question I am not able to answer whether the conditions would be less or more valuable to them.
168. *Chairman.*] That is a question I intended to ask;—the Committee would like to know whether given these weirs that you ask for, the position of the landholders whom you represent would be better than it is under present conditions? It is really a very difficult question. I put it this way: that they would have a greater assurance of water, a greater certainty of getting water in much lesser volume than they have now. As to the commercial value of that, it is rather a pastoralist's than an engineer's question, I feel a difficulty in saying whether with regard to any particular holding the natural condition of affairs would be commercially worth more money.
169. *Mr. Bruce Smith.*] Have you not received the assent of your clients to the condition of things which you explained this would bring about? That is so.
170. They would be quite satisfied to have the new state of things? That is so.
171. *Mr. Bennett.*] If they had the control of the water, and got the water at the right time, would not that be more valuable to them than the present condition of things? Decidedly, as far as the amount of water went. What I have in my mind is this: in many years, if you give the promoter the water he has the right to divert, it will often happen that the volume of water which can reach us will not be sufficient to cover any considerable area. Under this complete scheme embodying five weirs, the only water we would get would be the surplus water. We would never get anything else; it is just a question of the surplus waters.
172. *Mr. Bruce Smith.*] Except that you would have the level of the river maintained? That is no advantage unless we have the surplus water, the mere raising of the water up to 2 or 3 feet of the top of the bank is of no use for any purpose unless we also have the surplus water.
173. Is it not a fact that with these five weirs and a certain normal level kept up in the river you would get more frequent floods, and you would get them with less heavy rainfalls? No. By a normal flow in the river do you mean a flood flow?
174. No; normal levels;—Will not your five weirs give you a certain normal level in the river, so that when floods come you will get floods more frequently and easier? Yes.
175. *Mr. Scobie.*] Would you not expect that the flood-water would be impounded in the dam, that you could not anticipate floods in the future such as come now naturally? Yes.
176. All the flood-waters would be in the reservoir? Yes; the whole purpose of the reservoir is to impound the floods, and the higher we make the reservoir the more flood-water we will impound.
177. *Mr. Bruce Smith.*] Suppose you have a very heavy flood, which fills the dam and goes over and fills the river up to the levels of the weirs; all that will remain there? Yes.
178. If heavy rain comes afterwards, you will get the flood on the lands much more easily than if the river were open? Yes, that is so, but that is a very exceptional state of affairs.
179. *Mr. Bennett.*] I want to understand thoroughly this question of the reservoir;—you do not anticipate that you will retain the whole of the water that comes down in flood? That would be impossible. You can only retain the water to the extent of the capacity of the reservoir. When the reservoir is once filled, the surplus waters must pass down the river.
180. And they are liable to have floods? Yes. Viewing it in another way, the engineer dealing with the question must say to himself, I must design works which will be able to cope with and take a flood should it occur, in spite of the construction of the Barren Jack reservoir. But the point is this: that during the dry months of the year, during which snow falls and does not melt, there is comparatively a small flow into the reservoir. During all these months, under the Bill there must be a certain amount of water passing down the river—what we call compensation water—and a certain other amount diverted for irrigation purposes at Narrandera weir. All this water is being taken out of the reservoir during those dry months, and when August, September, and October arrive and the snow begins to melt and we get heavy winter rains, the whole of that shortage in the reservoir has to be first filled up to the tune of many thousand million gallons before any can overflow. These are the very flood waters that we in the past have been enjoying the benefit of.
181. You get a compensating benefit in having an equal flow during the dry months? That is admitted.
182. *Mr. Bruce Smith.*] Putting your engineering knowledge and your client's pastoral knowledge together, they are of opinion that this would be a great advantage to them? Yes; judging by the fact that they are prepared to accept it as an equivalent.
183. It is, of course, a very great improvement on the present conditions? I do not think it is a very great improvement.
184. Putting their pastoral knowledge and your engineering knowledge together, they consider it would be an improvement on their present condition? I am not in a position to say that, they have not so expressed themselves to me.
185. At all events, they would be willing to have what you propose carried out? Yes, they would consider upon my advice that that would be the minimum compensation that they could accept.
186. Assuming they had no rights to the floods at all, and they were liable to have their present floodings taken away without any provision legally, then would not the building of these five weirs be a very great advantage to them? Yes, an improvement of their legal rights, but not an advantage as compared with the privileges which they now enjoy.
187. You have told us first of all that, taking the present condition of things as a permanent one, your clients are of opinion that the works that you propose would be satisfactory to them? Yes.
188. Now, I ask you, assuming that these floodings are liable to be taken away from them without any compensation whatever, would not the permanent carrying out of your scheme be an immense improvement to them? Yes.

189. What would be the cost of the whole of the weirs in your opinion? Not exceeding £70,000.
190. What would maintenance cost per annum? I have not considered that, but I should say that an allowance of 5 per cent. would be a very ample one.
191. Is it your proposal that that should all be paid by the promoter? I have no proposal as to that; there are several interests which are being considered in this matter.
192. Your proposal is that this work should not be carried out without doing this for the down-river people? Yes; irrespective of the question as to how the money is found.
193. Do you know the scheme which is being carried out at present by Sir Samuel McCaughey above your clients' properties? I did not know that it was being carried out by him. I am aware that there are some diversion works on foot up the river.
194. Are you aware that it is a very extensive scheme, consisting of a canal which goes over some miles of the land adjoining the river, taking off the water by gravitation? I am aware that it has been represented to me by the Department as not being an extensive scheme.
195. You do not know? I do not know that it is extensive, it has been represented to me as harmless. Personally, I think it is harmful and a very wrong thing to make any further diversions without providing storage.
196. You have not taken any steps to put any scheme for any weirs before the Government as a condition of this Cudgel Creek scheme? Yes, we have deputationised the Minister and expressed our views very strongly at the conference here. We endeavoured to press our views forward very actively.
197. *Mr. Scobie.*] Is it within your knowledge that the action of the River-Locking League in waiting as a deputation on the Premier and the Minister for Public Works, Mr. O'Sullivan, prevented on a former occasion the carrying out of the Cudgel Creek scheme? Yes, I believe that is so.
198. *Mr. Bruce Smith.*] Would this disadvantage to your clients, in your opinion, be the result of the construction of the dam and the conservation of water, or the diversion of the water at Narrandera? Decidedly by the construction of the dam and the conservation of the water. The diversion of the water is harmful only to its extent, whatever it is, but the construction of the reservoir is for the purpose of impounding the floods as far as it can. The bigger we make the reservoir the more floods it will impound.
199. Are you aware that the Government have expressed their determination to construct a dam? I have only heard it since I have been here, as a matter of general gossip.
200. Do you know that this Bill provides for the Government to have the first right to carry out the dam? Yes.
201. Are you aware that the Bill provides for the Government having complete control of the dam, so as to regulate the water passing it? I am not clear as to that.
202. Are you familiar with clause 33 of the Bill? That provides for it, but that cannot be exercised in defiance of the promoter's rights.
203. No, but you speak of their being able to take a quantity of water at a very inconvenient time; do you not admit that it cannot be taken without the Minister's sanction? No, because the Minister in exercising his discretion must maintain the promoter's rights.
204. I am talking outside the promoter's actual rights in the Bill; is not the matter under the control of the Minister? Yes.
205. So you can look to the Bill to see the extent of the promoter's rights? Yes, but I want to limit that discretion further. Under the Bill, the promoter can get half the surplus. The Minister is bound to give it to him, in spite of clause 33.
206. You say you have not taken steps to familiarise yourself with the Cudgel Creek scheme, as to the way in which it will affect the down-river people? I heard nothing about it until I understood the tenders had been called, then I took the step of directing my clients' attention to the fact. That is the only step I could take.
207. You told me that the primary cause of any injury which will be done to the interests of the people down the river will come from the dam itself in respect of the flow of the river and the conserving of the water? Yes.
208. And if the Government construct the dam they will be the direct cause of this injury? Yes.
209. Are you aware that before this dam can be constructed it will have to go before the Public Works Committee for approval? Yes, I accept what you say. I do not know the routine.
210. Would not that be a much more appropriate place for you to give this evidence as to what the Government ought to do if it constructs the dam? That is hardly for me to say. It might be more effective in obtaining the object desired. If you mean that I should admit that it is inappropriate for me to come here, I say "No."
211. If the Government construct this dam as announced, and as provided for in this Bill, would it not be a much more appropriate place for you to give evidence before the Public Works Committee? In what sense appropriate.
212. Because the Public Works Committee will have submitted to them a proposal to construct the dam? Then I should certainly say the views I have expressed here should be also expressed to them.
213. But if this dam cannot be constructed without going before the Public Works Committee, that would be the proper body before which to put those views? I do not think that is a reason why I should not inform this Committee.
214. *Chairman.*] Do you think it will have more effect before the Public Works Committee? I do not know. I will not assent that it is not the proper place for me to come here.
215. *Mr. Bruce Smith.*] You know that in 1903, when this Bill was before the previous Committee, it was proposed to put in three weirs? No; when it left the hands of the Committee.
216. I mean to say the parties agreed that three weirs should be put up? I am not aware that there was an agreement on the subject.
217. It was put in the Bill. Are you aware that Mr. Wade, the head of the Department, was asked this question by Mr. Affleck: "Will the amendments which Mr. Shand proposes to insert in this Bill conserve the interests of all the people whose land will be damaged." And he answered: "Yes, I consider that will be so"? Yes, I do not agree with him. I think this longitudinal section which I have produced is a manifest answer to him.
218. Mr. Wade was asked: "Do you think that the advantages to be gained from a scheme of this kind would outweigh any disadvantages arising from the non-flooding of the land below?" His answer was, "Yes"? My investigations lead me to an opposite conclusion.

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219. Then the Chairman put this question to Mr. Wade: "Do you think the advantages to be gained from a scheme of this sort would outweigh very largely the disadvantages arising from any loss of flooding?" His answer was: "The irrigation of that polygonum country by natural flooding is an absolute waste of good water. It would be put to far better use by irrigation?" That was with the weirs. What do you say to that? I have already stated publicly that that statement by Mr. Wade, that the bulk of this country is polygonum country, is incorrect. He described it before in a public document as a poor class of country. I totally disagree with that.
220. You know that Mr. Wade has had very full opportunities of examining the country? I do not know that he has made a very close examination of this country. I have not hesitated to tell Mr. Wade that he is under a misapprehension as to the quality of the land.
221. Are you aware that Mr. Davis was asked this question: "Do I understand clearly from you that whatever effect this dam might have upon the northern or southern side in making these floodings less frequent, or doing away with them, that these three weirs you have mentioned would restore the *status quo*?" and he answered, "I think so; I think it would be an improvement on the present condition of things. They have to depend on a very big flood to get the whole of the lands flooded, and that does not occur, perhaps, once in seven years. A moderate flood might, perhaps, occur once in three years, and there might be a year or two in a period of seven years when no land would be flooded; but with weirs you would raise the level of the river, not naturally as by a flood, but artificially by the weir, and in that way you would get the water on to the land?" I agree with that statement absolutely, except as to qualification, that the word "weirs" means three weirs. I think the whole of Mr. Davis' evidence shows that he has a very hazy idea of where these weirs were intended to be. He describes one of the three as being at Oxley, that is on the Lachlan, a great many miles away from the district.
222. Are you aware that Mr. Davis was asked: "Do I understand you to say that the construction of these weirs is to give an advantage to the people who own the land which is now flooded?" He answered: "I do not think that was the purpose exactly, but it seems to me that it would be an advantage to them?" I would agree with that statement so far as the persons in the immediate vicinity of the three weirs were concerned, but not so far as all others in the district were concerned, nor as far as navigation was concerned. Doubtless the three weirs will be beneficial so far as they operate.
223. But you want the five, and you want the navigation established which does not exist now? I want an assurance of some navigation. Without the weirs we will have none at all. It will be wiped out completely; that is what we must look to in maintaining existing advantages; in certain directions you have to improve them slightly, that is only an incident.
224. You have put before the Committee what have been the average levels of the river? The average discharges.
225. Is not the average a very incomplete and misleading way of stating what the level of the river is at its lowest time? Of course the average does not state the minimum.
226. Suppose you want to compare a supposed lowest level with the actual lowest level, is it not misleading to take the average of the existing state of things? I have also taken the lowest.
227. Have you taken the lowest? Yes.
228. What is the lowest? I have given the average lowest.
229. I want to know the actual lowest, because do you not know that this Bill proposes that when the dam is constructed there shall never be a smaller flow than 500 cubic feet per second down the river? Yes, past Narrandera.
230. Is it not a fact that at Narrandera, in 1903, it has been down to 100 cubic feet per second? No, not from the records, which give 212 cubic feet per second.
231. Is it not a fact that Mr. Wade gave evidence that it was down to 20 cubic feet per second? Here is the public document. Mr. Wade, I think, said he heard somebody say so.
232. Mr. Wade is the engineer of the Department, and is he not to be presumed to know something about this question? Either Mr. Wade has made this from gauging himself or he has got it from somebody else. I doubt very much whether he made it.
233. Did you make a gauging? I did, certainly.
234. Did you make a gauging to ascertain what is the lowest this river has been? Certainly not.
235. Where did you get your gauging from, to show the lowest point? From the public records.
236. That is where Mr. Wade gets them? Certainly.
237. You got your gaugings as to the lowest level which this river has reached in drought times from the Department? From the public records.
238. And Mr. Wade is the chief engineer of the Department? Yes; but he did not get 20 cubic feet per second from the records.
239. What do you say if Mr. Wade stated that at Narrandera it went down to 100 cubic feet per second in 1903? I have got the Narrandera records here. The lowest point in 1903 was in the month of February, when there was a flow of 212 cubic feet per second.
240. What is the lowest in any year which you have got in these records? The figure of 212 cubic feet per second is, I think, the absolute minimum over a period of eighteen years.
241. What is the next to that? In the year 1902 it was 270 cubic feet per second in the month of March. The lowest in 1903 was 212; in March 1901, 364; in 1900, 397; in 1899, 230; in 1898, 357; in 1897, 457; in 1896, 740.
242. You know that the Bill provides that when the dam is constructed there shall never be less, as long as there is water in the reservoir, than 500 cubic feet per second going down the river? That is so, but throughout the whole year.
243. You admit that the records show that in 1897, 1898, 1899, 1900, 1901, 1902, and 1903, the flow was under 500 cubic feet per second? For one month in the year.
244. During seven years in succession? Yes.
245. Then you admit this Bill does provide that there shall go down the river a minimum flow of considerably more than the flow in those seven years? That would be absolutely useless to us. What is the good of 500 cubic feet per second?
246. Are you aware that Mr. Davis was asked this question: "When Mr. Wade was giving evidence, he was asked to get the records of the discharges of the river at Hay during certain months; have you got a telegram

- telegram which was sent to Mr. Wade by the officer in authority giving some information?" He answered, "Yes, it is a telegram, dated 15th October, addressed to Mr. Wade by Mr. Mitchell, who is our officer at Hay, which says, 'Discharge, taken March 12, gauge 2 feet 2 inches below zero; discharge 27.12 cubic feet per second, March 30, gauge 1 foot $\frac{1}{4}$ inch below zero; discharge, 199 cubic feet per second.'"—That is lower than any you have given? Yes; but a momentary flow like that is not any criterion.
247. I think you told the Committee that 500 cubic feet per second, the guaranteed minimum, is of no use; do you admit it is of more use than the river when it goes down to 27 cubic feet per second? No; when the river falls to that discharge it is only a watering place for stock on the frontage paddocks.
248. At all events it has the effect of improving the minimum? Enlarging the minimum, but not making it more beneficial.
249. Even with three weirs? With three weirs a flow of 500 cubic feet per second would permit of navigation within the region of the weirs, or rather in the greater portion of that region.
250. In giving to the Committee what you call the average lowest, you set off against the very lowest the very highest when the river comes in flood? No, you totally misunderstand me, I am taking the very lowest of each year.
251. In how many months? The very lowest that I can find—the absolutely lowest record from 1885 to 1903.
252. And you average these? Yes, and that is the correct engineering way of doing it.
253. You had not shown the Committee until I put it to you, what is the very lowest that the river went to? I was not asked; I said the average lowest point.
254. In giving the average, you took your lowest in good years as against the lowest in bad years; that would not give any idea? It would give the only true index of what the river was doing.
255. *Chairman.*] Take a period of six years, and assume that for two years there was a flow of 20,000 cubic feet, while in the other four years there was only a flow of 200 cubic feet, would it be fair to take an average? No; if there was such a broad fluctuation, all that you could deduce is that the river has such wide fluctuations that you cannot form any conclusion; but it is not a river of that nature. It is fairly regular. I have taken the lowest flow for the lowest month of each year from 1885 to 1903.
256. *Mr. Bruce Smith.*] Are you aware that evidence was given that the supply of water at Hay was so low that the river had to be deepened near the pump to get it taken into the town? I was not aware of that. It is quite probable.
257. Do you know that in some cases they had actually to dig a trench in order to get the water into any useful depth? Where there are bars across the river at water holes, I have no doubt that would be necessary. Everybody knows that in 1902 the conditions were exceptional.
258. Then you do not agree with Mr. Wade and Mr. Davis, officers of this State, and heads of this Department, when they say that the three weirs are likely to better the position of the landowners? No, only in so far as I agree that three weirs within their sphere of influence will do what these gentlemen say they will do; but I say they have not sufficiently considered the intervening spaces.
259. These men have spent their lives in this State, they are the heads of this Department, they have studied this question over and over again; but that does not affect you in your opinion? I have made a special investigation of the district.
260. But your time is particularly spent in Victoria? Certainly.
261. *Mr. McGarry.*] What would be the difference in cost of constructing three weirs as against five weirs? From £25,000 to £30,000. The weirs down stream would not be so costly as the weirs up stream; we are proposing an additional weir down stream, and an additional weir near the top.
262. *Mr. Bruce Smith.*] Have you estimated the quantity that this reservoir would contain? No, I have no data. I accept the evidence given by the officers.
263. Assuming that the capacity of the reservoir is 21,000,000,000 cubic feet, are you able to contradict the statement that that would represent less than 2 inches of rainfall over the catchment area to fill the whole reservoir? I do not know anything about the catchment area, but I know that that represents about one-sixth of the total flow down the river per annum.
264. Are you aware that the natural rainfall on the area which comprises the catchment varies from 25½ inches at Yass to 64 inches at Kiandra? I know it is a district of very heavy rainfall.
265. If the statements I have made are correct, the fact that the reservoir could be filled with 2 inches would show that it is not a very great drain on the rainfall? If it is a fact, 2 inches out of 64 inches is obviously very small.
266. It is almost infinitesimal? Quite so, but that is not the true criterion. The true criterion is what actually passes down the river, and that I have before me on the records.
267. *Mr. McGarry.*] Would your clients prefer the Government to go on with the work, and do they think they will have a better chance of getting the floods if the Government go on with the work? My clients, if they have any preference, have a decided preference for the whole scheme being carried out by the Government—the whole work of water conservation and irrigation.
268. *Mr. Scobie.*] Who are your clients? The Lower Murrumbidgee Locking League.
- 269–270. Does that league represent the whole public of the district? Yes, right up to Gum Creek, east of Maude, including the municipalities of Balranald and the other townships, all the pastoral proprietors, farmers, and settlers. It is a powerful body representing the whole district, and they are perfectly united about it.
271. *Mr. Bennett.*] Are the people you represent opposed to this work being carried out on the plans submitted to this Committee to the Government and the promoter—that is for three weirs? Yes, they are; the scheme as it stands in the amended Bill is they think inimical to their interests, and they are opposed to it.
272. Do they think it is not sufficient for the conservation of water? Not sufficient for the conservation of their existing advantages; they would prefer to have things left as they are rather than have this scheme in its present form.
273. What are the principal grounds? Both with regard to navigation and flood waters. Navigation would have to cease altogether if we had a big scheme of water conservation and only three weirs, and the natural irrigation of the lands would be very seriously affected. As regards the three weirs proposed, irrigation would be partly effected; but as regards districts not controlled by these three weirs, it would be practically removed altogether.

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274. Does that sum up your objections to the scheme? Yes.
275. *Chairman.*] What amount of flow per second would you consider necessary for continuous navigation in the present state of the river? 2,000 cubic feet per second with three weirs. With five weirs for permanent navigation all the year round, 1,000 cubic feet per second would be sufficient. For navigation, for at least nine months in the year, 500 cubic feet per second would be required. I would like to qualify the last answer as it may be misunderstood. What I mean is, that with a minimum flow of 500 cubic feet per second you could not with five weirs secure navigation for longer than nine months in the year.
276. Under present conditions is it your local knowledge that enables you to say for how many months in the year the river is capable of continuous navigation? It varies from six to eight months according to the nature of the season.
277. *Mr. Bennett.*] Is that the period the river is navigable? Yes.
278. *Chairman.*] Which is less than it would be with either three or five weirs? With three weirs, the Barren Jack dam constructed and conservation in full operation, I think the navigable periods would be less than at present.
279. *Mr. Bruce Smith.*] You are assuming that 500 cubic feet per second would be the flow? No; I mean the duration of time when we would not get what is requisite. 2,000 cubic feet per second would be less operative owing to conservation than it is at present.
280. *Chairman.*] Have you read the evidence given before the previous Committee? Yes, some time ago.
281. Were not statements made by more than one witness that 500 cubic feet per second would give continuous navigation? No, I deny that.
282. *Mr. Knox.*] Before the previous Committee Mr. Bruce Smith put a question (No. 3364) to Mr. Davis, in which he said: "It was admitted by him (Mr. Vandaleur) that a minimum flow of 500 cubic feet per second would give all that is required for navigation, but he said the flooding had still to be guaranteed to them." But if you look at Mr. Davis' evidence, you will see there is not a word about that. The witness says: "I was speaking with regard to the country you were asking me about; but there is a piece of country to the west of the junction of the Lachlan and Murrumbidgee which I think would not be served by a weir at Gum Creek. What have you to say about that? The answer to the question is embodied in a public document. At Hay it is shown that the flow is 650 cubic feet per second when the river is at summer level. I have seen from my own observation that you cannot have navigation unless you have a depth of water for small craft of 3 feet above summer level, and for larger craft 4 feet above summer level.
283. *Chairman.*] When was that flow of 650 cubic feet per second taken? It means this: You have a given cross section of a river, and you have established at every gauge station a mark which is called summer level. Engineers in the past have established, and are continuing to establish, the volume of flow which corresponds to any given state of the water level. It has been established that when at Hay the river is at summer level the volume of the flow at that time is 650 cubic feet per second. When it rises higher the volume of the flow is greater, that has been determined.
284. Do I understand you to say that navigation level is 4 feet above summer level? Yes.
285. Have you read Mr. Macpherson's evidence? Not recently.
286. Look at Question 3026 where this occurs: "What is the navigation level? A steamer can get up when the water is 2 feet or 2 feet 6 inches above summer level";—What have you to say to that? I made it my business to inquire right along the river and glean information as to the navigable depths and draughts; my conclusions were that 3 feet would just clear the smaller and lighter craft, and the heavier craft would require 4 feet above summer level.
287. *Mr. Bruce Smith.*] Doubling what your client says? I made my inquiries from persons in the trade.
288. *Chairman.*] Do you not think that the statement of Mr. Macpherson, he being President of the Local League, having lived in the district for some years, and having practical experience of the river, should be authentic? As to that, it was my special business to form a conclusion which could be defended. I do not know whether Mr. Macpherson's opinion is the result of his mature judgment and deliberate inquiry, or whether he is merely voicing a general impression. I had no object to do more than learn the facts, my only object was to arrive at the actual requirements. I remember that one of my sources of information was that when the river at Balranald gauge is lower than 3 feet above summer level traffic stops. I know that quite outside of this inquiry. I remember that from being associated with matters that involved river transport.
289. *Mr. Bruce Smith.*] Did you see that? No.
(Then I object to the evidence.)
- 290-2. *Chairman.*] Would not Mr. Macpherson be acquainted with what is required for navigability, seeing that he is dependent on the river for supplies? Only indirectly, the Balranald storekeeper would be the best judge.
293. But Mr. Macpherson would have a personal knowledge? Yes, undoubtedly.
294. Concerning the Barren Jack reservoir, Mr. Bruce Smith asked this morning a question about 2 inches out of a rainfall of 64 inches per annum being sufficient to fill the reservoir? I would have to be told what the catchment area is.
295. That does not matter so long as we know that 2 inches are sufficient out of the total rainfall of 64 inches;—what I want to know is that provided that Barren Jack dam were filled to-day, and we had a flood next week, would not the people below the dam get the benefit of that flood? Yes; but I resolve that question in my mind this way: I have taken the actual river as it has in fact existed for the last eighteen years with definite records, and that the total volume of water passing Hay would still be available, that and no more; and assuming that during the next eighteen years, the average would be the same as during the last eighteen years, I have prepared a diagram to show what would happen; I produce that diagram and its explanation is contained on its face. (*Vide* Appendix B 2.) This is dealing with only a portion, although I gather from the evidence that similar diagrams with regard to the behaviour of the river have been before the Committee. I have taken a typical period from December, 1900, to December, 1902. I have shown by reference to a narrow dotted line what was the actual flow past Hay as recorded. I have assumed that at the beginning of the period the Barren Jack reservoir was full, that the promoter took 750 cubic feet per second, and that the lower river got its 500 cubic feet per second. I have plotted here what would flow down the river in excess of the 500 cubic feet per second. The portion coloured with red shows by how much the flow would be less than what it was in fact, by reason of

of the reservoir. This illustrates what I have said in evidence. During September there were heavy rains, and these waters went to fill up the reservoir, so that instead of the flood reaching the level shown on the higher line the top of it would be chopped off and impounded by the reservoir. The available flow down the river during the month of September instead of being of the magnitude represented by the height of the line up to the point "A" would be only equal to the magnitude represented by the height up to the point "B." I do not need to make any speculation as to the catchment area or rainfall, or any conditions up stream from the reservoir. I simply take the river as it was in fact, and put the hypothesis that this reservoir was in existence at this time, then what would have been the effect upon the flow of the river. This diagram expresses that graphically. (*Appendix B (2).*)

296. Presuming that the 500 cubic feet per second flow is guaranteed at Narrandera by the Bill, do you think that a better state of things would be more continuous than if there were no Barren Jack reservoir and no conservation works? Do you mean with or without weirs?

297. Without any weirs under present conditions? The answer is emphatically, no. The conditions would be very much worse than at present without the Barren Jack reservoir in existence, and no weirs.

298. No, I do not say that. With the proposal of the Bill for three weirs and the rest of the proposal as it stands, would the condition of things be better than at present? As regards navigation, no; as regards the country affected by these three weirs, yes; and as regards the intervening country, no.

299. The two great points throughout the whole of the evidence, and apparently the two points that arise in the present inquiry, are the flooding of the lands on the lower Murrumbidgee and the question of navigation? Yes.

300. You know the Murray River? Yes, I know it well from Echuca down to Swan Hill, and slightly above Echuca towards Albury.

301. Are the flooded lands there somewhat similar to those on the Murrumbidgee? No; the conditions of the Murrumbidgee are quite exceptional. It really requires a visit there to realise what these floods mean.

302. The flooding of the flats of the Murrumbidgee has not the same effect as on the Murray? No, on all parts of the Murray that I know, there are no such extensive floodings and they have not such an extraordinary effect on the pastures. To drive through the Murrumbidgee flooded lands after a flood is a revelation in the way of pasture. I do not know the Murray sufficiently well, except to say generally that I never observed there such marked effects.

303. *Mr. Reynoldson.*] Have you experience enough of that district to know what the floods on the Murrumbidgee might do if they were continuous for, say, two or three months on those flats? No, I have not personal experience sufficient to be able to say, except this much, that I have seen lands which have been subject to floods for two months, after the floods had gone back, and my conclusion was that the inundation was highly beneficial to the land.

304. Almost immediately after? Well, for several months. After lasting for several months and commencing shortly after, the strength of the pasture and vegetable growth was astonishing. You drive for mile after mile through a stretch of country from 1 to 3 miles wide, and the grass and vegetation is above your head.

305. *Chairman.*] How many holders are affected by this flooding? It is very difficult for me to say. There are a number of small holdings on the river; there are ten large holdings and a number of small holdings; there is the township of Balranald, the Manie Creek settlement, the township of Maude, and there are a number of selectors about. I had not an opportunity of getting a record.

306. *Mr. Reynoldson.*] Do you know anything in the nature of the soil or the climate that would make the land in the neighbourhood of this particular river different from land in the neighbourhood of any other river when flood waters remain there for a considerable time? The growth of pasture is very rapid after the flood subsides. I am not sufficiently expert in land and the character of soils to give any reason for it. If you wish me to indicate any reason why that soil should be different from other soils I am unable to do that except to state the fact that the results are there.

307. *Mr. Bennett.*] If the land were covered for two months with a flood, would it not kill vegetation? When the flood gets on to the land the vegetation is all gone. This is distinctly a summer pasture along the river frontage. At the end of summer it dries up. It is the peculiar value of these pastures in that particular district. Stock is turned into the river frontages during the summer, and there is plentiful pasture which is not by any means like permanent grasses. At the end of summer it is very dry; it is still feed but not good feed. By that time the back paddocks have recovered, and the stock is taken to the back paddocks. When the next flood comes on all this pasture springs up again green.

308. Does the flood leave any deposit? No, I have observed no signs of alluvial deposit.

309. *Chairman*] When does the next flood come? There is a big flood on now; 13 ft. 3 in. was recorded on the gauge at Balranald yesterday. That is substantial. That means that there are 6 feet of water flowing down Yanga Creek.

310. With the Bill as it stands, in your opinion, and in the opinion of others, the proposal for three weirs will give the people on the lower river two things—that is, a system of navigation and of flooding as good as they have under present conditions? Except so far as a certain portion of the district is concerned, the three weirs go a certain distance towards mending matters.

311. What you want is, that under this scheme continuous navigation and flooding will be guaranteed? Yes.

312. Have you got that at present? When you say that flooding will be guaranteed, we cannot say and do not expect that we can get flooding of the intensity and extent that we get at present. Our position at present is, that we are liable to get frequently considerable floodings, we realise that the storage and diversion for intense culture of large quantities of water will give us a less total volume. What we have to get in compensation is an assurance of greater regularity with a lesser quantity coming down the river. Coming back to a question I was asked before, whether I think that would be a better state of things than at present, I am really not in a position to give a responsible opinion. That is more a question for a pastoralist than an engineer. I would say that the result is this: you would have greater certainty of getting water, but you will also have the certainty of getting less volume, and undoubtedly this must be remembered—this scheme of weirs would be of no use to us unless we were prepared ourselves to spend a considerable sum of money in conducting and distributing this water.

313. *Mr. Bruce Smith.*] You would have the land irrigated? We have that at present.

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314. *Mr. Reynoldson.*] In some years? In many years; I cannot say how many.
315. Have you seen those flooded portions within the last month or six weeks? No; my visit was in 1904.
316. *Chairman.*] What are usually the flooded months? They commence as early as July, and extend to October. They seldom have any after October; they generally run from two to three months at a time, sometimes commencing in July and ending in September. They sometimes begin in August and end in October.
317. Have you any knowledge of water conservation and irrigation in Victoria? Yes.
318. Do you know anything about the Goulburn River Valley? Yes.
319. Is it not a fact that on one side of that river 1,700 cubic feet per second is regularly taken off? I do not think so. I have not the figures in my mind, but that is an immense quantity.
320. You are aware that a very large quantity of water is taken out of the Goulburn River? There is not much taken out yet; as irrigation develops no doubt there will be a large quantity taken.
321. They only take it from one side, and they are preparing to take it from the other side? Yes; they are building a storage at Waranga.
322. Do you know the effect of that upon the people on the land below the offtake? At present the Goulburn Valley, in the lower reaches, is subject to floodings, but they are decidedly harmful. The effect of further impounding will be to diminish the intensity of those floods, and it will be a benefit to the district. I have not a word to say against the irrigation proposals under this scheme.
323. Do you know that we had a drought here, practically for ten years, in the Murrumbidgee district, particularly in the locality of Hay? Yes.
324. Do you know that there were great losses of stock? Yes.
325. Is it a fact, as stated in the evidence before the previous Committee, that many people abandoned their holdings because of the drought? I am unable to answer that, as I have not sufficient knowledge of western Riverina, I know that in central Riverina it is a fact that people abandoned their holdings.
326. The following is an extract from part of that evidence: "It has been stated in evidence that over 600,000 acres have been abandoned; is that correct? Yes, that would be adjoining Gunbar. I thought there was more than that." Under existing conditions, and under the possibility of another drought, would not the State generally, and the people of that district in particular, suffer more than the people below would from the construction of the Barren Jack reservoir and the distribution of water under the Bill? I think not. Here we have existing interests amounting to at least 1,000,000 acres having lands actually subject to flooding. We know there is an assured livelihood to a large number of people there. As an engineer, I do not think it is sound policy to do anything which will trespass upon these natural advantages in the somewhat vague expectation that you may create prosperity elsewhere. You have the certainty now that these districts can be sustained through periods of drought. You have there an existing district with the lands occupied under the existing natural conditions.
327. You are quite aware that this amended Bill can be taken up by the Government and passed by Parliament? Yes.
328. Are you also aware that the Bill has been practically framed through the medium of amendments by the Public Works Department, represented by Messrs. Wade and Davis, and assisted by Mr. Shand, the barrister? I have been made aware of that.
329. If the Government took up this Bill, and Parliament passed it, would you or would you not be in exactly the same position as if the work were constructed by a private company with the safeguards provided in the Bill? Yes, except that I think we would feel surer that the general public interests would be safeguarded if the whole scheme were carried out by the Government.
330. Are you a socialist? Not at all; but the point here is that there are so many diverse interests represented and affected that it requires some central authority to administer the scheme justly; it is almost a national question.
331. I also look upon it as a national question. Do you know that under the Bill the Government have the right to approve of the plans and supervise the work of constructing the reservoir? Yes.
332. Do you know that they have the right to resume at any time? Yes.
333. Are you aware that the promoters led the Committee to believe that they did not want to build the reservoir, that they preferred that the Government should build it;—are you aware that the Bill now provides that the Government may take up the work within six months of the passing of the Bill, and that if they like they can also say to the promoter, "We will not do it, you can go on with the work under our supervision, and we can resume it at any time we like?" Yes.
334. Taking that as admitted, all that you really contend for is that no matter who constructs these works the people that you represent should be protected by two more weirs, which will guarantee a fair flooding and a reasonable possibility of navigation? Yes, that puts the case in a nutshell.
335. *Mr. Reynoldson.*] Would these works that you wish to be carried out place the pastoralists or the owners of the land on the lower reaches of the Murrumbidgee in a better position than they are in under existing circumstances, taking the last ten or fifteen years as the basis of your opinion? That is a question which has already been put to me, and I have had great difficulty in giving a clear answer. I can answer it better by showing what my difficulties are. We would under these circumstances have an assurance of greater regularity in the supply of water, but we would have the certainty of a great deal less volume of water. As to precisely how much we would have, and what lands it can be made to cover, is a very extensive inquiry involving a detailed survey of the whole district. To answer the question properly, I would have to know exactly before-hand how I would advise my clients that they should go to work to lead this water from behind the various weirs to the various places where it is required. Until there is a certainty that all that is practicable, it would not be proper for me to say that these weirs would improve the position.
336. *Chairman.*] You have told us that that would be the case in the vicinity of the weirs? Undoubtedly, but each of those weirs cover 43 miles of river frontage, and are most beneficial only where the water is near the surface. That particular part of the river frontage will decidedly be better off than it is under present conditions.
337. And with five weirs that will be the case with the whole of the country? No, only those portions where the water is deep. I have endeavoured to convey that more than once. It has been advanced before that what we ask for, is to be put in a better position than we were in before. My answer is that that is by no means to be taken for granted. It may be so, but we are a long way from having an assurance of it. The only assurance that these works would give us is that they would bring the surplus water to five points with greater frequency than at present, but with much reduced volume.

338. *Mr. Scobie.*] I suppose you have made yourself fairly acquainted with the Barren Jack reservoir scheme? Yes, so far as the papers disclose details.

339. Which is the first in point of time—the proposal of the New South Wales Government to construct a reservoir there or the present promoter's scheme? I am unable to answer that question.

340. *Mr. Bennett.*] Your contention is that the floods do no injury whatever to the pastures? Yes, they are a decided benefit wherever they occur.

341. During the past few months has there been grass in the Lower Murrumbidgee? I cannot say of my own knowledge; I have not been there during the last few months. I presume there has been grass. These areas that are subject to flooding are not grazing areas in the ordinary sense, they are the summer pastures.

342. I refer to recent floods, there has been natural grass there on account of a good season, would not the fact that there were floods and that water had been lying there for two or three months injure those pastures? The answer is that the two pastures do not concur on the same land. The lands on which these floods operate and which give summer pasture, do not yield grass after an ordinary rainfall, they only do so after they have had two or three seasons rest.

343. But they had an extraordinary rainfall this year? There may have been grass on this land, I cannot say. But if there was grass upon it, no doubt the floods would destroy it.

344. The position I wish to make clear is this. Your contention is that floods might injure pastures in other districts, but in this particular district floods do no harm? That is the experience of the past.

345. *Mr. Ball.*] Do I understand that the interest that you represent here would prefer that things should remain as they are, rather than see the work proposed in this Bill, or the work proposed by the Government carried out? I am only cognisant of the work proposed in this Bill as amended. The answer is that the district as a whole would prefer things to be left as they are, than have this Bill as amended in its present form. That is the district below Gum Creek.

346. *Mr. Bruce Smith.*] In all the evidence you have given in answer to questions by the Committee when you say that the people below Gum Creek would prefer things as they are, you are referring to the existing state of things? Yes.

347. You have declined to go into the question as to whether the present owners have a right to continue the existing state of things? I am unable to go into that question.

348. If it is a fact that they have no right to the flooding, and if the flooding were denied them by the Government, would not the proposed state of things be infinitely better than their then position? Please divide that question into the state of things as regards navigation and flooding. If you put it with regard to flooding they would be better off with the three weirs proposed. As regards navigation they would be worse off.

349. They would be better off with three weirs than now if they had no water rights? Yes.

350. You said just now, and Mr. Knox appeared to confirm you, that during twenty years out of twenty-two they had had floods? I did not say that.

351. If you read Mr. Macpherson's evidence, you will see that he stated that he has 168,000 acres of leasehold, and that during the years 1884, 1885, 1886, 1895, 1896, 1897, 1898, 1899, 1901, and 1903, he only had floods covering from 9,000 to 20,000 acres? Yes, I see that; but the leasehold areas are a long way back from the river, and the river holdings are mostly freehold.

352. During nine years, between 1884 and 1901, only 9,000 acres up to 20,000 acres of 168,000 acres were flooded, and during two years there was no flood at all? That is what he says. Very little of this flooded country is leasehold.

353. I ask you one other question apart from your clients' wants:—have you had enough experience of irrigation in Victoria to express an opinion as to the advantages which it confers? Yes; I have had a good deal to do with Mildura.

354. Putting your clients' interests out of the question, do you not consider that the carrying out of a scheme like this would yield more benefit to the whole community, looking at the question from a national standpoint, than leaving things as they are? No; I cannot assent to that. I am a believer in irrigation schemes, and I would like to see this scheme prosper, with proper safeguards. My position is, that reasonable safeguards for existing interests can be got at a cost which is insignificant as compared with the cost of the enterprise as a whole.

355. *Mr. Knox.*] Have you read the following passages of Mr. Macpherson's evidence: "Has the flooding of the river any effect upon your station? About 46,000 acres adjoining the river is flooded in almost every year. There are only two years in my recollection of twenty-two years when the river has not overflowed its banks more or less. With reference to your station, how much land is covered in a small flood, a moderate flood, and a big flood? In a big flood 45,600 acres are covered; in a moderate flood, 20,000 acres; and in a small flood, 10,000 acres?" Yes, I have read that; and Mr. Macpherson personally conducted me over that land. It is all frontage land and mostly freehold land.

356. Now with regard to navigation. You took the height necessary to navigation at from 3 feet to 4 feet above summer level. The Chairman pointed out that Mr. Macpherson said that from 2 feet to 2 ft. 6 in. was sufficient. Look at Question 3141, as follows:—"What height of river at Balranald is the navigation height? With 5 feet on the gauge at Hay we consider the river is navigable, that is above summer level. The boats have different draughts, but we call that an open river at Hay?" Yes, that is the evidence.

357. Did you also take into consideration the evidence of Mr. Bennett, storekeeper, Oxley, Question 3279: "At what height does navigation begin on the Murrumbidgee? Some of the boats draw very little water, and about 2 feet above summer level would do them, but for most of the boats 5 feet of water is wanted." Yes, I took that into consideration, and starting from that information I made elaborate local inquiries from people who know and who trade on the river, and that is the only way an engineer has of getting his data. I got data in the ordinary scientific way.

358. Can you say from your own knowledge of the lands below the off-take in the Goulburn River whether flooding is of any benefit to them? It is not a benefit; there are very extensive works in the shape of levee banks to keep floods off the land.

359. *Chairman.*] The same as on the Murray? Yes, I know of no cases of that kind on the Murrumbidgee, perhaps there are higher up.

360. *Mr. Knox.*] You were asked by Mr. Bruce Smith whether you disagreed with certain evidence given by Mr. Wade and Mr. Davis, and you answered that you did, and you explained to me yesterday your reasons

Witness—J. Monash, 10 August, 1905.

reasons for disagreeing. I ask you this—take the three-weir proposition beginning at Maude. Is it a matter of opinion or is it a matter of calculation, how far any one of these weirs will throw the water back? It is a matter that can be settled to demonstration by referring to that section which I handed in this morning. It is not a matter of judgment at all, it is a determinate matter which can be settled by calculation and measurement.

361. By formulæ known to engineers? Yes, by accepted scientific principles that cannot be disputed, and also actual measurement of the country.

362. Given the slope of the river-bed and the height of the weir? Yes, the distance it would throw water back is absolutely determinable given those two factors. It is not a question where an engineer of good judgment might hold a different opinion from an engineer with bad judgment. Subject to the back water curve, which is definitely calculable, there is no dispute as to where it would go. The back water curve depends on the volume of flow and the cross-section of the channel in which it flows.

363. Mr. Bruce Smith asked you some questions about the minimum flow in this river. He objected to the minimum average flow, and asked questions about the minimum flow in particular years. You gave him particulars back to 1897, are not the whole of these flows given in that return which you mentioned as being part of the records of the Interstate Commission on the river Murray? Yes, I read them from that return.

364. Assuming the capacity of the reservoir at Barren Jack to be 28,000,000,000 cubic feet at a height of 200 feet, what proportion of the water flowing down the river at present would that be? I must work on an average there.

365. The average flow through a period of years? When the reservoir is full it will hold about one-sixth of the total flow past Hay in the year, taking an average year; that is the only criterion I have of this river. That is the only criterion anyone else has of any value.

366. *Mr. Reynoldson.*] Suppose that the Barren Jack reservoir was full, between the months of January and June, and that there was no diversion after June, how would that affect the lower reaches of the river Murrumbidgee? Then there would be floods in the lower reaches.

367. The same as there are at the present time? Yes, I should say it would take about a month for a flood to get from Barren Jack to the Lower Murrumbidgee.

368. And the conservation of water in the Barren Jack reservoir takes place between the months of January and June? No. I think in fact these are the very months that we would be drawing off water under normal circumstances, and you would have to fill up what was taken, in the succeeding winter months.

369. May we assume that they would fill Barren Jack reservoir in these winter months? Yes, certainly.

TUESDAY, 15 AUGUST, 1905.

Present:—

MR. MCGARRY,

MR. McLAURIN.

G. S. BRINER, ESQ., IN THE CHAIR.

Mr. Bruce Smith, with him Mr. W. K. S. Mackenzie, instructed by Messrs. Bowman and Mackenzie, appeared for the promoter of the Bill.

Mr. A. W. I. Macansh, of Messrs. Fisher and Macansh, appeared for Messrs. Vandeleur, Macpherson, and Lindsay (on behalf of the Lower Murrumbidgee Locking League).

Mr. A. W. Nathan, of Westgarth, Nathan, & Co., appeared for the Scottish-Australian Mining Co., Ltd. Mr. Jas. A. Brown appeared on his own behalf.

Samuel Lindsay, sworn, and examined:—

370. *Mr. Macansh.*] Will you tell the Committee what is the effect of the inundation by the Murrumbidgee on your pastoral land? The inundation gives us feed—grass and herbage—which lasts about four or five months during the summer. The flood generally comes down about the spring months.

371. *Mr. McLaurin.*] If you get no floods do you get any feed? No; if there has been no flood this particular portion of the country is almost useless, but it is very seldom we do not get a flood. I have only known it to miss twice during the last ten years—that is, on some portions of it.

372. Do you have periodical inundations there? Yes; in the year 1902 there was very little inundation—only through the watercourses.

373. Was there very much difference then in the carrying capacity of the country? The country practically carried nothing. It was only along the watercourses that it would carry anything.

374. *Mr. Bruce Smith.*] What is the total acreage which you have under your control of all kinds? About 350,000 acres.

375. What proportion of that is subject to floods when they occur—I mean the total that is flooded in the best floods? 200,000 acres.

376. How much in 1902? I should think there were only about 3,000 acres.

377. Are those the two extremes—the lowest and the highest? Yes; the lowest only happened once during my recollection.

378. But they were the two extremes—3,000 acres in the worst year and 200,000 out of 350,000 in the best year? Yes.

379. Do you know that, before the Interstate Commission, evidence was given that excessive flooding sometimes kills the grass and herbage? I do not know that such evidence was given.

380. Is it a fact that excessive flooding kills the grass and herbage? It destroys the grass that is there at the time, but we reap the benefit—we get better grasses after the flood goes off.

381. You lose the one season's grass? We only lose the rain grass which is there when the flood occurs.

382. *Mr. Macansh.*] Is that distinct from the grass caused by flood? Yes.

383. How soon after the flood does flood grass come up? Immediately, and it grows through the flood waters.

384.

384. *Mr. Bruce Smith.*] What is the name of this large association which Mr. Macansh told he appeared for? The Lower Murrumbidgee River Locking League.
385. Is it not a fact that that association took legal opinion as to its water rights? Yes; they may have done so.
386. Was not the purport of that advice that they had no legal right to those floods? I cannot exactly say what was the advice given.
387. Do you know that it was unfavourable to their claims? I cannot say exactly what it was; I cannot remember.
388. Did it not take an adverse view of the legal rights of the landowners on the banks of the river? If my memory carries me aright, I think the advice we got was that we might prevent the cuttings going on. It was advice about the cuttings and not the flooding. That is the cutting that was to take place at Cudgel Creek.
389. That might be another thing? That is the only advice that I remember we got.
390. Do you not know that it was contended by the officers of the Public Works Department that your right to this flood water has been taken away by the Water Rights Act? It is claimed; but we deny that.
391. Did you not take a legal opinion on that point? No, not on that point exactly.
392. *Chairman.*] Did you give evidence before the former Committee? Yes.
393. I want to draw your attention to Q. 3184 put to you by Mr. Rolin, who appeared for you: "On your holding, how much land is affected by flood waters? 150,000 acres. About 110,000 acres are actually inundated—that is, with a rise of 18 ft. 10 in above summer level at Balranald Bridge." Have you anything to say to that? It is confusing two things. 150,000 acres are affected by the flood waters, and 110,000 acres are actually covered. I was then speaking of freehold lands, but besides that there are 90,000 acres of Crown lands covered by the flood waters.
394. Of this total of 350,000 acres, how much is leasehold? There are 150,000 acres under occupation license and leasehold.
395. What do the remaining 200,000 acres represent? Freehold.
396. And conditional purchase? No, all freehold.
397. Of your 350,000 acres there are 200,000 acres freehold and 150,000 acres leasehold—mostly occupation license, annual lease practically but with security for a certain number of years? But there are almost 200,000 acres (*i.e.*, 197,000 acres) freehold; the other is leasehold and occupation license.
398. How much of the 150,000 acres of leasehold are subject to inundation? About 90,000 acres.
399. Is the remainder of the land freehold? Yes.
400. Provided that this scheme which is in the amended Bill were to guarantee you five weirs, which would assure you a fairly regular flooding and fairly continuous navigation, would you have any objection to the scheme? We would have no objection to the scheme, provided the Bill gave us five weirs. Section 3 of the Bill simply provides that it is lawful for the promoter to place the weirs on our portion of the river. They may, or they may not do so. Then we object to section 20, as it provides that the promoter may charge for all waters passing any of the works constructed by him, which would really include the five weirs at our end.
401. You are apparently well versed in the provisions of the amended Bill; do you know that the Government, under this Bill, have the right to undertake the work at any time within six months after the passing of the Bill? Yes.
402. Do you know that the promoter, if he is given power by Parliament to construct the Barren Jack reservoir and reticulation works, must construct these works according to plans and specifications approved of by the Public Works Department, and must practically carry them out under Government supervision? Yes.
403. Provided that the same safeguards are ensured under the scheme, no matter whether the Government or the promoter carry it out, would you have any objection to the scheme being carried out, either by the Government or by private enterprise? I would have no objection, provided we were safeguarded.
404. Would you have the same objections to the Bill if the Government carried out the scheme as you would if a private firm carried it out, if the conditions were the same? Yes.
405. Do you know that the Government can take this to Parliament and carry it through? Yes.
406. *Mr. McGarry.*] Would your league feel that they were better protected if the Government carried out the scheme? Yes, we feel it would be better for us.
407. Is it absolutely necessary for the profitable occupation of your land that you should get annual flooding? Yes.
408. *Chairman.*] Why would you feel safer if the Government carried it out, seeing that you said just now that with sufficient safeguards you did not care whether the Government or private enterprise carried it out? We feel that in the hands of the Government we would be properly protected; but as the Bill is now, we might have to wait for a great many years before we should have any weirs taken in hand. But if the Government take the matter in hand they may place our weirs there at the start off, and protect us from the loss we would sustain by the stoppage of the water. We feel that the Government would be more likely to assist us in that way than private individuals would, as they would simply use the Bill for their own private interest.
409. Then you favour the carrying out of this scheme by the Government as against private enterprise? Yes.
410. Although the provisions in the Bill, if carried out either by the Government or private enterprise, would be the same? Yes.
411. *Mr. Nathan.*] This Bill provides for Mr. Gibson or his assignees taking up this work under certain conditions;—is there any provision, as far as you have seen, as to the capital that is to be put into this undertaking by Mr. Gibson or his assignees? No.
412. Is one of the reasons why you prefer the Government should deal with the work that we do not know what capital is going to be put into any company? My reasons for preferring the Government are that we believe it is only natural the Government should safeguard us down the river. It is only natural to think that the promoters would safeguard their own interests, whereas it is the duty of the Government to safeguard the interests of all.

Joseph Davis, Under Secretary for Public Works, sworn, and examined:—

413. *Mr. Bruce Smith.*] Do you remember being called before the Committee on this Bill in 1903? Yes.
414. Was not your Department represented by counsel in the person of Mr. Shand? Yes.
415. Did not your Department, after giving careful attention to the Bill, ask to have certain amendments made in it which you thought were essential to the public interests? Yes.
416. Is it a fact that all the amendments which you, on behalf of the Public Works Department, asked to have made in this Bill were made? I believe so; I have not compared the two Bills.
417. There was no objection made by the promoter to put in the Bill any modifications which you, as representing the Public Works Department, asked for? Yes; I think we safeguarded the public in that respect.
418. And when those modifications had been made, did you express yourself to the Committee of 1903 as being satisfied with the Bill? Yes, supposing such a Bill were passed.
419. Did you not, as representing the Public Works Department, tell the Committee that you, as representing the Government as well as the Department, were satisfied to have that work carried out in accordance with its provisions if the Government did not wish to carry it out themselves? Yes, I put that first. That, of course, is the main thing.
420. But there is power in the Government to construct the dam, and if the Government do not care to carry it out, and to continue it within a certain time, then there is power in the promoter to go on with it? Yes; and what I said related also to the channels.
421. You asked that the power of resumption by the Government should be clearly set out with regard to the whole of the works? Yes.
422. And that was done? Yes.
423. Is it not a fact that all the modifications suggested by Mr. Shand, as counsel for the Department, were made and assented to? Yes, I think so. We got incorporated into the Bill what we thought would meet all that we considered would be advisable to have put in to protect the interests of the State as a whole.
424. May I say, for the information of the present Committee, that there was no antagonism in the matter at all, but that the Department and the promoter arrived at conclusions satisfactory to both? Yes, I understood so.
425. *Mr. McGarry.*] Are we to understand that that is only so far as engineering or the works were concerned? Yes; policy was outside the scope of our conference.
426. It was not referring to the matter of land, or the distribution of water north and south, and the flooding of land? No; what I said then was this: that I should prefer that the State should take up this question *holus bolus*; but, failing the State doing so—*anxious* as I was personally, and I knew that my Department and the Minister were at that time that that should be done—we preferred that some one should do it, if the State did not do it under certain conditions. If it were decided that the State could not do it, we considered that we had safeguarded the public by the Bill as amended in conference between the promoter and the Department, with the assistance of the counsel that we had at our disposal.
427. Do you prefer, at the present time, that the State should do it in preference to any private company? Yes; I feel very strongly about that, because I take it that the land and the water are about the only heritage we have. We should keep them as far as possible.
428. *Mr. Bruce Smith.*] I wish to ask you about the effects of the floodings, when the river overflows, upon the owners of land upon the banks—was not that gone into very fully by the first Committee? Yes, with the information we had at our disposal at that time; but since then it has been incumbent upon us to go into it much more particularly. The precise data is now being formulated in the office, with the view of a proposal for irrigating the land on the northern side of the Murrumbidgee being put before the Public Works Committee.
429. Is that the side upon which Mr. Gibson proposes to carry out this work? Yes.
430. Do you remember a question arising before the last Committee as to the number of weirs that were necessary to prevent this scheme from injuring the legitimate rights of the landowners along the river? Yes.
431. Did you express any opinion as to the sufficiency of the three weirs which the promoter proposed to place at different points of the river? Yes; I considered that three weirs were sufficient for diverting the waters into the natural channels serving the country in question.
432. Do you know that Mr. Monash, an engineer from Victoria, has been before this Committee giving evidence? Yes, so I understand.
433. Do you know that he says that, apart from any legal rights which the landowners along the river may have, in his opinion, five weirs are essential to preserve their existing rights? I understand he says that, on the assumption that part of their rights—putting it in that way without committing one exactly to terms—relates to navigation.
434. Did he say this: that his opinion was given upon the assumption that they were entitled to maintain existing conditions? Yes, he probably included navigation in the existing conditions. I do not know whether he did or not, but probably he did. Relating to that, I would like to say that, as probably the Committee is aware, Mr. Wade is at present making an inspection of the flooded country on the Lower Murrumbidgee. A telegram has been received from him to the effect that to maintain navigation it is only necessary to have 3 ft. 6 in. on the Balranald gauge, and 3 ft. on the Hay gauge. Mr. Monash, in giving evidence before the Committee a few days ago, said that in order to maintain navigation it would be necessary to have 4 ft. 5 in. on the Hay gauge, which would mean, as he put it, 2,000 cubic feet per second. Mr. Wade is there now, and he says that if 3 feet is allowed for on the Hay gauge navigation will be maintained. That means that instead of 2,000 cubic feet per second it would only be 1,350 cubic feet per second. That is a very great difference compared with what Mr. Monash stated.
435. Do I understand that, taking the very latest information you have received from Mr. Wade, you are still of opinion that three weirs such as you suggested before are enough to preserve the existing conditions of landowners along the river? It all depends upon whether you include in existing conditions that of navigation. The question of navigation, as I understood it before, never came into the calculation. The existing conditions were regarded merely as covering the facilities that exist now for flooding the land and supplying the natural watercourses serving the land.

436. I will put the question in two branches. First, as to navigation: If those three weirs that you approved of two years ago were placed on the river as suggested by the promoter, would the navigation conveniences be as good as they are now? They would for very many years to come, but they might not be with, say, only 500 cubic feet per second.

437. That is the minimum? Yes.

438. Now I ask the other branch of the subject: Would the supply of water for the lands along the river be as good with the three weirs as it is now? Better.

439. *Mr. McGarry.*] Do I understand you to say that if there was a southern scheme, and a supply of water drawn for that scheme, navigation might not then be as well served? Not as well, because there would not be the same quantity of water for maintaining navigation. When the water is split up into three parts, part of it being diverted on to the northern side, part on to the southern side, and the balance going down to serve the people on the lower river, necessarily there will not be the same quantity unless some artificial means are adopted for rendering the river navigable.

440. *Mr. Bruce Smith.*] Supposing these three weirs were placed there while the northern part was irrigated, and then, when the southern part comes to be irrigated, further weirs were placed there, would not that still preserve the full advantages? Yes, certainly.

441. In your opinion, would it be time enough to supplement these three weirs when the southern side was irrigated? I think so, certainly.

442. Do you think that three weirs are ample for present purposes while the northern side only is irrigated? Yes.

443. *Mr. McGarry.*] Then the cost of building the main dam and reservoirs will be charged to the northern and southern sides of the river? That is a matter which is now being gone into, with the view of the question being placed before the Public Works Committee. But it seems to me—this is floating through my own mind for what it is worth—that if the Barren Jack reservoir is to serve three purposes, it would only be a fair thing that the cost of that should be charged to the three services—in other words, should be charged in proportion to the use made of it on the north side and on the south side, and also for the down river purposes.

444. *Mr. Bruce Smith.*] When you were before the previous Committee, did you not recommend that the cost of the Barren Jack dam should be divided into three parts—that the promoter, who had one-third of the water on the northern part, should pay interest upon one-third of the cost; that whoever irrigated the southern part should ultimately pay one-third of the cost; and that the Government should bear the remaining one-third of the cost in view of the advantages of the third part of the flow which went down the river? I do not remember giving that evidence—it is some time ago,—but I may have done so.

445. You divided it into three parts? Certainly.

446. Did you not assent to the proposal of this Bill that the promoter irrigating the northern part should pay interest upon one-third of the total cost of the dam and the weirs? One-third of the total cost of the dam.

447. Then you proposed that he should pay one-third of the total cost of two of the weirs, and that the Government should pay the whole of the cost of the third weir? I do not remember that.

448. That is in the Bill. Do you consider that there is no just necessity now to insist upon the promoter of this scheme for irrigating the northern part of the river constructing more than these three weirs which he proposes to construct? I do not think it would be fair to ask for more than that.

449. That is, from those who irrigate the northern part? Yes.

450. You contemplate, I presume, that if the southern part is irrigated by-and-by by private enterprise, or by the Government, that they ought to bear the cost of further weirs lower down the river? I would not go so far as that. The question to my mind is whether navigation is to be maintained or not. Then will come in the necessity for the additional weirs.

451. *Mr. McGarry.*] In view of the fact that the people down the river will get no better service than at present, or will obtain no advantage by the building of Barren Jack dam, why should they be charged one-third for the water? I do not know that the people themselves would be charged one-third—that is to say, the people who live on the land situated on the Lower Murrumbidgee; but it is quite evident I think that you could not charge the people who use the water on the northern side of the river and the people who use the water on the southern side for more than the value of what they get.

452. You say that one-third of the charge for the water that runs down the river should be charged to the people down the river. They will not gain anything by the dam, and why should they be charged when they gain nothing. The people on the north and south sides will be the people who gain. Why should not the whole charge for the dam be borne by the people on the north and south sides? If they will pay I have no objection.

453. What sense is there in making a charge of one-third for the water that will go down the river, seeing that it goes down there now? I do not propose to charge the people who occupy land on the Lower Murrumbidgee with one-third of the cost of the Barren Jack reservoir. I do not expect that they will pay it.

454. *Mr. Bruce Smith.*] But you leave one-third of the cost of the dam to be charged to the Government generally for the advantage of conserving the water there in very dry times? Yes; there are State rights which have to be considered in connection with this question, and New South Wales has obligations with regard to that. It will have to fulfil them unquestionably, so that it will be necessary to provide one-third of their rights of the water coming from the catchment to the Murrumbidgee for the river.

455. *Mr. McGarry.*] Seeing that the people of the Lower Murrumbidgee will be no better off than they are now after the dam is built, why should one-third of the cost be charged for that water? I do not propose to charge them with it specifically. I do not see how they could be charged.

456. *Mr. Bruce Smith.*] You do not suggest, and it has never been suggested, even by the promoter, that the people down the river shall be charged one-third? No.

457. It is simply that the Government should retain one-third of the expenditure for the country in consideration of the advantages which will be derived from this dam? Yes.

458. Is it not a fact that the effects of this dam will be to give the down-river people a greater minimum flow than they ever had before? Yes.

459. Has it not been calculated that, apart from what is taken on all sides of the river, this dam will conserve enough water to secure a permanent minimum of 500 cubic feet per second right through the driest season? Yes.

Witness—J. Davis, 15 August, 1905.

460. Has that ever been guaranteed before? Nothing has been guaranteed before.
461. Have they ever had such a minimum before? There have been times when they have not.
462. Have there been many years in which they have had much less? Yes.
463. Would you not consider it to be an advantage to the people down the river that they should have assured to them a minimum of 500 cubic feet per second during the driest years? I think it must be an advantage to all concerned to have something like a dependable uniform quantity of water passing down the river rather than it should go down in very large quantities running away to sea, and then, perhaps, going down at other times in small quantities.
464. As to the position of those weirs—you had pointed out to you before the last Committee the positions in which they were proposed to be placed? Yes.
465. And you were satisfied with that? Yes; generally. There was no specified site, the locality only was mentioned.
466. Do you know that Mr. Monash gave this evidence before the present Committee; "I think the whole of Mr. Davis' evidence shows that he has a very hazy idea of where these weirs were intended to be. He describes one of the three as being at Oxley, *i.e.*, on the Lachlan, a great many miles away from the district." Is that true? No, on the contrary.
467. Then this question was put to Mr. Monash: "Then you do not agree with Mr. Wade and Mr. Davis, Officers of this State, and Heads of this Department, when they say that the three weirs are likely to better the position of the landowners? Mr. Monash says, "No, only in so far as I agree that three weirs within their sphere of influence will do what these gentlemen say they will do, but I say they have not sufficiently considered the intervening spaces." What do you say to that? I take it that what Mr. Monash means is that we have not sufficiently considered navigation.
468. Do you say that navigation was never considered before? Yes, so far as I am concerned.
469. Do I understand you to say that navigation will be as good with these three weirs as it is at the present time? For many years to come.
470. Until when? Until enough water is diverted at Narrandera to affect it.
471. On the other side? Probably.
472. Would not the difficulty then be again cured by further weirs? Yes, the weirs put in in the first instance should be put in the right position so that they will answer for navigation purposes, and diversion purposes in the meantime. Then it will only be necessary to put in additional weirs to complete the scheme as far as navigation is concerned.
473. May I state these as a series of propositions: That in your opinion three weirs will render the navigation as good as it is now for some years to come until further water is diverted on the southern side; that with these conditions navigation will be still further preserved by additional weirs? Yes.
474. And you do not think it is fair to throw the whole cost of the weirs, so as to preserve navigation for all time, upon the promoter of the northern side scheme only? Yes.
475. Is it true that with these three weirs the people on the lower river will be much better off for water in times of drought than they are now? Yes.
476. And they will benefit by making flooding more regular? Yes. I do not quite know what to say about this flooding business. They will have floods there when they get this quantity of water, and the weirs will produce them to a greater extent than they are produced now, but as I take it the main object of the weirs is, and I understand the people who are concerned on the Lower Murrumbidgee desire, that they should get more water into the natural channels, and get it with greater regularity.
477. Did you express any opinion before the last Committee as to what were the rights of the landowners along the lower river with regard to the department? No doubt I did.
478. What was that opinion? That the landowners when they settled there thought they had certain privileges in respect to the water going over their land, but legally, if I may be permitted to express an opinion, they have none.
479. Why? The Water Rights Act settles that.
480. What does the Water Rights Act provide? To the best of my recollection that the only rights a landowner has apart from the State is the right to irrigate a small area of garden and to water his stock, and to use all the water he requires for domestic purposes generally. That is, as far as I remember. For any other uses that he might desire to put the water to he would have to get a license.
481. When was that Act passed? In 1896.
482. Has not that a very distinct bearing upon the question as to how far it is now necessary to preserve the existing conditions of the landowners? Yes.
483. Did you go into that fully before the previous Committee? Yes.
484. *Mr. Nathan.*] According to you, the legal rights to the water of the Murrumbidgee are in the Crown? Yes, with small limitations.
485. Are you aware that there is a very large area of Crown land unoccupied in that district? I know there are some very large areas of Crown lands under lease.
486. Are you aware that Mr. Gibson stated in his evidence that there was an area of 620,000 acres of abandoned country belonging to the Crown in the Hillston district alone? I was speaking about the flood area.
487. I wish to submit to you a business question: Mr. Gibson, in his evidence, said, "There are 250,000 acres of that country which will be in the vicinity of one of our channels—that is, on Cowl Cowl run." Seeing that there is this large area of land which would be benefited by irrigation, do you not think that, in the interests of this State, the Government should resume land along the Murrumbidgee before the construction of these works, and sell them subsequently at a profit which would repay the State the cost of these works, recollecting that the legal right to the water is in the Crown, and that a good deal of the land to be benefited belongs to the Crown? I think it would be a good business transaction.
488. Then, here is another extract from Mr. Gibson's evidence: "Have you a lot of land under offer? Yes." "How much? 175,000 acres at present." Mr. Gibson also said that land in this district instead of carrying one sheep to 5 acres as at present will under irrigation carry five sheep to 1 acre. Do you not think that, in the interests of the State, it will be better for the Government, assuming that money is available, to resume these lands and then resell them, so as to repay the cost of the scheme? I think it would be a good business transaction, if the Government as a matter of policy could see its way to recoup itself in the manner indicated.

489. *Chairman.*] The only way in which they could do that would be by adding to the selling price of the land the cost of the works in proportion to the benefit added to the land? That is so.

490. That is the betterment principle? Yes; it is known that these works add materially to the value of the land. If the lands are left in the hands of private owners, the private owners will benefit at the expense of the State.

491. If a private firm constructed the dam on these works, would not the 620,000 acres mentioned by Mr. Nathan be benefited just as much as if the Government did the work without any risk as to cost? The Crown land, supposing that it is on the same footing as private land, must benefit in the same way.

492. But you think it would be better if the State could, as a business matter, secure to the people the unearned increment added by the work being carried out? Yes.

493. *Mr. Nathan.*] Are you familiar with the Bill? Yes.

494. Do you think it is proper in this preamble to put this Bill forward as if it were a scheme for the public benefit and not really a private speculation? I have no doubt that Mr. Gibson is not doing this altogether for the public weal.

495. *Mr. McGarry.*] Do you think that the £20,000 suggested in the Bill to be deposited with the Government is a sufficient guarantee, seeing that companies in the old country have to deposit much larger amounts? It is comparatively a small amount in view of the great interest at stake.

496. Have you given any consideration to the question of damage to lands by severance apart from the land that may be resumed for channels. For instance, a channel may run through a 640-acre block which would make it practically valueless as far as agriculture is concerned? That is part of the compensation to be allowed.

497. Do you think the question of severance should be taken into consideration? It must be if a man is to be compensated.

498. Do you think if the Government carried out this work they could compensate landowners better than a private company by giving them other land in exchange? That would be very difficult; it would complicate matters very much. If the Government resumed land it would be preferable to treat that as one transaction, and then if the people wanted more land it should be sold to them independently. I know what you suggest is done in the case of roads, but land resumed for roads is a very small matter compared with this.

499. But a company would not possibly be in such a position to compensate people for land taken away by giving them other land? No; they could not do it. I presume they would not have the land to give.

500. *Chairman.*] Have you gone through the evidence before the first Committee and the amended Bill? Generally, but I have not gone through it particularly.

501. You were asked Question 2850, and you replied, "I think that would meet the case with certain reservations. I hold it is of prime importance that the State should not permanently or, if possible, temporarily part with its rights in respect of the waters of the Murrumbidgee for two reasons: first of all it might lead to complication so far as the interstate question is concerned; and, second, the State at large should be considered, and not one portion of the State." Do you remember that answer? Yes.

502. You repeat to-day that the question of State rights crops up? Yes.

503. Will not that question of State rights crop up under a government scheme as well as a private scheme? Yes.

504. Is it not a fact that in Victoria they are diverting the waters of rivers such as the Goulburn? Yes.

505. Has this question of State rights cropped up there? The Victorians are wiser in their generation than the New South Welshmen, and they have not allowed anything to stand in their way in trying to attain prosperity.

506. Are you aware that when this Bill was before the previous Committee the then head of the Government, Sir John See, undertook to obtain counsel's opinion as to the question of State rights? I do not remember that; I know that it is a very difficult question, and one that still remains unsettled.

507. Which would you prefer, the taking of water from the Murrumbidgee without storage, or a scheme of irrigation, no matter how small or how large, with storage? Storage is indispensable.

508. Is it a fact that at the present time a contract is being carried out at Cudgel Creek by which waters are being taken from the Murrumbidgee without storage? That is so, but it really does not matter very much whether the water finds its way through a pump or through a cutting. It amounts to the same thing. The water in the past has found its way on to the land from the Murrumbidgee through a pump; when Cudgel Creek cutting is completed, it will go on to the land to some extent through a cutting.

509. But the water would not leave the river without the Cudgel Creek cutting? Yes; they pumped it previously.

510. At any rate, the means of getting the water from the river on to the land is artificial? Yes.

511. And that has been done with the consent of the Government? Yes.

512. Did any question of State rights crop up there? Do you mean me to go into that, because as a matter of fact they have; but still we have done what is right.

513. I know there has been a protest from South Australia. Is that what you refer to? Yes; I suppose they would object if we led a cow to the river to get a drink, but still that is no reason why we should not take the cow there.

514. The Committee can have no personal interest in the Bill; for that reason I put this question. Would it not be the right thing, taking the interests of New South Wales as a whole, and the position that New South Wales holds in the Commonwealth, that such a matter should be dealt with by Bill passed by Parliament, providing for the taking of water from the Murrumbidgee or any other river. Let me put it briefly in this way: Presuming that by having an irrigation scheme on the Murrumbidgee, the South Australian people feel themselves aggrieved. They say that their State rights are being interfered with; that we are taking water from them that we should not take. Should not the method of procedure be that if Parliament passes this Bill, it is the duty of South Australia to appeal to the High Court against this being operative? I do not know that they would do that. Possibly they might think that with the Barren Jack reservoir, they would be in a better position than they are now, as far as navigation is concerned and that is what they are concerned in.

515. Then the question of State rights would not come in if they are in a better position under the Bill? So long as the rights which they think they have are not encroached upon, they would not be likely to appeal, and it is possible with the construction of the Barren Jack reservoir, as far as the Murrumbidgee is a tributary to the Murray, they would take no exception.

Witness—J. Davis, 15 August, 1905.

516. Presuming that the volume of water flowing into the South Australian territory would be diminished, would it not be compulsory for the South Australian Parliament or people to appeal to the High Court against any such act becoming operative, and is not that the only way to decide the question? There are a variety of opinions about it. I do not know whether that would settle it or not. There might be a friendly reference on the part of the States to the High Court.

517. Are you obtaining evidence at present with a view to submitting this scheme to the Public Works Committee as a State work? Yes.

518. How do you propose to get over this question of State rights? Personally if I were asked for my advice, I should say "Go on, you cannot do better than follow a good example." Victoria has gone on, and we should go on until we are stopped.

519. Does not the Bill as amended provide that in the event of the promoter carrying out the work, or any portion of the work, particularly Barren Jack reservoir, the State can resume the work at any time? Yes.

520. Under a provision of that kind, which is not a compulsory one, would not the Government have the advantage of either resuming the scheme if it were a success, or leaving it alone if it were a failure? Yes, but presumably there is no question about its being a success if it is properly managed.

521. Would you like to see the scheme carried out? Yes.

522. By someone? Certainly; I hope by the State.

523. If the State would proceed with it to-morrow—I think the Committee would be very glad to see it done—are you aware that the promoters are not only agreeable but anxious that the Government should construct the Barren Jack reservoir? Yes; so I understand.

524. It is only a matter of having the work done as early as possible? Yes; and I understood it was conceded when the matter was under consideration previously that the promoter should have some sort of certainty that the Barren Jack reservoir would be constructed. It would not do for him, as I understood the position, to go on constructing large canals, and then find that there was no water to put into the canals.

525. Does not the amended Bill provide that after the passing of the Bill the Government shall have the right to say, at any time within six months, that they intend to proceed with the work and that they have twelve months more—that is, eighteen months altogether—to spend £50,000? Section 4 deals with the resumption of the work.

526. *Mr. Bruce Smith.*] The Government have six months in which to begin the work, and twelve months in which to spend the first £50,000? Yes.

527. *Chairman.*] That means practically that after the passing of this Bill the Government can stay the promoter's hand for eighteen months? Yes, in regard to the Barren Jack reservoir.

528. And without the reservoir the canals would be useless? Yes, to a very great extent.

529. In your evidence, question 2872, you were asked by me, "Mr. Wade in his evidence said that an officer was going up to Barren Jack, and would be able to give the Committee information within a week;—can that officer now give the Committee the information required? The survey is not yet made; I do not know what the information was, but possibly it relates to the contour survey that is to be made";—do you remember that Mr. Wade did say he would probably be able to give the information within a week? Presumably.

530. The Committee would like to know if they could get any information from you or Mr. Wade according to the promise then made? The contour map is nearly finished, but there is a gap in it still that has not been fixed up. An officer was at Barren Jack at the beginning of this week, and there is a little portion near the mine which is not yet finished.

531. *Mr. Nathan.*] I have two letters—one that we wrote on the 11th of this month to Mr. Wade, drawing attention to a certain promise, and we have a reply from Mr. de Burgh, saying they could not give us that information? There has been an examination made since then, but not a survey. There has not been time to make a survey. It is found to be shown pretty plainly that the mine in which I understand Mr. Nathan to be interested would be affected to a very inappreciable extent by a dam 200 feet high. There is a portion of it that would be affected, that is, the abandoned portion.

532. Do not call it the abandoned portion; what you mean is, that it will not affect the top of the mountain; it will affect the low-lying part of it? There is a piece which is a very small area.

533. How many acres? I cannot tell you.

534. *Chairman.*] The Barren Jack reservoir will be a rather costly work? Yes.

535. In the interests of the state generally, no matter who carries out the scheme, would it be very much better if the work were carried out as soon as possible instead of doing it slowly? Yes; it would be better to carry it out quickly.

36. Presuming that the Government find a difficulty in providing money for this scheme, would you, as an officer of the Department in whose hands the public interests are, have any objection to the carrying out of the Barren Jack reservoir under the provisions of the amended Bill? No; if we were compelled to leave it to private enterprise, I think the Bill safeguards the public.

537. Leaving out the reticulation works as far as the dam itself is concerned, are you of opinion now that the public interests are safeguarded sufficiently? Yes.

538. Is it not a fact that the specifications must be approved of by the Public Works Department, and the dam constructed practically under Government supervision, and that the Government has the right to resume at any time? Yes.

539. It was pointed out that one weak spot in the Bill was, that it did not provide for the maintenance of the weirs;—what would you suggest in that respect? In the main river everything comes under the control of the Government.

540. *Mr. Brown.*] Supposing the Barren Jack dam be built, will not the land situated between the two rivers at the junction be totally destroyed? The land that will be covered by the water will be rendered more or less useless.

541. With regard to the lands that remain, is it not a fact that there will be no communication by Yass or by Bowning Station? They will be deteriorated; they will not be of the same value as they are with the flats in conjunction with them.

542. Have you not noticed that in the Bill people will be penalised for polluting the water? Should they not be?

543. I agree with you ; but, on the other hand, if these lands are not taken, and they are occupied, the water will be polluted in some way, or there can be no residential sites there, and no stock will have a right to remain there? I do not think that follows. Residences of a limited number, and the stock grazing there, would not pollute the water.

544. May there not be a probable loss, and may not Mr. Gibson be given power that he should not have if the lands are to be taken as a whole? Whoever constructs the Barren Jack reservoir should compensate the people for any losses they may sustain either directly or indirectly. That will be a fair thing. It is possible that people may have an exaggerated idea of what their loss will be.

545. *Mr. Bruce Smith.*] Does not this Bill adopt all the main provisions of the Public Works Act for resumption purposes? Yes.

546. So that all the safeguards that are provided under the Public Works Act where the Government resume land are provided here? Yes.

547. *Mr. McGarry.*] Is it not a fact that the present proposed diversion through the Cudgel Creek allows Mr. McCaughey no more water than he is allowed at the present time under the Water Rights Act? Yes; under his license he can pump the same quantity as he will get by gravitation when the water rises 2 feet above summer level.

548. So that the diversion now going on will leave the lower-river people no worse? The position will be just the same.

549. *Mr. Bruce Smith.*] Is not his license capable of being cancelled at any time? Yes.

550. *Chairman.*] Is it not a fact that Mr. McCaughey's scheme, if carried out, may be absorbed by this scheme, whether it is carried out by a private company or by the Government? About one-half will be absorbed by the Government scheme.

551. Have you some knowledge of the results of irrigation in Victoria? Yes.

552. Have the Government schemes been profitable there? No, not from a Government point of view; they have been profitable otherwise in many cases.

553. *Mr. Nathan.*] To the lawyers? I dare say they always come right, but others have to be considered as well as them.

WEDNESDAY, 16 AUGUST, 1905.

Present:—

MR. MCGARRY,
MR. REYNOLDSON,

MR. McLAURIN,
MR. SCOBIE.

G. S. BRINER, ESQ., IN THE CHAIR.

Mr. Bruce Smith, with him Mr. W. K. S. Mackenzie, instructed by Messrs. Bowman and Mackenzie, appeared for the promoter of the Bill.

Mr. A. W. I. Macansh, of Messrs. Fisher and Macansh, appeared for Messrs. Vandeleur, Macpherson, and Lindsay (on behalf of the Lower Murrumbidgee Locking League).

Mr. A. W. Nathan, of Messrs. Westgarth, Nathan, and Company, appeared for the Scottish-Australian Mining Company, Limited.

Mr. Jas. A. Brown appeared on his own behalf.

Christopher Strathern, sworn, and examined:—

554. *Mr. Nathan.*] Are you a miner? Yes, for between fifty and sixty years. I reside at Lucknow.

555. How old are you? Seventy-two years.

556. Do you know the Good Hope property, belonging to the Scottish-Australian Mining Company at the junction of Woolgarlo Creek and Yass River? Yes.

557. Did you work on that property? Yes.

558. When did you go there? I believe it was in 1859.

559. When did you leave there? In 1861 or 1862.

560. During that time, did you sink a shaft on the property? Yes. I took the contract for the big shaft.

561. How far did you sink that? 180 feet altogether.

562. When you got down to that level what did you do? There was a cross-cut started to cut the lode, and within 10 or 11 fathoms we struck the lode, and went about 12 feet to the lode. It was sulphide of copper, what we call yellow ore.

563. What was the width of the lode? About 12 feet.

564. What percentage of copper do you say that ore carried? There was ore which would go from 10 to 12 per cent. of copper; it would not all average that or anything like it. I believe the lode would average about 7 per cent. 12 feet wide.

565. What was the nature of the soil where you sunk the shaft? Nearly all slaty stuff.

566. Was it soft? It was not very soft. We had rock nearly from the commencement. There is any amount of soft soil up the hill.

567. If water came over that part where the shaft was sunk, would you be able to work that mine? No; if water comes there, it will not be possible to work it.

568. Since you left the Good Hope property, what mines have you managed? The Burruga mine, near Bathurst. I was manager there for years.

569. Did you turn out a good deal of money from that mine? For the first four years, I got over £30,000 cash, and built six reverberatory furnaces.

570. *Chairman.*] How long have you been mine manager? It is twenty-five years since I first managed, but I have not always occupied that position.

571. Have you seen the Good Hope property since 1862? No.

572. Do you know if that lode, which you say in your opinion would give 7 per cent., was ever assayed? No, I cannot swear to that.

Witness—C. Strathen, 16 August, 1905.

573. Have you had twenty-five years' experience as mine manager? Yes.
 574. *Mr. Nathan.*] What in your opinion is a fair value to be put on the Good Hope property, from what you have seen? It is impossible to tell the width underneath.
 575. What do you think this mine is worth? £60,000 and over.
 576. Is that from what you saw yourself? Yes, I believe it.
 577. *Mr. Bruce Smith.*] Have you ever been on this mine since 1862? Not at Good Hope.
 578. Have you ever seen it since 1862? No.
 579. Do you know it has been full of water for years? Yes, there were men here who wanted me to go into a company. They tried for months.
 580. To pump it out? No, to draw it out with a horse.
 581. Is it full of water now? Yes.
 582. Why did you leave it in 1862? Because it was drowned out with water. We had nothing but horseflesh there—there were no engines.
 583. Do you know if it has ever been worked since 1862? The bottom has never been seen, I am confident of that.
 584. *Mr. Reynoldson.*] What was the size of the shaft that you took a contract for? 6 feet by 9 feet.
 585. What price per foot? £17 10s. per fathom, that was pretty near £3 per foot.
 586. Then it must have been fairly hard country? No; it was not hard, otherwise we would not have sunk for that price. I have got £10 per foot.
 587. For soft country? No.
 588. *Mr. Scobie.*] Did the shaft which you sunk disclose a lode 12 feet wide? Yes.
 589. Was it very valuable copper ore? We do not consider 7 per cent. or 8 per cent. very valuable.
 590. On what do you base the value of £60,000? It is impossible for any person to tell what it is.

Walter Trathen, sworn, and examined:—

591. *Mr. Nathan.*] Are you a miner and 71 years of age? Yes.
 592. Do you reside near Orange? Yes.
 593. Do you know this property of the Scottish-Australian Mining Company known as Good Hope? Yes.
 594. Did you work on it? Yes, from 1860 to 1862, or from 1859 to 1862.
 595. What were you working on? Copper-ore.
 596. Did you have to dig the shaft? Yes; I was one of the contractors; that was the deep shaft.
 597. How deep did you take it? About 180 feet and a well-hole.
 598. Did you make a cross-cut and strike the lode? Yes.
 599. What did the lode consist of? Copper-ore—sulphides and yellow ore.
 600. What was the width of the lode? Twelve feet.
 601. Have you kept at mining ever since? Yes.
 602. What per centage of copper do you think was in that lode? The percentage of copper in the lode as we brought it out would be from 8 to 10 per cent.
 603. Taking it as a whole, what was the average? About 8 per cent.
 604. From your knowledge of mining, which you have gained since, and recollecting what you saw in that mine at the time, what do you consider is the value of the Good Hope mine at the present time? I should say £30,000, but it might be worth more.
 605. Did you try to get hold of this mine from the Scottish-Australian Company? Yes; we formed a party of twelve, with £100 a share, and we paid £25 on the first call. Through having a bit of a disturbance, we backed out of it. That is many years ago.
 606. Within the last few years, have you tried to get the property? Yes; about nine years ago, I told the Honorable H. E. Kerr about the good ore.
 607. Have you within the last few years tried yourself to get hold of the property, and been willing to put money into it? Yes. I and my son would put in £500.
 608. *Mr. Bruce Smith.*] For how much did you get it offered to you some years ago, when you got a syndicate of twelve together? It was not offered at all. We had it on a royalty.
 609. Did you not offer to buy it? No. We were not in a position to pay £30,000 down for it.
 610. Was it ever offered to you? The company would not part with it.
 611. Did you ever make an offer to the company? We made an offer through Mr. Kerr; we could find the money to work it.
 612. Did you offer to buy it? I could not, because I had not the money to buy it.
 613. Has it ever been worked since 1862? I do not know.
 614. You know that it is full of water? Yes.
 615. Was it full of water in 1862? Yes.
 616. And it has been full ever since? I got the water partly down. We did not succeed, and it was abandoned. That was not because there was no copper there; there was any amount of copper.
 617. Why did you abandon it? We had no machinery.
 618. *Chairman.*] When did you last see the mine at Good Hope? About twenty-seven years ago.
 619. How long have you been mining? Ever since I was eleven years old.
 620. Since you left Good Hope, have you been gold or copper mining? I was in the Cadia Copper mine for seven years; I have been in the Great Cobar for seven years, and I have been in all the principal mines in the country.
 621. In your opinion, is this mine worth £30,000? Most undoubtedly. I do not say that is the value, but I would recommend a syndicate to go in for the property. We wanted to work the mine on tribute; my son and I put down £200. I paid £25 for the first start, so that I had a good opinion of it.
 622. *Mr. Reynoldson.*] Do you say you got a 12-foot lode? Yes.
 623. Was the copper ore brought to the surface? Most decidedly.
 624. Could it be obtained now? I cannot say anything about that, it is too long ago.
 625. *Chairman.*] Do you know if any assay was made? No.
 626. *Mr. Nathan.*] Apart from that shaft, was there not a lot of almost pure copper found in the mine? Yes, good malleable copper.

Peter

Peter Perry, sworn, and examined:—

627. *Mr. Nathan.*] Are you a miner? Yes, residing at Cadia. I am 60 years of age.
628. Do you know the Good Hope mine? Yes. My father was manager of that mine; he opened it up.
629. Were you there when he opened it up? Yes, and when it was "knocked."
630. When was that? To the best of my knowledge that was early in 1861.
631. You began in 1859 and continued until 1861? Yes, I think February, 1861.
632. Was there an underlie shaft first of all on the property, and then was the deep shaft sunk? Yes.
633. What was the depth of the deep shaft? Thirty-one fathoms deep, and a drive at the 30-fathoms level.
634. Did you drive a crosscut? Yes; I believe it was 12 or 13 fathoms. We cut a copper lode about 12 or 13 feet wide.
635. What percentage of copper did it carry? To the best of my knowledge, I should judge that the lode was worth from 8 to 9 per cent. of copper.
636. Did you work in that mine? Yes.
637. Have you worked at copper-mining ever since? Yes, all through New South Wales and Queensland.
638. In your opinion, what is the value of that property? If that lode improved for the next fathom as it did the last one, it would be worth something like £200,000. Mr. Lloyd floated Burruga and got £100,000, but he did not have nearly as good a show as we had there. I was at Burruga for three years.
639. What was the nature of the soil around where that shaft was sunk? It is soft blue slate, and the lode has every chance of living, because the formation is soft.
640. Does water percolate through that soil easily? Yes.
641. Was there some water in that shaft? Yes, a lot of water.
642. And did you try to work it out with a horse? Yes; that was the reason why the mine stopped, because we had not machinery.
643. *Mr. Bruce Smith.*] Do you know the Scottish-Australian Mining Company? Yes.
644. Does that company work a great many mines? Yes.
645. Do you not think that it is a pity they have allowed this mine worth £200,000 to lie idle for forty years? I think the reason why it was left idle was because the engines that were intended for this mine were sent to Cadia.
646. When? I think they were moved there in the early part of 1861; as far as my memory goes, it was erected in 1863.
647. How do you account for this valuable property being left idle and full of water for forty years? I suppose they thought they had lost too much money at Cadia—£70,000.
648. Was that mine better than this one? It was supposed to be better; that is the reason why the engines were shifted there.
649. Was Cadia supposed to be richer than this mine? Yes.
650. Yet they lost £70,000 on that mine? Yes.
651. Do you not think that Cadia was richer than this mine? No; it had a better outcrop to look at, but it did not go down. The Good Hope lode is going down.
652. *Chairman.*] Did you say you saw Cadia opened up? I was very near the opening up of it.
653. Did Cadia, about the time of the opening up, show as well, or better, or worse than Good Hope? They had a defined outcrop, but it never went down. At Good Hope, the outcrop was not so good to look at, but by sinking it proved better.
654. With regard to Burruga, was the same water difficulty met with there as you met with at Good Hope? No, Burruga is dry; Good Hope is a wet property right enough.
655. *Mr. Scobie.*] How much ore was brought out of the Good Hope mine during the three years' work there? I cannot tell you; we only drove through the lode.
656. Then you were drowned out? Yes.
657. To your knowledge, nothing has been done there during forty years? No, not in the deep shaft.
658. Since that time have you been following up mining? Yes.
659. Have you occupied responsible positions on mines? Yes, sometimes.
660. Have you done anything in selling and floating mines? No.
661. Upon what do you base your valuation of £200,000? If this lode improves in the next 10 fathoms, as it did in the last one, no doubt it will be worth more than that, because the deeper we went down the better the lode was getting.
662. You cannot tell anything from actual experience in this mine, and it is all a matter of conjecture? That is all, but I am an experienced miner all the same.
663. *Mr. Reynoldson.*] Do you mean that the lode improved to a very great extent as you went deeper from the shallow workings where you first struck it? Yes, at 16 fathoms it was not worth much. On sinking 30 fathoms, it improved considerably, and was worth from 8 to 9 per cent. Suppose we sank another 10 fathoms, and it improved as it did in the last 2 fathoms, we cannot say what it would be worth.
664. *Chairman.*] Have you seen this mine since 1862? The last time I was there was in 1870.
665. Was it working then? No.
666. The mine stopped working in 1862? Yes.
667. Do you know if it has ever been worked since? Yes, it has been worked on tribute.
668. When? Dr. Youngson, a Yankee, worked it on tribute.
669. When was that? About 1865—it was before 1870.
670. *Mr. Bruce Smith.*] Why did the Yankee give it up? I cannot say.
671. *Chairman.*] Do you know if any assay was ever made of ore from this mine? There were 4 tons sent away to Cadia.
672. Do you know if an assay was ever made? I was informed that it went to 35 per cent.
673. Do you know yourself that that was the case? No. I know that ore was sent to the smelter.
674. *Mr. McGarry.*] If a company were going to buy that mine, would they base their calculations of the value as you do, by the improvement of the lode? Yes.
675. *Mr. Scobie.*] Are you a practical miner? Yes.
676. If you possessed a good mine like this, with the ore continuously improving, and if you could obtain capital, would you leave that mine alone for forty years? No; I am rather anxious to go on with it.
677. *Mr. Nathan.*] That is if you had no other irons in the fire? Yes.

Henry Frederick Chilcott, sworn, and examined:—

678. *Mr. Nathan.*] Are you the manager of the Scottish-Australian Mining Company, Limited, the owners of the Good Hope property? Yes.
679. Have you been on that property? No.
680. All that you know about it is from the records in the office? Yes.
681. It is said that you had an interview with Mr. Gibson and Mr. J. A. Brown at Mr. Mackenzie's office? Yes.
682. *Chairman.*] Is this property at Good Hope freehold or leasehold? It is freehold.
683. *Mr. Nathan.*] Was that interview without prejudice? Yes, it was understood so, I think.
(*Mr. Bruce Smith objected to evidence about an interview without prejudice.*)
684. *Mr. Nathan.*] It is stated at page 17 of the evidence taken, by the previous Committee that you and Mr. J. A. Brown were prepared to take £50,000 for the Good Hope property and Mr. Brown's property; was the price of the Good Hope mine placed at a certain sum at that meeting? That is so.
685. Are you prepared to state now what in your opinion is the value of the Good Hope mine? I would reply to that, that I was prepared then to take a very much lower sum than I would take now.
686. *Chairman.*] Have you ever offered this mine to anyone for £50,000 or less? No; that £50,000 included Mr. Brown's property. I never offered it.
687. What do you consider is the value of the mine? I place a valuation of £20,000 to £25,000 on the whole property of 400 acres.
688. Can you produce a freehold title? Yes.
689. *Mr. Nathan.*] Is there any reservation of minerals in your grant? No.
690. *Mr. Bruce Smith.*] How long have you been in your present position of manager of the company? About two years.
691. You have been in Australia for two years? I have been connected with the company since its formation, but I have only been manager during the last two years.
692. Do you know that the mine has been filled with water since 1862? Not of my own knowledge.
693. Is it not a fact that you offered this property at one time for £1,200? £12,000.
694. Was that to Mr. Simpson, of Minter, Simpson, & Co.? No, to Mr. J. A. Brown.
695. Did he offer you his? No.
696. Is it not a fact that you offered it at one time for as low as £1,200? No.
697. Will you undertake to say that it was never offered for £1,200? Yes.
698. That is, in your time? Yes.
699. Can you tell the Committee, whatever the property is worth, why your company has not attempted to empty it out and do something with it? Simply because the company has not had the funds available. All its available funds have been put into other properties.
700. The company is working many other mines? Yes, paying mines.
701. Has it not opened up fresh mines since 1862? Yes.
702. A number of them? Yes, coal since 1862.
703. Many mines? No, only two properties.
704. You have bought the Burwood Coal Company? That is one.
705. And you have put hundreds of thousands of pounds into those coal companies? Yes.
706. And all that time you have had this very valuable mine lying idle and full of water? Yes.
707. And you have allowed it to remain there? Yes.
708. And up to the present time you have taken no steps whatever to clear it of water or to work it? No.
709. Have you any other copper-mine? Not in New South Wales.
710. You had one—Cadia? Yes, we had Cadia; I beg pardon.
711. How long is it since that was worked? I cannot tell you from memory. It has been worked by another company. It was worked on tribute. I suppose the last time it was worked was about ten years ago.
712. Has it never been worked since? No, except occasionally by tributers.
713. And they have abandoned it? Yes.
714. You have lost about £70,000 on Cadia? About £50,000.
715. Since your company worked this Good Hope mine, have you not let it to tributers? Yes.
716. To an American? No; to a colonial, I think—Trevanick.
717. How long ago? About six or seven years ago.
718. And he gave it up? He worked it for a short time, and gave it up.
719. Who else had it and gave it up? No one else.
720. What royalty or compensation did you get from Trevanick? I think it was the usual royalty of 10 per cent.
721. Did he ever get any copper? Yes.
722. How much did he get the whole time he was there? I cannot tell you.
723. Did you get £100 the whole time he was there? I cannot tell you.
724. *Mr. Nathan.*] Did Trevanick only work the top of the mountain? Yes.
725. *Mr. Bruce Smith.*] But he had the right to go down and work it below? No, only the outcrop at the top of the hill.
726. *Mr. Nathan.*] With regard to a property like this, do you say you prefer to deal with the Government rather than with a private individual? Most decidedly.
727. Is there any provision in the Bill as to the amount of capital that is to be put into this concern? Not that I can see.
728. Do you feel that if this work is to be done, you would rather deal with the Government than any strangers? Yes.
729. *Mr. Bruce Smith.*] Is it not a fact that if you fear any damage to this Good Hope mine it would be the result of the construction of the dam? Quite so.
730. And if the Government construct the dam, and the promoter has nothing to do with it, and has only to do with the canals, your objection is gone? If the Government are responsible, my objections are gone. All that I want to see provided is, that some value may be arrived at for this property, and some guarantee that my company would get that value if the property is destroyed or rendered unworkable. If the property is left intact, my company wants nothing at all. 731.

731. Do you know that the Bill adopts a great many clauses from the Public Works Act, and admits all particulars as to any ground of damage to any kind of property? I believe there is a provision in the Bill for arbitration.
732. *Chairman.*] You say that your company is still working, or has been working, paying mines;—does your company not regard this Good Hope property as a paying mine, or one that would be a paying mine? The mine was never actually proved as to whether or not it would be a paying mine.
733. Do you know of any assay that was made in connection with the mine? No.
734. The company has no record of it? No; there was an assay made, and I tried to find it, but I could not.
735. On what do you base your valuation of £25,000? Only from the information that I have got from these men. These men fix the value at more than I say, but I think from the information I have got that £25,000 would be a fair sum.
736. That is based on information that you have received? Yes.
737. Have ever seen the property? No.
738. Are you conversant with the provisions of this Bill? I have read the Bill, but I cannot say that I have studied it. I have got Mr. Nathan to advise me with regard to it.
739. Do you regard the clauses providing for safeguarding all interests as well as yours which will be affected by the Barren Jack dam as sufficient, provided that there is a guarantee that any compensation awarded by any Court would be paid? That is rather a hard question to answer.
740. If the Government passed that Bill as it is, would you be satisfied with it? I think before I give an answer to that I would like to see a little more of the Bill. If I am to look to the Government I am satisfied.
741. Even with this Bill? I think I cannot say that without reservation.
742. Suppose the Committee say that the Barren Jack dam, as provided for in this Bill, is built according to the Government specifications, and under Government supervision, and liable to resumption at any time by the Government, and that the Government would then be liable for any compensation for damage that might occur, would you be satisfied then? As long as my company are guaranteed against loss, in the event of damage to this property, I am satisfied. I want that guarantor to be the Government.
743. Your whole objection is to this Bill being carried out by private enterprise? I object to having to go to private individuals. I would like to go to the Government.
744. *Mr. Reynoldson.*] If you are safeguarded, why do you prefer to go to the Government rather than to a private individual? Simply because the Government have resources that private individuals have not. You are always safe with the Government, but you cannot always be safe with private firms or individuals.
745. *Mr. Esobie.*] Of course, your trouble is, that this is not a Government Bill? I do not say that altogether.
746. You are aware that this is not a Government Bill, that it is a private Bill? Yes.
747. Hence your appearance here? Yes.
748. You wish to put the full statement of your case before this Committee? Yes.
749. You are aware that Governments do not pass Bills, but both Chambers of the Legislature? Yes.
750. You wish your evidence to appear before Parliament when the Bill goes there? Yes.
751. Has your company got a regular balance-sheet published every year? Yes, published in England.
752. Does this mine appear as one of the assets? Yes.
753. What do you value it at in the balance-sheet? £10,874.
754. As an asset of the company? Yes.
755. Would you like this Committee to suppose that the company has all along thought that this was such a worthless asset that they did not endeavour to put their capital into it and endeavour to get a return? No, I do not wish the Committee to think that.
756. I would like you to say what you think? The reason the mine was closed down, according to the documents in the office, was that there was a labour difficulty at the time, and a want of machinery. We had machinery here, but shortly after we opened out at Good Hope we also opened out the Cadia mine, and the prospects were so good there that we sent the machinery that was imported for Good Hope on to Cadia. A great deal of money was expended in developing Cadia, which, up to a certain point, gave very fair returns. Then, afterwards, that property also failed us, and kept on failing from year to year. In the meantime, all the available funds of the company were spent on Cadia, consequently we had none available for Good Hope.
757. It looks very slow considering all the improved processes? I am speaking of 1862, when the mine was shut down.
758. *Mr. McGarry.*] Has the value of copper increased or decreased since you worked that mine? In 1862 the value of copper was very much higher than at the present time.
759. *Chairman.*] As a matter of fact, have you ever worked the mine beyond sinking a shaft and driving? No; no ore was extracted or smelted, or sent to market.
760. *Mr. McLaurin.*] Do you fix £25,000 as the value of the mine? I think that is a fair value.
761. And, so long as your interests are properly safeguarded with regard to that value, you do not care who carries out this work? So long as I get that money in the event of the property being destroyed.
762. *Chairman.*] Does the £25,000 that you claim represent the value of the whole 400 acres? Yes.
763. Mr. McLaurin asked you if you would be satisfied with safeguards as to that £25,000;—supposing the Government carry out the scheme under a Bill of its own similar to this, are you prepared then to accept, not £25,000, but what would be awarded to you by a tribunal appointed by the Government? I suppose I should have to be.
764. *Mr. Bruce Smith.*] What is the subscribed capital of your company? It is fully paid up; it is £500,000.

THURSDAY, 17 AUGUST, 1905.

Present:—

| | | |
|-----------------------------|--|----------------------------------|
| MR. MCGARRY, MR. MORTON, | \| | MR. McLAURIN, MR. REYNOLDSON, |
| MR. SCOBIE. | | |

G. S. BRINER, ESQ., IN THE CHAIR.

Mr. Bruce Smith, with him Mr. W. K. S. Mackenzie, instructed by Messrs. Bowman and Mackenzie, appeared for the promoter of the Bill.

Mr. A. W. I. Macansh, of Messrs. Fisher and Macansh, appeared for Messrs. Vandeleur, Macpherson, and Lindsay (on behalf of the Lower Murrumbidgee Locking League).

Mr. A. W. Nathan, of Westgarth, Nathan, & Co., appeared for the Scottish-Australian Mining Co., Limited.

Mr. Jas. A. Brown appeared on his own behalf.

James Alexander Brown, sworn, and examined:—

765. *Mr. Nathan.*] Are you a land agent, carrying on business in Sydney? Yes.
766. Do you know the Good Hope mine, owned by the Scottish-Australian Mining Company? Yes; well.
767. Is the property at the junction of Yass River and Woolgarlo Creek? Opposite the junction.
768. Does the Yass River flow into the Murrumbidgee? Yes.
769. Do you own the land on the southern side of Yass River? Yes—two sections immediately opposite the Good Hope property. The area is 1,247 acres.
770. What have you got on that property? A lode of copper.
771. *Mr. Bruce Smith.*] Do you know that of your own knowledge? Yes.
772. *Mr. Nathan.*] Is there anything else there? There are lime deposits; the gangue of the ore is fluor spar.
773. Is that valuable? Yes.
774. Do you know every inch of the Good Hope property, and of your own? Yes; I have been up there dozens of times.
775. Did you hear Mr. McKinney state that if the Barren Jack dam were constructed to a height of 130 feet, a portion of the Good Hope property would be flooded? Yes, it would just take the fringe of the property.
776. If the dam were constructed to 180 feet or 200 feet, the flooding would be naturally greater? Yes.
777. Would that flood a considerable area of your property as well? Yes.
778. How much? It would be very difficult to say. I have not got the heights. I am guided by the Government figures in a great measure, but all my works will be submerged.
779. Is the Good Hope property flat down below, and does it then rise on to a hill? Yes.
780. In your opinion, would all the low lands be flooded? I would not like to say that, but a great deal of it would be flooded.
781. If your property were flooded in the low lands, what would be the effect of Barren Jack dam as regards your access to Yass? I would have none unless I engaged a balloon or a steam launch.
782. Or unless bridges were erected? That would be impossible; it would cost as much as the dam to erect bridges.
783. So that practically you would be isolated? I would be cut off from the Bowring Station, which is my nearest station.
784. Is there not a ford between your property and the Good Hope property? Yes, it is fordable; that is the way we travel.
785. Could the Good Hope people go over to Yass if the Yass River was flooded? No; the river at present is only about 100 feet wide. If the low lands are submerged, it would be from a quarter of a mile to half a mile wide and about 150 feet deep, so that it would be impossible to build a bridge.
786. Do you place a large value on your property? Yes.
787. What would you take for it now without opening it up any more? I would stick to the offer that I made to Mr. Gibson, which was made without prejudice. I will not go back on it—that is, £35 an acre.
788. Are some shafts on your property? In 1870 a public company was formed by leading men in Sydney—Mr. F. H. Dangar, Mr. Richardson, of Richardson and Wrench, and Mr. John Russell, of P. N. Russell & Co. I think they spent all their capital, £25,000. At any rate their works are there at present with the exception of the machinery which a flood washed away. The thing has been in abeyance ever since.
789. In the event of the Government not constructing this dam, there is power under the Bill for Mr. Gibson or his assignees to take up the work;—have you any objection to that? I have not the slightest objection to Mr. Gibson carrying out the scheme, provided there are certain clauses inserted in the Bill protecting me and others.
790. That is if Mr. Gibson or his assignees are sufficiently substantial to protect you against any loss? Yes.
791. Is there any provision in the Bill as to the amount of capital to be put into this company? No.
792. Would you, under these circumstances, prefer that if this work is to be carried out, it should be done by the Government? Certainly. I have no particular desire that the Government should do it. I would just as soon see Mr. Gibson do it, so long as there are certain provisions in the Bill.
793. As long as you can recover your damages? Yes.
794. *Mr. Bruce Smith.*] Are you still willing to take £35,000? I am quite willing to take what I offered it for.
795. How long have you had the mine? About seven years.
796. Did you buy it from the liquidators of the company? Yes, I believe so.
797. Did you give £1,200 for it? It cost me £2,500.
798. Did that company work it for a considerable time? I should think so.
799. And spent £25,000? I think that was the amount.
800. And then abandoned it? No.

801. They went into liquidation? Their works were all washed away, and I presume they had no more money.
802. There was no dam there then? Yes, that was the cause of the flood; they were building a bridge and there was a coffer dam. They backed up the water, and the dam broke away.
803. Is the mine now full of water? There are five big shafts.
804. Are they half filled or filled with water? No, there is about 20 feet of water.
805. How is it that you have never attempted to work this mine during the seven years you have owned it? That is easily answered. Want of capital.
806. How is it you have never been able to find anybody else to work it? I never tried.
807. Have you been trying to sell it ever since you had it? I have never tried; I have had applications from people who wanted it.
808. Have you not offered it to half-a-dozen people since you have had it? No.
809. Have you offered it to five people? I will not say that I have offered it to anybody. I will tell you how I have offered it. I did not offer it alone.
810. *Mr. Nathan.*] Did you offer it with other properties? Yes.
811. *Mr. Bruce Smith.*] Have you asked a good price? I have asked just what I asked Mr. Gibson.
812. Did you put it in with the Scottish-Australian Company's mine? Yes, I tried to buy their mine.
813. And you asked £60,000 for the two? Yes.
814. I understand that, apart from your own interests, you are not averse to private enterprise? No, I rather approve of it.
815. All that you want is to feel assured that you will be looked after? Yes.
816. Were you present when the last Committee sat in 1903? The greater part of the time.
817. Were you then invited to suggest any alterations in the clauses giving greater facilities for bringing your claim before any body which might be appointed? Yes, I understood Mr. Shand was going to do that.
818. Do you not know that he did it? Yes, but I did not see how Mr. Shand altered it.
819. Can you now suggest any provision which would give you better means of putting your injuries when they occur before the tribunal that will be appointed for the purpose? Yes, I would like to be present when the clauses are being discussed, and probably I will be able to make some suggestions.
820. Have you sold anything from the mine since you have had it? No, I never attempted to do so.
821. Have you ever sold any plant? No, it is there exactly as I bought it, except that I have worked a little on it.
822. Had this flood occurred when you bought it? Yes, a long time previously.
823. Is there any plant there now which was not there when you bought it? Yes, there are winchies and such like things.
824. There is nothing there which was not there when you bought it? I have not put anything there.
825. Is there any plant there now which was not there when you bought it? No.
826. Was there anything there when you bought it which is not there now? Only what I removed to the Scottish-Australian Mining Company's property.
827. Did you sell it to them? No.
828. Did you lend it to them? No.
829. Why did you remove it? Because I put in an offer to purchase the property. I tried to buy their property; the machinery is there at present.
830. Did you negotiate for their property? Yes.
831. How much did you offer them? I practically came to an arrangement with them to pay £12,000, subject to the approval of the directors in London.
832. And they agreed to that, subject to the approval of their directors in London? Yes, I wanted them to make certain.
833. Was that plant, which is not there now, but which is on the Scottish-Australian Company's property, on your land when you gave £1,200 for it? Yes.
834. What money have you spent on it since you bought it? £200 or £300.
835. What for? Cleaning out the shafts and collecting a lot of débris from the old smelting works there.
836. But you have nothing there which you have bought? No.
837. The mine is practically the same as when you bought it except that there is more water in it? No, a lot of work has been done on it since I bought it, but not by me. It was jumped by two or three parties under the Mining on Private Property Act, and it was difficult to get them off. They did a lot of work.
838. *Chairman.*] Did you ever test this mine since you bought it? Yes; my son is a mining engineer, and I had him there for two months.
839. Did you take anything out? Yes, a little.
840. Did you test it? Yes, I have it on the ground now ready for the market.
841. Has any of the ore ever been assayed or tested? No, I do not need anyone to assay for me.
842. How far is it from the Scottish-Australian Company's mine? Only the river divides it; about 100 feet.
843. You say you paid £1,200 for the mine? Yes.
844. And you say the cost stands you in £2,500? Yes, that is reckoning interest.
845. The money spent is actually £200 or £300? Yes, that was in opening out one or two places.
846. What is the area of your property? About 1,240 acres.
847. Is it freehold? Yes, the whole of it.
848. How much of it is subject to inundation or backed-up water? I think I am within the bounds when I say there are about 80 acres of a splendid farm, and I am told by my tenant that people who have cultivated it, have had a return of 40 bushels of wheat to the acre.
849. Has that land been cultivated since you owned it? No, I have done nothing to the place except what I have stated about opening it out.
850. You know that the first proposal under this Bill was to build a dam 130 feet high? Yes.
851. With a dam 130 feet high, how much of your land would be submerged? It is impossible to give a correct statement; I can only go on the evidence which I have in the Government papers. I should think about 300 acres.

Witness—J. A. Brown, 17 August, 1905.

852. You cannot tell how much of your land would be submerged by a dam 130 feet or 180 feet high? No.
853. Is your objection to the amended Bill based solely on the fact that you do not consider it sufficiently safeguards your interests? Yes.
854. Apart from that, you have no objection to the scheme being carried out? None whatever.
855. *Mr. Nathan.*] Do you claim to understand mining? Yes.
856. You do not require an expert to tell you what is in a lode? No.
857. *Mr. Reynoldson.*] You mentioned that you had a tenant on the ground;—is he using the ground for grazing? Yes.
858. On 1,240 acres? Yes, he has got 1,500 sheep on it.
859. Then it carries one sheep to the acre? I do not know that it does all the time. On the alluvial flat it is very rich. A fortnight or three weeks after I purchased the property I was offered £2,000 for it.
860. You got the freehold for £1,200? Yes. I do not know what the value of the land is for agriculture.
861. *Mr. Scobie.*] Was your son on this mine, as you mentioned, since the inquiry into Mr. Gibson's scheme first began? It was long before that.
862. *Mr. Bruce Smith.*] What rent do you get for this land? Thirty-five pounds a year, merely for the grazing rights, and the tenant looks after the property. There is valuable mining timber on it.

Hugh Giffen McKinney, sworn, and examined:—

863. *Mr. Bruce Smith.*] I will ask you to turn to question 26 in Mr. Monash's evidence and his answer: "What was the average flow of the river at Hay for the last year of the series you have taken—that is, from 1895 to 1903? When I computed these figures, I made my computations, as far as I then had the figures, up to the middle of 1902. Up to that period, the lowest average flow, taking one year, was in 1885, and the average flow for that year was 1,650 cubic feet per second." Yes.
864. In the three following questions he deals with what he calls the average flow;—is that method of taking the average flow any guide whatever as to the effect this dam will have upon it? It certainly is very misleading.
865. How? In this way: that in connection with irrigation works, what is wanted is not an average for a year or even a month. What is required to be known is the number of cubic feet per second that can be depended upon as a minimum. An average flow for a period even of a month is liable to be very misleading. I am aware that Mr. Monash has Victorian instances for that method of calculating the quantities of water; but in India, where I was accustomed to deal with irrigation, such a thing is unheard of in connection with the management of canals.
866. How many years' experience did you have in India in connection with irrigation? Nearly eleven years.
867. How many years did you occupy your position as the head of the Water Conservation Branch of this State? Sixteen years. I had twenty-one years' service here. During five years I was district engineer in connection with the Sydney Water Supply works when they were under construction. I was sixteen years after that in charge of the Water Conservation Branch.
868. Did you, in the course of your experience as head of that Department, have to do with this Barren Jack project? Yes.
869. What had you to do with it? The first work I did was to get the surveys done in the plains. That was the levels.
870. Who was associated with you in that proposal? After the information was prepared it was reported on by Colonel Home.
871. Did he come specially to New South Wales from India? Yes, shortly after he retired from the Indian service.
872. Did he report on the Barren Jack scheme? Yes.
873. So that it is not a novelty? Not at all.
874. You say that this constant reference to what you call an average flow is misleading as to the effect that this dam will have? Quite so, and it is still more misleading in connection with the minimum flow of 500 cubic feet per second which is proposed to be allowed at Narrandera, under the Bill, to remain in the river. As Mr. Monash gives the evidence, it appears that it is no concession at all, whereas it is a very large concession.
875. What would be the proper estimate to compare with the minimum of 500 cubic feet per second guaranteed under this Bill? The proper figures to compare would be the actual minimum discharges in different years, not average minimums.
876. Under this Bill, 500 cubic feet per second is guaranteed as the amount below which the flow should never go? Yes.
877. What are minimum flows over a number of past years which are properly comparable with this? I have just looked up my notes as to discharge observations, which were taken during the time I had charge of the branch. I am sorry to say with regard to low flows, that there are very few of them, but there is one of 200 cubic feet per second at Narrandera and 100 cubic feet per second at Hay.
878. Then, in your opinion, is a minimum of 500 cubic feet per second a considerable improvement on the natural state of things that exists at present? Very decidedly, and it will be a great boon, particularly to the people who have pumping licenses along the river, and also the town of Hay.
879. Why? Because the river at times falls so low that it is very difficult to get a supply. At Hay they have had to take special means, putting temporary dams in the river to get sufficient water to pump from. They have also complained when the river was low about the quality of the water being deteriorated. Then where licenses to pump for irrigation have been given, there was an agitation started at one time to stop the pumping because the river was so low.
880. What would be the effect of the pumping capabilities if a minimum of 500 cubic feet per second were guaranteed all through the year? The people who have licenses to pump now would be able to exercise them without any fear of being stopped, and in addition to that, a considerable number of other licenses could be given.

881. That is, assuming that three weirs are put in with a flow of 500 cubic feet per second? Even without that.

882. With three weirs and a minimum flow of 500 cubic feet per second, would that give the people who are in the habit of pumping water greater facilities than they have at present? Yes, because each weir would store up a large quantity of water, and there would be special facilities for pumping within the sphere of action of those weirs.

883. So that they would have 500 cubic feet per second continuously running, and they would have the accumulation of water above the three weirs? Yes.

884. Mr. Monash in question 29 said, "Did you find a large variation between the average flow in different months of those years? Yes, according to the records. We have a characteristically dry year, and we have a characteristically wet year. Taking a typically dry year like 1890, the lowest average was 900 cubic feet per second for a whole month, while in the same period the highest average which occurred in July was 6,850 cubic feet per second. That is a very wide fluctuation. By way of illustration, take a year with a typical high flow; by typical, I do not mean exceptional. Engineers always discard the exceptional cases. Taking a typical high-flow year, like 1902, the smallest flow was in the month of April. That was 800 cubic feet per second." What have you to say about that? I compared that answer of Mr. Monash's with another answer given by him to question 49, where he states that in an ordinary year the reservoir would be drawn on for six months. Now in the year 1890, which he classes as a typical dry year, I find, in looking over the diagram of discharges, that the reservoir would not have been drawn on for more than four months in that year, and that only partially. There would always have been a partial supply available in the river, and only a moderate quantity would have been drawn.

885. Would that materially affect the conclusion which he draws from it? It would affect the conclusion with regard to the risks that the people on the lower river run from the quantity of water that would be stored. As a matter of fact, in 1890 the reservoir would have been overflowing for nearly five months.

886. On the actual facts? Yes, I have the diagrams with me. It would have been overflowing for nearly five months during that year which he says was a typical dry year.

887. Turning to question 33, he stated in his answers "the average flow given in the Government records for March, 1903, is 230 cubic feet per second, and the absolute minimum is, 150 cubic feet per second, which is very different from 19 cubic feet per second." You remember Mr. Wade said that the river had been as low at Hay as 19 cubic feet per second, as compared with a minimum of 500 feet per second? Yes.

888. Is Mr. Monash right in substituting 150 cubic feet per second for the 19 cubic feet per second which Mr. Wade spoke of? I certainly think Mr. Wade ought to know. As a matter of fact we have it in evidence from Mr. Gibson, that the officer who gauged the record of 19 cubic feet per second, also gave the information to him.

889. When Mr. Davies was giving evidence before the previous Committee, Question 2558, I find the following:—

2558. *Mr. Shand.*] When Mr. Wade was giving evidence, he was asked to get the records of the discharges of the river at Hay during certain months:—have you got a telegram which was sent to Mr. Wade by the officer in authority, giving some information? Yes; it is a telegram dated 15 October, addressed to Mr. Wade by Mr. Mitchell, who is our officer at Hay. It says: "Discharge taken, March 12, gauge 2 feet 2 inches below zero; discharge, 27.12 cubic feet per second. March 30, gauge 1 foot $\frac{1}{4}$ inch below zero; discharge 199 cubic feet per second. No discharges taken in April. Gauge fairly constant to beginning of May. Confirming by letter."

890. What authority is there for saying that at one time the minimum had got below 27 cubic feet per second; down to 19 cubic feet per second? That was what Mr. Mitchell informed Mr. Gibson. It is in the evidence given by Mr. Gibson.

891. At page 3 of the old evidence, question 61, Mr. Gibson is asked, "Where did you get that measurement of 19 cubic feet per second? From the Government engineer at Hay, Mr. Mitchell. In question 57, he is asked,

57. How many steamers came there this year? It has been a navigable river this year. Last year only one steamer came, and it got stuck 2 miles from the town, and they had to cart the goods. In March last the river was 2 ft. $7\frac{1}{2}$ in. below summer level. The flow past Hay bridge was at the rate of 19 or 20 cubic feet of water per second.

So we find that Mr. Wade telegraphed to Mr. Mitchell, and we have Mr. Mitchell telling Mr. Gibson that the flow past Hay bridge was 19 or 20 cubic feet per second. I put this to you: Supposing Mr. Mitchell was right in his telegram to Mr. Wade that there had been as little as 27 cubic feet per second, what effect would that have upon Mr. Monash's evidence as to a comparison between 500 cubic feet per second and the minimum? It would show that Mr. Monash had made a serious mistake.

892. Turning to question 40 of the present evidence, Mr. Monash gives the following evidence:—

40. That is a loss between the water passing Narrandera as compared with the water passing at Balranald? Yes, if there were no obstruction in the river from any source. The river has fairly precipitous banks and a very flat bottom. A flow of 500 cubic feet per second would mean a sheet of water passing near the bottom with considerable area exposed, and that area in contact with the soil. There would be continuous loss by percolation and also by evaporation. Of course that would go on in any case, but I wish to convey that the percentage of loss from a given volume of flow would be much greater in a state of small flow than in a state of greater flow. I would expect, without being able to state a definite figure, a substantial loss as between 500 cubic feet per second at Narrandera and Balranald.

What effect would that have with regard to the flow of 500 cubic feet per second? That statement is quite correct that when the river is very low, the proportion of loss is much greater than when it is comparatively high. But that would show the value of having such a large minimum as 500 cubic feet per second. When the flow of the river was taken at Narrandera, and it proved to be 200 cubic feet per second, it was found to diminish to 100 cubic feet per second when it reached Hay. With 500 cubic feet per second, the proportion of diminution would be considerably less, and I should estimate that, in all probability, somewhere about 350 cubic feet per second would reach Hay.

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893. You mean the evaporation is regulated by the surface, and not by the cubic quantity? There is not only the evaporation but the absorption and percolation. When the river is very low, the velocity is much less and the evaporation is increased. The percolation is increased with the flow.
894. Is there any conclusion which might be drawn from Mr. Monash's evidence which you wish to correct? The conclusion is the opposite to what he intended, because that shows the value of a minimum of 500 cubic feet per second as compared with the present conditions.
895. Do you remember Mr. Monash saying that a storage reservoir would wholly alter the conditions? Yes.
896. Is that correct? I think it is an exaggerated way of stating it. For instance, there is the matter which I referred to when he stated that the year 1890 was a typical dry year. In that year the effect on the river of the reservoir would scarcely have been perceptible, because the reservoir would have been overflowing for about five months. In fact the people about Balranald would scarcely have been conscious that there was a reservoir even in that year unless they were told of it.
897. You know that Mr. Monash stated that five weirs were necessary in order to maintain what we have called the *status quo*—the existing conditions. Is that true? It is quite incorrect, both as regards navigation and flooding.
898. Will you explain why it is obviously untrue? In that proposal of Mr. Monash's he showed that he would have almost continuous navigation. He said there would be at all events nine months' navigation in the year in average years. As a matter of fact, it was given in evidence before the Interstate Commission by the people of Balranald that they could never depend on navigation for more than six months in the year under existing circumstances, so that obviously with regard to navigation, five weirs would place them in a far better position than they are now.
899. Would it improve the navigation possibilities 50 per cent.? Yes.
900. What effect would three weirs have? With regard to the three weirs, I may explain that the original proposal was a suggestion of mine, and I think it was generally approved of by the Department. The original proposal was that the weirs to be put in there should be made more or less movable. That would enable whoever was in charge of the management of the weirs to liberate a quantity of water in times when the supply in the river was small. The result of that would be that vessels could go down with a freshet produced by the liberation of water from these weirs, and the length of the period of navigation between the Murray River and Maude could in that way be largely extended, in fact it could be made to extend over the greater part of the year, so that as regards navigation, I should say that these weirs would be a decided advantage over existing conditions. I refer to the three weirs.
901. Were the three weirs proposed by you intended to be weirs simply or weirs with locks? I did not propose to have locks with them.
902. How would navigation be carried out past these weirs? I intended to have the weirs something after the same style as the Bourke weir, that is, a shutter weir, consisting of a series of movable shutters which would shut down into the bed of the river in times of flood. In that case the condition of the river would be to all appearance unchanged; boats would go over the top of the weirs.
903. The shutters would be lowered to allow these small vessels to go over? Yes, and shut down flat on the bed of the river.
904. In your opinion, would the three weirs as proposed by you with these shutters maintain the present possibilities of navigation? Yes; I think it would improve the river as to navigation.
905. With regard to the utilisation of the water by the landowners, what would be the effect of the three weirs as compared with the present state of things? The difference would be that whereas the people now get a good flooding only when the river is very high, with the aid of these weirs they would get a good flooding every time that there was a fairly high freshet. Now the flooding comes on at uncertain intervals. With the weirs they would have the flooding every spring, because the river always rises about July or August, and continues for several months.
906. Would not the more frequent floodings more than compensate for the loss of the extreme flood which comes occasionally? Yes, it would do that, but in addition, I maintain that with these weirs, they can have the floods even more extensively than now. That simply means that less of the supply in the river would be allowed to go to waste flowing to the Murray. They would retain more by diversion on to the land.
907. Is it not a fact that in these extreme floods, which come occasionally, there is an enormous proportion of wasted water? Yes; hollow places are filled up, and there can be no attempt at regulating the water. Whereas with weirs, the water diverted throughout the back country could be taken in channels which it would be well worth while to the people to spend a little money on, and the water could then be distributed in a uniform manner.
908. Your conclusion is that as regards navigation, by the use of these shutters, there will be better opportunities for navigating with three weirs than at present? Yes.
909. As regards irrigation; you say that the opportunities for flooding the land will be more frequent though less extreme? They can be made more extensive, and there would be less waste of water.
910. And you say, the people on the banks will be able to pump more easily than at present? Yes, under much better circumstances.
911. *Mr. Reynoldson.*] Would that apply right down to Narrandera? The advantage would be to all the people who have pumping licenses from Narrandera downwards.
912. *Mr. Bruce Smith.*] In question 159, Mr. Monash was asked: "But if the dam and the five weirs were constructed, it would give all these landowners a system of gravitated irrigation? I should say a moderate assurance of available water for gravitation in every year." Is that a fair estimate of the advantages? Certainly not.
913. What would you say with regard to that? I should say a practical certainty of extensive irrigation every year. I have a diagram with me. It is well known that, during the latter part of winter in every year the river rises, and is more or less in flood. There is always a large quantity of water going to waste in the spring months. With the aid of three weirs, without speaking of five weirs, a large quantity of that water could be utilised every year.
914. Then, in question 160, Mr. Monash gave this evidence: "And a more valuable supply than the present intermittent one? Less in extent, but more certain in permanency." What do you say to that? I do not agree with "less in extent," because, with a proper management of these weirs, it could be made much greater in extent.

915. You agree with him as to "more certain in permanency"? Yes.
916. You heard Mr. Monash say that he had visited that district? Yes.
917. How much time have you spent in the neighbourhood of these proposed works and this river? It would be difficult for me to say how long. Referring to that particular part which Mr. Monash was through, I made a most complete inspection of it. I have a note-book in my pocket, which contains at least twenty-five or thirty pages of notes, which I made when I was in the district, visiting the different creeks and possible outflows from the river.
918. How many times have you been there? On the lower river, I have been a dozen times or more.
919. And you have made careful observations along the banks of the river in this particular district? Yes, I took as much time going through the back country to look at the creeks and possibilities of diversion as I did on the frontage.
920. When did you make the thirty pages of notes? The first time I made a complete inspection of that country—in 1886.
921. As far back as 1886, you knew the river and the neighbourhood in which the dam would be placed? Yes, and the neighbourhood where the weirs would be placed.
922. Turning to question 167, Mr. Monash was asked:—

167. You are before the Committee, and of course they are keen enough to know that you are in the interests of the people down the river; will you answer that question—are not these proposals which you are making of a character which would be more valuable to your clients than the condition of things at present? I should like to admit that if I could, but I cannot honestly do so, because I think the greatly reduced quantity of water would mean that it would have to deal with a much lesser area of land. It is a question I am not able to answer whether the conditions would be less or more valuable to them.

With your knowledge of irrigation, have you any doubt at all as to whether or not the results would be advantageous to pastoralists? None whatever. In connection with the notes which I made, I spent several days going through the back country at Yanga, and the southern boundary of Nap-Nap, looking at the whole character of the country, and I was very much struck with the enormous area that could be brought under irrigation if there was a weir in the neighbourhood of Maude.

923. Then you do not agree with this limitation put upon the capabilities of irrigation by Mr. Monash? Not at all.

924. Then turning to question 223 of Mr. Monash's evidence, we have this:—

223. But you want the five, and you want the navigation established which does not exist now? I want an assurance of some navigation. Without the weirs we will have none at all. It will be wiped out completely; that is what we must look to in maintaining existing advantages; in certain directions you have to improve them slightly, that is only an incident.

Is that a fair statement of the result of three weirs? It is very incorrect. Supposing there was not a weir built at all on the lower part of the river, supposing that there was no compensation weir, the effect of the proposed scheme on navigation would only be a matter of days. Mr. Monash has stated in his evidence that a discharge of about 2,000 cubic feet per second at Hay will make the river navigable. The 750 cubic feet per second that is intended to be diverted at Narrandera would not be equal to more than 600 cubic feet per second at Hay, so that the only time that the diversion of that water would affect the navigability of the river at Hay, and below it, would be when the flow of the river was between 1,400 and 2,000 cubic feet per second. In the season when the river is rising, it very quickly gets above that—that is, during the winter months, and with equal rapidity it falls below. Supposing there were no weirs at all, the only time when navigation would be affected would be in the very short period when the river is rising through that particular stage and falling back again.

925. What proportion of the year would the river be at that particular stage? Speaking roughly, about a week when the river is rising and a week when the river is falling in the whole year.

926. You have spoken just now of the condition of things without any weirs? Yes.

927. Supposing the three weirs were there, would the conditions be infinitely better? Yes, from Maude downwards, at all events. That is the part which Mr. Monash's evidence particularly referred to.

928. You heard Mr. Davis give his evidence the other day, that it would be time enough to add two more weirs or more when the southern side of the river was irrigated. Do you agree with that? Yes, I think the three weirs under the proposed conditions ample to meet all present requirements.

929. If another one-third of the water were taken for the opposite side of the river by-and-by, would it be an easy matter to add two more weirs? Yes, certainly.

930. You heard Mr. Lindsay asked whether the Lower Murrumbidgee Locking League of which he is a member, and which Mr. Monash represented, had not sought legal advice as to their position with regard to their right to periodical floods? Yes.

931. Did you hear him say that he did not know anything of such an opinion? Yes.

932. Have you a copy of that opinion? Yes.

933. Are you willing to let Mr. Macanash have that opinion, if he likes? Yes.

934. Now turn to question 245 of Mr. Monash's evidence. "Then you admit this Bill does provide that there shall go down the river a minimum flow of considerably more than the flow in those seven years? That would be absolutely useless to us; what is the good of 500 cubic feet per second?" What is your commentary on that answer? It is difficult to understand anyone with Mr. Monash's experience asking such an extraordinary question. 500 cubic feet per second would ensure an abundant and pure supply for Hay, and it would ensure an abundant supply to all the people who have pumping licenses along the river. What is more, I believe it would be ample to keep the whole of the lower river sufficiently deep to form a fence to keep sheep from getting across. It is a complaint that I have heard over and over again, that in times of an extremely low river, it becomes so shallow between Maude and Balranald, that sheep and cattle walk across it.

935. If that minimum of 27 cubic feet per second is the right one, then the minimum flow under this Bill will be twenty times the existing minimum? Yes, just about that.

936. In question 254, Mr. Monash gives this evidence: "In giving the average you took your lowest in good years as against the lowest in bad years; that would not give any idea? It would give the only true

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true index of what the river was doing." What do you say to that? I entirely disagree with that opinion. Instead of giving a true index of what the river is doing, it is calculated to very much mislead. It is no consolation to the people at Hay to tell them when the water begins to get very low that the average is very good.

937. Then the test is, how will the minimum under present conditions compare with the minimum under this Bill? Yes.

938. Is not that the true test of the sufficiency of this scheme? Yes, that is the proper comparison.

939. When you get above the quantity you want, everything that goes to waste is a disadvantage? It is not necessarily a disadvantage.

940. Is it better to store it? Yes.

941. Is it not far better to conserve it than to allow it to run to waste? Yes.

942. What depth of water would a minimum of 500 cubic feet per second give at Hay? I believe it would be practically what is termed summer level. At any rate, it would be very close to it.

943. That is not drought level, but summer level? Yes.

944. Then turn to question 258, where Mr. Monash gives this evidence:

258. Then you do not agree with Mr. Wade and Mr. Davis, officers of this State, and heads of this Department, when they say that the three weirs are likely to better the position of the landowners? No, only in so far as I agree that three weirs within their sphere of influence will do what these gentlemen say they will do; but I say they have not sufficiently considered the intervening spaces.

What do you say about those intervening spaces? The sphere of influence, to use Mr. Monash's own term, of each of these weirs will be very much wider than the sphere of influence of the creeks as they stand at present. For instance, in the case of the weir proposed to be built near Maude in particular, the country is remarkably adapted to the south and south-west of the river from Maude for the distribution of water, and with a weir there which will raise the water even 2 feet or 3 feet, it will have a tremendous effect on the country for nearly 50 miles in one direction, and 20 miles or 25 miles in the other.

945. Then, turning to question 263, Mr. Monash gives this evidence:

263. Assuming that the capacity of the reservoir is 21,000,000,000 cubic feet, are you able to contradict the statement that that would represent less than 2 inches of rainfall on the catchment area to fill the whole reservoir? I do not know anything about the catchment area, but I know that that represents about one-sixth of the total flow down the river per annum.

Is that true? No, there is a fallacy in that owing to Mr. Monash taking the quantity of water in the river down at Hay as the quantity that there would be up at the Barren Jack reservoir. There is a wide difference between the two. The quantity of water, especially at the end of a drought, that gets lost in the river between those places is very large. It is not by any means a fair statement to make that one-sixth of the quantity of water in the river would be used at the reservoir.

946. How would you estimate the proportion which a full reservoir behind that dam would bear to the fall of rain over that catchment? The catchment area is 5,000 square miles, and it is a matter of simple calculation how much 21,000,000,000 of cubic feet would represent of the fall over the catchment area.

947. Are you able to say what proportion the water in this reservoir behind the dam would represent as compared with the whole rainfall of the year in that catchment area? It is equal to about 2 inches of rainfall. It is 64 inches at Kiandra, and even at the place where the lowest fall is registered it is about 26 inches.

948. Then you say that the reservoir when full would represent only about 2 inches of rainfall out of all that catchment area? Yes.

949. Then he says, "The true criterion is what actually passes down the river, and that I have before me on the records." How many miles higher up than Hay will this water be stored? At least 400 miles higher up.

950. In Question 273 he says: "Navigation would have to cease altogether if we had a big scheme of water conservation and only three weirs." Is that true? No, as I have already pointed out; even if there were no weirs at all it would be slightly affected. With three weirs it would be improved.

951. He says: "The natural irrigation of the land would be very seriously affected." Do you take exception to that? Yes.

951½. Then we have question 295:

295. That does not matter so long as we know that 2 inches are sufficient out of the total rainfall of 64 inches;—what I want to know is that provided that Barren Jack dam were filled to-day, and we had a flood next week, would not the people below the dam get the benefit of that flood? Yes; but I resolve that question in my mind this way: I have taken the actual river as it has in fact existed for the last eighteen years with definite records, and that the total volume of water passing Hay would still be available, that and no more; and assuming that during the next eighteen years the average would be the same as during the last eighteen years, I have prepared a diagram to show what would happen; I produce that diagram and its explanation is contained on its face.

What have you to say about that diagram? It is radically wrong on account of it being started on a wrong basis. The quantity of water passing Hay is not a fair guide by any means to the quantity of water that would be available for storage at Barren Jack, 400 miles above it.

952. It is like the premiss of an argument being faulty? Yes.

953. It is like taking the bottom brick out of a building? Yes.

954. Then take question 354:

354. Putting your clients' interests out of the question, do you not consider that the carrying out of a scheme like this would yield more benefit to the whole community, looking at the question from a national standpoint, than leaving things as they are? No; I cannot assent to that. I am a believer in irrigation schemes, and I would like to see this scheme prosper, with proper safeguards. My position is, that reasonable safeguards for existing interests can be got at a cost which is insignificant as compared with the cost of the enterprise as a whole.

Do you know of any engineering possibilities which will answer that description? No, not at all. Taking the last expression he uses, about getting reasonable safeguards for existing interests at a cost which is insignificant

insignificant as compared with the cost of the enterprise as a whole, the answer seems to be rather mixed. But the main point of it is that Mr. Monash appears to think that the disadvantages to the community would be greater than the advantages. I can see no possible disadvantages to the people down there, excepting that possibly, the country may be made fit for closer settlement if this scheme were carried out, because the land would be so much improved.

955. I suppose you will admit, that if no other object were in view but the benefit of these landowners, you could give them additional benefits without expending a proportion of the money which is required for this scheme? Yes.

956. If they were your only consideration? Quite so.

957. But you say, that this scheme will very much improve the value of a large area of land, that it will prevent waste of water, and, at the same time, not injure but benefit the people who now derive advantage from the flooding? Yes.

958. *Mr. Nathan.*] Will you now look at page 49 of the evidence given before the last Committee, when you were asked by Mr. Ferguson, in question 1563, "Do you know the mining properties which are likely to be submerged? Only by seeing them on the map." Then, there is the next question, "Are they likely to be submerged? Only a very small fraction of them with a dam 130 feet high." Then question 1565, "Will not the water come very near to some of their shafts? It will come pretty near to one abandoned shaft on the Woolgarlo property." If a dam were constructed 200 feet high, would not that flooding be greatly increased? No doubt it would.

959. What you are good enough to call the abandoned shaft on the Woolgarlo property is a shaft that has been worked on the Good Hope mine, near the river? Yes. With regard to that term, I should say that I simply took it from a surveyor's plan, where it was marked "abandoned shaft."

960. *Mr. Bruce Smith.*] What surveyor called it abandoned? He was the first surveyor who was sent up to take the levels.

961. Is that written on a plan in the Public Works Department? Yes, I saw it on some plan there.

962. *Mr. Macansh.*] You said that you proposed that your weirs should fall down into the bed of the river so as to allow the floods to pass over. During how many months in an average year would they be up? I should say about five months, perhaps five or six months. I take it that the people at Balranald assume that the river is navigable generally for about half the year, and when the river is not navigable is the time when the shutters would be up.

963. Taking a flow of 300 cubic feet per second at Hay, what flow would there be at Balranald? That is a matter that I can only estimate; in fact, I could only guess at it. It might be under 300 cubic feet per second, or anything from 250 to 300 cubic feet per second.

964. You have already, in answer to Mr. Bruce Smith, stated that 500 cubic feet per second at Narrandera would be 350 cubic feet per second at Hay? Yes, that is only approximately.

965. So that the 500 cubic feet per second at Narrandera would be 300 cubic feet per second at Balranald? Something like that, but you would get perhaps about 30 or 40 cubic feet per second as a minimum now.

966. Take questions 51 and 52 of Mr. Monash's evidence, which are as follows:—

51. Assuming that a big dam were constructed at Barren Jack, would that enable the flow of the river right down to be controlled? Yes. The construction of the Barren Jack dam would convert the Murrumbidgee from a natural stream into an artificially-controlled water supply channel, exceptionally as regards so much flood-water as the reservoir is not able to impound. Until the point of time arrives when the reservoir is overflowing, which will only occur during a limited period each year, the river Murrumbidgee will cease to be a natural river. It will become a channel controllable at will by the man who controls the regulating and discharging sluices of the reservoir.

52. So that the quantity of water passing down the channel of the river will be absolutely under the control of the persons controlling the dam? Yes; and absolutely determinable after a very little experience of such losses as have been referred to. One could predetermine to a nicety how much water should go out of the reservoir to create any desired set of conditions on the lower river.

Is not Mr. Monash giving his evidence there on the assumption that the people controlling the flow at Barren Jack would keep it as closely as possible to 500 cubic feet per second at Narrandera? Yes, probably in time of drought that would be aimed at.

967. Where you have taken exception to Mr. Monash's evidence when he is taking 500 cubic feet per second as being the usual flow instead of the minimum flow as you put it, has he not given his evidence on the assumption that the people controlling the dam would make it the usual flow? They could not possibly make it the usual flow. That general statement of his about the river being under control is quite wrong. It would only be under control in times of drought. As I pointed out in the case where Mr. Monash said that 1890 was a typical dry year, as a matter of fact the river would be entirely beyond control for nearly half the year.

968. Were you down on the Lower Murrumbidgee in 1886? Yes.

969. Did you do any actual surveying and taking of levels then? No, I was going about arranging for the places where it was worth while taking levels.

970. Have you actually taken levels down there at all? The only levels I took myself were in connection with the discharges of the river at Balranald. I got very extensive levels taken, and I have a plan showing the result.

971. You did not take any yourself except at Balranald? No, but I had two surveyors of my Department in that neighbourhood at work for a considerable time. I have their results.

972. Will you explain how it is that the floods will be more extensive when you have the Barren Jack dam built than they are at present when there is nothing there to retard the flow of water at all? I do not say they would be greater without the weirs.

973. In answer to Mr. Bruce Smith, you said the floods would be more extensive than at present? Yes, with the three weirs.

974. Will you explain how they will be more extensive with the three weirs? It is a very simple matter. You build a weir 15 ft. high across the river, the quantity of water which will be taken off will not be equivalent to more than a foot or two in the river. The weir will necessarily raise the river much higher than before.

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975. The river will be falling down while it is navigable. Your weir is not going to stop the water at all during the greater part of the year, and yet you are going to improve the flooding? I should say that it should be made to do both. It may be low during part of the year, but I should say that for the purposes of flooding, when they wanted to take the water off in that way the weir should be kept up.

976. I want you to explain how you make these two statements agree. Your weir will be folded down for six months in the year, and will not hold any water until the river practically ceases to flow. Then at the same time you say the weir will make the flooding much more extensive when you have the Barron Jack dam retarding the flood? That is easily arranged. Supposing the river is 150 ft. wide. You have a width of 50 ft. in the middle with a movable weir. The rest is fixed, the movable part can be kept up whenever it is necessary or desirable to divert water for the purposes of the back country. It can be opened whenever necessary to allow a boat to pass through.

WEDNESDAY, 23 AUGUST, 1905.

Present:—

Mr. BALL,
Mr. REYNOLDSON,

Mr. MORTON,
Mr. SCOBIE.

G. S. BRINER, Esq., IN THE CHAIR.

Mr. Bruce Smith, with him Mr. W. K. S. Mackenzie, instructed by Messrs. Bowman and Mackenzie, appeared for the promoter of the Bill.

Mr. T. Rolin, instructed by Messrs. Fisher and Macansh, appeared for Messrs. Vandeleur, Macpherson, and Lindsay (on behalf of the Lower Murrumbidgee Locking League).

Mr. A. W. Nathan appeared for the Scottish-Australian Mining Company, Limited.

Mr. Jas. A. Brown appeared on his own behalf.

Henry Frederick Chilcott, recalled, and further examined:—

977. *Mr. Nathan.*] In question 717 you were asked "how long ago," and you replied "six or seven years ago";—do you wish to correct that? Yes; since then I have found that it was ten years ago. I spoke from memory.

978. In question 720 you were asked what royalty or compensation did you get from Mr. Trevannick, and you said that it was the usual royalty of 10 per cent.;—do you wish to correct that? Yes; on looking up the lease I find that it was 5 per cent.

979. In answer to question 725 you stated that Trevanick had the right only to work on the top of the hill; that he had not the right to go down and work the mine below;—is that correct? I thought at the time that that was the case, but on referring to the lease I find that he had a lease of the whole property, and had the right to go down the mine.

980. In question 764 Mr. Bruce Smith asked you what was the subscribed capital of your company, and you said it was fully paid up, and that it was £500,000;—is that correct? No, it is £250,000 fully paid up. There were two issues of shares, and that is how I came to make the mistake.

Robert Gibson, sworn, and examined:—

981. *Mr. Bruce Smith.*] Did you give evidence at length before the previous Committee? Yes.

982. Do you know that this Committee has had a large amount of evidence from Mr. Monash, an engineer, about the effect which the building of this dam and three weirs would have upon the down-river property owners? Yes.

983. Have you had an opportunity of reading some of that evidence? Yes.

984. Do you know that Mr. Lindsay gave evidence before this Committee? Yes.

985. Do you know what proportion of the land which these down-river people have flooded from time to time consists of Crown lands? I have the area of Crown lands that are held, but I have not the proportion that is flooded. I have the total area leased from the Crown. In the Central Division of the State—that is, the country south of the Murrumbidgee, and touched by these floods—there are only three runs that own flooded country—that is Poon Boon, Yanga, and Nap Nap. There is another run, Canally, but that is in the Western Division.

986. How far down the river do the three runs extend? Nap Nap starts about 40 miles west of Hay, down the river.

987. How far would the three together extend? From 40 miles west of Hay to the mouth of the Murrumbidgee.

988. Do you suggest that they are the only properties that would be affected by the damming of the river as regards flooding? Yes, the people who own freeholds on the Murrumbidgee or adjacent to the river.

989. Then there is one in the other division? Yes, there is another station in the Western Division.

990. There are four altogether? Yes, three of these are in the Central Division, and one in the West.

991. Then it is not correct as might be inferred that there is a large number of small holders who will be affected by this work? There are very few. There are none on Nap Nap. I do not know any on Yanga, there may be one or two small men, and there may be one or two small men on Poon Boon affected by the Murrumbidgee, but there are very few.

992. Will a dozen holders cover the whole lot? Yes, more than cover them.

993. Do you know the district well? I know the district intimately from Hay to Balranald.

994. How long have you known it? I have been in the Hay district for thirty years as a grazier, and land and stock agent.

995. Do you know almost everybody in that district? Yes.

996. How much of these three holdings are Crown lands? Poon Boon has 28,142 acres of preferential occupation license, that is the late leasehold area, and 28,057 acres of the resumed area.

997. They are all Crown lands? Yes.

998.

998. Take the next station? On Yanga and Tiala, known as Yanga Run, there are 85,062 acres in the preferential occupation license, and 74,206 acres in the resumed areas, making a total of Crown lands on that station of 159,268 acres. On Nap Nap there are 207,776 acres of Crown lands, nearly all of which are held as improvement leases. The land on the resumed areas are generally in travelling stock routes and other reserves.

999. Have you taken out a total for the three runs? The total on the three runs of Crown lands is 423,243 acres.

1000. What, in your opinion, would be the effect of constructing this dam, and putting in these three weirs where they are suggested by Mr. McKinney upon the 423,243 acres of Crown lands? I estimate that fully half of these Crown lands are subject to inundation.

1001. Under present conditions? Yes, and the three weirs will improve the carrying capacity threefold.

1002. How will that be effected? At present floods are got over that country generally in good seasons when there is abundance of grass everywhere, and there are no floods in seasons of drought. With weirs the country could be flooded practically at will in nine years out of ten at least, and in my opinion the carrying capacity would be increased to the extent I have mentioned.

1003. Do you speak as a landowner or a lessee? I hold about 12,000 acres of conditional purchase and conditional lease lands within the flooded area, and 2,000 acres of Crown land.

1004. So that you speak with experience of the flooding, both as to the extent and the intermittency of it? Yes.

1005. *Mr. Scobie.*] Is your land held on Poon Boon, Nap Nap, or where? I am at the head of the flooded country near Maude in the Hay district west of Hay. I have some country opposite Nap Nap on the north side, and some on the south side within 3 miles.

1006. Have you any country west of the Lachlan? No.

1007. *Mr. Bruce Smith.*] Have you had some experience of irrigation? Yes; I am working an irrigation farm myself.

1008. Have you had experience in connection with the Hay Irrigation Trust? Yes. I am president of that Trust, and have been for three or four years.

1009. How long has it been in existence? Ten years. I have been on the Trust since its inception.

1010. Is the water pumped for that Trust? Yes.

1011. What has been the general result of the Trust, and has it been a success? It is simply in the experimental stage; the cost of pumping has been our drawback, so far. The areas which I have given were obtained by me from the local survey office, and were on the 5th July last, according to their book.

1012. Do you know enough of the river, and its rise and fall in floods and droughts, to speak of your own knowledge of the effect of the three proposed weirs? Yes.

1013. What is the nature and extent of the country likely to be affected by this scheme? I have given evidence about the nature of the country. At the present time, there are 115,000 acres under no occupation whatever, and known as abandoned country. That was on the 26th July last. That is in the Hay district; the bulk of it is in the vicinity of the proposed channels. There are 472,000 acres in the Hillston district of abandoned country, and 259,000 acres of abandoned country in the Narrandera district. That is a total of 846,000 acres.

1014. When you use the word "abandoned," do you mean land that has never been taken up, or land that has been taken up and attempted to be utilised, but which has been given up? This land has all been fully improved, worked as station lands, fenced in, watered, and abandoned.

1015. To what do you attribute the abandonment? The bulk of it is scrub country, and the expense of keeping down the rabbits and wild dogs, coupled with drought, has made it unprofitable to hold.

1016. What has been the rainfall there? The average rainfall for that country during the last thirty years has been from 14 to 15 inches.

1017. Apart from that average, what has it been of late years? It was abandoned actually before the last drought started.

1018. What do you anticipate will be the benefit of carrying out this scheme with regard to the value of the land to which you refer? I think that our proposed northern irrigation channel will actually touch part of this land in the Hay and Hillston districts.

1019. About how much of the 846,000 acres would be affected by this scheme at Barren Jack? I think 30,000 to 40,000 acres of that area could be treated by irrigation. That is by gravitation.

1020. That is to be brought actually under irrigation? Yes.

1021. What would be the effect of bringing 30,000 or 40,000 acres actually under irrigation upon the remaining 800,000 acres? That, together with the other land that would be treated, would result, in my opinion, in the whole of this country being taken up as dry country to be worked in conjunction with irrigation farms.

1022. So that working those 30,000 or 40,000 acres would make the remaining 500,000 acres capable of utilisation? Yes, that and the other irrigated lands which would be utilised.

1023. What is the opinion that has been expressed publicly with regard to this scheme in the district where all this land is? In Narrandera, Whitton, Gunbar, and Hay districts they are all in favour of the proposed irrigation scheme; public meetings have been held, and resolutions carried to that effect.

1024. Have any meetings been held in opposition to the carrying out of the scheme? Yes, at Balranald and Oxley, I believe.

1025. What proportion do the approving meetings bear to the disapproving? The bulk of the population is in the first-named districts.

1026. Were the opposition meetings in the district represented by the landowners who have been before the Committee asking for five weirs instead of three? Yes.

1027. Apart from them, is the district generally in favour of the scheme? Yes, as expressed by public meetings.

1028. Do you know that in Victoria there has been a rather notable movement lately with regard to irrigation? Yes.

1029. Have you read Mr. Swinburne's two speeches on two separate occasions introducing the Water Conservation Bill? Yes.

1030. Do you wish to draw the attention of the Committee to one or two statements made by Mr. Swinburne on the subject? Yes.

1031.

Witness—R. Gibson, 23 August, 1905.

1031. Did Mr. Swinburne say anything about the Victorian Trusts and their result? Yes.
1032. At page 414 of the Victorian *Hausard*, 7th September, 1904, did Mr. Swinburne say what amount has been written off in Victoria in connection with water trusts? Yes. He said, "£1,160,645 is on account of the writing off. It will be remembered that in addition to the amount written off from capital there was a sum of £574,242 written off on account of arrears of interest."
1033. Turning to page 421 of the same date, will you tell the Committee what Mr. Swinburne says as to the results of the trusts generally, apart from the finances? He said, "Members will well remember the declaration which was made by Dr. Irvine in his great speech during last Parliament on this question; how he declared that the administration of the trusts had been most unsatisfactory, and that it was absolutely necessary and desirable that some continuity of management should be instituted I think the House thoroughly agreed with Dr. Irvine when he came to that conclusion in fact, I may say that the greatest amount of emulation amongst the various trusts has been to see which of them could get rid of their liability quickest."
1034. What does he say on page 422? That "the present system of the trusts has been one of the most stagnating policy, and it is only by bringing as it were new blood into it that we can get the continuous policy which is necessary to bring our scheme to proper fruition."
1035. *Mr. Reynoldson.*] With reference to the question asked by Mr. Bruce Smith, as to the writing-off of £1,160,645, in connection with the various trusts, can you tell us how much of that was wiped off on account of irrigation trusts? I do not think it is given here in these figures.
1036. *Mr. Bruce Smith.*] Turn again to page 414, and read what is stated there? "Up to date we have an expenditure of £5,634,130 on water supply, in connection with domestic and stock supplies, and for the purpose of irrigation. The debts due to the State, after the writing-down, which took place some years ago, and deducting the amount returned in the shape of redemption, are now £4,518,023. Of this, the sum of £129,351 is in regard to amounts which have been received from redemption, and £1,160,645 is on account of the writing-off to which I have referred. It will be remembered that, in addition to the amount written off from capital, there was a sum of £574,242 written off on account of arrears of interest."
1037. *Mr. Reynoldson.*] It does not state there the amount that was wiped off for irrigation trusts? No.
1038. Are you aware that since the Irrigation Trust Act came into operation in Victoria, there has not been any money wiped off for irrigation trusts? I am not aware of that of my own knowledge.
1039. *Mr. Bruce Smith.*] In Victoria, under the new proposal, how are the head works to be paid for? It is provided in section 64 of the Victorian Act: "No charge in respect of any such work for interest on the capital cost, or for the management thereof, shall be made against any district served by any such work or against the lands and tenements therein, or against the occupiers or owners of such lands and tenements."
1040. So that the whole of the head works are paid for by the Government? Yes; schedule 5 gives a description of the various works, amounting in the total to £1,068,181 19s. 10d. as the amount of capital cost on which no interest is to be charged in respect of head works.
1041. That shows the whole of the head works are paid for by the Government? Yes.
1042. In this scheme do you propose to pay interest on one-third of the cost of the dam if the Government construct it? Yes.
1043. And to pay on one-third of the cost if constructed by yourself? Yes.
1044. That is on a cost of only about £480,000? Yes.
1045. You propose to pay interest on one-third of that? Yes, for the water we wish to get.
1046. You were asked on the last occasion whether this was a mere speculation on your part or whether you had people at your back prepared to finance it;—will you give an answer to that question now? I have been promised and guaranteed London capital through two different sources. This Bill as submitted to the Committee has been sent to London, and approved of with one slight amendment.
1047. What is that? In clause 5.
1048. It gives the promoter six months to begin the dam if the Government stop? Yes.
1049. I understand that the people before whom this was placed in England wish to have that time extended? Yes, from nine months to twelve months.
1050. With the exception of that, have you been, by two separate parties, promised the capital for this work if this Bill passes in its present form, or in an equally satisfactory form? Yes, and I have had cables to that effect.
1051. Have you submitted the names of the people concerned with this matter to members of the present Government? I have to the Minister for Public Works and the Minister for Lands.
1052. *Mr. Rolin.*] You say that public opinion is in favour of this Bill;—can you tell us where these meetings have been held which were in favour of it? Whitton, Gunbar, and Hay. They are the three principal centres.
1053. And are those all centres situated on or about the country that will be served by your proposed canal? Yes. Hay is at the end.
1054. Are the three on the line of the canal? Yes.
1055. So if your canal be constructed, and it works properly, these centres will be benefited? These centres comprise practically the whole district north of the Murrumbidgee from Narrandera to Hay, about 120 miles.
1056. And they will be benefited by the proposed canal? Yes, and where closer settlement has practically proved a failure.
1057. And at the same time you admit that meetings have been held where there was a strong feeling of opposition to this Bill among the people lower down the river? Yes.
1058. All the people who are afraid that they will be adversely affected by your works? Yes, but when these meetings were held there was no provision for any weirs in the Bill. I refer to the adverse meetings. Since then provision has been made for three years, and that alters the situation. I admit that without the weirs they had cause for complaint.
1059. But as far as evidence has been given here you are aware that they are still dissatisfied with the provision for three weirs? Yes.
1060. How many people are there at Gunbar where you had a meeting? I have not been at any meetings except at Hay. My father and brothers have been residing at Gunbar for thirty years. As a business man in Hay, I know that it is only a matter of time when every small man west from Narrandera will be out of the district.

1061. How many people are there at present at Gunbar? Gunbar is a fairly settled district—that is to say, it is the most closely settled part of the Hay district with what we call selectors.
1062. How many of them are there? Fifteen or twenty.
1063. And at Whitton? Whitton is a town. Public meetings have been held at Mount Elliott and Mount Ida, which are centres in the Whitton district, and where the settlers are there might be thirty or forty.
1064. How many people are resident at Whitton? About 300.
1065. How many were at that meeting? There was a meeting at Whitton, but I cannot say how many were there. The numbers of people I have given, together with perhaps about eight holdings, comprise all the holdings north of the Murrumbidgee for a distance of 30 miles from Hay to Narrandera.
1066. Do you know that the meetings in opposition held by the down-river people comprised, I suppose, the whole of the people affected by this scheme or who supposed that they would be adversely affected by it? Yes, I suppose so.
1067. Could all this information which you gave about the lower river holdings be got from the Government maps? Yes, from the Government records and maps.
1068. Is it public information which is available? I asked for the information, and got it.
1069. Could the Committee get it if they applied for it? Yes.
1070. Do the Government records give information about the flooded country? No, that is only my own estimate.
1071. *Mr. Nathan.*] Under this Bill does the term promoter include yourself and your assignees? Yes.
1072. Do you remember that when you were examined before the last Committee Mr. Ferguson put some questions to you about the Good Hope property and Mr. Brown's mining property? Yes.
1073. You then said that you had not taken into consideration the value of those properties in your estimate of what the resumptions would cost? Not the mining leases.
1074. You said that £50,000 or £60,000 would not affect the matter as far as the London people were concerned? Not if we got mining leases of that value. If we had to pay £50,000 for an asset that was valueless it might affect it.
1075. In question No. 317 you were asked, "Have you any objection to tell who is at the back of this Bill? I would rather not tell; I have not asked them about it. I leave myself in the hands of the Committee if they want to know. All I want to say is, that I am not a dummy in this matter; I am the principal. I have not consulted the parties; but if the Committee think it is of importance I am prepared to name them." Have you any objection to name to this Committee who are the people at your back? I prefer not to name them.
1076. I press the question. Who are the people who are behind Mr. Gibson, financially?
1077. *Mr. Bruce Smith.*] I object to the question.
1078. *Chairman.*] Do you decline to answer the question? Yes.
1079. *Mr. Ball.*] I notice that you make a statement with regard to the Crown lands that were on certain holdings amounting to about 846,000 acres, and that by this scheme about 30,000 or 40,000 acres would be directly affected as compared with the whole area;—presuming this scheme were carried out, what would you consider to be a sufficient living area for a family under these altered conditions? I think that an irrigated farm of 500 acres would keep a family. We would look to what we call intense culture—that is, dairying, wheat-growing, and mixed farming.
- 1079½. I understand that nearly all this land has been abandoned? That is all vacant Crown lands at present.
1080. What is considered to be a living area at present? People will not touch them in any areas. It is abandoned country. I held 30,000 acres as an occupation license two years ago, which I could hold on to, but I threw it up. I only took it up during the drought.
1081. *Mr. Reynoldson.*] Is the country about Mount Ida and Mount Elliott small settlement country? Yes.
1082. What is the average size of the holdings of the twenty or thirty people about there? From 3,000 to 4,000 acres.
1083. Are they doing very well? No. Thirty years ago my father and brother started there with 10,000 acres. We never sold an acre that we took up, and we have now between 40,000 and 50,000 acres. We extended by selecting.
1084. *Mr. Scobie.*] Are you the promoter of this project for conserving the water of the Murrumbidgee with a view to future irrigation? Yes.
1085. Are you prepared to state that the general feeling of the whole of the Riverina district is in favour of this project? Yes.
1086. Did you attend the Water Conservation Conference in Sydney, convened by the Secretary of Public Works, at which a large number of delegates were present, and was it the universal opinion of the Conference that irrigation was absolutely necessary for the future development of the State? Yes.
1087. If this irrigation project is not carried out, is the district which you have been speaking of practically doomed? Yes, as far as the small settler is concerned.
1088. Do you know of any abandoned land in this district prior to the inception of the drought eight years ago? Yes; a lot of it was abandoned prior to that.
1089. What proportion of it was abandoned? The bulk of it. I should say three-fourths of it was abandoned before 1895.
1090. With this project will practically the whole of it be fit for settlement? Yes.
1091. You stated that the land on Poon Boon, Yanga, and Nap Nap is held under preferential occupation license;—are you aware that we have in this State compulsory resumption, and that that land can be resumed for settling people upon it? Yes.
1092. Is there a very large proportion of the land on these holdings still belonging to the Crown? Yes.
1093. Could all this land be irrigated? The bulk of it. I stated half of the Crown lands.
1094. All this land could be irrigated by gravitation, and would be available to settle a future population in that district? Yes.
1095. Therefore, your project would lead to very much increased settlement throughout the whole of the Riverina district? That is my contention.

Witness—R. Gibson, 23 August, 1905.

1096. You spoke about a certain run being in the Western Division. As promoter, would you distinguish between State land in one division and State land in another, with regard to the waters of the Murrumbidgee? No; I wish to distinguish in this way: that land held in the Western Division has a forty years term.
1097. Are you aware that any portion can be resumed for public purposes? Yes, under conditions.
1098. Is there a large reserve at Gol Gol? Yes.
1099. Do you believe that the passage of water down the channel of the Murrumbidgee will be more beneficial to the Central Division than to the Western Division? No; but the land is held under different tenures.
1100. Have you always publicly stated that you are prepared to allow any amendment of this Bill that will make it a better Bill? Yes, to safeguard all interests.
1101. How many dams did your original Bill provide for? We only provided for an off-take weir.
1102. Since then has the Bill been so materially altered that it is practically a new Bill? Yes.
1103. Does it provide for a large guarantee for carrying out the work by you? Yes.
1104. Was it owing to the efforts of the previous Committee and to meetings that were held in the Western Division which led you as a promoter to alter the Bill and to provide for three weirs? Yes.
1105. Did you attend a meeting at Balranald? Yes.
1106. How often have you been in Balranald altogether? Only twice in the town of Balranald.
1107. How often have you been on Poon Boon, Nap Nap, and Yanga? I have stated that I have never been west of Balranald.
1108. Naturally you have interests in the Central Division? Yes, I have my all, and that is the case with my father and brothers.
1109. Were your interests in the Western Division;—do you think you would take a livelier interest in seeing that the water was properly stored for your benefit below Balranald, and immediately above Balranald, and would you take a greater interest in providing weirs? I think the weirs proposed will meet all reasonable requirements.
1110. You are not a professional engineer? No.
1111. Have the people down the river large interests which they desire to protect? Yes.
1112. You concede that the land can be resumed in future for settling people upon it? Yes, the more valuable the land is made, the greater is the chance of its being resumed.
1113. Does your experience teach you that the land is nothing, and that water is everything? Yes, water is the making of the land.
1114. Are you the President of the Hay Irrigation Trust? Yes.
1115. How long has that been in existence? Ten years.
1116. How much are you indebted to the Government? We have about £10,000 from the Government, and accrued interest.
1117. That is the result of ten years? I say it has not been a success or a failure; it is in the experimental stage. The cost of pumping water has been the drawback.
1118. You would not accept the Bill at all unless you could get it with three weirs and not five weirs? I am not prepared to take any further financial responsibility. I would like to see five weirs.
1119. As the promoter you would just as well have five weirs as three weirs? I would like to see the views of those men met.
1120. Have you publicly stated that you are prepared to comply in all ways with the public requirements? Yes.
1121. Have you publicly stated that you are willing to accept all amendments that will make your Bill a perfectly good project for the great object of the conservation of water of the Murrumbidgee and distribution all over the land wherever it will go? Yes.
1122. *Chairman.*] Provided that the Government erect the dam at Barren Jack, and that they spend £50,000 in the first eighteen months, would you prefer to see it carried out by the Government or by yourself? I would prefer the Government to make the Barren Jack reservoir, and to allow us to make the channels below Narrandera and the regulating weir at Narrandera, the Government to make the weirs below Hay.
1123. To prevent any delay in the construction of the dam at Barren Jack, are you prepared to construct the dam according to specifications approved by the Works Department, and under their supervision, as provided in the Bill, and to hand over the work or any part of it to the Government at any time if they wish to resume it? Yes, at cost price.
1124. *Mr. Scobie.*] You stated, in reply to Mr. Bruce Smith, that the floods occur when there is plenty of grass and water about? Yes, as a rule.
1125. And that during the drought no floods occur. Yes.
1126. Naturally you do not expect the grass to grow when the water is spread all over the land, but it will grow when the flood-water recedes? Yes.

Hugh Giffen McKinney, recalled, and further examined:—

1127. *Mr. Rolin.*] You say that what we have to look at in considering this question is not the average minimum flow of the river but the absolute minimum which is given at 19 cubic feet per second in one case. Is it not the average which you have to look at in this way: with a flow of 19 cubic feet per second for one day, when the average for that month is 1,000 cubic feet per second, is not the 1,000 cubic feet per second the average for that particular month rather than the flow of 19 cubic feet per second for one day? Not in the case of Hay. As a matter of fact the river very seldom rises or falls very rapidly. As to the 19 cubic feet per second, I had a look at the records. Since then I find that at an interval of about a week it was only 27 cubic feet per second. Supposing that it did reach an average of 1,000 cubic feet for the month, that might mean that there were 2,000 cubic feet for one week. That would mean that, for over three weeks, persons depending upon water for irrigation would go without any. That is what I mean by saying that averages are very misleading and dangerous in a case of that kind.
1128. Is it not correct, as Mr. Monash has suggested, and I think some of the witnesses from the lower river, that up to navigation point for one purpose, and flood point for another, it does not matter how much

much water there is in the river, that the supply for drinking and watering stock up to say 1,000 cubic feet per second, whether it is 1,000 cubic feet or 50 cubic feet per second is of no importance, because they have enough water to water their stock? Yes, that is so.

1129. And that is only over navigation point for purposes of navigation, and over flood point for the purposes of their present irrigation, that the matter becomes important to them? Yes.

1130. If you, under this Bill, are prepared to keep only to a minimum of 500 cubic feet per second in the river, that will be very much less than navigation point? Yes.

1131. And very much less than flood point? Yes.

1132. So that, whereas they get on an average in a month over 1,000 cubic feet per second, and as a result of your Bill they only get 100 cubic feet per second in the same month, would not that make a great difference? Yes, that average is again misleading. The way in which our minimum would work in would be this: The minimum might be falling to 20 or 40 cubic feet per second, but we would keep it up to 500 cubic feet per second, but being beyond the 500 cubic feet per second it would not be affected by the Bill.

1133. Have you not power under the Bill to divert half the water supply in the river? Subject to the Minister's sanction.

1134. Is it not your experience of this sort of thing that the minimum practically becomes the maximum? No.

1135. Not the absolute maximum, because in a heavy flood I suppose you could not possibly divert water so as to leave only 500 cubic feet in the river? Certainly not.

1136. But I mean under ordinary circumstances, when the river is not in heavy flood, would not the tendency be on the part of your people, with the rights under this Bill, to take all the water they could out of the river if their only statutory obligation is to supply 500 cubic feet per second? Yes, but they are limited by their own requirements, and there is not the least danger of their taking much more, because the works have to be designed to carry a certain quantity of water. They would not be designed to carry a huge quantity of water if there was no authority to take that water.

1137. With regard to navigation, I do not understand what your answers to the Committee mean; you gave this evidence:—

"900. What effect would three weirs have? With regard to the three weirs, I may explain that the original proposal was a suggestion of mine, and I think it was generally approved of by the Department. The original proposal was that the weirs to be put in there should be made more or less movable. That would enable whoever was in charge of the management of the weirs to liberate a quantity of water in times when the supply in the river was small. The result of that would be that vessels could go down with a freshet produced by the liberation of water from these weirs, and the length of the period of navigation between the Murray River and Maude could in that way be largely extended, in fact it could be made to extend over the greater part of the year, so that, as regards navigation, I should say that these weirs would be a decided advantage over existing conditions. I refer to the three weirs:

What does that contemplate? Will you admit, as Mr. Monash says, that with three weirs only backing the water up, No. 1 weir will only back the water up to a great many miles below No. 2 weir? That is so.

1138. So that if the river is only running below navigable level, as much water, subject to evaporation, will run out of No. 2 weir and down the upper part of the channel until it comes to the backed-up water. From the head of the backing up caused by No. 1 weir there will be a stretch of river not navigable? Yes.

1139. Then so far as navigability is concerned, Mr. Monash suggests that five weirs, each of which would back the water up to the next one, would offer more facilities for navigation? I admit that.

1140. What do you mean by saying that you could lower the weir and liberate a quantity of water so that a vessel could go down on a freshet? Supposing there was a river steamer lying at Maude and the weirs were holding up 7 or 8 feet of water at that place, by lowering the weir there would be a freshet down the river the depth of which would diminish as it went on until it came on to the water of the next weir. That water would carry the steamer down to the water held up by the next weir.

1141. Is that seriously practicable? Yes; it has been done many a time.

1142. Do you contemplate that the weir for the whole width of the river would be let down? Either the whole or part, not necessarily the whole.

1143. Would it be 50 feet out of 200? Yes; it might be that.

1144. Would not the water then be spread out so as to be too shallow to carry a steamer down? I do not think so.

1145. Is it not likely, unless you let the whole weir fall down, that the water will spread out? The fall in the river is very slight, and the water does not get away very quickly. If there were a rapid fall in the river, it would be different.

1146. What I want to put is that, unless you contemplate opening the whole width of the weir, the moment the water gets out it will spread over the whole width of the river? It would spread out, certainly; but, supposing that something like 4 feet of water would make the river navigable, you would liberate a depth of 8 or 9 feet; there would then be ample allowance for spreading out, and you would still have enough water.

1147. Then do you contemplate, in order to let one steamer pass, that you would have to liberate the whole 8 or 9 feet backed up? Yes; but you misunderstand me. I simply suggested that these weirs might be made available for use in that way in cases where there were steamers in the river. I do not suggest it as a thing to be habitually followed.

1148. Could it be done? I know it has been done in other places. I do not see why it should not be practicable here.

1149. Do you suggest that as a really practicable means of keeping up or improving the navigation of the river? No; I do not suggest it with that view at all. What I stated was that I disagreed with the opinion that navigation would be in a worse position with three weirs than it is at present. I maintain that it would be better.

1150. For this reason? No; only partly for that reason.

THURSDAY,

THURSDAY, 24 AUGUST, 1905.

Present:—

MR. BENNETT,
MR. BALL,
MR. REYNOLDSON,

MR. EDEN GEORGE,
MR. SCOBIE.

G. S. BRINER, ESQ., IN THE CHAIR.

Mr. Bruce Smith, with him Mr. W. K. S. Mackenzie, instructed by Messrs. Bowman and Mackenzie, appeared for the promoter of the Bill.

Mr. A. W. I. Macansh, of Messrs. Fisher and Macansh, appeared for Messrs. Vandeleur, Macpherson, and Lindsay (on behalf of the Lower Murrumbidgee Locking League).

Mr. A. W. Nathan, of Westgarth, Nathan, & Co., appeared for the Scottish-Australian Mining Co., Limited.

Mr. Jas. A. Brown appeared on his own behalf.

H. G. McKinney, recalled, and further examined:—

1151. *Mr. Macansh.*] Look at Question No. 885, where you are asked:—"Would that materially affect the conclusion which he draws from it? It would affect the conclusion with regard to the risks that the people on the lower river run from the quantity of water that would be stored. As a matter of fact, in 1890 the reservoir would have been overflowing for nearly five months." What sort of a year was 1889? I cannot say, speaking from memory. If I had a diagram to refer to I could say.

1152. What would have been the state of the river if the dam had been built in the beginning of 1889, and the water had been in it in the early part of 1890? 1889 was a year of very fair floods, and the reservoir would have been full before the end of 1889.

1153. *Mr. Bruce Smith.*] Would that be with a dam 130 feet high, or 200 feet high? I was reckoning on 21,000 million cubic feet. That is based on a dam 180 feet high.

1154. You are taking it on the assumption that the reservoir would not first have to fill itself with the 1890 rains? Quite so.

1155. It would have been filled at the commencement of 1890? Yes, that is what I am assuming in the answer to Question 885.

Leslie Augustus Burton Wade, sworn, and examined:—

1156. *Mr. Bruce Smith.*] Were you examined in 1903 at considerable length on this matter? Yes.

1157. What position do you occupy now? My position is classified as Principal Engineer for Rivers, Water Supply and Drainage. When I gave evidence before I was Principal Engineer for Water Supply and Sewerage.

1158. Since you gave your evidence in 1903 have you paid a visit to the United States? Yes.

1159. Have you had a very good opportunity for seeing and hearing what has been done in the States with regard to irrigation? Yes.

1160. Has it enabled you to enlarge your views and knowledge by practical illustration? Yes.

1161. Speaking generally, have you changed the opinions which you expressed in 1903? No.

1162. You remember you were asked what in your opinion would be the effect of these three weirs which Mr. Gibson, at the suggestion of your department, agreed to include in his Bill? The question of the three weirs arose after I left. Mr. Davis dealt with those.

1163. Do you know a good deal about the character and extent of the floods which occur in the Murrumbidgee, and their effect upon the lands that adjoin the river? Yes.

1164. Do you remember that the landowners down stream took part in the Committee's proceedings two years ago, contending that they would be injuriously affected by the construction of this dam and the impounding of the water? Yes.

1165. They gave evidence similar to that which they have given before this Committee as to the injurious effect which this dam would have upon the flooding which they have enjoyed? Yes.

1166. Are you able to say, quite apart from the legal position of this flooding, whether these three weirs will put these lands in as good a position with the dam as they are without the dam? I have myself very grave doubts about the efficacy of weirs to ensure flooding at all below Maude. Any weir placed above Maude will divert the water out of the river, particularly on the south side, and flood a very large area of country, but any weirs placed below Maude, between Maude and Balranald, unless you add a larger expenditure in the way of levees, will be most dangerous to put in, and any weirs below Balranald will have very little effect in causing flooding.

1167. Where do you understand the three weirs are to be located? My recollection of the three weirs in the Bill is that there should be one above Maude, one below the junction of the Lachlan, and, I think, the third below Balranald.

1168. Do I understand that you consider the first weir above Maude will be useful? Yes, it will be very useful in causing flooding on the south side of the river.

1169. What about the one below Maude? Of course you can turn water out from the river by gravitation with the aid of the weir, but you must supplement that weir with a large expenditure on levees and channels.

1170. What do you mean by levees? Banks along the river to prevent the water turned out by the weir from coming back again into the partially empty river. There is a very great danger of tremendous scours taking place, and channels being cut back into the river bed, and possibly diverting the river channel.

1171. Do you consider the second weir necessary? I do not consider that any flooding, at all comparable with the present flooding, can be obtained without a much larger expenditure than will be entailed by the weir itself. In addition to the weir you must have levees and possibly channels.

1172.

1172. Is it necessary to have the second and third weirs at all? I think it would be a wasteful expenditure to put in the weirs by themselves. You might put in these works and you would not get anything like the benefit anticipated.

1173. Supposing only one weir were put in, how do you think the lands now affected by floods would be influenced? There is no doubt that the erection of storage works would considerably reduce the flood heights on the lower river and reduce the periods over which the floods extend.

1174. That is taking the existing state of things as if they had a right to it? Yes.

1175. We will go to the third weir above Balranald, would that involve any expenditure beyond the weir? I might put it this way: My experience of that country which I have seen recently is that you can divide it into three zones; that is the zone covered by the water that works out above Maude. It is polygonum country on the south side, and the water turned out above Maude never gets back to the river again. It flows away to the southwards; it covers a very large area of polygonum swamps, and none of it returns to the river. In the zone between Maude and Balranald the flooded country will average possibly about 2 miles in width on either side of the river. The water gets out on to that country by a number of gutters and channels that have been eroded through the high bank of the river. The river bank is really the highest part of the country that is affected by the floods. This water after flowing parallel with the river finds its way back again into the river through the same channels. When the river is in flood you have got the flooded gradient practically, you may say, lapping the top of the bank the whole way down, and the gradient of the flood water outside the river channel is practically the same level as the flood water in the river channel. Therefore, no erosion takes place at the points where the water flows out and flows back again. But if you turn the water out over this flooded country, by means of a high weir, it will come back again into the practically empty, or half-empty, river channel, and the water may have to fall 10 or 15 feet from the flooded country, on the side of the river bank, into the river channel. Unless these floods are controlled by levees along the river bank, you will have a tremendous erosion, and cutting away of the banks, and possibly the formation of new channels, by the construction of weirs between Maude and Balranald.

1176. There is only one weir proposed to be put there; you refer to that as the effect which that one will have? Yes. Below Balranald, the average width of the floods on each side of the river is less than a mile, and the flooded area there consists of back water. That is to say, as the flood rises, it backs out through lagoons and old abandoned river channels, and spreads out over varying areas of country. As the floods recede, the waters are drawn back again from these areas into the river channel; therefore, any weir below Balranald would have a purely local influence. It would back the water out for a few miles above it, and if it is a movable weir, and the crest of the weir were lowered, the water would be drawn off from the flooded country. In my opinion, any weirs below Balranald would have a purely local influence, extending only a few miles from them.

1177. In your opinion how many weirs would it be necessary to have, and what work would it be necessary to carry out to preserve for the present holders of land down stream advantages equal to those which they now possess? To get equal advantages and an equal amount of flooding that you get at the present time you would require to have more than one weir between Maude and Balranald. You would also require extensive protection works in the way of levees.

1178. More than one weir below Maude? Yes; between Maude and Balranald and extensive protection works in the way of levees, and possibly some channel work too, for the spreading of the flood waters.

1179. When you speak of preserving equal advantages are you thinking of identical advantages? I mean to flood identically the same area of country.

1180. Would there be more frequent floodings, but of a less extensive character? Yes.

1181. Mr. McKinney, in Questions 904 and 905, was asked, "In your opinion, would the three weirs as proposed by you with these shutters maintain the present possibilities of navigation? Yes; I think it would improve the river as to navigation. With regard to the utilisation of the water by the landowners, what would be the effect of the three weirs as compared with the present state of things? The difference would be that whereas the people now get a good flooding only when the river is very high, with the aid of these weirs they would get a good flooding every time that there was a fairly high freshet. Now the flooding comes on at uncertain intervals. With the weirs they would have the flooding every spring, because the river always rises about July or August, and continues for several months." In your opinion would the three weirs have the effect that Mr. McKinney there claims for them? It is a question that requires a good deal of consideration. First of all, as I have said, the middle one of these three weirs would involve a very large amount of additional work in the way of levees and possibly channels.

1182. Supposing the three weirs and levees were constructed, would they have the effect that Mr. McKinney claims for them? By that means you turn out more frequent floods than they have under existing conditions.

1183. If the three weirs had the levees in addition, would the landowners have more frequent floods? Yes, that is above Balranald; but in my opinion the weirs below Balranald would have very little effect.

1184. At present I am only suggesting for your consideration three weirs? Yes, but one of these is below Balranald.

1185. Do you say that that would not be of much service? I think it would only have a local effect in any case. Any weirs below Balranald will have a very local effect.

1186. If two weirs were constructed above Balranald, and the levees which you suggest in addition, would that have the effect of giving the landowners more frequent flooding? Yes.

1187. What do you estimate will be the cost of these levees? I do not know, I have not gone into the question. It would be rather a large question. I cannot give you an idea of it.

1188. They would really be a part of the weir? They would be required for the protection of the river channel, and also to retain the water you have turned out on to the flooded country. You might turn out flood water and it might get back to the river half a mile from where you turned it out unless you protect those channels and banks with levees.

1189. Is it your opinion that everything below Balranald is surplusage? My opinion is that the country below Balranald is of such a nature that to ensure flooding there you would want a weir every few miles. Above Balranald you could get artificial flooding by means of weirs and levees by a large expenditure of money.

Witness—L. A. B. Wade, 24 August, 1905.

1190. To summarise your evidence, in your opinion the landowners on the river below this dam would have equal advantages from two weirs and these levees that they have now? Yes, above Balranald. My own opinion about the flooding of the lower country is that if the people want to make use of the water they should be given a properly constructed channel, and they should be made to use the water for intense cultivation. If the people below Hay wish to use the waters of the Murrumbidgee they should have properly constructed irrigation channels; for which, of course, they would pay interest, and use the water in a proper scientific manner.

1191. I suppose they could get that at any time by paying for it? Yes. I also believe it would pay them better in the long run, to use the water for intense cultivation, than by using the floods as at present.

1192. I suppose it is a truism that in order to get these floods, there is an enormous waste of the river water? Of course you must fill the river channel under natural conditions, before you get the overflow above the banks which means an enormous waste.

1193. With regard to the part of the river below Balranald, is it not a fact that the river Murray backs up the Murrumbidgee for a number of miles, and that this affects Manie Creek? I am not certain if the Murray floods do affect the Manie Creek but I think they do. I have not the information with me, but the Murray floods have a very considerable influence on the flood levels of the Murrumbidgee at the lower end.

1194. A question has been asked Mr. McKinney, as to the practicability of the system of navigation by liberating the water conserved by the three weirs. Do you consider that "Harcourt on, Rivers and Canals," is a good authority? Yes he is one of the best authorities.

1195. Do you approve of this passage from Harcourt as a practical suggestion under the head of "Staunches" at page 36:—

Later on the idea was conceived of producing artificial floods by damming up the whole discharge of the river for a certain period, till a considerable quantity of water had accumulated behind the dam, and then letting it suddenly escape. This was accomplished by means of staunches, which consisted of spars, planks, or paddles, supported by the pressure of water against a sill below, and a movable beam.

Do you know that system? Yes.

1196. Is that a practical system? Yes.

1197. Is it possible to apply that to these weirs, so as to get the advantages which Mr. McKinney has claimed for them? You can assist navigation by letting down flushes of water, particularly at a time when the river has fallen to just below navigation level, and when a very small quantity of water will make all the difference.

1198. Do you consider that Mr. McKinney's suggestion is a practical one for that purpose? Yes; as a matter of fact, we have used the Bourke weir for the same purpose. We have brought boats up to Bourke on the top of a flush, which would have been stranded below Bourke, by letting the water go from the Bourke weir. That was done on one or two occasions.

1199. Is that the very system which Mr. McKinney proposes to apply to these weirs? Yes.

1200. How long ago was that applied at Bourke? Shortly after the weir was constructed. I recollect two occasions, when a boat had come up stream, and had practically got stranded below the weir. We let a flush of water down, and carried her through to Bourke.

1201. Under what engineer was that weir constructed? Under Mr. McKinney.

1202. So that you have really had at Bourke practical proof of the utility of this system, which he now suggests should be applied to these weirs on the Murrumbidgee? Yes; we have demonstrated that it can be done.

1203. I come back to the other question. In your opinion, two weirs, with the levees which you have mentioned, would preserve for the landowners a water supply equally advantageous, though not identical with those which they now have? Yes.

1204. Do you consider that the construction of five weirs would have been any greater advantage to the people whom you have considered in this proposition, than two weirs with the levees which you have mentioned? Of course; five weirs would give them navigation in addition to the floodings.

1205. Putting navigation for the time being out of the question, and speaking now merely of irrigation—would it be necessary to have five weirs to preserve equally advantageous conditions? Of course the five weirs would give them greater advantages, but I consider that two weirs would give them equal conditions, on an average, to what they have now.

1206. Now, coming to navigation, would these two weirs which you suggest, or three weirs, give equal facilities for navigation that are now enjoyed? I do not think so.

1207. Why? They are so far apart that their influence on navigation would be very small indeed.

1208. You know how low the river has fallen in some years? Yes.

1209. You know that it fell to 19 cubic feet per second as a minimum on one occasion? Yes.

1210. You know how long that minimum lasted? Yes.

1211. Would a guarantee of a minimum of 500 cubic feet per second at all times, added to those three weirs which are proposed, produce navigating conditions equal to those at the present time? That is a question that wants to be gone into very carefully before I could give an answer; but, on the face of it, I do not think it would.

1212. Do you know where the three weirs are proposed? Yes.

1213. Knowing the three weirs, and assuming that a guarantee is carried out that they shall have 500 cubic feet per second always, together with three weirs, would not that give navigating conditions equal to those at present? I do not think so.

1214. I do not say at all times, but would not the navigating conditions be as good as they are at present? I do not think so. It is a matter that I would have to investigate before I could give a definite opinion.

1215. Do you say it would not? No. As a matter of fact the most important time on the Murrumbidgee, for navigation, is during the wool season, that is in September; and under any conditions, irrigation or no irrigation, there will always be a sufficient spring freshet in September, to carry the wool away.

1216. Is that under normal conditions, with no weirs and no dams? If you have no weirs at all I think that, even with the irrigation that is proposed, you will always have a sufficient spring freshet in September to carry the wool away. Then if these three weirs are placed there, and 500 cubic feet per second

is

is guaranteed all the year round, do you think navigation will suffer no inconvenience? There is no doubt the navigation periods would be reduced.

1217. Would they be reduced in wool time? They would be even in wool time, but still they would be of sufficient length to carry the wool.

1218. I suppose there is no question about this, from an engineering standpoint, that it would be better if it were not for the expense to lock the whole river? Yes.

1219. That is the ideal? Yes.

1220. Seeing the proportion of water which the scheme of the promoter would take from the river, do you consider that his proposal in the Bill to construct these three dams is a fair proportion towards that ideal in return for what he is proposing to be allowed to do? I may answer you this way: that if the Government carry out the scheme instead of Mr. Gibson, I should recommend them not to construct any weirs at all.

1221. You mean just to construct the dam and take the water through the channels and leave the down-river people as they are at present? I should advise the Government to give them the opportunity of taking advantage of a properly constructed irrigation system if they wish in substitution for their flooding.

1222. *Mr. Reynoldson.*] And you would regulate the navigation of the river from Barren Jack by these freshets if they were required? The navigation question would have to be considered apart altogether. But as far as affording a supply to the flooded country is concerned, I should advise the Government to offer them a properly-constructed system of irrigation channels, and to use the water economically and to the best advantage.

1223. *Mr. Bruce Smith.*] And you would deprive them of these floods which they now claim to enjoy? Yes, but I would substitute a proper system.

1224. For which you would require them to pay? Yes, and they might not possibly require the same payment as we would on the upper irrigation canals. Possibly the Government might be satisfied with bare interest and maintenance, whereas with their canals I have no doubt if a profit can be made on the sale of the water the Government would take it.

1225. It is proposed that the Government should construct the whole of the work which Mr. Gibson proposes to do under this Bill? I have Mr. Lee's authority to say that he proposes to carry out the whole scheme.

1226. Of course it would be submitted to the Public Works Committee first? Yes, subject to their recommendation.

1227. If that is done, and you remain in your present position, do you say that you will propose to erect no weirs? That is my attitude.

1228. How will that effect the navigation if you dam the water at Barren Jack and have no weirs? It will reduce the period of navigation.

1229. And it will give the landowners a scientific system of navigation for which they will have to pay in substitution for the present floods? That is what I should recommend the Minister.

1230. Would not that proposal be based upon the assumption that the landowners down the river have really no water rights? The Department consider that they have no riparian rights to the flood water. In Mr. Gibson's Bill it was proposed, I think, that the Government should construct these weirs.

1231. Yes, but that the promoter should pay the same proportion of the cost that he does of the cost of the dam, that is one-third with regard to two of the weirs. Mr. Davies said that the Government had been under an obligation for years to construct the third dam, and that they would bear the whole of the cost of the weir? Yes; there was an implied promise about one dam.

1232. You know that that proportion of one-third to be paid by the promoter is upon the supposition that when the other side of the river is irrigated another one-third would fall on that side, and the remaining one-third would be considered to fall on the down-river interests? Yes; there is another aspect about that.

1233. That is the idea put by Mr. Davis—that he considered there were three interests, the north, the south, and the down river? Yes; there are undoubtedly those three interests.

1234. And Mr. Gibson, if allowed to be the promoter of the one side, should pay one-third, the other side to pay one-third, and the remaining third to fall upon the Government, as affecting the interests down the river? Yes.

1235. Do you say that there is another view? Yes, respecting that one-third. I have the authority of Mr. Lee to speak about that matter. The original Bill provided for Mr. Gibson paying one-third of the cost of Barren Jack, and one-third of the cost of two of the down-stream weirs. The basis upon which the scheme is being taken out now in the Department, under the instructions of the Minister, is that the riparian rights in the river are to be conserved equally, at the cost of either side of the river, and, in looking at the financial aspect of the Northern Murrumbidgee irrigation scheme, the instructions given by Mr. Lee are that half the cost of Barren Jack is to be charged against the irrigation scheme.

1236. Half against the northern, and half against the southern, for one-third of the water? Yes; for the quantity of the water that is diverted—that is, that the riparian rights of the river people are to be conserved at an equal cost to the two schemes.

1237. The idea being that, although the water would be divided into three parts, the two sides would pay for the whole? That the irrigation must pay for it.

1238. What about the irrigation down below, supposing it takes place according to your scheme—supposing that the landowners below Balranald were to be accommodated, as you suggest, by a scheme of irrigation, would it be a fair or equitable thing to throw upon the promoter of this scheme the whole cost of pumping water to the people below Narrandera? No, not of pumping the water.

1239. I am speaking of the dam expenditure? The dam expenditure only covers the supply to the riparian holders in the river, and not a supply to irrigate outside that.

1240. But you say part of your scheme would be to irrigate the land below Narrandera? Yes.

1241. That would be by water coming out of the Murrumbidgee? Yes.

1242. It would be by water conserved by the Barren Jack Dam? Yes.

1243. Therefore the landowners below Narrandera, and the Government, who would carry out the works and charge the landowners, would benefit for that purpose by the Barren Jack Dam? No. You would have to increase your storage over and above what is proposed for the two upper canals.

1244. How would you have to do that? You would have to supply additional storage.

1245. Where? On the river. There are other sites on the river.

1246.

Witness—L. A. B. Wade, 24 August, 1905.

1246. Do you mean by damming? Yes.
1247. Lower down the river? Higher up the river.
1248. Below Barren Jack or above it? Above it. Mr. Gibson's scheme does not deal at all with irrigation, say, below Hay.
1249. But the dam is capable of conserving water to enable the Government to irrigate below Narrandera? Yes; but the height of the dam under Mr. Gibson's Bill is only sufficient to conserve water to irrigate above Hay or below Narrandera.
1250. I understood you to say that it would only take one-third of the water so dammed up to supply Mr. Gibson's scheme? That was in the lowest years.
1251. Using one-third for the other side and one-third for down the river? Yes, practically.
1252. I want the Committee to understand that you propose that only one-third of the water may be taken, but that one-half of the cost of the Barren Jack dam should be charged for? That is the basis.
1253. And the other half would have to be paid by the people who irrigate the other side? Yes, when the time comes.
1254. Leaving the whole of the Barren Jack dam to be paid for by those two schemes and that one-third of the water so conserved is to keep the river up below Narrandera without any contribution? Yes.
1255. Is that your own opinion, or is it Mr. Lee's? That is what Mr. Lee considers the only sound financial basis on which the scheme which we are now preparing should be placed before Parliament.
1256. Which scheme do you refer to? The scheme for the north side of the Murrumbidgee, which is practically the same scheme as Mr. Gibson's.
1257. If the Government carried that out, who would pay for the Barren Jack dam? The Government.
1258. They will pay the lot? No.
1259. They will pay it in the first place? The cost of the Barren Jack dam is to be equally divided between the north and the south.
1260. Is it proposed to have trusts? That is a matter not yet settled.
1261. At all events, separate interests for these three schemes,—the north, the south, and down stream? There are three interests.
1262. *Mr. Reynoldson.*] But it is to be chargeable to the north and the south? Yes; the Minister considers that the only sound financial basis on which to place the scheme before Parliament is that the irrigation scheme on the north and south sides, whether carried out by private enterprise or by the Government, should pay the whole cost of conserving riparian rights in the river.
1263. *Mr. Bruce Smith.*] And that none of the cost of the Barren Jack dam should fall on any irrigation scheme below Narrandera? I do not say that.
1264. If you have the whole absorbed by the two sides you cannot put anything further on the people below Narrandera? Under the present proposal there would not be sufficient water in Barren Jack.
1265. Under the present Bill the whole expenditure on Barren Jack would fall upon the two sides, and none of the expenditure upon the down-river schemes? Which down-river scheme do you refer to? It is the irrigation that I am referring to just now.
1266. I refer to irrigation? No; because Barren Jack would not be used for it.
1267. It would be used, but there would be something additional? No; it would not be used for it at all, at the height now proposed.
1268. If you had other storage of water below Barren Jack, the Barren Jack accumulation would have to be used to fill this storage? No.
1269. Then where would you get the water from? We would store the surplus water.
1270. That flows from Barren Jack? Yes, or what would flow past Barren Jack.
1271. But where the surplus water of itself would not be sufficient, there would be occasions when you would resort to Barren Jack? No; Barren Jack would be kept for the north and south schemes, and for below Narrandera.
1272. But if Barren Jack were not used, would you not, in some cases, fail to fill your storage below Barren Jack? No.
1273. You have told us Mr. Lee's opinion; I ask you as an engineer, and apart from the policy of the Government, do you think that it is a fair proportion to throw upon the north and the south, supposing that the two schemes were carried out—half of the Barren Jack expenditure? I do not see how I can answer that as an engineer. It is purely a matter of policy.
1274. Did you not, before the previous Committee, give your opinion that one-third was a fair proportion? I take it that that was a matter of policy then.
1275. Whose policy? Of the then Minister, Mr. O'Sullivan.
1276. Mr. O'Sullivan's policy, or rather his opinion as Minister, was that one-third of the cost was a fair proportion to put upon the northern scheme, one-third upon the southern, and one-third to fall upon the down-river interests? There was no objection taken at that time to that proportion.
1277. Was not that proportion actually propounded by Mr. Davis, the Under Secretary? I do not think so in the first instance. I think it was in the Bill it was propounded.
1278. Did not Mr. Davis say that he considered, and that the Department considered, there were three interests to be conserved, the north and south sides and the down river people, and did he not say that he agreed with what the Bill contained? Yes, that is quite correct.
1279. That he thought it was a fair distribution of the cost of Barren Jack? Yes.
1280. Do you know that he says it now? No.
1281. Do I understand you to say that you have no opinion of your own, being here as an official with regard to a fair distribution? I do not wish to express any opinion upon it.
1282. As an engineer, I ask you without wishing to induce you to say anything that would run counter to the policy of the Minister, do you not consider that the advantages of the construction of Barren Jack are equitably divided in treating one-third as benefiting the one side, one-third benefiting the other, and one-third benefiting those down the river, bearing in mind this fact that in addition to irrigating both sides, the Barren Jack dam would have the effect of securing the minimum of 500 cubic feet per second, where formerly it sometimes went down to 27 cubic feet per second? I do not know that you could divide it into one-third, because the supply of water is divided into one-third in minimum years; but in all normal years the supply to the canals is 50 per cent. greater than the minimum you propose to afford down

down the river. Then again, that minimum I consider should be regarded as a considerable set-off as against the loss of flooding to the lower people.

1283. You say that during a full river the northern side would have more than one-third? Yes.

1284. Is it a fact that when the river is very full the scheme of the promoter would only take a small proportion of the river? Yes.

1285. Much less than one-third or one-fifth, and it might be only one-tenth? No, I was speaking of the quantity of water afforded by Barren Jack. Mr. Gibson's scheme is for 750 cubic feet per second. That is the capacity of his channel. We propose the same capacity of channel on the south side. When the water is available, in all normal years, these channels would be working to their full capacity, while the river would have a minimum of 500 cubic feet; but in an abnormal year these two channels would be reduced to about the same as the river minimum. Then the proportion would be one-third of the water supplied from the reservoir.

1286. But is there not a provision in the Bill that the canal supply can be reduced in order to keep up the minimum of 500 cubic feet down the river? Yes; we may estimate then that the minimum supplied to the canal would be 450 cubic feet.

1287. So that really more would be going down the river than the canal would be getting? Yes, in an abnormal year like 1902.

1288. In an abnormal year more would go down the river than to the two sides? Yes.

1289. Yet the policy is to throw the whole cost on to the two sides? No; the view taken by the Minister is that if the scheme of irrigation on either side is not sufficiently sound financially to carry the cost of supplying the riparian rights down the river the scheme should not be constructed, and I think, on investigation, it will probably be found (the estimates are not yet complete) that the scheme can carry half the cost of the dam and still be a financial success.

1290. Have you any more accurate calculations as to what the cost of the dam will be? I shall have the absolute estimate at the end of the week.

1291. Can you give a rough idea? No.

1292. What did you estimate it before—£470,000, was it? I cannot say from memory.

1293. Mr. Davis was asked this question by Mr. McGarry:—

443. "Then the cost of building the main dam and reservoirs will be charged to the northern and southern sides of the river? That is a matter which is now being gone into, with the view of the question being placed before the Public Works Committee. But it seems to me—this is floating through my own mind for what it is worth—that if the Barren Jack reservoir is to serve three purposes, it would only be a fair thing that the cost of that should be charged to the three services; in other words, should be charged in proportion to the use made of it on the north side and on the south side, and also for the down river purposes."

What do you say to that? You would infer from that, that he proposes to charge the down-river people.

1293½. No; that the Government would pay the one-third in the meantime, with a right to shunt it, so to speak, on to the down-river interests, when they get some advantages;—what I wish to draw your attention to is this: that the Under Secretary of your Department, the policy of the Government notwithstanding, has there committed himself to an expression of opinion as to what is a fair distribution; you do not feel disposed to do the same thing? No; not at present.

1294. *Mr. Nathan.*] Is your estimate of £475,000, the cost of the dam and the works, exclusive of any damage caused to property-owners above the Barren Jack dam? That is exclusive of resumptions.

1295. Or anticipated claims? Yes.

1296. If this dam be constructed by the Government, and half the expense be charged to the northern scheme, and half to the southern, do you not consider that, in the interests of the public, it is better that this scheme should be carried out by the Government? I have always stated that I considered the scheme had better be carried out by the Government, and I still hold the same opinion.

1297. *Mr. Bruce Smith.*] I wish to direct the witness's attention to one other answer by Mr. Davis before the last Committee—No. 2801. He is asked:—"You suggested that the cost of constructing this dam should be divided into three parts—one-third falling upon the south side interest, one-third upon the north side interest, and one-third upon the down-river interest; if the Government carry out this work, I think you approve of the suggestion that the promoter should pay interest upon one-third of the total cost, quite irrespective of silting;—now, I put this to you: suppose the Government do not carry it out, but leave it entirely to be done by the promoter under the Bill, would it not be correspondingly fair that, assuming it to be carried out to the satisfaction of the Government, and according to their plans, the Government should then be indebted to the promoter to the amount of two-thirds of the total expenditure? Yes." That is not the view which the Minister takes at present? No. I may say that a short time ago, when this question of the Northern Murrumbidgee canal came to a certain point, and certain questions of policy were put before the Minister, for him to decide before the estimate and financial aspect of the scheme could be looked into, this point was placed before the Minister as to what proportion of the cost of Barren Jack, should be charged against either scheme, and he decided, that half should be charged against each scheme, and that is the basis on which the scheme is being worked out.

1298. And the whole of your evidence to-day is based on the opinion of the Minister as a matter of policy? Yes.

1299. And it is not your own personal opinion? No.

1300. *Chairman.*] Did you go to the United States of America to inspect irrigation works there? Yes.

1301. Did you visit the Lower Murrumbidgee recently to see the effects of irrigation there? Yes, I visited the Lower Murrumbidgee. I took the opportunity of following the flood through.

1302. And to get information to place before the Public Works Committee? Yes.

1303. As a result of your visit to the United States, and also to the Lower Murrumbidgee, have you been led to come to conclusions which would be to any extent at variance with the evidence which you gave before the previous Committee? No.

1304. How many weirs would you recommend to be placed on the Lower Murrumbidgee? I have already stated that I consider two weirs above Balranald will give advantages on an average equal to the present advantages obtained from the flood; but to the cost of these two weirs you must add a very large amount for levees and perhaps channels for the distribution of the water and to retain it on the flooded country.

Witness—L. A. B. Wade, 24 August, 1905.

1305. Are you still of opinion that the amended Bill contains sufficient safeguards to warrant the carrying out of this scheme either by a private firm or by the Government? I think the Bill as amended meets all the requirements of the Department with the exception of what I have pointed out as to the distribution of costs.

1306. *Mr. Ball.*] You have stated that you are not in favour of any weirs;—do I understand that the irrigation system to be submitted by the Department does not propose any weirs? The scheme which we intend to place before the Public Works Committee, as far as I know at present the policy of the Minister and what my recommendation to the Minister will be, will not include any weirs; but, how that scheme may emerge from the Public Works Committee I cannot say. They may decide in their wisdom to recommend the construction of weirs.

1307. Assuming that Mr. Gibson's scheme is carried out, could that be considered afterwards to be part of a proper system of irrigation if taken over by the Government? Mr. Gibson's scheme is practically the same as the departmental scheme, with the exception that we propose to take off higher up the river and command land nearer to Narrandera and further north from the river than Mr. Gibson's scheme does.

1308. Then the Government scheme must necessarily mean a lot more channelling than is proposed under Mr. Gibson's scheme? Not more channelling for the amount of land commanded, because we take off higher up the river and get on to the surface of the ground a considerable distance east of where Mr. Gibson's scheme will be. One of the principal objects in the Department carrying out this scheme in the mind of the Minister is in connection with closer settlement, and by taking off higher up the river than Mr. Gibson proposes we command more land of a suitable nature for closer settlement and nearer to the existing Hay railway than Mr. Gibson's scheme will be.

1309. But that must necessarily mean that instead of carrying the water in the bed of the river you will be carrying it over the surface, and that will involve more channelling? No; Mr. Gibson's take-off is below Narrandera on the river bed, and his canal has a certain fall to the mile and comes to the surface in, say, 20 miles. We take off under the same conditions 20 miles higher up, and we come to the surface, say, 20 miles higher up than Mr. Gibson. I merely give these figures as an illustration.

1310. Then the Government scheme must necessarily be more expensive than Mr. Gibson's? No; there will be practically little difference in the cost.

1311. *Chairman.*] In your evidence before the previous Committee did you say anything about weirs? No; I left Sydney before the question came up, and Mr. Davis dealt with it.

1312. The provision for three weirs was included in the amended Bill at the request of the lower river people and their representatives? Yes, and at the cost of the Government practically.

1313. Will the proposal to increase the number of weirs from three to five give any greater advantages? Five weirs will give much greater advantages as regards navigation and will ensure navigation almost continuously up to the head of the fifth weir. The multiplication of weirs below Balranald will no doubt give better results down there, but in that locality the effect of the weirs will be purely local.

1314. Will the number of weirs also increase the necessity for levees? I think you would require the same length of levees to protect the river channel, but you would not require so much channelling to distribute the water turned out—that is, with five weirs.

1315. *Mr. Scobie.*] Is the idea of building a dam at Barren Jack a new matter to you? No.

1316. Has it been considered by your Department for many years? Yes, a good many years.

1317. Had you complete plans in 1901 showing how the dam was to be built? The surveys were almost complete then. They have been added to.

1318. If I say that Mr. Davis showed me these plans in 1901 would I be correct? Yes.

1319. You have been asked about the policy of the Department;—was the evidence before the previous Committee given when a different Minister was controlling the affairs of the country? Yes.

1320. And you as a State official have to a large extent to be guided by the policy of the Cabinet? Yes, so far as financial matters are concerned.

1321. Have the Government brought in any legislation providing for the conservation of water? Yes; the Water and Drainage Act.

1322. Under that Act can national works be created, and also local works? Yes.

1323. I presume, when you state that the Government contemplate building the Barren Jack dam, they also contemplate allowing trusts to carry out such works as they may think desirable for local interests? That is another matter of policy. After twenty years' experience in Victoria they have abolished all the irrigation trusts. If we take advantage of their experience we will have no trusts, but the whole of the works will be administered by the Government and carried out by the Government. But that again is a matter of policy.

1324. That is entirely in accord with your written report on your return from America, where the Federal Government were going to take over the trusts? No; the time has arrived in the United States when all the available water for small works that can be carried out by private enterprise has been taken up, and the Government are putting in hand large national schemes.

1325. Owing to the continual conflict on the ground and in the law courts? Yes, and as a matter of fact nearly all the available water for small schemes has been absorbed, and the only extension possible is by large storage.

1326. You say that Mr. Lee proposes that the cost of the dam shall be distributed between the north and south schemes, in equal proportion? Yes.

1327. The idea being that one-third of the water is to be allowed to go down the river and give the people there the benefit of navigation? No; the proportion down the river is to meet the riparian rights of the holders.

1328. At the same time, the people who benefit by the water going down the river are the people who live on the river? Yes; and for stock, and for domestic purposes.

1329. It is the settlers on the soil there who bear the cost? Rates will have to be paid for irrigation.

1330. If there were no people there, there would be no one to bear the cost? Yes.

1331. The people who irrigate the land are the people who want to send their produce away on the river, and get their supplies up the river? Yes.

1332. With regard to letting the water down to keep up navigation, are you aware of any arrangements that was come to at the Premier's Conference at Hobart? There was no arrangement come to.

1333. Would you be surprised to hear that an arrangement was come to, and that they have come to an amicable understanding with regard to the Lower Murray? I have not heard of it.
1334. Are you aware of the scheme under consideration for the conservation of water in Lake Victoria? Yes.
1335. Would you be surprised to learn that there is a scheme by which the difficulty as to navigation on the Murray will be solved? The last I know of the Lower Murray question is a request from the South Australian Government for a conference of experts from each of the States to decide on the best schemes to be put in hand; that was about one month ago.
1336. With regard to the proposal to create an artificial impounding of the waters, I suppose that is about as old as any attempt ever made to send vessels down? Yes, it is a very old idea.
1337. Do you know of any large river where there is a civilised population where such a thing prevails? I cannot say of my own knowledge of any river where it prevails.
1338. Have you ever seen the hydraulic cranes used to lift boats on the Scotch canals? No; but I have heard of them.
1339. Have you ever heard of the method of placing boats on a cradle and dragging them over the weirs? Yes, I have heard of it.
1340. Then there are other methods of carrying on navigation besides this flushing system? Yes, certainly.
1341. Have you seen the shutter weir at Bourke? Yes.
1342. Was it approved of by Mr. Darley after it was erected? Yes. I think he was quite satisfied that it met the requirements.
1343. What answer did he give before the Public Works Committee with regard to it? I do not know.
1344. You do not know that he said it was £23,000 absolutely thrown away? I do not know that, but I think that Mr. Darley, before he left, said he was quite satisfied that the weir met the requirements.
1345. You did not read his evidence where he said that shutter dams were quite unfitted for Australian rivers? I know he did not approve of shutter dams in his own scheme for locking the Darling, but I think he altered his mind about the Bourke Weir afterwards.
1346. As an officer of the State, are you aware that it is the policy of the present Minister to go in for an extensive system of water conservation? Yes.
1347. You know, from your attendance at the Water Conservation Conference, that all the delegates were in favour of such a policy? Yes. I know the Minister's policy in connection with the Northern Murrumbidgee scheme is the construction of works for the purpose of closer settlement.
1348. Were there only delegates at the Conference representing the Murrumbidgee scheme? No; from all parts of the State.
1349. If we erect weirs in this river they will be built at the expense of the general taxpayer, and they will be entirely for local benefit? Yes.
1350. If the State permits a private company to have the right to control the water, and interfere with certain advantages always enjoyed by the people there, do you think that the Government, this Committee, or Parliament will be justified in seeing that the interests of all the various settlers along the river should be conserved before that power is handed over to a private company? Yes, there is no doubt all the interests should be conserved.
1351. You see this plan of Mr. Monash's with regard to the proposed weirs? Yes.
1352. Without expressing an opinion about your fellow professional, do you consider that Mr. Monash is a gentleman who could be relied upon to honestly and truthfully prepare such a plan as you now see? Yes; Mr. Monash has a very good professional reputation.
1353. You see that in this plan Mr. Monash shows the weirs at certain parts of the river, providing a certain depth of water at each subdivision? Yes.
1354. At the Water Convention was there an opinion freely expressed in favour of irrigation *versus* navigation, or was it the other way—navigation against irrigation? I think there were opinions on both sides; but I cannot say how the motions were carried.
1355. In any opinions which you give here as an officer of the State, do you express them without any prejudice one way or the other with regard to the promoter's scheme? I hope so.
1356. You have to move, no matter what your professional skill may be, according to the instructions of the Chief of the Department? Yes, as regards matters of policy.
1357. When Mr. Smith referred you to Questions 444 to 448, did not that refer to a time when a different Minister was controlling your Department? Yes.
1358. I take it that you pass no opinion upon the point as to whether Mr. Davis committed himself one way or the other? I pass no opinion upon that.
1359. *Mr. Bruce Smith.*] I understand you to say that although Mr. Darley was against the method which Mr. McKinney introduced at Bourke, before he left here he had changed his opinion, and had approved of it? Yes, I understood so. Mr. Darley was entirely in favour of fixed weirs in the early days when the question was considered.
1360. *Mr. Scobie.*] Is that opinion of Mr. Darley expressed in print? I cannot say.
1361. *Mr. Reynoldson.*] I understand you visited the Murrumbidgee generally during the recent floods? Yes.
1362. We have evidence that those floodings are of immense benefit. Do you consider that the flood you saw recently has benefitted that district? I would not like to express an opinion as to what the ultimate benefit will be, but I saw thousands of acres of good feed, almost knee deep, being destroyed by the flood.
1363. If there are no other floods during this spring, that feed will be lost? The feed that I saw being covered with water will undoubtedly be lost; then the question is—that will the feed that comes afterwards be of as great value as this feed would have been if it remained.
1364. If the Barren Jack dam had been constructed this year, could those floods have been so regulated that they would not have destroyed that feed, assuming the irrigation was in full swing—would the floods have been of such an extensive nature as to have covered that country you speak of? If irrigation had been in full swing and the dam constructed, I do not think the flood which has just passed down the river would have flooded one-fifth of the country that it did on this occasion?
1365. Therefore, the people on the lower reaches of the river would have reaped a large benefit by the construction of the Barren Jack dam in a season similar to this? They would not have had so much feed destroyed,

Witness—L. A. B. Wade, 24 August, 1905.

destroyed, but I would not like to express an opinion as to what the ultimate results of the flooding will be.
1366. *Mr. Bruce Smith.*] Is it not a fact, in reference to a question asked by Mr. Scobie, that the Barren Jack dam was first surveyed by Mr. Siever, under Mr. McKinney, in 1895? Yes; the first survey was made after Colonel Home's visit.

1367. The exploration was made by Mr. McKinney's department? Yes, by Mr. Siever; and the first survey was made after Colonel Home went over the district with Mr. McKinney.

1368. Was it surveyed on the same site as it is now? Yes; practically the same site.

1369. *Mr. Macansh.*] With reference to the effects of flooding, if the occupiers of the flooded country have given evidence that these floodings are beneficial to them notwithstanding the fact that they destroy the existing feed, I suppose you would scarcely set up your opinion against theirs that it is a benefit to them? I have not expressed an opinion. I merely told Mr. Reynoldson what I saw. I cannot express an opinion as to the ultimate result of the flood.

1370. *Mr. Scobie.*] Are you aware that the heaviest rains which have taken place for years have just occurred in that district? Yes, I understand they have had one of the best seasons on record in that district.

Mr. Hugh Giffen McKinney, recalled, and further examined:—

1371. *Mr. Scobie.*] I gathered from your replies to Mr. Bruce Smith that you considered the whole of Mr. Monash's evidence was unreliable? I did not say that.

1372. You stated that Mr. Monash's calculations were founded on wrong premises, and that the lowest brick was taken out of the wall, and that the whole thing fell away? I did not make assertions in that way.

1373. In 874 you said, "As Mr. Monash gives the evidence, it appears that it is no concession at all, whereas it is a very large concession." And, as you went along, I notice you said that Mr. Monash's calculations were wrong. In another place you said that Mr. Monash had made a serious mistake. Do you say that Mr. Monash's evidence with regard to the weirs and other things in connection with his plan and that all his calculations are wrong? I do not mean anything of the sort.

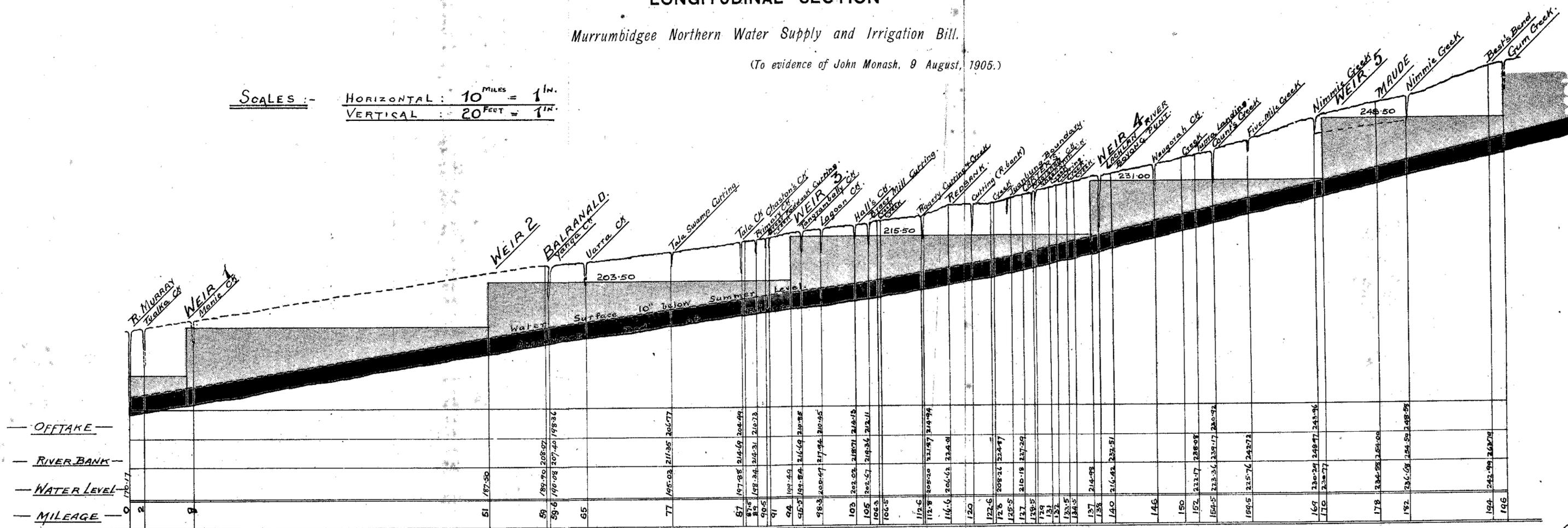
1374. That is what I gathered from your evidence, that Mr. Monash, as a professional gentleman, was quite unreliable? I never said anything of the kind. I may say that I have a very good opinion of Mr. Monash personally, and I am aware that he has had very considerable professional experience, but not so very much with regard to either canal or river engineering. On account of that want of experience, as I pointed out in detail, in several places he has gone on a wrong basis in arriving at his conclusions. That is the substance of what I said.

LOWER MURRUMBIDGEE RIVER LONGITUDINAL SECTION

Murrumbidgee Northern Water Supply and Irrigation Bill.

(To evidence of John Monash, 9 August, 1905.)

SCALES :-
 HORIZONTAL : 10 MILES = 1 IN.
 VERTICAL : 20 FEET = 1 IN.

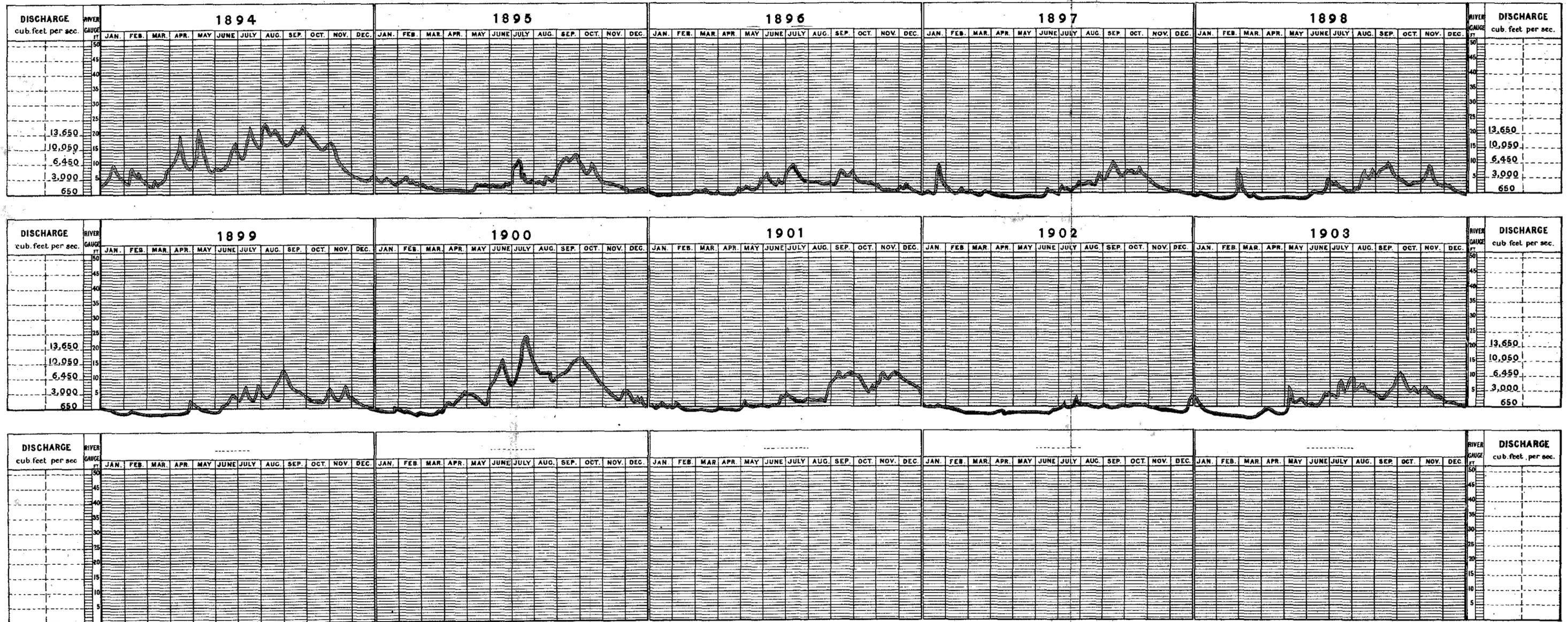


HEIGHT AND DISCHARGE OF THE MURRUMBIDGEE RIVER AT HAY

FROM THE YEAR 1894-1903.

(To evidence of John Monash, 10 August, 1905.)

Appendix B¹¹



R. L. of Zero of River Gauge

Photo-lithographed by
W. A. Gillies, Government Printer,
Sydney, N.S.W.

L. Akbat
Principal Engineer
Water Supply & Sewerage.
22/1/02

22/1/02

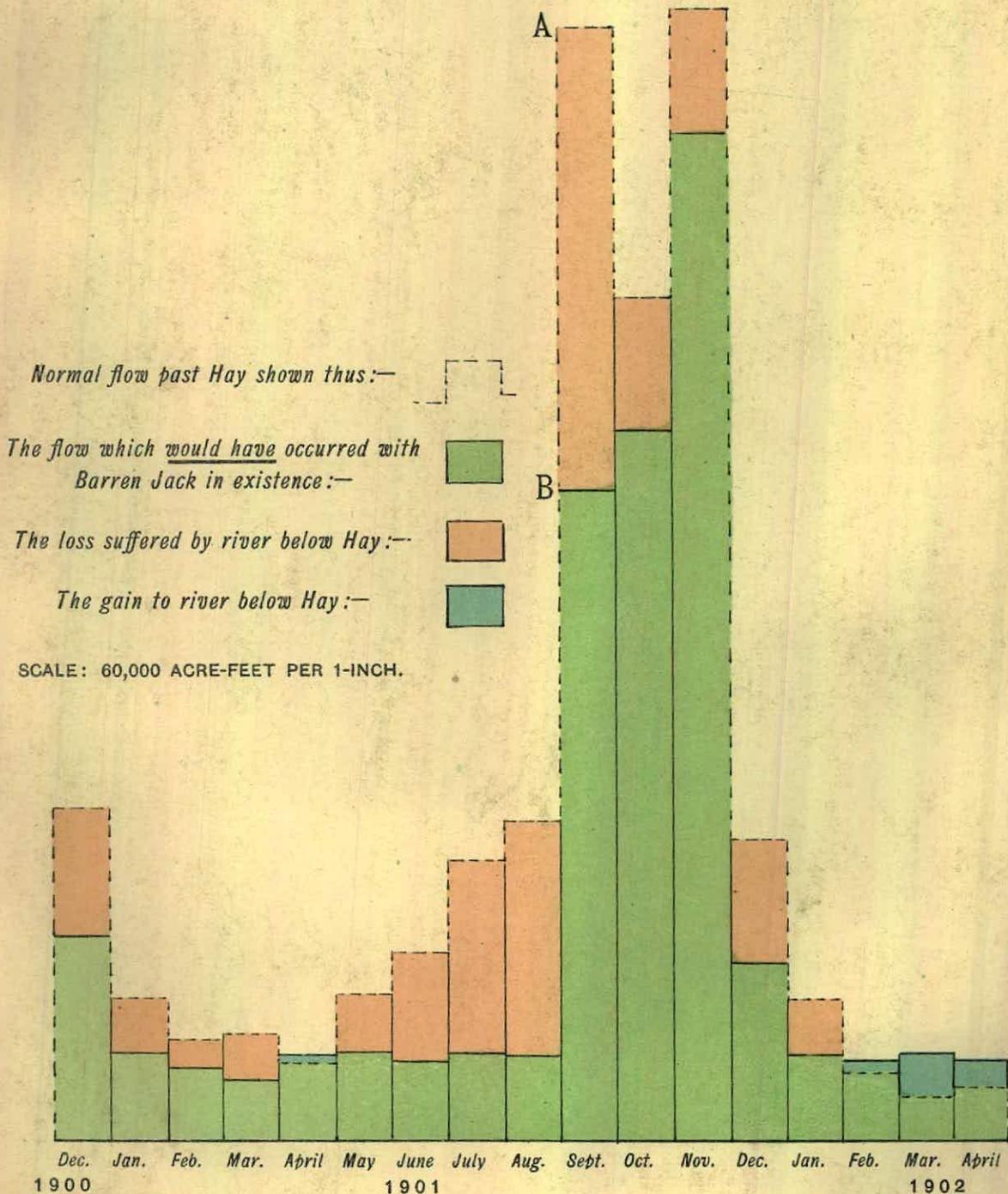
DIAGRAM

SHEWING

EFFECT OF BARREN JACK RESERVOIR UPON FLOW PAST HAY,

Assuming that the Promoter diverts only
750 c.f. per sec., and that the "Compensation Water"
is 500 c.f. per sec.

Period: Dec., 1900, to April, 1902.



1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MURRUMBIDGEE NORTHERN WATER SUPPLY AND IRRIGATION BILL.

(PETITION FROM H. F. CHILCOTT, MANAGER OF THE SCOTTISH AUSTRALIAN MINING COMPANY, LIMITED, PRAYING TO BE REPRESENTED BY COUNSEL, OR SOLICITOR, OR IN PERSON BEFORE THE SELECT COMMITTEE.)

Received by the Legislative Assembly, 26 July, 1905.

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

Re The Murrumbidgee Northern Water Supply and Irrigation Act.

The humble Petition of the Scottish Australian Mining Company, Limited.

RESPECTFULLY AND HUMBLY SHOWETH:—

1. That a Bill has been introduced into your Honorable House at the instance of Robert Gibson, to authorise and enable the said Robert Gibson to establish a system of irrigation and water supply in the district which lies between the Murrumbidgee and Lachlan Rivers; to construct a storage reservoir by means of a dam near the Barren Jack Mountain, in the parishes of West Goodradigbee and Childowla, in the counties of Buccleuch and Harden respectively; to construct weirs across the Murrumbidgee River; to construct a canal and subsidiary works for the purpose of diverting and utilising water from the said river, to acquire lands for and in connection with such several purposes; to sell, let, and supply the water thereby diverted for irrigation and other purposes; and to do all other things connected with or incidental to the carrying out of the proposed works, or to the beneficial use of the water to be supplied by means of the same.

2. That your Petitioners are the owners in fee-simple of a large area of mineral lands adjoining the Murrumbidgee River which are likely to be seriously affected if this Bill becomes law. Your Petitioners are the owners in fee-simple, and there is no reservation of minerals in the Crown Grant.

3. That this Bill has been referred to a Select Committee appointed by your Honorable House for consideration and report.

4. That your Petitioners are desirous of being represented before such Select Committee.

5. That your Petitioners therefore humbly pray that your Honorable House will be pleased to grant them leave to appear before such Select Committee by counsel or solicitor, and, if necessary, to adduce such evidence and send for such persons and papers as your Petitioners may be advised, together with power to examine and cross-examine such witnesses before such Select Committee.

And your Petitioners will ever pray, &c., &c.

Dated this twenty-sixth day of July, A.D. 1905.

H. F. CHILCOTT,

Manager for The Scottish Australian Mining Company, Limited.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MURRUMBIDGEE NORTHERN WATER
SUPPLY AND IRRIGATION BILL.

(PETITION FROM JAS. A. BROWN, PRAYING TO BE REPRESENTED BY SOLICITOR OR COUNSEL
OR IN PERSON BEFORE THE SELECT COMMITTEE.)

Received by the Legislative Assembly, 26 July, 1905.

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

The humble Petition of James Alexander Brown, of Neutral Bay, Sydney,—

RESPECTFULLY AND HUMBLY SHOWETH:—

1. That a Bill has been introduced into your House at the instance of Robert Gibson, to enable the said Robert Gibson to construct a storage reservoir by means of a dam across the Murrumbidgee River.

2. That such Bill has been referred to a Select Committee appointed by your Honorable House for consideration and report.

3. That your Petitioner is desirous of being represented before such Select Committee.

4. Your Petitioner, therefore, humbly prays that your Honorable House will be pleased to grant him permission to appear before the said Select Committee by solicitor or counsel or in person, and, if necessary, to adduce such evidence and send for such persons and papers as your Petitioner may be advised, together with power to examine and cross-examine witnesses called before the said Committee.

And your Petitioner, as in duty bound, will ever pray.

JAS. A. BROWN.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MURRUMBIDGEE NORTHERN WATER
SUPPLY AND IRRIGATION BILL.

(PETITION FROM WALTER ALEXANDER MACPHERSON, OF PAIKA, NEAR BALRANALD; FREDERICK EDMUND VANDELEUR, OF CANALLY, NEAR BALRANALD; AND SAMUEL LINDSAY, OF YANGA, NEAR BALRANALD; PRAYING TO BE REPRESENTED BY SOLICITOR OR COUNSEL BEFORE SELECT COMMITTEE.)

Received by the Legislative Assembly, 8 August, 1905.

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

The humble Petition of Walter Alexander Macpherson, of Paika, near Balranald; Frederick Edmund Vandeleur, of Canally, near Balranald; and Samuel Lindsay, of Yanga, near Balranald,—

RESPECTFULLY AND HUMBLY SHOWETH:—

1. That a Bill was introduced into your House at the instance of Robert Gibson, to enable the said Robert Gibson to construct a storage reservoir by means of a dam across the Murrumbidgee River.

2. That such Bill has been referred to a Select Committee appointed by your Honorable House for consideration and report.

3. That your Petitioners are desirous of being represented before such Select Committee.

4. Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to grant them permission to appear before the said Select Committee by solicitor or counsel, and, if necessary, to adduce such evidence and send for such persons and papers as your Petitioners may be advised, together with power to examine and cross-examine witnesses called before the said Committee.

And your Petitioner, as in duty bound, will ever pray.

W. A. MACPHERSON.
FREDERICK EDMUND VANDELEUR.
SAMUEL LINDSAY.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

NEWCASTLE AGRICULTURAL, HORTICULTURAL,
AND INDUSTRIAL ASSOCIATION BILL ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
8 *November*, 1905.

SYDNEY : WILLIAM APPLIGATE GULLICK, GOVERNMENT PRINTER.

1905.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES NO. 61. THURSDAY, 2 NOVEMBER, 1905.

3. NEWCASTLE AGRICULTURAL, HORTICULTURAL, AND INDUSTRIAL ASSOCIATION BILL (*Formal Motion*) :—
Mr. Fegan moved, pursuant to Notice,—
(1.) That the Newcastle Agricultural, Horticultural, and Industrial Association Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Perry (*The Richmond*), Mr. Gillies, Mr. Fallick, Mr. Edden, Mr. Charlton, Mr. Estell, Mr. Moxham, Mr. Reynoldson, Mr. Dick, and the Mover.
Question put and passed.
-

VOTES NO. 63. WEDNESDAY, 8 NOVEMBER, 1905.

4. NEWCASTLE AGRICULTURAL, HORTICULTURAL, AND INDUSTRIAL ASSOCIATION BILL :—Mr. Fegan, 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 2nd November, 1905 ; together with a copy of the Bill as amended and agreed to by the Committee.
Ordered to be printed.

* * * * *

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1905.

NEWCASTLE AGRICULTURAL, HORTICULTURAL, AND INDUSTRIAL
ASSOCIATION BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred on 2nd November, 1905, the "*Newcastle Agricultural, Horticultural, and Industrial Association Bill*,"—beg to report to your Honorable House:—

That they have examined the witnesses named in the List* (whose *See List, page 4. evidence will be found appended hereto), and that the Preamble, as amended, having been 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 with an amended Preamble.

JOHN L. FEGAN,
Chairman.

*No. 3 Committee Room,
Legislative Assembly,
Sydney, 8 November, 1905.*

1905.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 8 NOVEMBER, 1905.

MEMBERS PRESENT:—

| | | |
|---------------|-----------------|------------------------------------|
| Mr. Charlton, | | Mr. Fallick, |
| Mr. Edden, | | Mr. Fegan, |
| Mr. Estell, | | Mr. Perry (<i>The Richmond</i>), |
| | Mr. Reynoldson. | |

Mr. Fegan 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:—Mr. A. H. James (*Solicitor for the Bill*).

Arthur Henry James (*Solicitor*), called in, sworn, and examined.

Witness produced a copy of the *Government Gazette* of 2nd August, 1905, showing dedication of lands for the use of the Association; also copy of *Government Gazette* of 27th September, 1905, notifying appointment of trustees of the said lands.

William Cann (*Vice-President of the Newcastle Agricultural, Horticultural, and Industrial Association*), called in, sworn, and examined.

Witness produced schedule of moneys expended on improvements.

Witness withdrew.

Owen Gilbert (*Secretary of the Newcastle Agricultural, Horticultural, and Industrial Association*), called in, sworn, and examined.

Room cleared.

Committee deliberated.

Preamble considered and amended.*

Question,—That this Preamble, as amended, stand part of the Bill—put and passed.

Parties called in and informed.

Clauses 1 to 4 read and agreed to.

Title read and agreed to.

Chairman to report the Bill, with an amended Preamble, to the House.

*See Schedule of Amendment.

SCHEDULE OF AMENDMENT.

Page 2. Preamble, line 10, omit "from the"; insert "in estimating such."

LIST OF WITNESSES.

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1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

NEWCASTLE AGRICULTURAL, HORTICULTURAL, AND
INDUSTRIAL ASSOCIATION BILL.

WEDNESDAY, 8 NOVEMBER, 1905.

Present:—

MR. PERRY (*The Richmond*),
MR. FEGAN,
MR. EDDEN,

MR. FALLICK.

MR. CHARLTON,
MR. ESPELL,
MR. REYNOLDSON,

J. L. FEGAN, ESQ., CALLED TO THE CHAIR.

Arthur Henry James, Esq., appeared as solicitor for the Bill.

Arthur Henry James, sworn, and examined:—

1. *Chairman.*] What are you? Solicitor, residing and practising at Newcastle.
2. Do you produce any documents? Yes, I produce the *Government Gazette* for the 2nd August, 1905, page 5295, showing the dedication of 17 acres 5½ perches of land to be used as a show ground, to be known as the Newcastle Show Ground. Lines six and seven of the Bill, page 2, show that the total area is 17 acres 5½ perches. The dedications are correct. I also produce a *Government Gazette* of the 27th of September, 1905, which, on page 6557, notifies the appointment of the trustees to the show ground of the Newcastle Agricultural, Horticultural, and Industrial Association, Newcastle. The names are—Joseph Lievesley Beeston, Joseph Wood, William Cann, William James Milner, and Nelson Bromley Creer.
3. You represent the trustees and the committee here to-day? Yes.
4. Has the Bill been placed before the committee? Yes.
5. Was there any objection to it? No, it was unanimously agreed to.
6. Did you amend the Bill? Yes.
7. Was it amended at the suggestion of the Lands Department? Yes, at the suggestion of officers of the Lands Department. In line 10, page 2, we strike out the words "from the," and insert in their place the words "in estimating such." It makes the area more clear.
8. Have the committee any objection to accepting the alteration? None whatever. I may say that the Bill is on the same lines as the Acts of the Dubbo, Orange, Wellington, and Cowra Associations. I also consider that the trustees are safeguarded by the first clause, which provides that the trustees cannot borrow money without the consent of the Secretary for Lands for the time being.
9. You think that a wise provision? Yes, in the interests of the Government as well as of the Association.
10. *Mr. Edden.*] What do you want the Bill for? To enable us to raise money by way of mortgage.
11. What do you want to mortgage the property for? In order to be able to effect improvements on the ground, without which the success of the show will be doubtful.
12. Has the show always paid its way up to the present? I prefer to leave that matter to one of the trustees.

A. H. James, 8 November, 1905.

13. *Mr. Reynoldson.*] You say that the Bill was brought before the committee of the Association? Yes.
14. Was any objection raised to the latter portion of clause 2, in which these words occur, "and in the conduct and management of the affairs of the said Association"; you propose to raise money by a mortgage to discharge present liabilities and to effect further improvements,—which is legitimate;—but according to that portion of the clause, you might use some of the money to swell your prize list? There is no intention to keep the money in a separate fund; it would be almost impossible to do so.
15. Would there be any objection to have those words struck out of the clause, because they ought to pay for the conduct and management of the Association out of the ordinary revenue? I daresay that that would be done, but they would have to keep separate accounts.
16. *Mr. Fallick.*] These words at the end of the second clause would render it possible for the trustees to use any money raised by mortgage for the management of the concern? Yes, they would.
17. Is it wise to give that power in this Bill? It only goes on the same lines as the Bills passed for other Associations of a similar character.
18. You might have a committee that would do anything of that sort, or one that would not? The trustees all work together.
19. *Chairman.*] Have the committee considered the latter portion of the second clause? There has been no comment raised upon it.
20. Therefore, as Solicitor to the Bill, you could not say? No, I am not in a position to say; but I would advise at present that the words be left in.
21. *Mr. Reynoldson.*] Are there any guarantors at present to the bank in connection with the money borrowed? Two of the trustees are guarantors to the bank, and they are indemnified by the General Committee.

William Cann, sworn, and examined:—

22. *Mr. James.*] You are one of the Vice-Presidents and Trustees of the Newcastle Agricultural, Horticultural, and Industrial Association? Yes.
23. Is it desired by the trustees to raise money on mortgage on the land? Yes.
24. Will you give shortly the objects for which they ask for that power? The chief objects are to pay off the present debt, and to improve the show ground. It is a very necessary thing to have a grand stand on the show ground, and one of the chief objects in view is to build a grand stand. Ladies go to the show two or three days in succession, and they have no sitting accommodation, which means that in the near future, if no such accommodation is provided, the ladies will refuse to go to the show. We have not the means of providing the necessary accommodation, and if it is not provided, our revenue will decrease.
25. The land being leasehold, you have had no chance of obtaining a mortgage? No; and the trustees and the committee are not prepared to go into debt to the bank on a personal guarantee for the amount required. We have a personal guarantee for something like £400, and we think that is as far as we ought to go.
26. To whom is the liability? To the Commercial Bank of Australasia.
27. What is the present amount of the liability? It is £350 or £400.
28. Is it intended to pay off that liability out of the proceeds of any mortgage that may be effected? It is.
29. Was that debt incurred for the erection of improvements on the ground? Yes. We have three pavilions on the ground. In the first place, we fenced the ground at a cost of £500. Then we had to clear the ground of scrub, and to plough, level, and raise it. We put many thousands of tons of material on the ground to raise it. We formed a ring, and erected cattle stalls and horse boxes, and provided other things necessary for the shows. All that was done out of the proceeds of the show, together with the overdraft.
30. What amount do you propose to borrow on mortgage? £2,000. It was decided by the committee to limit themselves to that amount.
31. What would you value the improvements and the site separately at? Do you mean the improved or the unimproved value?
32. Taking it just as it stands? The present value would be about £3,500.
33. How do you arrive at that? There is £1,500 for the land, and a little over £2,000 for improvements. As a matter of fact, the exact amount expended on improvements, as shown in our books, is £2,183 13s. 7d. There are, however, a great many items for labour performed by the committee which have never gone through the Society's books at all. Several members of the Association have done a good deal of work on the ground.
34. Do you produce a schedule of the improvements? Yes, it is as follows:—

Schedule of Improvements.

| | £ | s. | d. |
|---|--------|----|----|
| Clearing | 121 | 2 | 8 |
| Fencing | 524 | 8 | 0 |
| Filling and levelling | 765 | 4 | 2 |
| Buildings (pavilions, stalls, &c.) | 730 | 18 | 9 |
| Turnstiles | 42 | 0 | 0 |
| Total | £2,183 | 13 | 7 |
| Unimproved value of land | £1,500 | 0 | 0 |

The items given in the schedule do not include what has been done by members of the committee individually. The other day we planted 40 or 50 trees, which cost 10s. each.

35. If the amount to be raised under the borrowing powers were limited, it would tie the hands of the Association? Certainly.

36. That is the reason why you applied to Parliament for increased powers? Yes.

37. Do you think there is any danger of the committee spending the money in such a way that the land may pass out of the hands of the trustees? No; certainly not.
38. Are the trustees, the committee, and the members generally anxious that the Bill should be passed? They are.
39. How has that desire been expressed from time to time? The matter has been discussed almost ever since the formation of the Association.
40. The members have been consulted at the annual meetings, and on every possible occasion? Yes.
41. Has there been any difference of opinion on the question in any quarter? There has never been any question about it. The members of the Association have always been unanimous on the subject.
42. *Chairman.*] How long has your show been in vogue at Newcastle? I think five or six years.
43. Have your annual meetings been successful? Yes.
44. I suppose they must have been, or you would not have been able to make so many improvements on the ground? The success of the show has been a surprise to everyone.
45. Do you think that the show would be a greater success if you had better accommodation for visitors? I do.
46. What accommodation have you for them now? Simply a wooden seat round the ring.
47. You have no grand stand? No.
48. The principal object of this Bill is to empower the Association to make necessary improvements, so as to offer greater inducements to people to attend the show? Yes; to give more accommodation to the public.
49. You are one of the Vice-Presidents? Yes.
50. Have you heard any objection raised to this proposal? Not any.
51. Do you think that the committee would use the funds obtained by a mortgage for any purpose besides the improvement of the show ground? I should say, as a trustee, that the trustees would not allow them to use the money for anything but the purpose for which it is obtained.
52. Seeing that a similar clause to the one which has been referred to is in similar measures of this kind, you think that there ought to be no objection to giving you the same facilities as are possessed by other similar associations? Quite so. I should object to the money being used, except to pay off our present liabilities and improve the ground.
53. *Mr. Edden.*] Have you been one of the trustees ever since the establishment of this Association? Yes.
54. What was the land like when it was handed over to you by the Government? It was a swamp, useless to anyone.
55. How much have you spent on it? £2,183.
56. Had the land been situated high and dry you would not have had to come to the Government for a Bill of this character? No, I think the Association would have paid its way and we could have built a grand stand out of the revenue.
57. I suppose the revenue has been required to improve the land and make it fit for the people to go on? Yes. £730 was spent on buildings alone.
58. *Mr. Reynoldson.*] You stated that your liability to the Commercial Bank of Australasia was £300? Between £300 and £400.
59. And during the last five years you have spent £2,183 in improvements? Yes, that is it, roughly. £2,183 in cash, and £300 as labour.
60. During the five years your society has averaged a profit of nearly £500 a year over and above working expenses? During the first year we received a great many donations. A large number made themselves life members by putting in £10 each, which gave us capital to work upon.
61. You said that you thought the trustees would prevent the committee from expending the money that you proposed to borrow on mortgage upon any object except the improvement of the ground;—do you not think it would be a safeguard to have the latter part of the second clause struck out? I should not have any objection to it myself; but I am speaking only for myself.
62. *Mr. Fallick.*] Have you made any calculation to show whether the increase in the revenue would be likely to enable you to pay the interest on the mortgage and the working expenses? I have not gone into it very carefully, but if we put up a grand stand it would hold 2,000 people, and that number at 6d. per head would bring in a fair sum, but I take it we should charge 1s. a head, which would give us £100 extra.
63. *Mr. Charlton.*] Would the erection of a grand stand be the means of inducing a large number of the public to attend the show in addition to those who attend at present? Yes.
64. So that the revenue would be materially increased, as you will receive additional money at the gates as well as at the grand stand? Yes.
65. *Mr. Perry.*] Was the land a grant from the Crown? No; it has been leased from the Crown up to the present time.
66. Have you never got a deed for the land? I understand that the deed is being prepared.
67. You said that £2,183 had been expended in cash? Yes.
68. How much of that was received from the Government? We have had one grant of £500.
69. One special grant? Yes.
70. And the usual £ for £ subsidy? I think we had no subsidy at all for the first year, owing to the secretary not putting in the papers correctly.
71. Out of that £2,183, £700 was spent on buildings? Yes.
72. Was any drainage done? Yes.
73. At whose cost was the drainage done? At the cost of the Association. There was a drain running through the land before we took up the ground at all that belongs to the Government; but side drains, leading to that, have been made by the committee.
74. How much money do you propose to raise? £2,000.
75. Is it all to be expended in improvements on the ground? Yes, and in paying off our present liabilities.
76. Up to the present time you have had no grand stand? No.
77. What has the money been expended in? Pavilions, fencing, buildings, &c.
78. I suppose that for the money owing some persons have had to give their names? Yes, three of us; we have a guarantee from the committee.

Witness—W. Cann, 8 November, 1905.

79. Clause 2 says that the trustees shall stand possessed of any moneys raised on mortgage. I presume that they will only spend that money on the recommendation of the committee? Generally so; but it may be that the trustees would not always take the recommendation of the committee. The trustees would not spend any money except on the recommendation of the committee, but it does not follow that they would always carry out the recommendations of the committee.
80. *Mr. James.*] You say that £500 would cover the amount of the subsidies received by the Association from the Government during the last five years? To the best of my belief it would.
81. The ground was under lease, but it has now been granted by deed with the dedication which I have put in, and a Crown grant is being prepared of the land under certain conditions? I believe so.
82. *Mr. Estell.*] You said that a certain sum had been spent on improvements? Yes.
83. That £500 subsidy has nothing to do with that? No.
84. *Mr. Perry.*] You believe that a Crown grant is being prepared? Yes.

Owen Gilbert, sworn, and examined :—

85. *Chairman.*] You are Secretary of the Newcastle Agricultural, Horticultural, and Industrial Association? Yes.
86. How long have you been the Secretary? About five months.
87. Can you tell us about the deed? The dedication of the land has been made as shown by the *Gazette*, and the deed is in course of preparation. I was informed by the Under Secretary for Lands that the deed would issue on the 27th of September last, but, owing to some little difficulty in regard to conditions being inserted to permit the Works Department to have access to the ground for the purpose of controlling their own drain, the deed had to be submitted to the Crown Law Office for the purpose of those special conditions being inserted. Hence the delay. That difficulty has now been got over, and the deed, as a matter of fact, is before the Minister for his approval, and I expect it will issue in a week or two.
88. Have you seen the Minister on the matter? I have not seen the Minister, but I saw the chief draughtsman, and I was informed subsequently by a gentleman in the Miscellaneous Branch that the papers had arrived from the Crown Solicitor's Office, and he informed me that the draught of the deed was before the Minister for his approval.
89. Therefore there is no doubt as to the issue of the deed? No.
90. Then the land will belong to the Association? Yes.
91. Your society wants to obtain power from Parliament to make that land of greater utility for the purposes for which it is dedicated? Yes.
92. At the present time there is no shade of any description on the ground? None at all, and that is a great difficulty.
93. This money which you expect to raise by mortgage will enable you to provide all that is necessary to make the show ground one to be appreciated by the public? That is so.
94. *Mr. Perry.*] How many members has the Association? Last year the membership was about 200. Our year having been practically changed we cannot say at present how many we expect to have, but with this extra accommodation no doubt our membership will largely increase.
95. From your knowledge of the Association, is it likely to die out? I think it is an assured success. It is only the want of this power which is asked for that prevents it from becoming a very big success.
96. You think that there is little or no possibility of the land falling into the hands of the mortgagees? I think there is not. I am satisfied that the revenue from the grand stand will more than pay the interest on the loan, as Mr. Cann said.
97. *Mr. James.*] Will there not be further expense incurred by the Committee in fencing in an additional piece of land recently given by the Crown which at present the Association has not the funds to do? Yes, that is so.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

THE NEW REDHEAD ESTATE AND COAL
COMPANY, LIMITED, TRANSFER BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
29 August, 1905.

SYDNEY: WILLIAM APPLIGATE GULLICK, GOVERNMENT PRINTER.

1905.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 32. THURSDAY, 24 AUGUST, 1905.

9. THE NEW REDHEAD ESTATE AND COAL COMPANY, LIMITED, TRANSFER BILL (*Formal Motion*):—
Mr. Perry (*The Richmond*) moved, pursuant to Notice—
- (1.) That The New Redhead Estate and Coal Company, Limited, Transfer Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Moore, Mr. Briner, Mr. Edden, Mr. Estell, Mr. Fegan, Mr. Hindmarsh, Mr. McFarlane, Mr. Oakes, and the Mover.
- Question put and passed.

VOTES No. 33. TUESDAY, 29 AUGUST, 1905.

3. THE NEW REDHEAD ESTATE AND COAL COMPANY, LIMITED, TRANSFER BILL:—Mr. Perry (*The Richmond*), 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 24th August, 1905; together with a copy of the Bill as agreed to by the Committee.

Ordered to be printed.

* * * * *

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1905.

THE NEW REDHEAD ESTATE AND COAL COMPANY, LIMITED,
TRANSFER BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 24th August, 1905, "*The New Redhead Estate and Coal Company, Limited, Transfer 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 not deemed necessary to make any amendment. *See List, page 4.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

JOHN PERRY,
Chairman.

No. 2 Committee Room,
Legislative Assembly,
Sydney, 29th August, 1905.

1905.

 PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 29 AUGUST, 1905.

MEMBERS PRESENT :—

 Mr. Perry (The Richmond),
 Mr. Edden,
 Mr. Estell,

 Mr. Fegan,
 Mr. McFarlane,
 Mr. Oakes.

Mr. Perry 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 :—Dr. George Sly (*Messrs. Sly and Russell, solicitors for the Bill*).Leonard Dodds (*Legal Manager of The New Redhead Estate and Coal Company, Limited*), called in, sworn, and examined.

Witness produced :—

1. Certificate of Registration and Articles of Association of the Redhead Estate and Coal Company, Limited.
2. Copy of Redhead Coal Mine Railway Act of 1883.
3. Copy of Redhead Coal Mine Railway Act Extension Act of 1888.
4. Certificate of Registration and Articles of Association of The Redhead Coal Mining Company, Limited.
5. Copy of The Redhead Coal Mine Railway Act Amending Act of 1889.
6. Certificate of Registration, also Memorandum and Articles of Association of The New Redhead Estate and Coal Company, Limited.
7. Agreement between the two Redhead Companies and the New Company, transferring all lands and assets to the latter.
8. Agreements between the Company and the Scottish-Australian Company's Lambton B Colliery, the Burwood Extended Colliery, the South Burwood Colliery (now the Dudley), and the Burwood Coal Company.

Room cleared.

Preamble considered.

Question,—That this Preamble stand part of the Bill,—put and passed.

Parties called in and informed.

Clauses 1 to 3 read and *agreed to*.Title read and *agreed to*.

Chairman to report the Bill, without amendment, to the House.

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1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

THE NEW REDHEAD ESTATE AND COAL COMPANY,
LIMITED, TRANSFER BILL.

TUESDAY, 29 AUGUST, 1905.

Present:—

MR. EDDEN,
MR. ESTELL,

MR. OAKES.

MR. FEGAN,
MR. McFARLANE,

J. PERRY, Esq. (The Richmond), IN THE CHAIR.

Leonard Dodds, called in, sworn, and examined:—

1. *Chairman.*] What are you? A mining agent.
2. You are legal manager of The New Redhead Estate and Coal Company, Limited? Yes.
3. Referring to the Bill now sought to be passed, has the old company—The Redhead Coal Company (Limited)—been registered? Yes; I produce the certificate of registration, dated 17th August, 1875.
4. *Mr. Edden.*] That was the first company? Yes.
5. *Chairman.*] Have you the articles of association? Yes; I also produce the articles of association.
6. In regard to the Act giving power to construct the railway—The Redhead Coal Mine Railway Act of 1883;—have you a copy of that Act? Yes; I produce a copy of that Act.
7. There was another Act called The Redhead Coal Mine Railway Act Extension Act of 1888;—do you produce a copy of that Act? Yes; that was the Act extending the time.
8. On the 27th June, 1888, was another company, called The Redhead Coal Mining Company (Limited), registered, and have you the certificate of registration? Yes; I hand in the original certificate of registration, dated 27th June, 1888.
9. Have you also the memorandum and articles of association? Yes.
10. What was the capital of that company? 150,000 shares, of £1 each.
11. Then there was an Act entitled "An Act to amend the Redhead Coal Mine Railway Act of 1883";—do you produce a copy of that Act? Yes; that was the Act of 1889.
12. That gives you certain powers for the construction of a railway from Lake Macquarie to the southern boundary of the company's land? Yes.
13. The preamble of this Bill says: "And whereas the said railways authorised by the said recited Acts were duly constructed by the said companies or one of them";—were those railways so constructed? Yes, they were.
14. That you know of your own knowledge? Yes, of my own knowledge.
15. Have you any idea of the cost? Yes; with the land that the railway is built upon, and the construction of the railway, the cost in round figures amounted to £87,000. That is exclusive of the company's own estate. The compensation we paid to Merewether and Croudace, together with the building of the railway, cost £87,000. We never had a shilling return from it.
- 16.

Witness—L. Dodds, 29 August, 1905.

16. *Mr. Oakes*] What is the distance? A little over 7 miles to the Burwood Extended pit.
17. *Mr. Edden*] From where? From Adamstown; and then there is that branch that goes off from the Burwood pit to Dudley—that is, our branch to the Dudley boundary.
18. Was this the company that made the railway from Adamstown in the first instance? This was the Redhead Coal Company whose certificate of registration in 1888, with a capital of £150,000, I have just produced. That, of course, finished all our capital, and in 1895 we went into liquidation and reconstructed as the present company. This is really a legal continuation of the same company.
19. *Mr. Estell*] The Burwood Extended Mine belongs to this company? No; I shall have to explain that. This company are the landlords of the Burwood Extended. They leased 1,000 acres to the Burwood Extended, which now belong to Mr. Thos. Cowlshaw; and the coal is now run along this line.
20. And that line, from Burwood right out to the Burwood Extended, belongs to this company? Yes; from Adamstown right out to Burwood Extended, with the Dudley branch.
21. *Chairman*] Has there been a process of liquidation for winding-up, or simply liquidation for reconstruction? Liquidation for reconstruction.
22. Reference is made in the preamble of the Bill to an agreement, dated the 30th May, 1895, made "between Leonard Dodds, William Shenstone, and Wilfrid Law Docker, the voluntary liquidators of the said company";—do you produce that agreement? Yes; I produce the agreement.
23. On the 15th June, 1895, a company, called The New Redhead Estate and Coal Company (Limited), was duly registered;—do you produce the certificate of registration? Yes.
24. And have you also the memorandum and articles of association? Yes; I produce those also. They refer to the present company.
25. What is the number of the shares? 75,000 shares, of 4s. each.
26. There is another agreement, bearing date the 4th July, 1895;—do you produce that agreement? Yes; I produce the original agreement.
27. What was the purport of that agreement? That was just an agreement, in accordance with the Companies Act, setting forth the reconstruction. It is an agreement by which the second Redhead Coal Company agrees to sell all its assets to The New Redhead Estate and Coal Company, and in which the old original Redhead Coal Company joins. The two Redhead Companies by that agreement sell everything to The New Redhead Estate and Coal Company.
28. And were the lands transferred to the new company? Yes.
29. There were some doubts, were there not, as to the power to transfer the rights and privileges of the company, and that is the reason for this Bill? I do not know that there are any doubts. We cannot transfer the rights and privileges altogether. They are still in the name of the old Redhead Company. But as the railway belongs to us, as we built it and paid all the money for it, we have got their consent to introduce this Bill asking Parliament to vest the railway in the real owners.
30. *Mr. Edden*] That is the new company? Yes.
31. *Chairman*] And you now ask for power to sell? Yes; and we ask to be put on the same footing as that upon which Parliament has been good enough to place, practically, all similar undertakings, with the right in future to transfer.
32. *Mr. Edden*] That is, if you want to sell? Yes.
33. Does not the Dudley coal come over that portion of the railway from Adamstown to your mine? Yes.
34. And also the Burwood? Yes.
35. And the Burwood Extended? Yes; and the Lambton B, or Durham.
36. These companies, I suppose, pay a royalty for the carriage of their coal on the railway? They pay way-leave. We have to keep the line up to the Government standard.
37. This Bill will in no way effect the agreements between those companies and your company? In no way whatever.
38. It will neither increase nor decrease the money they pay? Not in any way. As a matter of fact, we do not charge them anything like what Parliament has given us power to charge them under the Act.
39. And you do not intend to increase the charges, I suppose? No; we could not do so. They have certain agreements under seal. We have no power to increase the charge. They pay a way-leave of 1d. per ton for the Dudley, with a £500 minimum, 3d. per ton for the Burwood, and 3d. for the Lambton B, or Durham, and the Burwood Extended pays no way-leave, because they are tenants.
40. *Chairman*] On the 13th July, 1899, there was an indenture of mortgage;—do you produce a copy of the mortgage? I produce the original mortgage.
41. What is the amount owing? On the whole estate and the railway, £60,000.
42. That is still owing? Yes.
43. How about the interest;—what interest is paid? The interest is paid up to the 30th June last.
44. Are there any objections on the part of the mortgagee to the present proposal? No. I can produce the letter of their solicitors agreeing to this Bill.
45. *Mr. Edden*] Have you got that letter? Yes.
46. *Chairman*] Will you read it? It is as follows:—
- Redhead Coal-mining Company (Limited), and New Redhead Estate and Coal Company (Limited): Private Act.
Messrs. Sly and Russell, solicitors, Sydney,—
- Sydney, 18 July, 1905.
- Dear Sirs,
Referring to our letter of the 14th, and to Mr. Orr's interview with your Dr. Sly on the 15th, we now return Draft Bill with the proposed amendments. We see no objection to the alterations made by you in the amendments, which we therefore adopt.
- Yours truly,
MINTER, SIMPSON, & CO.
- Minter, Simpson, & Co. are the solicitors for the old Redhead Coal Company.
47. Were those amendments agreed to by your company? Yes.
48. And they are embodied in this Bill? Yes; that was to have the mortgage set out.
49. Are there any other creditors? No.
50. And there is nobody whom you know of that could have an objection to the passing of this Bill? No one at all.
51. It has been advertised? It has been advertised in the local paper, in the *Gazette*, and in the Sydney papers, including the *Daily Telegraph*.
52. And no one has objected? No.
53. *Mr. Edden*] It has been advertised in the *Newcastle Herald*? Yes.

54. *Chairman.*] And the petition that was sent in was in accordance with the resolution passed by the company? Yes; the company affixed its seal to the petition.
55. I think you said a little while ago that a clause similar to clause 2 in this Bill had been embodied in other Acts;—could you name them? I should like to mention the private Acts under which the Legislature has given power, without reference to Parliament, to sell the rights conferred by the Legislature. They are as follows:—Deniliquin and Moama Railway, 3rd March, 1874; Waratah Coal Company, 8th October, 1863; Silverton Tramway, 14th October, 1886; Tarawingee Tramway, 1st September, 1890; Joadga Creek Railway transfer, 4th December, 1890.
56. *Mr. Edden.*] You are referring now to the power to transfer contained in clause 2 of the Bill? Yes.
57. The Acts to which you are referring give the same power that you are asking for in this Bill? Yes. The other instances are these:—Yongaleatha Marble, Flag and Flux Company (Limited), 30th December, 1891; The Rutland Flux Tramway, 20th February, 1892; Balaclava Tramway, 29th March, 1892; Pine Ridge Tramway, 1st April, 1892; Deepwater and Mount Galena Tramway, 1st April, 1892; Menindi and Broken Hill Tramway, 13th June, 1893.
58. I should like to be clear about this clause. You ask, by this clause, that when you have paid all dues and demands to the old company, and the property becomes absolutely the property of the present company, if you wish to sell it to any one else, you can transfer it to them, without again applying to Parliament for permission to do so;—is that the object? Yes. We seek the same right that has been given to all these other companies that I have just mentioned.
59. The same right held by anyone who has a house or land to sell? Yes, just the same. We bought all this land. We had to pay for it almost as much as if the 7-ft. 6-in. seam of coal, that they say is there, had been solid gold to Merewether and these other people. It is our land now. We have built the railway, we have to carry the coal, and we think we are not asking too much in seeking the right to sell the property if we are ever fortunate enough to get a buyer.
60. *Mr. Fegan.*] To take somebody else in? Not to take anybody else in. We are taking nobody in.
61. *Chairman.*] You wish to have the right to sell the property for what it is worth? It is worth something, but it will never be worth what we have paid for it.
62. *Mr. Fegan.*] You have an agreement with the different companies which you mentioned to carry their coal over your line? Yes.
63. What is the extent of your agreement? There is no time mentioned in the agreement.
64. And, therefore, it cannot be broken at any time you wish? I would not like to say that; I do not think so.
65. If you are asking for power to sell this railway, I want to know what powers you have already, and what agreements you have in connection with it;—another company might buy to-morrow, and put on prohibited rates, and—seeing that the colliery is open in good faith—while we do not wish to interfere with the owners, at the same time we do not wish the owners to interfere with the coal companies? I admit that, and I may explain that when we made these agreements we considered they were interminable on both sides; but I believe a point has cropped up in a case before some court—which I cannot quote—and it has been decided that agreements where no time is mentioned are to be construed as yearly agreements. I have not enough knowledge of the law to tell you whether that is so, but we made the agreements in good faith, meaning that so long as the company worked the colliery the agreement should stand as it stands to-day. My company have no wish whatever to alter those agreements, or to have any power to alter them.
66. *Chairman.*] And if you did sell, you would do so subject to those agreements? We would have to sell subject to all agreements. But, as Mr. Fegan points out, these companies ought to have some fixity.
67. *Mr. Edden.*] And do you think the present company—the company now asking for this Bill—will be prepared to give these coal companies some tenure beyond a yearly one? Yes, I think the companies themselves think, the same as we thought, that we have no power whatever, nor any company to which we might transfer, to terminate any such agreements; but, owing to some case that I saw, I have grave doubt myself, although all the parties made the agreements in good faith, believing that as long as the railway lasted, and as long as the collieries worked, these people would have the right to run over them at the very reasonable way—leaves that we both agree to.
68. *Chairman.*] Is the usual power given in the other Acts for the Crown to step in and resume? No; I do not think so.
69. *Mr. Fegan.*] Then you are in some doubt yourself, should this Bill be passed, as to the power you may have to hand over the use of your railway to these companies for any lengthened period? As I understand it, we have no doubt that if we sold this railway, and our coal estate, we would sell it subject to these agreements, and hand the agreements over.
70. But you have doubts yourself as to the worth of the agreements? Beyond a yearly term, I have doubts.
71. *Mr. Edden.*] You have admitted that, if a buyer came along, you would sell this property? Certainly, just the same as anybody, as you said, would sell a house. We would sell it if we got a price that we thought was a good one.
72. And when you did sell it, you are of opinion that you would also sell, to whoever might purchase it, the power to make agreements with these companies for the carrying of coal over these railways? We would sell them the agreements that are in existence—we would have to do that.
73. You realise that it is a matter that is worthy of consideration? I do, and I realise that my company is only too anxious to do what is fair and right.
74. *Mr. McFarlane.*] What area of land does the company hold? 4,123 acres.
75. Is that freehold? Yes.
76. I think you said that the railway you constructed is 5 miles in length? No; 7 miles and some chains. That is, without the branch to Dudley, the exact length of which I forget, but which is not very long.
77. Does that railway (the Dudley branch) pass through purchased land for the whole distance? For about a mile and a half.
78. For 1½ mile it goes through purchased property? As regards a part just at the end of the line, before it comes on to our estate, I do not know from memory whether the Scottish-Australian Company own the land or whether it is a lease. I know they own some land, because we had to pay them very heavily for some.
79. But does your company own the 7½ miles of railway? Yes.

Witness—L. Dodds, 29 August, 1905.

80. Other than that, is it leased land? No, it is all our land.
81. It is all your private property? Yes.
82. Freehold? Yes. It first goes through to New Lambton from Adamstown.
83. *Mr. Edden.*] You purchased that? We purchased that. And then it goes through the Waratah estate, I think, then through Merewether's estate, and then through the Scottish-Australian Company's estate.
84. *Mr. Fegan.*] You say you have over 4,000 acres of freehold? Yes.
85. Is that coal land? Well, we have only proved the northern part of it.
86. I am asking you if that is coal land? I believe it is.
87. You know the reason I ask—it is not coal land if you have not got the mineral rights? Yes, we have the mineral rights. It is what is known as a M.C.P. freehold.
88. Under the 1862 Land Act? Yes, under the old Act.
89. Therefore, it represents really the mineral rights to the whole area? Yes.
90. What did the railway and the land cost you altogether? £90,000 for the land, and £87,000 for the railway.
91. I suppose you have no objection to produce the agreements you have had made? No objection whatever.
92. What rights had the Redhead Company in this estate? They owned it. We bought it from them in 1888. They took up the land, and we bought the land from them for £90,000, and we constructed the railway.
93. I do not know whether you would have any objection to state the rentals received at present from the different companies? I do not think there is any objection. The Dudley Company pay us £500 a year minimum for the right to run their coal, and 1d. per ton way-leave when it exceeds the £500 a year—that is, after the £500 is worked off, and then it is 1d. per ton. The Burwood Coal Company pay us a minimum of £250 a year and 3d. per ton.
94. And their distance? Is rather less. Then the Lambton B Colliery, formerly the Durham, which belongs to the Scottish-Australian Company, pay a minimum rent of £500 a year and 3d. a ton. They have only once exceeded the minimum, and that was last year, when, I think, the rent was some £16 over the minimum. The Burwood Extended Company pay nothing for the right to run coal over the railway. They merely pay the Commissioners full charge, because they are our tenants, and they pay ground-rent on the lease, and a royalty of 6d. per ton on the coal. The royalty includes the right to run the coal for nothing. We keep the railway up to Government standard, and it is inspected by the Government. I may say that this railway expenditure is always a good thing for the Government, because we keep the line in order, and have to keep it up to the Government standard, and the Commissioners get the same from these collieries as if it were a Government line. For instance, in the case of Lambton B and Burwood the charge is 10d. a ton, just the same as if it were a Government line.
95. But do not these companies use their engines to take out the waggons, and all that? Yes; but they did not build the railway.
96. Your sole object in asking for the passage of this measure is for the purpose of conferring upon your company the same privilege which the Legislature conferred upon the other companies you mentioned? Not the sole object. We want to vest the property in the company that owns it, subject to a mortgage, the same as any other property is bought. That is the first part of the Bill. We want that, and then we also want the same rights given to all those other companies I quoted.
97. What area of your land has been worked out? On our estate practically none, because the Burwood Extended Company has not worked a great number of years, and Mr. Cowlshaw only resumed work about two or three months ago.
98. Is that the only company that is a tenant of yours? Yes. The Lambton B colliery is only about 100 yards from our northern boundary.
99. What is the reason of the difference in the charge of 3d. a ton in the case of the Scottish-Australian Company, and the 1d. a ton in the case of the Dudley Company? Because they had to contribute to the cost of their branch line. There is a special branch to Dudley.
100. And you charge them £500 a year for going over your section of the line which they did not contribute towards making, and 1d. a ton over the minimum? Yes. It is a very good arrangement for them.
101. And what about you? The proof that it is not a very good arrangement for us is the fact that our company has been in existence since 1888, and has spent all that money, and has never declared a dividend. The Dudley Company was floated under the name of the South Burwood. Mr. Fred. Alcock, and all those men who owned the property, were going to build a line of their own, and then they came to negotiate with us, and were so glad to get this agreement that they dropped all idea of building a line of their own.
102. And was not the Scottish-Australian Company going to build a line too;—did they not get a Bill through? Yes, they got a Bill through, and I should have quoted their case also.
103. They got it through at 3 o'clock one morning? They got a Bill enabling them to run right out westerly, and to come out near Cockle Creek. They got that Bill through, and held it over our heads while they made this arrangement with us, and they cost us a lot of money—the Scottish-Australian Company.
104. *Mr. Edden.*] They made an arrangement to bring the coal down on to your line from the B pit? Lambton B, they call it now; they called it Durham in those days.
105. That was what they got the Bill through for? Yes.
106. And then they made arrangements with you? Yes.
107. *Mr. Oakes.*] The first Act passed in 1883 was to give the old Redhead Coal Company certain powers and rights in respect of the resumption of land? Yes; power to resume land and build a railway.
108. The 1888 Act was for building a railway? Yes, as well.
109. And what was the 1889 Act for? They were talking then of great improvements in Lake Macquarie, and of making it a shipping port, and the company got the right to go from our southern boundary along the Kahibah reserve to the North Head of Lake Macquarie, down to the water's edge.
110. Practically it gave you certain extra powers in regard to railway construction? Yes.
111. And the company have gone into liquidation, and there is a certain mortgage existing, and you are now asking under this Bill for the same rights conceded under those three Acts? Yes.

112. With the additional power in clause 2, giving you the right to dispose of this property without again approaching the Legislature, a right which you have explained has been granted in previous Acts to other companies? Yes.

113. In regard to the rates you have agreed upon with certain companies for carrying their coal over the line, it is assumed, from a question put by Mr. Fegan, that there might be objections both on the part of the Legislature and on the part of the companies interested—a fear that you might do them an injustice for want of a permanent agreement;—this Bill has been advertised, has it not? Yes.

114. Is it fair to assume that if their interests were jeopardised by the Bill, those companies would approach this Committee in rebuttal? Yes, it is fair to assume that. I can tell the Committee that Mr. Sydney Croudace called some few weeks ago at my office, and obtained a copy of this Bill, and said he would get their solicitors, Westgarth, Nathan, & Company, to peruse it, and see if it affected their interests in any way. So I assume that they know all about it.

115. In the three previous Acts before us, passed in 1883, 1888, and 1889, were there any Crown rights passed over to your company;—any rights from the Crown beyond those mentioned regarding the construction of the railway, and the right to work the coal? No; no Crown rights except those set forth.

116. *Mr. Fegan.*] Have you got the different agreements with the colliery companies? Yes, agreements with the four companies which run over our line.

117. What are the names? The Scottish-Australian Company's Lambton B Colliery; the Burwood Extended Colliery; the South Burwood Colliery, now the Dudley; and the Burwood Coal Company.

118. How long have those agreements been in vogue? The Burwood Coal Company's agreement is dated the 5th September, 1889; the South Burwood Coal Company's agreement is dated 5th September, 1889; the Burwood Extended Coal Company's agreement is dated 17th October, 1889; and the Scottish-Australian Company's agreement in respect to the Lambton B, or Durham, Colliery is dated 2nd August, 1894.

119. Have the same rates been charged from the dates you have mentioned up to the present time? Yes; there has been no alteration in any of the agreements since the day they were made.

120. You have given us the charges in the case of these different collieries;—what were the charges according to the Act that was passed? They are dealt with in section 3 of the Act of 1883. That is the foundation.

121. *Mr. Edden.*] When that Act was passed to give the Redhead Coal Company power to construct a railway, did I understand you to say that it was with the idea of taking the railway from the mine to Lake Macquarie heads? No; that was the little 1889 Bill. This is the main Bill.

122. *Mr. Fegan.*] That is the Act of 1883, giving you power to construct a railway and make certain charges? Yes. Section 3 says:—

The railway shall be open to the public use upon payment of a toll to the Company of a sum not exceeding two pence per ton per mile in respect of every ton of goods for every transit the party seeking transit supplying and loading his own trucks or waggons and the Company supplying locomotive power and all trucks when emptied shall be conveyed on their return free of charge. Provided always that it shall not be compulsory on the Company to supply locomotive power unless the party seeking transit guarantee and bring one hundred tons at least during the twelve working hours and give notice of same at least twenty-four hours previously. The railway shall at all times be open to the public upon payment of a toll to the Company of a sum not exceeding one penny half-penny per ton per mile in respect of every ton of goods for every transit if the party seeking transit supply the locomotive power as well as the trucks and waggons. Provided that so long as the Company shall be willing to supply locomotive power no other person shall use locomotive power on the line. Provided that if the railway shall be damaged by parties who shall themselves use the railway for transit and supply locomotive power the Company shall be entitled to compensation for such damage to be recovered either by action in the Supreme Court of New South Wales or if such damage do not exceed the sum of twenty pounds summarily before two Justices and in estimating such damage the Company shall be entitled not only to compensation for the cost of repairing and restoring the railway but to the consequential damage (if any) sustained by reason of the suspension of transit or otherwise.

123. Up to the present you have not reached the maximum charges which the Act gives you power to impose? No; we charge less than $\frac{1}{2}$ d. per ton.

124. You have not charged up to the maximum allowed by the Act? We have only charged a third of the amount allowed.

125. Have any representations been made to you from any of these companies as to the advisableness of any alteration in the rates? No.

126. None whatever? None whatever.

127. *Chairman.*] Any rights these people have under agreement are sufficiently safe-guarded? Yes. I may say I do not think there is the slightest likelihood in the world of our selling the railway.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

COMMONWEALTH POSTAGE STAMPS.

(CORRESPONDENCE RESPECTING THE PROPOSED PRINTING AT THE ADELAIDE GENERAL POST OFFICE.)

Printed under No. 19 Report from Printing Committee, 9 November, 1905.

Commonwealth Stamps.

[Extract from *Daily Telegraph*, 3rd November, 1905.]

THE Commonwealth Government is importing an up-to-date stamp printing-machine, to be installed at Adelaide. All stamps required in the Commonwealth will then be printed there instead of at the various State capitals, as at present. The cost of this printing ranges up to 10d. per 1000 stamps, but with the new machine it will be reduced to 2½d. per 1000. A uniform stamp will not be introduced until the end of the book-keeping period, and it is stated in the Department that instead of a distinctive design for the Commonwealth, the King's head will form the chief part of the uniform design.

[Extract from *Sydney Morning Herald*, 2nd November, 1905.]

* * * * *

MR. BACHELOR, dealing with the desirability of uniform postage stamps, gave the cost of printing. In four States the difference was remarkable. In Sydney the cost of printing was 7½d. per 1,000 stamps, in Melbourne 5d., in Brisbane 10d., and in Adelaide 4d. An estimate had been prepared for doing the work for the whole of the Commonwealth, which would effect a saving of nearly £1,700 per year. The Adelaide stamp printer had made great reductions—extraordinary reductions—in the cost of printing, being an expert and an enthusiast in the matter. There appeared to be no reason why the Commonwealth should not take advantage of his special expert knowledge. Against the concentration of printing there was only the opinion of Mr. Brain, the Victorian Government Printer. Mr. Brain declared that the cost of material would be higher than the estimate of 2½d. per 1,000 which had been made. On the other hand, the Adelaide stamp printer, before he gave that estimate, had quotations from firms who supplied the paper for the work. He had, in fact, a contract for the supply at the price on which the estimate was based.

* * * * *

The Government Printer to The Under Secretary for Finance and Trade.

Sir,

Government Printing Office, Sydney, 6 November, 1905.

I have the honor to report with regard to the above paragraphs, that they seem to be creating considerable irritation in certain circles here. I have to-day already had calls from two well-known philatelists, who promised to test public opinion in this matter.

One further informed me that he considered it a matter which he could not let pass without taking individual action.

To revert to the paragraph itself, the information there circulated is of such a nature that I feel it is necessary to invite your consideration first to the prominent passage where it is stated that it is proposed to print the stamps at the cost of 2½d. per 1,000. Now, for the whole of her large Indian issues printed

under contract in London with cheaper labour, 30 per cent. below the minimum fixed here, England pays 6½d. per 1,000—say, three times the amount named; in fact, I entirely concur with the statement of the Government Printer of Victoria, reported in Mr. Batchelor's speech, when introducing the matter in the Federal Parliament, that the cost quoted does not even cover the cost of paper paid under the most stringent conditions. Again, as against this 2½d. quoted, England pays for her own immense issue, printed by contract, 3¼d. for labour, and supplies her own paper through the London Stationery Office.

The United States quote as the cost, in the report of their Bureau of Engraving, 2½d. for labour and material, leaving the enormous expenditure of their engraved plates (which are the envy of the world), and of administration and plant out of the question.

Again, Mr. Batchelor states that no protest was made by any one except Victoria; but I think it will be within your memory that I entered a very strong protest some time back on Treasury papers (04/A. 7,783 and 12,389), when I had a suspicion that something of the kind might be required, and the Premier was good enough to endorse that protest by a strong minute.

As to the nature of the output here, I attach a reprint of a cutting from one of the leading weekly philatelic journals in England, which speaks for itself, seeing that for quality of production and security, the Crown Agents in England have thought it advisable to follow in our footsteps to ensure the same security and quality of production for their own issue.

[Extract from *Ewen's Weekly Stamp News*, September 2, 1905.]

“ANOTHER WATERMARK SENSATION!

“MULTIPLE WATERMARK CHANGED.

“INTRODUCTION OF CHALK-SURFACED PAPER FOR CROWN COLONIES.

“In 1901 New South Wales introduced a new kind of paper for printing its postage stamps. It is known to stamp collectors as “chalk-surfaced” or “chalky” paper, and stamps printed on it have a much finer appearance. But hitherto its use has been limited to the stamps of New South Wales and certain others printed at the Government Printing Office at Sydney (notably the Australian Commonwealth Postage Due Series). The Crown Agents have now adopted it for the stamps of the Crown Colonies.

“Stamps printed on the present ‘Crown CC’ or ‘Crown CA’ paper can be cleaned if the stamps are printed in any other colour than lilac and green and if the cancellation is not of specially prepared ink. It consequently follows that all stamps intended for revenue as well as postage use—that is to say, all which are likely to have a pen cancellation—must be printed wholly or partly in green or lilac. This gives the stamps a very similar appearance, and renders them less easy to distinguish. The Postal Union recommendation that ½d. stamps should be green, 1d. stamps red, and 2½d. stamps blue can also only partially be carried out, these colours being limited to the name and value of the stamps in the case of several colonies. There is, therefore, a choice of two evils in connection with the present paper: either there must be a risk of cleaning or the stamps must be all similar in colour. The disadvantages of this latter system are considerable, and when it was tried in England in 1884, it led to many mistakes and was quickly abandoned.

“The chalk-surfaced paper is, however, practically uncleanable, and has the additional advantage that stamps printed on it have a much finer appearance. The disadvantages are that it is a little more expensive, and that it is unsuitable for printing line-engraved stamps, such as those of the Falkland and Turks Islands.”

* * * * *

With regard to the checks and method of production, the Commonwealth Auditor-General recently most warmly complimented this office on its systems, and has since officially asked to have a copy of the whole system forwarded to his office in Melbourne for his use there; besides personally initialling my books as meeting with his approval after a two days' exhaustive personal scrutiny of the whole process and system.

It seems very evident that the interests of New South Wales are being sacrificed, no matter what she has done, or what her systems may be when comparatively reviewed by experience, either local, English, or American. The proposition is practically to hand over this work to a State whose only experience is the handling of the requirements for a population one-quarter of that of either New South Wales or Victoria, and not one-twelfth the size of the output it is now proposed to allow her to control. The interests of New South Wales seem, therefore, more than unfairly treated in such proposed scheme as outlined in the above paragraph, and in Mr. Batchelor's speech in introducing the matter in the House, for the following reasons:—

1. That this State has already officially protested, in spite of Mr. Batchelor's statement that only Melbourne did so.
2. Because of the proposed increased unnecessary cost of laying down a new plant. The Commonwealth has already six State Printing Offices to draw on, has established another for itself in Melbourne at a cost of over £30,000 for plant, premises, and equipment; and now wants to start a fresh one in Adelaide—as the proposition is not to add this to the Government Printing Office, Adelaide, but to a special branch of the Post Office there.
3. Because the Government is asked to enter into an expenditure on the basis of figures which are ridiculous in the face of the experience of the world, or years of local production—a quoted cost which will not for a moment bear comparison even with that paid under stringent conditions with infinitely cheaper labour, by the largest consumers in the world.
4. I have already voluntarily quoted in my Minute of the 11th ultimo, a price of 5½d. for the smaller quantity locally issued—which is 17½ per cent. less than that paid by Great Britain herself for her Indian issue, and I am quite prepared to undertake the whole issue for Australia at an even lower standard figure, without creating more than a tithe of the expenditure for plant, compared with that required to be laid down in Adelaide.
5. There has been no request for a competitive quotation, nor has there been conveyed a single unfavourable comment since the inauguration of the Commonwealth, either of an official or of an unofficial nature with regard to the local stamp production.

6. That the vote of the House was taken upon premises unfairly put forward, a report not of a practical nature, and on a basis erroneous when compared with the experience of the larger nations of the world.
7. This arrangement, if given effect to, by centralisation in Adelaide, would leave all our local people here who now get their ½d., 1d., and 2d. stamped envelopes for commercial purposes, put through here in a day or two, their private post-cards and the enormous quantity of postal wrappers for advertising and other purposes, in such a position that they must wait for weeks to get them returned, besides incurring on the Federal Government the extra cost of carriage to and fro. Or else, if this work is not included, then the same position obtains, that this local office must still provide facilities to the Federal Government for the printing of these stamped articles, and the only reason for the establishment of another centre practically disappears.
8. The Resolution of the House is arrived at against the practical advice of the Government Printers of Victoria and New South Wales—and I may add of Western Australia—as I am in a position to officially show by correspondence and requests for technical opinion, that the West Australian Government have determined for themselves the absolute necessity of producing their stamps locally.
9. It lowers the prestige of the Mother State, discounts the value of the State plant, and throws the employment into the hands of a State of not quarter of the population of either New South Wales or Victoria.

From my opening remarks, I think you will at once gather that this matter has at the back of it the support of the philatelic interest here, both for practical and philatelic reasons. It is also woven in to some extent with the commercial interests of the city—see reason No. 7—so that I trust the Premier will lay this memo. on the Table of the House for the information of members generally.

The objective to be attained seems to be to provide safer advice on stamp printing matters for the Post Office authorities, and to prevent an injustice to the interests of individual States by representations made without practical or competitive basis, and in the face of life-long experience of the nations of the world, and also of the larger individual States.

Yours, &c.,

W. A. GULLICK,
Government Printer.

Submitted for the Premier's special consideration. I concur in the views expressed by Mr. Gullick. It would be absurd to transfer this work from Sydney to Adelaide in the face of the expert advice of Government Printers of New South Wales and Victoria. Attention is invited to the letter forwarded by the Premier to the Commonwealth Prime Minister on the 20th January last.—C. J. SAUNDERS, Under Secretary for Finance and Trade, 6/11/05.

The Premier of New South Wales to The Prime Minister of the Commonwealth of Australia.

Sir,

20 January, 1905.

Referring to your predecessor's letter of 13th August last, No. 3,931, and your several reminders since that date, I have now the honor to hand you, enclosed, the desired report (copy) by the Government Printer of this State, respecting a proposed alteration in the system of printing postage stamps.

In forwarding such report I have, however, to enter an emphatic protest against the adoption of any proposal which would have the effect of removing the work of printing postage stamps to the Post and Telegraph Department in any one of the States.

For the reasons given by Mr. Gullick, in whose views on this matter I concur, I think it neither economical nor expedient that the suggested change should be made, though, if it should be determined to concentrate the whole of the work of printing postage stamps in any one establishment, as Mr. Gullick has pointed out, the Sydney Government Printing Office is quite competent to undertake it, after an additional expenditure of £2,000.

I have, &c.,

J. H. CARRUTHERS,
Premier.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

COMMONWEALTH POSTAGE STAMPS.

(LETTER FROM THE PREMIER OF NEW SOUTH WALES TO THE PRIME MINISTER OF THE COMMONWEALTH, RELATIVE TO THE SUGGESTED PRINTING OF, AT THE ADELAIDE GENERAL POST OFFICE.)

Printed under No. 20 Report from Printing Committee, 16 November, 1905.

The Premier of New South Wales to The Prime Minister of the Commonwealth of Australia.

Sir,

10 November, 1905.

I have the honor to transmit you herewith a printed copy of papers, laid upon the Table of the Legislative Assembly of this State on the 7th instant, relative to the suggested printing of all postage stamps at the Adelaide General Post Office, and to invite your special attention to the report of the Government Printer, Sydney, from which it seems clear, in view of the cost of postage stamps in England and America (countries able to produce postage stamps at least as cheaply as Australia could hope to do), that the estimate of 2½d. per 1,000 for printing postage stamps in Adelaide—upon which the suggestion has been based—cannot be taken seriously.

Even admitting that some saving on the estimate of 5½d. per 1,000 of the New South Wales Government Printer could be assured at Adelaide, the question would still arise as to whether the economy was not effected at the cost of quality.

With the experience in stamp printing possessed by the Government Printing Office, Sydney, it is unlikely, on the face of matters, that it could not compete successfully with the Adelaide office.

I also enclose a copy of the New South Wales *Hansard* of Tuesday last, containing a report of the debate in the Legislative Assembly on the matter.

I have, &c.,
J. H. CARRUTHERS.

1905.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

FEDERATION.

(MEMORANDUM REVIEWING THE EFFECT OF, ON THE FINANCES OF NEW SOUTH WALES.)

Ordered by the Legislative Assembly to be printed, 7 December, 1905.

The following services, previously administered by the State, are now controlled by the Commonwealth:—Customs and Excise, Post and Telegraphs, Defence, Patent and Copyrights, Naturalisation.

2. The expenditure of the Commonwealth is separated under two heads: "New" expenditure—that is to say, on services called into being since Federation,—and "other" expenditure, or expenditure on services transferred by the States to the Commonwealth. The new expenditure is charged to the States proportionately to population, and the cost of transferred services over and above the revenue derived therefrom being ascertained, the sum of new and other expenditure is deducted from the net revenue from Customs and Excise, and the balance handed back to the States.

3. The revenue collected by the Commonwealth in New South Wales from Customs and Excise has been as shown in the following statement, which, for purposes of comparison, also gives the revenue for the three years prior to Federation. There are also shown, since 1900, the proportion of the population of the Commonwealth dwelling in New South Wales, and the proportion contributed by New South Wales to total Customs and Excise revenue.

| Year. | Amount. | Per head. | Proportion of Population. | Proportion of Customs and Excise Revenue. |
|---------------------------|-----------|-----------|---------------------------|---|
| | £ | £ s. d. | per cent. | per cent. |
| 1898 | 1,551,827 | 1 3 8 | ..... | ..... |
| 1899 | 1,650,333 | 1 4 9 | ..... | ..... |
| 1900 | 1,778,993 | 1 6 3 | 36·15 | 23·01 |
| 1901 (half-year) | 1,019,008 | 0 14 11 | 35·92 | 23·91 |
| 1901-2 | 2,812,732 | 2 0 11 | 35·98 | 32·36 |
| 1902-3 | 3,478,742 | 2 9 8 | 36·17 | 36·81 |
| 1903-4 | 3,229,786 | 2 5 3 | 36·35 | 36·25 |
| 1904-5 | 3,033,617 | 2 1 8 | 36·57 | 35·04 |
| 1905-6 (estimated) | 3,037,000 | 2 0 10 | 36·78 | 35·29 |

It will be seen that the contributions have increased by about £1 per head. The average *ad valorem* duties paid in New South Wales in 1904 were 17·4 per cent. on dutiable goods, and 12·2 per cent. on all goods other than stimulants and narcotics. In 1900, the year prior to Federation, the duties were 10·3 per cent. and 1·3 per cent. respectively.

4. The operations of the Post and Telegraph Department, during the same period, will be seen below:—

| Year. | Revenue. | Expenditure. |
|---------------------------|-----------|--------------|
| | £ | £ |
| 1898-9 | 755,970 | 695,262 |
| 1899-1900 | 800,481 | 726,569 |
| 1900-1 | 833,942 | 789,290 |
| 1901-2 | 873,312 | 830,253 |
| 1902-3 | 906,798 | 834,840 |
| 1903-4 | 941,529 | 868,470 |
| 1904-5 | 980,141 | 894,595 |
| 1905-6 (estimated) | 1,014,000 | 920,751 |

The expenditure does not include the cost of new works, &c., amounting to about £66,000 per annum.

5. The total Commonwealth revenue and expenditure in New South Wales since the inauguration of the Commonwealth have been :—

| Year. | Revenue. | Expenditure— | | |
|--------------------------|-----------|--------------|--------------|-----------|
| | | Now. | Transferred. | Total. |
| | £ | £ | £ | £ |
| 1901 (half-year) | 1,296,963 | 47,606 | 366,084 | 413,690 |
| 1901-2 | 3,698,567 | 99,252 | 1,213,410 | 1,312,662 |
| 1902-3 | 4,391,019 | 114,131 | 1,228,798 | 1,342,929 |
| 1903-4 | 4,176,390 | 167,043 | 1,318,052 | 1,485,095 |
| 1904-5 | 4,020,737 | 168,788 | 1,323,270 | 1,492,058 |
| 1905-6 (estimated)... .. | 4,058,064 | 172,349 | 1,418,277 | 1,590,626 |

6. Section 87 of the Constitution Act, which is generally known as the Braddon clause, and which expires on 31st December, 1910, provides that the Federal Treasurer is not entitled to retain more than one-fourth of the net proceeds of Customs and Excise for the purposes of defraying the expenses of the Commonwealth, the remaining three-fourths, and as much more as the Treasurer does not require, being handed back to the States.

The following statement shows, for each of the four years, 1902-3 to 1905-6, during which the Federal tariff has been in full operation—(a) the amount actually returned to New South Wales by the Commonwealth; (b) the amount which represents three-fourths of the Customs and Excise revenue collected in New South Wales; and (c) the amount by which the sum actually returned was in excess of three-fourths of the Customs revenue collected :—

| Year. | Amount actually received. | Amount representing three-fourths of Customs and Excise revenue. | Excess of (a) over (b). |
|-------------------------|---------------------------|--|-------------------------|
| | (a) £ | (b) £ | (c) £ |
| 1902-3..... | 3,053,133 | 2,561,274 | 491,859 |
| 1903-4..... | 2,683,417 | 2,356,080 | 327,337 |
| 1904-5..... | 2,529,070 | 2,212,874 | 316,196 |
| 1905-6 (estimated)..... | 2,473,511 | 2,227,895 | 245,616 |

7. According to this statement, the revenue has been decreasing and the expenditure increasing, and consequently year by year the surplus has been growing less. This is a matter of serious consideration to all the States, as their requirements are increasing each year.

At the Hobart Conference, Sir George Turner indicated that the revenue was likely to decline still further, principally owing to the falling-off in sugar duties; and the decline will be greater still if higher duties are imposed in consequence of recommendations by the Tariff Commission. In any case the "free" list is a long one, and the Customs Revenue will probably fall still further.

There will, however, probably be increases in revenue from Posts and Telegraphs.

The expenditure will increase on several accounts, chiefly owing to the increased Naval subsidy, transferred debts, election expenses, increased sugar bonus, defence expenditure, High Commissioner, and Arbitration Court, &c.

Any decline in the Customs revenue will fall three-fourths on the States and one-fourth on the Commonwealth; so that the time will soon arrive when the amount to be returned will not exceed the statutory three-fourths of Customs and Excise.

8. The book-keeping period expires on the 8th October, 1906. Until the end of that period the Commonwealth credits the actual revenue, debits the actual expenditure, and returns the balance. The return to each State, therefore, depends upon its contribution to the revenue, especially that from Customs and Excise, which comprises about 75 per cent. of the whole. At the expiration of the book-keeping period, by section 94 of the Constitution, the Commonwealth Parliament may provide, on such basis as it deems fair, for the monthly payment to the States of all surplus revenue.

9. It has been declared, chiefly by the smaller States, who will gain thereby, that sooner or later after the book-keeping period the Customs revenue must be pooled and distributed on a population basis. If this were done at once, it would be distinctly unfair to New South Wales and Western Australia, and Sir George Turner suggested a sliding scale by which the amount would come to a true per capita basis in five years in New South Wales, and ten years in Western Australia. The position of Western Australia is due to the very large proportion of adult males in its population—68 per cent.—as against the general Australian average of 55 per cent. It therefore contributes largely to the revenue from stimulants and narcotics,

narcotics, and, in fact, all classes of goods. For this reason, it would be better to exclude Western Australia from any discussion on the method of distributing the surplus among the States, after the expiration of the book-keeping period.

10. The following tables are interesting, as showing how New South Wales would have fared during the last four years, if the surplus had been distributed on a population basis—first, if Western Australia had been excluded :—

| Year. | Amount actually received. | Amount returned on population basis. | Loss. |
|---------------------------|---------------------------|--------------------------------------|---------|
| | £ | £ | £ |
| 1902-3 | 3,053,133 | 2,653,241 | 399,892 |
| 1903-4 | 2,683,417 | 2,420,266 | 263,151 |
| 1904-5 | 2,529,070 | 2,380,830 | 148,240 |
| 1905-6 (estimated) | 2,473,511 | 2,297,904 | 175,607 |

Second, if Western Australia had been included :—

| Year. | Amount actually received. | Amount returned on population basis. | Loss. |
|---------------------------|---------------------------|--------------------------------------|---------------|
| | £ | £ | £ |
| 1902-3 | 3,053,133 | 2,876,423 | 176,710 |
| 1903-4 | 2,683,417 | 2,604,884 | 78,533 |
| 1904-5 | 2,529,070 | 2,559,859 | (gain) 30,789 |
| 1905-6 (estimated) | 2,473,511 | 2,466,173 | 7,338 |

11. It is apparent from these two statements that a per capita distribution would be unfair to New South Wales. Victoria would also lose, but Queensland, South Australia, and Tasmania would gain. I have tried to discover a simple solution of the difficulty, but without success, and the only other method apparent is for the Commonwealth to guarantee to refund to the States each year a fixed sum, included in which ought to be the interest on the transferred properties. The case of Western Australia might be met by allowing her to continue her special tariff for a term after the book-keeping period, until her conditions should have approached those of the other States.

Excluding the amounts paid to Western Australia, the total sums returned by the Commonwealth have been as follow :—

| | |
|---------------------------|-----------|
| | £ |
| 1902-3 | 6,944,725 |
| 1903-4 | 6,317,216 |
| 1904-5 | 6,113,770 |
| 1905-6 (estimated) | 5,851,442 |

Taking the three years, 1902-3 to 1904-5, the amount has averaged £6,458,570 per annum, of which the States received the following proportions :—

| | |
|------------------------|-----------------|
| New South Wales | 42.66 per cent. |
| Victoria | 31.62 " |
| Queensland | 12.74 " |
| South Australia | 8.73 " |
| Tasmania | 4.25 " |

The receipts in each State are influenced to large extent by the seasons, as in bad seasons, such as 1903, it becomes necessary to import foodstuffs; and also by loans, which reach Australia in the shape of goods on which Customs duties are levied. However, matters now are probably normal, and the amount collected in the five States from Customs and Excise will possibly approximate to the estimated yield during this year, namely, £7,573,000, three-fourths of which would amount to, say, £5,625,000.

Adopting the experience of the last three years as a basis from which to deduce the amounts to be returned to the States, New South Wales would receive, say, 42 $\frac{2}{3}$ per cent. of £5,625,000, which amounts to £2,400,000. There should be added the interest on transferred properties. Those handed over by New South Wales are valued at £2,953,874, 3 per cent. on which is equal to, say, £90,000 per annum. The total amount to be returned to New South Wales would therefore be £2,400,000 plus £90,000 = £2,490,000. As shown previously, the amount estimated to be returned this year is £2,473,500, which is exclusive of interest on transferred properties. Possibly the amounts might require to be adjusted slightly between the States, but the above suggestion might serve as a basis. The £5,625,000 suggested will probably be sufficient to meet the requirements of all the States.

12. The advantages of having a fixed amount to be returned to the States by the Commonwealth are—(a) that the Braddon clause need be no longer considered, and, therefore, the Commonwealth can raise duties on tea, kerosene, or any other article for Old Age Pensions or any other purpose without having to return three-fourths to the States; (b) the States would always know their positions and would not have

to wait for the Federal Treasurer to advise them of the amount likely to be returned; (c) no book-keeping would be necessary between the five States, but only in the case of Western Australia; (d) the present interstate jealousies as to one benefiting at the expense of another would be ended; (e) it would be necessary for the Commonwealth to make provision for the fixed amount; and (f) the present complaint of the Commonwealth that it cannot obtain any surplus for itself would be done away with.

13. On the other hand, it would be necessary to make the agreement for a limited time, as some States will probably increase in population faster than the others, and so will contribute more largely to the revenue and will be entitled to a correspondingly larger return. The matter could then be considered and the amounts reapportioned.

11th November, 1905.

W. H. HALL,
Acting Statistician.

1905.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

AUSTRALASIAN NATIONAL CONVENTION, 1897-8.

(RESOLUTIONS AGREED TO BY THE PREMIERS OF NEW SOUTH WALES, VICTORIA, QUEENSLAND, SOUTH AUSTRALIA, TASMANIA, AND WESTERN AUSTRALIA, WITH REGARD TO THE AMENDMENTS SUGGESTED BY THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE ASSEMBLY OF NEW SOUTH WALES IN THE BILL DRAFTED BY.)

Ordered by the Legislative Assembly to be printed, 7 December, 1905.

THE Premiers of New South Wales, Victoria, Queensland, South Australia, Tasmania, and Western Australia, in Conference assembled, having fully considered the amendments suggested in the form of resolutions by the Legislative Council and by the Legislative Assembly of New South Wales in the Bill drafted by the Australasian National Convention, 1897-8, unanimously agree as follows:—

1. With regard to the Resolutions—

“(a) REPRESENTATION IN THE SENATE,”

The Premiers consider that at the joint sitting of the two Houses for the purpose of settling disagreements between the Houses, the decision of an absolute majority of the total number of the members of both Houses should be final;

And it is agreed that Clause 57 of the said Bill should be amended so as to read as follows:—

57. If the House of Representatives passes any proposed law, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, and if after an interval of three months the House of Representatives, in the same or the next session, again passes the proposed law with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor-General may dissolve the Senate and the House of Representatives simultaneously. But such dissolution shall not take place within six months before the date of the expiry of the House of Representatives by effluxion of time.

If after such dissolution the House of Representatives again passes the proposed law, with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor-General may convene a joint sitting of the members of the Senate and of the House of Representatives.

The members present at the joint sitting may deliberate and shall vote together upon the proposed law as last proposed by the House of Representatives, and upon amendments, if any, which have been made therein by one House and not agreed to by the other, and any such amendments which are affirmed by *an absolute majority of the total number of the members of the Senate and House of Representatives* ~~three-fifths of the members present and voting thereon~~ shall be taken to have been carried, and if the proposed law, with the amendments, if any, so carried is affirmed by *an absolute majority of the total number of the members of the Senate and House of Representatives* ~~three-fifths of the members present and voting thereon~~, it shall be taken to have been duly passed by both Houses of The Parliament, and shall be presented to the Governor-General for the Queen's assent. 2.

2. With regard to the Resolutions—

“(b) THE 87TH CLAUSE, KNOWN AS THE BRADDON CLAUSE,”

The Premiers have given full consideration to the objections which have been urged against this clause, and have also considered other proposals which have been suggested for the purpose of giving some security to the States that a reasonable amount of the revenue collected in the States shall be returned to them, while, if possible, avoiding excessive burdens of taxation, a prolonged system of bookkeeping, uncertainty as to the amount of the surplus to be divided, and uncertainty as to the method of distributing the surplus amongst the States.

The Premiers consider that all the other proposals are open to more serious objections than those which have been raised against the clause as it appears in the Bill; but with a view of meeting the objections as far as possible, consistently with the safety of the States, the Premiers are of opinion that the operation of the clause should not continue after a period of ten years if The Parliament then desires to repeal or alter it; and that, in addition, power should be granted to The Parliament to deal with any exceptional circumstances which may from time to time arise in the financial position of any of the States; and for the purpose of giving effect to these opinions—

It is agreed that clause 87 should be amended to read as follows :—

87. *During a period of ten years after the establishment of the Commonwealth, and thereafter until the Parliament otherwise provides, of the net revenue of the Commonwealth from duties of customs and of excise, not more than one-fourth shall be applied annually by the Commonwealth towards its expenditure.*

The balance shall, in accordance with this Constitution, be paid to the several States, or applied towards the payment of interest on debts of the several States taken over by the Commonwealth.

And that the following clause should be added to the Bill to follow Clause 95 :—

During a period of ten years after the establishment of the Commonwealth, and thereafter until the Parliament otherwise provides, The Parliament may grant financial assistance to any State on such terms and conditions as The Parliament thinks fit.

3. With regard to the Resolutions—

“(c) THE CAPITAL OF THE COMMONWEALTH,”

It is considered that the fixing of the site of Capital is a question which might well be left to The Parliament to decide; but in view of the strong expression of opinion in relation to this matter in New South Wales, the Premiers have modified the clause, so that while the Capital cannot be fixed at Sydney or in its neighbourhood, provision is made in the Constitution for its establishment in New South Wales, *at a reasonable distance from that city.*

And the Premiers have therefore agreed that, instead of the following clause 124—

CHAPTER VII.

MISCELLANEOUS.

Sent of
Government.

~~124. The seat of Government of the Commonwealth shall be determined by The Parliament and shall be within territory vested in the Commonwealth.~~

~~Until such determination the Parliament shall be summoned to meet at such place within the Commonwealth as a majority of the Governors of the States, or in the event of an equal division of opinion among the Governors, as the Governor-General shall direct.~~

the following clause should be substituted :—

124. *The seat of Government of the Commonwealth shall be determined by The Parliament and shall be within territory which shall have been granted to or acquired by the Commonwealth, and shall be vested in and belong to the Commonwealth, and if New South Wales be an Original State shall be in that State and be distant not less than one hundred miles from Sydney.* *Such*

Such territory shall contain an area of not less than one hundred square miles and such portion thereof as shall consist of Crown lands shall be granted to the Commonwealth without any payment therefor.

If Victoria be an Original State, The Parliament shall sit at Melbourne until it meets at the seat of Government.

4. With regard to the Resolutions—

“(d) THE BOUNDARIES OF STATES,”

The Premiers consider that the fullest protection should be given to the various States and that no alteration of territory should be made without the consent of the people as well as of the Parliament of the State affected.

And have therefore agreed that clause 122 of the Bill should be amended to read as follows:—

122. The Parliament of the Commonwealth may, with the consent of the Parliament of a State, *and the approval of the majority of the electors of the State voting upon the question*, increase, diminish, or otherwise alter the limits of the State, upon such terms and conditions as may be agreed on, and may, with the like consent, make provision respecting the effect and operation of any increase or diminution or alteration of territory in relation to any State affected.

And also that the last paragraph of clause 127 should be amended so as to read as follows:—

~~And~~ *No alteration diminishing the proportionate representation of any State in either House of The Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.*

5. With regard to the Resolutions—

“(e) INLAND RIVERS,”

“(f) MONEY BILLS,”

“(g) JUDICIAL APPEAL FROM STATES,”

The Premiers after fully considering these proposals do not find it practicable to recommend any alteration in the provisions contained in the Bill.

6. With regard to the Resolutions—

“(h) THE ALTERATION OF THE CONSTITUTION,”

The Premiers agree that, where there is a difference of opinion between the two Houses as to whether the people should have the opportunity of deciding if any alteration should be made in the provisions of the Constitution, one House should not have the power to prevent the question being decided by the people. They have therefore endeavoured to provide a means whereby, after full discussion and reasonable delay, the matter may be referred from either House to the electors. The Premiers are unable to agree that the decision should rest on the result of a National Referendum, it being considered of vital importance that any alteration in the Constitution which the States have agreed to accept should only be made if a majority of the electors of the Commonwealth, and also a majority of the electors in a majority of the States, determine that it is proper to make such alteration; and in order to give effect to such views—

The Premiers have agreed that (including the amendment before suggested) clause 127 should be amended so as to read as follows:—

ALTERATION OF THE CONSTITUTION.

127. This Constitution shall not be altered except in the following manner:— Mode of altering the Constitution.

The proposed law for the alteration thereof must be passed by an absolute majority of each House of The Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be submitted in each State to the electors qualified to vote for the election of Members of the House of Representatives.

But

But if either House passes any such proposed law by an absolute majority and the other House rejects or fails to pass it, or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next Session again passes the proposed law by an absolute majority, with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it, or passes it with any amendment to which the first-mentioned House will not agree, the Governor-General may submit the proposed law as last proposed by the first-mentioned House, and either with or without any amendments subsequently agreed to by both Houses, to the electors in each State qualified to vote for the election of the House of Representatives.

When a proposed law is submitted to the electors the vote shall be taken in such a manner as The Parliament prescribes. But until the qualification of electors of Members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.

And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor-General for the Queen's assent.

And No alteration diminishing the proportionate representation of any State in either House of The Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.

With regard to the Resolutions—

“(i) NUMBER OF SENATORS,”

The Premiers consider that the number of the Senators for each State as fixed in the Bill—namely six—is a reasonable one,—

And have agreed that no alteration should be made in the clauses relating thereto.

PROVISION FOR QUEENSLAND.

The Premiers have further agreed that, in view of the peculiar conditions of Queensland, it is advisable that permission should be given to that State if it joins the federation at its establishment to provide for the division of the colony into electorates for the election of the Senate, reserving power to the Federal Parliament to make the system of election uniform throughout the Commonwealth; and the Premiers agree that clause 7 of the Bill should be amended so as to read as follows:—

PART II.—THE SENATE.

7. The Senate shall be composed of Senators for each State, directly chosen by the people of the State, voting, until The Parliament otherwise provides, as one electorate.

But until The Parliament of the Commonwealth otherwise provides, the Parliament of the State of Queensland, if that State be an Original State, may make laws dividing the State into divisions, and determining the number of Senators to be chosen for each division, and in the absence of such provision, the State shall be one electorate.

Until The Parliament otherwise provides there shall be six Senators for each Original State. The Parliament may make laws increasing or diminishing the number of Senators for each State, but so that equal representation of the several Original States shall be maintained and that no Original State shall have less than six Senators.

The Senators shall be chosen for a term of six years, and the names of the Senators chosen for each State shall be certified by the Governor to the Governor-General.

MODE OF GIVING EFFECT TO AGREEMENT.

The Premier of New South Wales expresses his willingness to take steps for the passage of a measure through the Parliament of New South Wales providing for the reference of the Bill, as proposed to be altered, to the vote of the electors in New South Wales as soon as conveniently may be.

The

The Premiers of the other colonies are of opinion that after the people of New South Wales have accepted the Bill as altered it should be submitted to the Parliaments of their respective colonies for reference to the electors.

The Premiers are also of opinion that it is desirable that the decision of a majority of the electors voting in each colony should be sufficient for the acceptance or rejection of the Bill.

South Australia to be at liberty to take the referendum at the next general election for the House of Assembly.

GEORGE TURNER, Chairman.

G. H. REID.

JAMES R. DICKSON.

C. C. KINGSTON.

E. BRADDON.

JOHN FORREST.

Melbourne, 3rd February, 1899.

On the conclusion of the business of the Conference, the following resolution was unanimously adopted, upon the motion of the Right Honorable G. H. Reid, seconded by the Honorable J. R. Dickson, viz.—

That this Conference desires to express and place upon record its high sense of the most valuable services rendered by the Chairman of the Conference during its deliberations.

CONFERENCE OF PREMIERS HELD IN SYDNEY, JANUARY, 1900.

(REPORT OF.)

CONFERENCE OF PREMIERS, AT THE EXECUTIVE COUNCIL CHAMBER.

SYDNEY, 24 JANUARY, 1900.

2:30 P.M.

THE undermentioned Premiers of the Colonies of New South Wales, Victoria, South Australia, Queensland, and Tasmania, were present, viz. :—

| | |
|------------------------------|--|
| <i>New South Wales</i> ... | The Honorable W. J. LYNE, M.P. |
| <i>Victoria</i> | The Honorable ALLAN McLEAN, M.P. |
| <i>South Australia</i> | The Honorable F. W. HOLDER, M.P. |
| <i>Queensland</i> | The Honorable ROBERT PHILP, M.P. |
| <i>Tasmania</i> | The Honorable NEIL ELLIOTT LEWIS, M.P. |

It was proposed by the Honorable Allan McLean, and unanimously resolved, that the Honorable W. J. Lyne be the Chairman, and Mr. Alex. C. Budge, Clerk of the Executive Council, the Secretary to the Conference.

The Chairman drew the attention of the Conference to the business to be brought before them, and submitted the following subjects, viz. :—

1. Appointment, &c., of Federal Delegates to visit England.
2. Appointment of Provincial Governors under Commonwealth.
3. Question of residence of Governor-General.
4. Proposals of Eastern Extension Telegraph Company.
5. New Guinea question.
6. Federal Rifle Team for England.
7. Bubonic Plague.
8. Fremantle as a Port of Call.
9. Western Australia's adherence to Commonwealth Bill.
10. Selection of an Agent-General to represent Australian Colonies at Berne Post Union Festival.

The

The Conference proceeded to consider the subject of the appointment of

FEDERAL DELEGATES TO VISIT ENGLAND,

when, after general discussion, it was resolved that the further consideration be postponed until to-morrow.

PROVINCIAL GOVERNORS UNDER THE COMMONWEALTH.

The Conference, having fully considered the subject, is of opinion (a)—that a reduction in salaries now given to Governors should be made; (b) that the appointments should, as at present, be vested in the Imperial Government; (c) that Governors should not be expected to supplement their salaries from their private means.

RESIDENCE OF GOVERNOR-GENERAL.

The Conference resolved that as the Governor-General will not be appointed as Governor of any one Colony, and as the Government Houses in Sydney and Melbourne have been offered, no action was necessary.

NEW GUINEA QUESTION.

After full discussion, and as New South Wales would not agree to pay compensation to the Syndicate without Parliamentary sanction (Victoria only agreeing to pay if New South Wales did), the matter dropped.

FEDERAL RIFLE TEAM.

The Conference resolved that in view of the large number of troops sent to South Africa, and now serving there, no steps should be taken during the present year to send a Federal Rifle Team to compete at Bisley.

The conference adjourned at 6.15 and resumed at 8.15 o'clock.

The Right Honorable Sir John Forrest, P.C., Premier of West Australia, here joined the Conference, but did not take part in any matters concerning Federation.

FREMANTLE AS A PORT OF CALL.

The Right Honorable Sir John Forrest brought this subject before the Conference, and explained the steps that had led up to the question, when, after deliberation, the further consideration was postponed until to-morrow.

The Conference adjourned at 10.30 p.m. until 11 o'clock to-morrow.

THURSDAY 25 JANUARY, 1900.

The Conference having met at 11 o'clock, resumed consideration of the subject of mail steamers calling at Fremantle, and after deliberation resolved:

“That this Conference of Premiers is unable to agree to any extension of the period of transit as asked for by the Mail Companies.”

STATISTICIANS: MEETING OF, AND CENSUS.

The Conference having fully considered the question, agreed to the following Resolutions:

“That it is desirable that a Census be taken in each Colony during the year 1901, and that a Conference of Statists be held at an early date, not later than 20th proximo, to make all arrangements for carrying out the same.”

“At such Conference the Statists shall also prepare and publish a return showing how many members each original State shall be entitled to in the House of Representatives, and that the return be prepared upon the basis appended hereto.”

APPENDIX.

APPENDIX.

The method of computing the populations of the several Colonies to be adopted by the Statisticians to be as follows:—"The record of births and deaths, as well as of arrivals by sea, shall be taken as correct when certified to by the Statistician of the Colony to which they refer, but the number of departures by sea shall be subject to correction. The amount of correction to be ascertained by adding the number of births and of arrivals during the ten years 1881-1891 to the population actually ascertained in 1881, and from the number so arrived at, the number of deaths and of recorded departures shall be subtracted, and the remainder compared with the actual population ascertained in 1891. If the population as estimated in the foregoing manner be found to exceed the true population, the excess shall be taken to be the departures unrecorded during the ten years 1881-1891; and in estimating the population at the close of 1899, it shall be assumed that there has been the same proportion of unrecorded departures to the recorded departures since 1891, as there was in the ten years 1881 to 1891.

BUBONIC PLAGUE.

The Conference resolved that when suspicious cases arose, as had recently been reported in Adelaide and Sydney, every precaution should be taken in each of the Colonies to prevent the disease spreading; and when any particular case was diagnosed as the true plague, each Colony should adopt such measures as might be deemed advisable to deal with the disease, and immediately advise all the other Colonies on the subject.

WESTERN AUSTRALIA'S ADHERENCE TO COMMONWEALTH BILL.

This matter was fully discussed, but no action was determined.

SELECTION OF AN AGENT-GENERAL TO REPRESENT AUSTRALIAN COLONIES AT
BERNE POSTAL UNION FESTIVAL.

After discussion the Agent-General for South Australia was appointed.

APPOINTMENT OF FEDERAL DELEGATES TO VISIT ENGLAND.

The Conference having deliberated, resolved,—

"That, in compliance with the request contained in the despatch received from the Secretary of State for the Colonies, that delegates from the Australian colonies should be sent to England to explain and give assistance when the Australian Commonwealth Bill comes before the Imperial Parliament, this Conference is of opinion that each colony should appoint a delegate, and that such delegate, when appointed, should represent all the federating colonies in unitedly urging the passage of the Bill through the Imperial Parliament without amendment, and in explaining any legal or constitutional questions that may arise."

Mr. Lyne desired to place on record his opinion that a delegation, consisting of Mr. Barton and Mr. Deakin, would be preferable.

The Conference also agreed to the following instructions for the guidance of the Delegates:—

That, in the opinion of this Conference, the delegates who may be sent to London in relation to the Commonwealth Bill should emphasise the following facts:—

- (a) That a Bill was originally drafted and discussed by representatives of all the Australian Colonies in 1891.
- (b) That in 1897 a Convention was specially elected by the people of New South Wales, Victoria, South Australia, and Tasmania, and included also representatives of Western Australia. That this Convention sat in Adelaide, Sydney, and Melbourne, and debated, amended, re-drafted and finally adopted the Bill after many weeks of labour:

(c)

- (c) That, later on, the Premiers of the Colonies named and the Premier of Queensland made certain further amendments in the Bill, which was then, by parliamentary authority, by statute, referred to the votes of the electors of the Colonies, with the exception of Western Australia.
- (d) That in New South Wales, Victoria, Queensland, South Australia, and Tasmania the Draft Bill was approved by a large majority of the voters, the total votes being 374,681 for and 144,355 against.

FEDERAL Polling, 1898 and 1899.

| | | 1898. | 1899. |
|-----------------|------------------|---------|---------|
| New South Wales | { For | 71,595 | 107,420 |
| | { Against | 66,228 | 82,741 |
| Queensland | { For ... .. | ..... | 35,181 |
| | { Against ... .. | ..... | 28,965 |
| Victoria | { For | 100,520 | 152,635 |
| | { Against | 22,099 | 9,804 |
| Tasmania | { For | 11,746 | 13,437 |
| | { Against | 2,689 | 791 |
| South Australia | { For | 35,800 | 65,990 |
| | { Against | 17,320 | 17,053 |

E. and O.E.

- (e) The Legislatures of the Colonies whose votes had approved the Bill, then remitted the draft to the Imperial Authorities, praying for its passing by the Imperial Parliament.

That, in view of these facts, the Imperial Government and Parliament be respectfully urged to pass the Bill so carefully drawn and considered and finally adopted by the people without any amendment.

THE NEW HEBRIDES.

The Conference agreed that a telegram in the following terms be forwarded to the Secretary of State for the Colonies :—

Reported in Press cables that French newspapers insist on the necessity of settling the fate of the New Hebrides; also alleging that Australian opposition to French annexation of the group has greatly diminished. Conference of Australian Premiers now in session at Sydney inform you that Australian opposition to French annexation has in no way diminished, and, without wishing to embarrass the Imperial Government at the present juncture, express an earnest hope that no steps will be taken to give France greater control unless Australasian Governments first consulted.

DEATH OF H.H. THE DUKE OF TECK.

The Conference resolved that a telegram in the following terms be forwarded to the Right Honorable the Secretary of State for the Colonies by His Excellency the Lieut.-Governor.

Will be glad if you will kindly convey the deep sympathy of the Premiers of Australia and Tasmania in Conference assembled to Her Royal Highness the Duchess of York, in her great affliction.

The Conference adjourned at 10:30 p.m. until Saturday at 10:30 a.m.

SATURDAY,

SATURDAY, 27 JANUARY, 1900.

The Conference assembled at 10.30 a.m. and entered upon the discussion of the proposals of the Eastern Extension Telegraph Company, when, after full consideration, the Honorable F. W. Holder proposed the following motion, viz. :—

“That the proposals of the Eastern Extension Telegraph Company for a Cape-Australian cable be accepted with the following qualifications :—

- (a) The suggestion of Mr. Chamberlain to be agreed to.
- (b) The right to open local offices to be exercised only on the laying of the Pacific Cable.
- (c) No exemption from Customs duties to apply except to Telegraph instruments, cables, and chemicals.
- (d) Sites in Perth, Fremantle, Adelaide, and Glenelg, to be subject to satisfactory arrangements approved by the Governments of Western Australia and South Australia.
- (e) The Roebuck Bay Cable not be closed. The Postmasters-General to arrange details subject to these provisions.”

A majority of Premiers were in favour of the above motion ; but the Premiers of Victoria and Queensland having expressed a desire to obtain further information, it was unanimously agreed to postpone the final decision for a few days, and the Premiers of Victoria and Queensland to communicate with the President, who will thereupon record and notify to the Secretary of State the decision arrived at.

The business being ended, the Conference, on the motion of the Premier of Victoria, seconded by the Premier of Queensland, thanked the Honorable William John Lyne for his valuable services as Chairman.

Mr. A. C. Budge was also thanked for his services as Secretary, and the Conference adjourned *sine die*.

ALEX. C. BUDGE,
Secretary.

WILLIAM JOHN LYNE,
Chairman.

CONFERENCE OF PREMIERS, HELD IN MELBOURNE, APRIL, 1900.

(MINUTES OF PROCEEDINGS OF.)

Minutes of Proceedings.

THURSDAY, 19 APRIL, 1900.

The Conference met at the Executive Council Chamber, Melbourne, on Thursday, 19th April, 1900, at 10.25 a.m.

Present :

- The Hon. W. J. LYNE, M.P., Premier of New South Wales ;
- The Honorable A. McLEAN, M.P., Premier of Victoria ;
- The Honorable F. W. HOLDER, M.P., Premier of South Australia ;
- The Honorable R. PHILP, M.P., Premier of Queensland ;
- The Honorable N. E. LEWIS, M.P., Premier of Tasmania.

Resolved,—That the Honorable A. McLean, Premier of Victoria, be Chairman of the Conference ; and that Mr. R. S. Rogers, Secretary to the Premier of Victoria, be Secretary to the Conference.

COMMONWEALTH

COMMONWEALTH OF AUSTRALIA BILL.

The Conference proceeded to consider the matter of the Commonwealth of Australia Bill.

Telegrams were read from the Right Honorable the Secretary of State for the Colonies and from the Australian Delegates in London as to the position of the Bill and as to certain proposed amendments.

A telegram was read from the Right Honorable Sir John Forrest, K.C.M.G., Premier of Western Australia, with regard to the alterations desired by that Colony. A telegram from the Honorable A. P. Matheson, of Western Australia, to the Honorable F. W. Holder, relative to the subject, was also read.

After discussion, the Chairman was requested to telegraph to the Australian Delegates in London for certain information; also, to move His Excellency the Lieutenant-Governor of Victoria to telegraph to the Right Honorable the Secretary of State for permission to publish the Colonial Office telegraphic despatches of 5th April (two) and of 16th and 17th April, 1900.

Resolved,—That the further consideration of the subject be postponed until to-morrow.

The Conference then, at 4:50 p.m., adjourned until 10:30 a.m. on the following day.

FRIDAY, 20 APRIL, 1900.

The Conference met, pursuant to adjournment, at 10:30 a.m.

Present: All the Members.

COMMONWEALTH OF AUSTRALIA BILL.

Telegrams were received from the Western Australian Federal League and from the Australian Natives' Association, Perth, relative to the amendments desired by Western Australia, and the inclusion of that Colony in the Federation.

As no reply had been received to the telegram sent to the Australian Delegates in London, the sitting of the Conference was suspended until 3:45 p.m. On resuming at that hour, the Chairman stated that still no reply had come to hand.

The Conference, at 3:55 p.m., adjourned until 10:30 a.m. next day.

SATURDAY, 21 APRIL, 1900.

The Conference met, pursuant to adjournment, at 10:30 a.m.

Present:

All the members except the Hon. N. E. Lewis, Premier of Tasmania.

COMMONWEALTH OF AUSTRALIA BILL.

Telegrams were received as follows, viz.:—

From the Right Honorable the Secretary of State for the Colonies, agreeing to the publication of the Colonial Office telegraphic despatches if the Premiers saw no objection to that course.

From Mr. J. T. Walker, Chairman of a public meeting held in Sydney, relative to the Privy Council Appeal question.

From President of Chamber of Manufactures, Perth, as to amendments desired by Western Australia.

From the President of the Eastern Gold-Fields Reform League, Kalgoorlie, respecting the position of Western Australia.

CENSUS.

Resolved,—That the date selected by the recent Conference of Statisticians for the taking of the Census in the Australasian Colonies be adhered to.

COMMONWEALTH

COMMONWEALTH OF AUSTRALIA BILL.

The information asked for having been received from the Australian Delegates in London, the Conference deliberated until 4.30 p.m., when it adjourned until 7.30 p.m.

On resuming at 7.30 p.m., the Conference further deliberated, and finally adopted the following telegram for transmission to the Right Honorable the Secretary of State for the Colonies, and the Chairman was requested to move His Excellency the Lieutenant-Governor of Victoria to telegraph accordingly, viz. :—

The Premiers of New South Wales, Victoria, Queensland, South Australia, and Tasmania, in Conference assembled, having given full consideration to the despatches from the Secretary of State for the Colonies respecting suggested amendments in the Commonwealth Bill, reply :—

1. While they fully recognise the feeling of the Imperial Government that vigilance on their part is essential in the interests of all parts of the Empire, and also the importance of securing the inclusion of Western Australia in the Federation from the first, they cannot forget that by the Enabling Acts, and in pursuance of them—

- (a) The framing of the Federal Constitution was expressly intrusted to the Convention of Representatives specially elected by the people for the purpose in all the Colonies except Queensland and Western Australia; and that the final acceptance or rejection of the Constitution, when framed, was also remitted to the people.
- (b) The question as to appeals was, *inter alia*, considered by the Convention in Adelaide, and no appeal to the Privy Council was allowed. During the visit of the Premiers to England, at the Jubilee, the matter was referred to by the Secretary of State for the Colonies, who urged reconsideration. It was accordingly reconsidered at the meeting of the Convention in Melbourne, and resolved in the opposite direction to the decision in Adelaide. Later, the matter was again discussed, and the compromise now in the Bill agreed to. It was yet again debated in the Premiers' Conference prior to the last referendum, and no alteration was made in the form of the Bill. The vote was then taken, and the Bill was adopted by a large majority of the electors.
- (c) The Commonwealth Bill belongs, therefore, in a very special sense, to the people of Australia, whose only mandate to Governments and Parliaments is to seek its enactment by the Imperial Parliament in the form in which it was adopted by the people.

2. The Premiers believe that the appeal clause, as framed, could not work injuriously to any part of the Empire, although the proposed new Court of Appeal would, doubtless, present attractions to the people of Australia.

3. The only alternatives suggested in the despatches are :—(1) Amendment of the Bill, and (2) postponement of its consideration. Of these two, the Premiers do not hesitate to say that the latter course would be much more objectionable to Australians generally even than the former.

4. Without disputing the constitutional power of the Imperial Parliament to amend the Bill on its own responsibility, the Premiers respectfully urge that the voice of the Australian people, given on the Bill as it stands, should receive that favourable consideration which such a weighty referendum demands. The Premiers do not consider themselves as having authority to accept any amendments. They hope that the Colony of Western Australia, whose representatives assisted to frame the Bill, and in the Convention almost unanimously agreed to clause 95, may be urged to accept it as it stands. They think that the Bill already sufficiently provides for the admission of New Zealand.

All business being concluded, it was resolved, upon the motion of the Hon. W. J. Lyne, seconded by the Hon. F. W. Holder, that the thanks of the Conference be accorded to the Hon. A. McLean for his services as Chairman, and to Mr. R. S. Rogers for his services as Secretary.

The Chairman then, at 9 p.m., declared the Conference closed.

ROBERT S. ROGERS,
Secretary.

A. McLEAN,
Chairman.

