

Sessional Papers

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 1.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

FRIDAY, 1 SEPTEMBER, 1882.

No. 1.

RIGHT OF CHALLENGE OF JURORS IN FELONY AND MISDEMEANOUR AMENDMENT BILL.

Clause 1. On and after the passing of this Act it shall be lawful for any persons ~~person~~ charged with any felony or misdemeanour with the exception of capital felony to peremptorily challenge at the trial ~~twelve~~ eight jurors. In cases of capital felony it shall be lawful for any person so charged to challenge peremptorily twenty jurors. (*Read.*)

Motion made (*Mr. W. J. Foster*),—to omit the word "twelve" line 3, and insert the word "eight"
Question put,—That the word proposed to be omitted stand part of the Clause.
Committee divided.

Ayes, 12.

Mr. Boyers,
Mr. John Brown,
Mr. Buchanan,
Mr. Cass,
Mr. Copeland,
Mr. Day,
Mr. William Forster,
Mr. Garvan,
Mr. Levin,
Mr. R. B. Smith,

Tellers.

Mr. Levien,
Mr. Slatter

Noes, 42.

Mr. Abigail,
Mr. H. H. Brown,
Mr. Byrnes,
Mr. George Campbell,
Mr. W. R. Campbell,
Mr. Henry Clarke,
Mr. Cooke,
Mr. Cransie,
Mr. H. C. Dangar,
Mr. Davies,
Mr. Fawcett,
Mr. Fergusson,
Mr. W. J. Foster,
Mr. Fraser,
Mr. Heydon,
Mr. Hezlet,
Mr. Jacob,
Mr. Kidd,
Mr. Lackey,
Mr. G. A. Lloyd,
Mr. Loughnan,
Mr. Martin,

Mr. M'Culloch,
Mr. Mitchell,
Mr. Poole,
Mr. Proctor,
Dr. Renwick,
Sir John Robertson,
Mr. Rylie,
Mr. See,
Mr. Sydney Smith,
Mr. T. R. Smith,
Mr. Sutter,
Mr. Tarrant,
Mr. Tecece,
Mr. James Watson,
Mr. Wilkinson,
Mr. Wisdom,
Mr. Wright,
Mr. Young,

Tellers.

Mr. Burdekin,
Mr. William Clarke.

Word inserted.

On motion of Mr. Buchanan the Chairman left the Chair.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 2.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

FRIDAY, 8 SEPTEMBER, 1882.

No. 1.

BARRISTERS ADMISSION BILL.

Clause 1. Any person duly admitted to practise as a Barrister in the Supreme Court of Victoria or of Queensland shall be entitled to be admitted to practise as a Barrister in the Supreme Court of New South Wales upon the like terms and conditions and payment of the like fees respectively as those upon which any person who shall have been duly admitted to practise as a Barrister in the Supreme Court of New South Wales shall for the time being be entitled to be admitted to practise as a Barrister in the Supreme Court of Victoria or of Queensland respectively upon such terms and conditions and payment of such fees as may from time to time be regulated by a Rule of the said Court. (Read.)

Barrister of Victoria or of Queensland entitled to practise as a Barrister in New South Wales.

Motion made (Mr. Slattery),—That the Clause be amended, as indicated.

Motion made (Mr. McElhone) and Question put,—That the Chairman leave the Chair and ask leave to sit again.

Committee divided.

Ayes, 4.

Mr. Joseph P. Abbott,
Mr. Frenlin,

Tellers.

Mr. McElhone,
Mr. Beyers.

Noes, 33.

Mr. Andrews,
Mr. Bodel,
Mr. Burns,
Mr. Copeland,
Mr. T. G. Dangar,
Mr. Davies,
Mr. Farnell,
Mr. Fawcett,
Mr. Fergusson,
Mr. Garrard,
Mr. Garrett,
Mr. Garvan,
Mr. Henson,
Mr. Hungerford,
Mr. Jacob,
Mr. Lackey,
Mr. G. A. Lloyd,
Mr. McLaughlin,

Mr. Pigott,
Mr. Proctor,
Dr. Ronwick,
Mr. Roseby,
Mr. Sydney Smith,
Mr. Stuart,
Mr. Sutter,
Mr. Tecce,
Mr. Trickett,
Mr. James Watson,
Mr. Wisdom,
Mr. Withers,
Mr. Young,

Tellers.

Mr. Slattery,
Mr. Heydon.

Proposed Amendment agreed to.

Clause, as amended, agreed to.

On motion of Mr. Slattery, the Chairman left the Chair, to report the Bill with Amendments.

1882.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 3.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES)

THURSDAY, 14 SEPTEMBER, 1882.

No. 1.

CRIMINAL LAW AMENDMENT BILL.

Clause 41. Whosoever by any "false pretence false representation or other fraudulent" means or by the use of any intoxicating drug induces or procures any woman to have illicit carnal connection with a man or by any such means has such connection with a woman shall be liable to ~~penal servitude for ten years~~ imprisonment for any term not exceeding seven years. (Read.)

Motion made (Mr. Melville),—to omit the words "false pretence false representation or other fraudulent" line 1.

Question put,—That the words proposed to be omitted stand part of the Clause. Committee divided.

Ayes, 26.

Noes, 15.

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|-------------------|-------------------|
| Mr. Andrews, | Mr. Loughnan, |
| Mr. Beyers, | Mr. Lynch, |
| Mr. John Brown, | Mr. McCulloch, |
| Mr. Brunker, | Mr. Quin, |
| Mr. Burdekin, | Mr. Reid, |
| Mr. Cooke, | Dr. Renwick, |
| Mr. Copeland, | Mr. Slattery, |
| Mr. H. C. Dangar, | Mr. Suttor, |
| Mr. Davies, | Mr. James Watson, |
| Mr. Fawcett, | Mr. Wisdom, |
| Mr. Heydon, | <i>Tellers.</i> |
| Mr. Hezlett, | Mr. Henry Clarke, |
| Mr. Jacob, | Mr. Mitchell. |
| Mr. Lackey, | |

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|-----------------|------------------|
| Mr. Bodel, | Mr. R. B. Smith, |
| Mr. Bowman, | Mr. Stuart, |
| Mr. Carter, | Mr. Tarrant, |
| Mr. Farnell, | Mr. Wright, |
| Mr. Holborow, | <i>Tellers.</i> |
| Mr. McLaughlin, | Mr. See, |
| Mr. Melville, | Mr. Gurrin. |
| Mr. Pigott, | |
| Mr. Poole, | |

Proposed Amendment negatived.

And the Clause having been amended, as indicated,—

Clause, as amended, agreed to.

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

THURSDAY, 14 SEPTEMBER, 1882.

No. 2.

CRIMINAL LAW AMENDMENT BILL.

Clause 59. Whosoever commits the abominable crime of buggery either with mankind or with any animal shall be liable to "penal servitude for life or any term not less than five years" ^{Sodomy and bestiality.} (Read.)

Motion made (Mr. Buchanan),—to omit the words "penal servitude for life or any term not less than five years" line 2, and insert the words "suffer death"

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

Committee

Committee divided.

Ayes, 57.

Mr. Abigail,	Mr. Holborow,
Mr. Andrews,	Mr. Hungerford,
Mr. Beyers,	Mr. Jacob,
Mr. Bodel,	Mr. Kerr,
Mr. John Brown,	Mr. Lackey,
Mr. Burdekin,	Mr. G. A. Lloyd,
Mr. Burns,	Mr. Lynch,
Mr. Byrnes,	Mr. Martin,
Mr. W. R. Campbell,	Mr. McCulloch,
Mr. Cass,	Mr. Mitchell,
Mr. Henry Clarke,	Mr. Pigott,
Mr. Combes,	Mr. Poole,
Mr. Cooke,	Mr. Quin,
Mr. Copeland,	Dr. Renwick,
Mr. H. C. Dangar,	Sir John Robertson,
Mr. Davies,	Mr. Rutledge,
Mr. Day,	Mr. See,
Mr. Farnell,	Mr. R. B. Smith,
Mr. Fawcett,	Mr. Sydney Smith,
Mr. Fergusson,	Mr. Suttor,
Mr. Fletcher,	Mr. Teece,
Mr. W. J. Foster,	Mr. Tooth,
Mr. Fraser,	Mr. Wisdom,
Mr. Framlin,	Mr. Wright,
Mr. Fullford,	Mr. Young,
Mr. Garrett,	
Mr. Garvan,	<i>Tellers.</i>
Mr. Henson,	Mr. Pilcher,
Mr. Heydon,	Mr. Withers.
Mr. Hezlet,	

Noes, 3.

Mr. O'Connor,
Tellers.
Mr. Joseph P. Abbott,
Mr. Buchanan.

Proposed Amendment negatived.
Clause, as read, agreed to.

No. 3.

(*Same Bill.*)

Certain assaults.

Clause 64. Whosoever unlawfully and with violence "or by any threat of violence" prevents any person from or obstructs him in working at or exercising his lawful trade or occupation or beats or uses any violence or threat of violence to any such person with intent so to prevent or obstruct him shall on conviction before two Justices be liable to imprisonment for a term not exceeding *six* months Provided that no person punished under this section shall be punished for the same offence under any other law. (*Read.*)

Motion made (*Mr. Melville*),—to omit the words "or by any threat of violence" line 1.
Question put,—That the words proposed to be omitted stand part of the Clause.
Committee divided.

Ayes, 53.

Mr. Joseph P. Abbott,	Mr. Holborow,
Mr. E. P. Abbott,	Mr. Hungerford,
Mr. Abigail,	Mr. Jacob,
Mr. Andrews,	Mr. Kerr,
Mr. Beyers,	Mr. Kidd,
Mr. Bodel,	Mr. Lackey,
Mr. Bowman,	Mr. Martin,
Mr. John Brown,	Mr. McCulloch,
Mr. Brunker,	Mr. Quin,
Mr. Buchanan,	Dr. Renwick,
Mr. Burdekin,	Sir John Robertson,
Mr. Burns,	Mr. Roseby,
Mr. Byrnes,	Mr. Rutledge,
Mr. W. R. Campbell,	Mr. See,
Mr. Henry Clarke,	Mr. R. B. Smith,
Mr. Cooke,	Mr. Sydney Smith,
Mr. Copeland,	Mr. Stuart,
Mr. H. C. Dangar,	Mr. Tarrant,
Mr. T. G. Dangar,	Mr. Teece,
Mr. Davies,	Mr. Tooth,
Mr. Eckford,	Mr. James Watson,
Mr. Farnell,	Mr. Wisdom,
Mr. Fawcett,	Mr. Young,
Mr. Fergusson,	
Mr. William Forster,	<i>Tellers.</i>
Mr. Garrett,	Mr. Fremlin,
Mr. Henson,	Mr. Edmund Barton.
Mr. Hezlet,	

Noes, 4.

Mr. Fletcher,
Mr. O'Connor,
Tellers.
Mr. Poole,
Mr. Melville.

Clause, as read, agreed to.

No. 4.

(*Same Bill.*)

Dead wood.
Third offence.

Clause 85. Whosoever steals or destroys or damages with intent to steal any dead wood lying on land in the occupation of another person if such wood exceeds in value a shilling shall if twice previously summarily convicted of any such offence be punished as in the case of simple larceny. (*Read.*)

Motion made (*Mr. Wisdom*) and Question put,—That the Clause be postponed,

Committee

Committee divided.

Ayes, 28.

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|-------------------|---------------------|
| Mr. Andrews, | Mr. Quin, |
| Mr. Beyers, | Dr. Kenwick, |
| Mr. Brunker, | Sir John Robertson, |
| Mr. Burdekin, | Mr. R. B. Smith, |
| Mr. Burns, | Mr. Sydney Smith, |
| Mr. H. C. Dangar, | Mr. Stewart, |
| Mr. Davies, | Mr. Suttor, |
| Mr. Fawcett, | Mr. Tecco, |
| Mr. W. J. Foster, | Mr. James Watson, |
| Mr. Henson, | Mr. Wisdom, |
| Mr. Holborow, | Mr. Withers, |
| Mr. Hungerford, | <i>Tellers.</i> |
| Mr. Lackey, | Mr. Young, |
| Mr. Lynch, | Mr. Bowman. |
| Mr. O'Connor, | |

Noes, 14.

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|---------------------|-----------------|
| Mr. John Brown, | Mr. Kidd, |
| Mr. W. R. Campbell, | Mr. McCulloch, |
| Mr. Carter, | Mr. Melville, |
| Mr. Copeland, | Mr. Poole, |
| Mr. Fletcher, | <i>Tellers.</i> |
| Mr. Fremlin, | Mr. Wright, |
| Mr. Garvan, | Mr. Bodel. |
| Mr. Jacob, | |

Clause postponed.

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

[8d.]

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 4.

WEEKLY REPORT OF DIVISIONS

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 20 SEPTEMBER 1882.

No. 1:

CRIMINAL LAW AMENDMENT BILL.

Clause 163. Whosoever unlawfully and wilfully sets or uses any snare or engine for the purpose of taking or killing deer upon any enclosed land of the owner of such deer or unlawfully and wilfully destroys any part of the fence of any land where deer are then kept shall on conviction before two Justices pay a sum not exceeding twenty pounds. (Read.)

And the Clause having been amended as indicated,—
Question put,—That the Clause as amended stand part of the Bill.
Committee divided.

Ayes, 36.

- Mr. Andrews,
- Mr. Russell Barton,
- Mr. Beyers,
- Mr. Brunker,
- Mr. Burns,
- Mr. George Campbell,
- Mr. Carter,
- Mr. Henry Clarke,
- Mr. T. G. Dangar,
- Mr. Fawcett,
- Mr. W. J. Foster,
- Mr. Henson,
- Mr. Heydon,
- Mr. Jacob,
- Mr. Kerr,
- Mr. Lackey,
- Mr. G. A. Lloyd,
- Mr. Lynch,
- Mr. McLaughlin,
- Mr. Mitchell,
- Mr. Proctor,
- Mr. Quin,
- Dr. Renwick,
- Sir John Robertson,
- Dr. Ross,
- Mr. Ryrrie,
- Mr. R. B. Smith,
- Mr. Sydney Smith,
- Mr. Suttor,
- Mr. Tooth,
- Mr. James Watson,
- Mr. Wisdom,
- Mr. Wright,
- Mr. Young,

Tellers.

Mr. See,
Mr. Martin.

Noes, 20.

- Mr. John Brown,
- Mr. W. R. Campbell,
- Mr. Combes,
- Mr. Copeland,
- Mr. Douglass,
- Mr. Farnell,
- Mr. Fergusson,
- Mr. William Forster,
- Mr. Fraser,
- Mr. Garrard,
- Mr. Holborow,
- Mr. Hungerford,
- Mr. Levien,
- Mr. Melville,
- Mr. O'Connor,
- Mr. Stuart,
- Mr. Wilkinson,
- Mr. Withers,

Tellers.

Mr. H. C. Dangar,
Mr. Reid.

Clause, as amended, agreed to.

No. 2.

(Same Bill.)

Clause 164. Whosoever unlawfully and wilfully kills wounds or takes any house-dove or pigeon under such circumstances as shall not amount to larceny at common law shall on conviction before two Justices pay above the value of the bird a sum not exceeding two pounds. (Read.)

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

Ayes,

Ayes, 41.

Mr. Andrews,	Mr. Martin,
Mr. Russell Barton,	Mr. Mitchell,
Mr. Beyers,	Mr. Proctor,
Mr. Brunker,	Mr. Quin,
Mr. Burns,	Dr. Renwick,
Mr. George Campbell,	Sir John Robertson,
Mr. Carter,	Dr. Ross,
Mr. Henry Clarke,	Mr. Ryrie,
Mr. T. G. Dangar,	Mr. See,
Mr. Davies,	Mr. R. B. Smith,
Mr. Douglas,	Mr. Suttor,
Mr. Fawcett,	Mr. Tooth,
Mr. W. J. Foster,	Mr. James Watson,
Mr. Henson,	Mr. Wilkinson,
Mr. Heydon,	Mr. Wisdom,
Mr. Holborow,	Mr. Withers,
Mr. Jacob,	Mr. Wright,
Mr. Kerr,	Mr. Young,
Mr. Lackey,	<i>Tellers.</i>
Mr. G. A. Lloyd,	Mr. Burdekin,
Mr. Lynch,	Mr. McLaughlin.

Noes, 14.

Mr. John Brown,
Mr. W. R. Campbell,
Mr. Combes,
Mr. Copeland,
Mr. H. C. Dangar,
Mr. Fergusson,
Mr. William Forster,
Mr. Fraser,
Mr. Melville,
Mr. O'Connor,
Mr. Sydney Smith,
Mr. Stuart,
<i>Tellers.</i>
Mr. Garrard,
Mr. Hungerford.

Clause as read agreed to.

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

THURSDAY, 21 SEPTEMBER, 1882.

No. 3.

CRIMINAL LAW AMENDMENT BILL.

Clause 343. Every accused person shall in all Courts be admitted to make full answer and defence by counsel or by attorney in Courts where attorneys practise as counsel or by agent and in every case may reserve his address until the close of the evidence for the defence and in the latter case all evidence in reply for the Crown shall be given before such address And in all summary proceedings before Justices the accused shall be admitted to make full answer and defence and to have all witnesses examined and cross-examined by counsel or attorney or agent. (*Read.*)

And the Clause having been amended as indicated,—

Motion made (*Mr. Wisdom*), to insert after words omitted, line 2, the words, "or by agent"

And the Committee continuing to sit after midnight,—

FRIDAY, 22 SEPTEMBER, 1882, A.M.

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

Committee divided.

Ayes, 21.

Mr. Andrews,	Sir John Robertson.
Mr. Beyers,	Mr. Teece,
Mr. John Brown,	Mr. James Watson,
Mr. Carter,	Mr. Wisdom,
Mr. Cooke,	Mr. Withers,
Mr. Day,	<i>Tellers.</i>
Mr. Fawcett,	Mr. Sydney Smith,
Mr. W. J. Foster,	Mr. Lynch.
Mr. Henson,	
Mr. Jacob,	
Mr. G. A. Lloyd,	
Mr. Mitchell,	
Mr. Reid,	
Dr. Renwick,	

Noes, 12.

Mr. Burns,
Mr. George Campbell,
Mr. H. C. Dangar,
Mr. Douglas,
Mr. Fraser,
Mr. Kidd,
Mr. Ryrie,
Mr. Slattery,
Mr. R. B. Smith,
Mr. Wright,
<i>Tellers.</i>
Mr. Brunker,
Mr. Burdekin.

Words inserted.

And the Clause having been further amended as indicated —

Clause, as amended, agreed to.

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

1882.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

No. 5.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 27 SEPTEMBER, 1882.

No. 1.

CRIMINAL LAW AMENDMENT BILL.

Clause 381. A new trial may be granted in any case "of" misdemeanor (for any cause for which a new trial may now be granted) in respect of all or some or one only of the defendants where two or more are included in the same indictment although all are not present nor are parties to the motion nor have been tried. And a new trial may be granted by the Supreme Court in any case of misdemeanor although the indictment was preferred and the trial had in a Circuit Court and sentence passed there on the defendant or defendants or some or one of them. *(Read.)*

Motion made (*Mr. Pigott*), to insert after "of" line 1, the words "felony or"

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

Committee divided.

Ayes, 14.

Mr. Edmund Barton,
Mr. Farnell,
Mr. Fergusson,
Mr. William Forster,
Mr. Garvan,
Mr. Melville,
Mr. Pigott,
Dr. Ross,
Mr. Slattery,
Mr. R. B. Smith,
Mr. Sydney Smith,
Mr. Stuart,

Tellers.

Mr. Leven,
Mr. O'Connor.

Noes, 42.

Mr. R. P. Abbott,	Mr. Kidd,
Mr. Andrews,	Mr. Lackey,
Mr. Russell Barton,	Mr. G. A. Lloyd,
Mr. Bodel,	Mr. McCulloch,
Mr. John Brown,	Mr. Poole,
Mr. Burns,	Mr. Proctor,
Mr. George Campbell,	Mr. Reid,
Mr. Carter,	Dr. Renwick,
Mr. Combes,	Sir John Robertson,
Mr. Cooke,	Mr. Rutledge,
Mr. H. C. Dangar,	Mr. Rytic,
Mr. Davies,	Mr. Tooc,
Mr. Douglas,	Mr. Trickett,
Mr. Fawcett,	Mr. Vaughn,
Mr. Fletcher,	Mr. Wilson,
Mr. W. J. Foster,	Mr. Wisdom,
Mr. Fremlin,	Mr. Withers,
Mr. Henson,	Mr. Young,
Mr. Heydon,	
Mr. Holborow,	
Mr. Hungerford,	
Mr. Jacob,	

Tellers.

Mr. W. R. Campbell,
Mr. Badgery.

Proposed Amendment negatived.

No. 2.

(Same Clause.)

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

Committee divided.

Ayes, 31.

Mr. Andrews,	Mr. Lackey,
Mr. Edmund Barton,	Mr. G. A. Lloyd,
Mr. Bodel,	Dr. Renwick,
Mr. John Brown,	Sir John Robertson,
Mr. Burns,	Dr. Ross,
Mr. George Campbell,	Mr. Ryrie,
Mr. W. R. Campbell,	Mr. Vaughn,
Mr. Carter,	Mr. Wilson,
Mr. Cooke,	Mr. Wisdom,
Mr. H. C. Dangar,	Mr. Withers,
Mr. Davies,	Mr. Wright,
Mr. Fawcett,	Mr. Young,
Mr. Fletcher,	
Mr. W. J. Foster,	<i>Tellers.</i>
Mr. Holborow,	Mr. Teece,
Mr. Hungerford,	Mr. Heydon.
Mr. Jacob,	

Noes, 17.

Mr. R. P. Abbott,	Mr. R. B. Smith,
Mr. Russell Barton,	Mr. Stuart,
Mr. Farnell,	Mr. Trickett,
Mr. William Forster,	<i>Tellers.</i>
Mr. Kidd,	
Mr. Levien,	Mr. Fremlin,
Mr. McCulloch,	Mr. Poole.
Mr. Melville,	
Mr. O'Connor,	
Mr. Pigott,	
Mr. Rutledge,	
Mr. Slattery,	

Clause as read agreed to.

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

THURSDAY, 28 SEPTEMBER, 1882.

No. 3.

CRIMINAL LAW AMENDMENT BILL.

Provision substituted for forfeiture in felonies.

Clause 418. No inquest conviction or judgment in respect of any felony committed after the passing of this Act shall cause any escheat or forfeiture of land or goods. Provided always that on or at any time after the conviction of a person for a felony so committed the Court in which he was tried or any Judge thereof may direct a sum not exceeding two hundred pounds a sum amounting to five hundred pounds or any less amount to be paid out of the property of the offender to any aggrieved person by way of compensation for injury or loss sustained through or by reason of such felony and a sum not exceeding one hundred pounds to be paid out of the same property as such Court or Judge shall direct for the expenses incurred in the prosecution or apprehension of the offender. (*Read.*)

Motion made (*Mr. Trickett*), to omit the words "a sum not exceeding two hundred pounds" lines 4 and 5, and insert the words "such sum as to such Court or Judge shall seem just"

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

Committee divided.

Ayes, 15.

Mr. Edmund Barton,
Mr. Bodel,
Mr. W. R. Campbell,
Mr. Copeland,
Mr. Cramsie,
Mr. Fletcher,
Mr. Fraser,
Mr. Garrett,
Mr. Jacob,
Mr. Lyne,
Mr. McLaughlin,
Mr. Quir,
Mr. R. B. Smith,
<i>Tellers.</i>
Mr. Pigott,
Mr. Garvan.

Noes, 48.

Mr. Abigail,	Mr. Hungerford,
Mr. Andrews,	Mr. Kidd,
Mr. Russell Barton,	Mr. Lackey,
Mr. Beyers,	Mr. Levien,
Mr. John Brown,	Mr. G. A. Lloyd,
Mr. Brunner,	Mr. Martin,
Mr. Buchanan,	Mr. McCulloch,
Mr. Burdekin,	Mr. Poole,
Mr. Burns,	Mr. Reid,
Mr. Byrnes,	Dr. Renwick,
Mr. George Campbell,	Mr. See,
Mr. Henry Clarke,	Mr. Slattery,
Mr. Cooke,	Mr. Suttor,
Mr. H. C. Dangar,	Mr. Teece,
Mr. Davies,	Mr. Trickett,
Mr. Farnell,	Mr. James Watson,
Mr. Fawcett,	Mr. Wilkinson,
Mr. W. J. Foster,	Mr. Wisdom,
Mr. Fremlin,	Mr. Withers,
Mr. Fullford,	Mr. Wright,
Mr. Gannon,	Mr. Young,
Mr. Henson,	<i>Tellers.</i>
Mr. Heydon,	
Mr. Hezlet,	Mr. Ryrie,
Mr. Holborow,	Mr. Vaughn.

Words omitted.

No. 4.

No. 4.

(Same Clause.)

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

Committee divided.

Ayes, 30.

Mr. R. P. Abbott,	Mr. Suttor,
Mr. Abigail,	Mr. Trickett,
Mr. Andrews,	Mr. Vaughn,
Mr. Russell Barton,	Mr. James Watson,
Mr. Beyers,	Mr. Wisdom,
Mr. Brunker,	Mr. Wright,
Mr. Buchanan,	Mr. Young,
Mr. Henry Clarke,	
Mr. T. G. Dangar,	<i>Tellers.</i>
Mr. Davies,	Mr. Tece,
Mr. Eckford,	Mr. McCulloch.
Mr. Fawcett,	
Mr. W. J. Foster,	
Mr. Fremlin,	
Mr. Lackey,	
Mr. G. A. Lloyd,	
Mr. Martin,	
Dr. Renwick,	
Mr. Ryrie,	
Mr. See,	
Mr. Slattery,	

Words negatived.

Noes, 40.

Mr. Bodel,	Mr. Hazlet,
Mr. John Brown,	Mr. Holborow,
Mr. Burns,	Mr. Hungerford,
Mr. Byrnes,	Mr. Jacob,
Mr. George Campbell,	Mr. Levien,
Mr. W. R. Campbell,	Mr. Lyne,
Mr. Carter,	Mr. McElhone,
Mr. Cooke,	Mr. McLaughlin,
Mr. Copeland,	Mr. Melville,
Mr. Cransie,	Mr. Pigott,
Mr. H. C. Dangar,	Mr. Poole,
Mr. Farnell,	Mr. Quin,
Mr. Fergusson,	Mr. R. B. Smith,
Mr. Fletcher,	Mr. Sydney Smith,
Mr. Fraser,	Mr. Stuart,
Mr. Gannon,	Mr. Wilkinson,
Mr. Garrard,	Mr. Withers,
Mr. Garrett,	<i>Tellers.</i>
Mr. Garvan,	Mr. Burdekin,
Mr. Hanson,	Mr. Kidd.
Mr. Heydon,	

No. 5.

*(Same Clause.)*Motion made (*Mr. Garrett*), to insert, in place of the words omitted, the words, "a sum amounting to five hundred pounds or any less amount"

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

Committee divided.

Ayes, 45.

Mr. Andrews,	Mr. Lackey,
Mr. John Brown,	Mr. Lyne,
Mr. Brunker,	Mr. Martin,
Mr. Burns,	Mr. McElhone,
Mr. Byrnes,	Mr. Poole,
Mr. George Campbell,	Mr. Quin,
Mr. Carter,	Mr. Reid,
Mr. Combes,	Dr. Renwick,
Mr. Cooke,	Mr. Ryrie,
Mr. Cransie,	Mr. Slattery,
Mr. H. C. Dangar,	Mr. Sydney Smith,
Mr. T. G. Dangar,	Mr. Suttor,
Mr. Davies,	Mr. Trickett,
Mr. Eckford,	Mr. James Watson,
Mr. Fawcett,	Mr. Wilkinson,
Mr. Fergusson,	Mr. Wisdom,
Mr. William Forster,	Mr. Withers,
Mr. Fraser,	Mr. Wright,
Mr. Garrett,	Mr. Young,
Mr. Henson,	
Mr. Heydon,	<i>Tellers.</i>
Mr. Hazlet,	Mr. See,
Mr. Holborow,	Mr. Henry Clarke.
Mr. Kidd,	

Words inserted.

And the Clause having been further amended as indicated,—

Clause, as amended, agreed to.

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

FRIDAY, 29 SEPTEMBER, 1882.

No. 6.

LIMITATION OF OATHS BILL.

Clause 2. Any promise or declaration made under the provisions of this Act shall place the person making the same in the same position for all purposes and shall render him liable in all respects civilly and criminally for the breach or false-making of such promise or declaration and otherwise as if he had been duly sworn. (*Read.*)

Motion

Promise or declaration if false to subject the maker to same penalties and liabilities as a false oath.

Motion made (*Mr. McLaughlin*), and Question put,—That the Chairman leave the Chair and report progress.
Committee divided.

Ayes, 27.

Mr. R. P. Abbott,	Sir Henry Parkes,
Mr. Abigail,	Mr. Poole,
Mr. Andrews,	Dr. Renwick,
Mr. Beyers,	Mr. Roseby,
Mr. Burdekin,	Mr. Slattery,
Mr. Henry Clarke,	Mr. R. B. Smith,
Mr. Davies,	Mr. Suttor,
Mr. Fawcett,	Mr. Tarrant,
Mr. W. J. Foster,	Mr. James Watson,
Mr. Fremlin,	Mr. Withers,
Mr. Gannon,	<i>Tellers.</i>
Mr. Henson,	Mr. McLaughlin,
Mr. Hungerford,	Mr. Heydon,
Mr. Martin,	
Mr. Mitchell,	

Noes, 15.

Mr. Joseph P. Abbott,	Mr. See,
Mr. George Campbell,	Mr. Wisdom,
Mr. Copeland,	<i>Tellers.</i>
Mr. T. G. Dangar,	Mr. Young,
Mr. Farnell,	Mr. Wright
Mr. Fergusson,	
Mr. Fraser,	
Mr. Garrett,	
Mr. Jacob,	
Mr. O'Connor,	
Mr. Proctor,	

Chairman left the Chair accordingly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 4 OCTOBER, 1882.

No. 1.

CRIMINAL LAW AMENDMENT BILL.

Clause 442. In all cases "where the sum adjudged to be paid on any summary conviction exceeds five pounds" or the imprisonment adjudged exceeds one month or where imprisonment is adjudged the person convicted may appeal to the next Court of General Sessions appointed to be holden in the District where the cause of complaint arose or where the day of sitting is within ten days then to the next Court but one after the conviction—Provided that such person shall give to the prosecutor and also to the Clerk of the convicting Justices a notice in writing of such appeal within three days after such conviction—and shall either remain in custody until the Sessions or shall within eight days after the conviction enter into a recognizance with two sureties before one of such Justices conditioned to appear at the Sessions and prosecute such appeal and abide the judgment of the Court thereupon and to pay such costs as shall be awarded—or where only money has been adjudged to be paid shall at his option deposit with the Clerk of the Justices the sum so adjudged together with the costs of the conviction and the sum of ten pounds in respect of the costs of the appeal. (Read.)

Motion made (Mr. Jacob), to omit the words "where the sum adjudged to be paid on any summary conviction exceeds five pounds or the imprisonment adjudged exceeds one month" lines 1 and 2.

Question put,—That the words "where the sum adjudged to be paid on any summary conviction exceeds five pounds" proposed to be omitted, stand part of the Clause." Committee divided.

Ayes, 31.

- | | |
|----------------------|---------------------|
| Mr. Abigail, | Mr. Lynch, |
| Mr. Andrews, | Sir Henry Parkes, |
| Mr. Russell Barton, | Mr. Pilcher, |
| Mr. Bodel, | Dr. Renwick, |
| Mr. H. H. Brown, | Sir John Robertson, |
| Mr. Brunker, | Mr. Roseby, |
| Mr. Burns, | Mr. Suttor, |
| Mr. George Campbell, | Mr. Tecece, |
| Mr. Henry Clarke, | Mr. Vaughn, |
| Mr. Combes, | Mr. Wisdom, |
| Mr. H. C. Dangar, | Mr. Withers, |
| Mr. Davies, | Mr. Young, |
| Mr. Fawcett, | |
| Mr. W. J. Foster, | <i>Tellers.</i> |
| Mr. Kidd, | Mr. Douglas, |
| Mr. Lackey, | Mr. Cass. |
| Mr. G. A. Lloyd, | |

Noes, 26.

- | | |
|----------------------|-------------------|
| Mr. Beyers, | Mr. Slattery, |
| Mr. John Brown, | Mr. R. B. Smith, |
| Mr. Byrnes, | Mr. Sydney Smith, |
| Mr. Copeland, | Mr. Stuart, |
| Mr. Day, | Mr. Tooth, |
| Mr. Ferguson, | Mr. Trickett, |
| Mr. William Forster, | Mr. Wright, |
| Mr. Fremlin, | <i>Tellers.</i> |
| Mr. Garvan, | |
| Mr. Holborow, | Mr. Proctor, |
| Mr. Jacob, | Mr. Fullford. |
| Mr. Kerr, | |
| Mr. McCulloch, | |
| Mr. O'Connor, | |
| Mr. Pigott, | |
| Mr. Poole, | |
| Dr. Ross, | |

Proposed Amendment negatived.

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

No. 2.

(*Same Bill.*)

Definition—
 Offences enumerated.

Clause 448. For the purposes of this and the two following sections the word "boy" means a male person apparently above the age of *ten* and under *fourteen* years and the word "youth" means a male person apparently of or above *fourteen* and under *eighteen* years And any such boy or youth who commits any of the offences in this section enumerated shall on conviction before any Police or Stipendiary Magistrate be liable to a **penalty not exceeding forty shillings or to** detention in custody in any lock-up or police office or building or yard attached thereto for the period mentioned in the next section and if the Magistrate thinks fit to be there once privately whipped—that is to say—(a) who in company with any other person commits any wanton or unprovoked assault or (b) ~~takes part in or is found assisting or in attendance at any fighting or boxing match or dog fight or cock fight or~~ in any public place or in view thereof exposes his person or commits any other indecent act or uses obscene or blasphemous language ~~or makes any gesture or uses any insulting word calculated to provoke a breach of the peace or~~ (d) in any public place or in view thereof writes or marks upon any building pavement wall hoarding fence scaffolding or any foot-way or road-way any obscene or disgusting word or form or sign or (e) throws any missile or throws places or deposits any noxious or filthy matter or fluid so as to endanger the safety of or with intent to injure or annoy any person or so as to create a nuisance or (f) in any public place park or reserve or cemetery or any public or private garden or ornamental grounds wantonly destroys or damages or attempts to destroy or damage any tree shrub or plant trellis-stand flower-stand railing seat fountain or other structure or (g) wantonly destroys damages or disfigures or attempts to destroy damage or disfigure any portion of a public building statue work of art or pedestal or structure belonging thereto or any tombstone or monument in any cemetery or churchyard or prepared for erection therein or (h) cruelly or wantonly maims wounds illtreats or injures any dumb animal or (i) disturbs or annoys any lawful assemblage of people by yelling or hooting or by any other offensive conduct or noises or (j) in any public place wantonly behaves in a riotous or disorderly or offensive manner. (*Read.*)

And the Clause having been amended as indicated,—

Motion made (*Mr. Wisdom*), to omit the words "takes part in or is found assisting or in attendance at any fighting or boxing-match or dog-fight or cock-fight or" lines 9 and 10.

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

Committee divided.

Ayes, 9.

Mr. Abigail,
 Mr. H. C. Dangar,
 Mr. Fawcett,
 Mr. Henson,
 Mr. Melville,
 Mr. Roseby,
 Mr. R. B. Smith,

Tellers.

Mr. Vaughn,
 Mr. Martin.

Noes, 39.

Mr. Andrews,	Mr. Jacob,
Mr. Russell Barton,	Mr. Kerr,
Mr. Beyers,	Mr. Levin,
Mr. Bodel,	Mr. McCulloch,
Mr. H. H. Brown,	Mr. O'Connor,
Mr. John Brown,	Mr. Pigott,
Mr. Burns,	Mr. Poole,
Mr. W. R. Campbell,	Dr. Renwick,
Mr. Carter,	Sir John Robertson,
Mr. Cass,	Dr. Ross,
Mr. Cooke,	Mr. Slatery,
Mr. Davies,	Mr. Suttor,
Mr. Day,	Mr. Teece,
Mr. Douglas,	Mr. Wisdom,
Mr. Farnell,	Mr. Withers,
Mr. Fletcher,	Mr. Wright,
Mr. W. J. Foster,	Tellers.
Mr. Fruser,	
Mr. Fremlin,	Mr. Levien,
Mr. Heydon,	Mr. Garran.
Mr. Holborow,	

Words omitted.

And the Clause having been further amended as indicated,—

Clause as amended agreed to.

No. 3.

(*Same Bill.*)

Murder.

Postponed Clause 9. Whosoever commits the crime of murder shall be liable to "suffer death" Provided that where the act of the accused or thing by him omitted to be done causing the death charged shall not have been done or omitted with reckless indifference to life—nor with intent to kill or inflict grievous bodily harm upon any person—nor done in an attempt to commit or during or immediately after the commission by the accused or some accomplice with him of an act or crime obviously dangerous to life or a crime punishable by death or penal servitude for life—the crime shall be taken to be manslaughter. (*Read.*)

Certain crimes
 not murder.

Motion made (*Mr. Melville*), to omit the words "suffer death" line 1.

Question put,—That the words proposed to be omitted stand part of the Clause,

Committee

Committee divided.

Ayes, 38.

Mr. Andrews,	Mr. Levin,
Mr. Beyers,	Mr. G. A. Lloyd,
Mr. John Brown,	Mr. Lynch,
Mr. Burdekin,	Mr. Martin,
Mr. Burns,	Sir Henry Parkes,
Mr. W. R. Campbell,	Mr. Pigott,
Mr. Carter,	Dr. Renwick,
Mr. Copeland,	Sir John Robertson,
Mr. H. C. Dangar,	Mr. R. B. Smith,
Mr. Davies,	Mr. T. R. Smith,
Mr. Day,	Mr. Suttor,
Mr. Douglas,	Mr. Vaughn,
Mr. Farneli,	Mr. Wisdom,
Mr. Fawcett,	Mr. Withers,
Mr. W. J. Foster,	Mr. Wright,
Mr. Garrard,	Mr. Young,
Mr. Holborow,	<i>Tellers.</i>
Mr. Lackey,	Mr. Teece,
Mr. Levien,	Dr. Ross.

Noes, 3.

Mr. Jacob,
Tellers.
Mr. Melville,
Mr. McCulloch.

Proposed Amendment negatived.

Clause as read agreed to.

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

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 7.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

THURSDAY, 12 OCTOBER, 1882.

No. 1.

CRIMINAL LAW AMENDMENT BILL.

Postoned Clause 39. Whoever commits the crime of rape shall be liable to suffer *death*. And Rape.
the consent of the woman if obtained by threats or terror or under the belief induced by the Consent induced
language or conduct of the accused that he was her husband shall be no defence to the charge. by terror or
fraud.

Provided that where on the trial of any person for rape it shall appear that he had carnal knowledge of the woman with her consent under the belief induced by the language or conduct of such person that he was the woman's husband it shall be lawful for the jury to find those facts specially and thereupon the offender shall be liable to penal servitude for the term of fourteen years. (*Read.*)

And the Clause having been amended, as indicated, lines 2 and 3,—

Motion made (*Mr. Wisdom*) to add to the Clause the proviso, as shown in **black letter** type.

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

Committee divided.

Ayes, 46.

Mr. Abigail,	Mr. Kidd,
Mr. Andrews,	Mr. Lackey,
Mr. Bodel,	Mr. Loughnan,
Mr. H. H. Brown,	Mr. Martin,
Mr. Brunker,	Mr. McCulloch,
Mr. Burns,	Sir Henry Parkes,
Mr. Byrnes,	Mr. Quin,
Mr. W. R. Campbell,	Mr. Reid,
Mr. Henry Clarke,	Dr. Renwick,
Mr. Cramsie,	Sir John Robertson,
Mr. Davies,	Mr. E. B. Smith,
Mr. Day,	Mr. Sydney Smith,
Mr. Eckford,	Mr. Suttor,
Mr. Farnell,	Mr. Tecce,
Mr. Fawcett,	Mr. Tooth,
Mr. W. J. Foster,	Mr. Trickett,
Mr. Fraser,	Mr. Vaughn,
Mr. Fremlin,	Mr. James Watson,
Mr. Fullford,	Mr. Wilkinson,
Mr. Hay,	Mr. Wisdom,
Mr. Henson,	
Mr. Hezlet,	<i>Tellers.</i>
Mr. Holborow,	Mr. H. C. Dangar,
Mr. Hungerford,	Mr. Carter.

Nocs, 9.

Mr. Beyers,
Mr. Copeland,
Mr. William Forster,
Mr. Jacob,
Mr. O'Connor,
Mr. Stuart,
Mr. Young,

Tellers.

Mr. Garran,
Mr. Heydon.

Clause as amended agreed to.

No. 2.

*(Same Bill.)*Proof of lawful
authority or
excuse.

Postponed Clause 352. Wherever by any section of this Act the doing of a particular act or having a specified article or thing in possession without lawful authority or excuse is made or expressed to be an offence the proof of such authority or excuse shall lie on the accused Provided that in every such case he may be a witness on his own behalf should he so desire subject to cross-examination like any other witness. (*Read.*)

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

Committee divided.

Ayes, 27.

Mr. Beyers,	Mr. Purves,
Mr. Brunker,	Mr. Quin,
Mr. H. C. Dangar,	Dr. Renwick,
Mr. Davies,	Sir John Robertson,
Mr. Fawcett,	Mr. Suttor,
Mr. W. J. Foster,	Mr. Trickett,
Mr. Hay,	Mr. James Watson,
Mr. Heydon,	Mr. Wilkinson,
Mr. Holborow,	Mr. Wilson,
Mr. Hungerford,	Mr. Wisdom,
Mr. Lackey,	<i>Tellers.</i>
Mr. Loughnan,	Mr. Fremlin,
Mr. McCulloch,	Mr. Day.
Mr. Mitchell,	
Sir Henry Parkes,	

Noes, 11.

Mr. Copeland,
Mr. William Forster,
Mr. Garrard,
Mr. Garvan,
Mr. Jacob,
Sir Patrick Jennings,
Mr. O'Connor,
Mr. Slattery,
Mr. Stuart,
<i>Tellers.</i>
Mr. Young,
Mr. Joseph P. Abbott.

Clause as read agreed to.

On Motion of Mr. Wisdom the Chairman left the Chair to report the Bill with amendments.

No. 3.

GENERAL SAVINGS' BANK BILL:—

(Resolution.)

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

Resolved,—That it is expedient to bring in a Bill to establish a General Savings' Bank, with Government Guarantee, by the amalgamation of the Savings' Bank of New South Wales with the Government Savings' Bank.

Question put,—

Committee divided.

Ayes, 39.

Mr. Andrews,	Mr. Levin,
Mr. Beyers,	Mr. Levin,
Mr. Bodel,	Mr. Mitchell,
Mr. Burdakin,	Sir Henry Parkes,
Mr. Burns,	Mr. Quin,
Mr. Byrnes,	Mr. Reid,
Mr. Henry Clarke,	Dr. Renwick,
Mr. Copeland,	Sir John Robertson,
Mr. Cramsie,	Mr. Sydney Smith,
Mr. H. C. Dangar,	Mr. Stuart,
Mr. Davies,	Mr. Suttor,
Mr. Day,	Mr. Teece,
Mr. Fawcett,	Mr. James Watson,
Mr. William Forster,	Mr. Wilson,
Mr. W. J. Foster,	Mr. Wisdom,
Mr. Garrard,	Mr. Young,
Mr. Garvan,	<i>Tellers.</i>
Mr. Holborow,	Mr. Fraser,
Mr. Hungerford,	Mr. Wright.
Mr. Jacob,	
Mr. Lackey,	

Noes, 5.

Mr. Joseph P. Abbott,
Mr. Fremlin,
Mr. McCulloch,
<i>Tellers.</i>
Mr. Hezlet,
Mr. Roseby.

Resolution agreed to.

On motion of Mr. Watson the Chairman left the Chair to report the Resolution.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 8.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE.

(EXTRACTED FROM THE MINUTES.)

WEDNESDAY, 18 OCTOBER, 1882.

No. 1.

CRIMINAL LAW AMENDMENT BILL.

(Recommitted.)

Clause 340. Every accused person shall in all Courts be admitted to make full answer and defence by counsel or by attorney "or by agent" upon the Presiding Judge or Justice being satisfied that such agent is a person of good repute and that the decorum of the Court will not be interfered with by his appearing and in every case may reserve his address until the close of the evidence for the defence and in the latter case all evidence in reply for the Crown shall be given before such address. And in all proceedings before Justices the accused shall be admitted to make full answer and defence and to have all witnesses examined and cross-examined by counsel attorney or agent authorized as aforesaid. (Read.)

Motion made (Mr. Trickett) to omit the words "or by agent" line 2.

And the Committee continuing to sit after Midnight,—

THURSDAY, 19 OCTOBER, 1882, A.M.

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

Committee divided.

Ayes, 25.

Mr. Andrews,	Mr. Martin,
Mr. Beyers,	Mr. Melville,
Mr. John Brown,	Mr. Mitchell,
Mr. Henry Clarke,	Dr. Renwick,
Mr. Cooke,	Sir John Robertson,
Mr. Davies,	Mr. Sydney Smith,
Mr. Fawcett,	Mr. Vaughn,
Mr. Fletcher,	Mr. James Watson,
Mr. W. J. Foster,	Mr. Wisdom,
Mr. Garrard,	<i>Tellers.</i>
Mr. Henson,	Mr. Young,
Mr. Hungerford,	Mr. Gurvan.
Mr. Jacob,	
Mr. Lackey,	

Noes, 18.

Mr. Brunner,	Mr. Wilson,
Mr. Burdekin,	Mr. Wright,
Mr. Burns,	<i>Tellers.</i>
Mr. W. R. Campbell,	Mr. McLaughlin,
Mr. Copeland,	Mr. Heydon.
Mr. Douglas,	
Mr. Fraser,	
Mr. Kerr,	
Mr. Levien,	
Mr. Loughnan,	
Mr. Proctor,	
Mr. See,	
Mr. Slattery,	
Mr. Trickett,	

Proposed Amendment negatived.

No. 2.

(Same Clause.)

Motion made (*Mr. Slattery*) to insert after the words "or by agent" line 2, the words "if such agent be authorized in that behalf by the Presiding Judge or Justice"

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

Committee divided.

Ayes, 12.

Mr. Brunker,
Mr. Burdekin,
Mr. W. R. Campbell,
Mr. Douglas,
Mr. Fraser,
Mr. Heydon,
Mr. Loughnan,
Mr. Slattery,
Mr. Trickett,
Mr. Wilson,

Tellers.

Mr. McElhone,
Mr. McLaughlin.

Noes, 26.

Mr. Andrews, Mr. Beyers, Mr. John Brown, Mr. Henry Clarke, Mr. Copeland, Mr. Davies, Mr. Fawcett, Mr. W. J. Foster, Mr. Garrard, Mr. Garvan, Mr. Henson, Mr. Hungerford, Mr. Jacob, Mr. Lackey,	Mr. Melville, Mr. Mitchell, Mr. Proctor, Dr. Renwick, Sir John Robertson, Mr. See, Mr. Vaughn, Mr. James Watson, Mr. Wisdom, Mr. Young, Tellers. Mr. Cooke, Mr. Martin.
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Proposed Amendment negatived.

No. 3.

(Same Clause.)

Motion made (*Mr. Wisdom*) to insert after the words "or by agent" line 2, the words "upon the Presiding Judge or Justice being satisfied that such agent is a person of good repute and that the decorum of the Court will not be interfered with by his appearing"

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

Committee divided.

Ayes, 34.

Mr. Andrews, Mr. Beyers, Mr. John Brown, Mr. Brunker, Mr. Burdekin, Mr. W. R. Campbell, Mr. Henry Clarke, Mr. Cooke, Mr. Davies, Mr. Fawcett, Mr. Fletcher, Mr. W. J. Foster, Mr. Fraser, Mr. Garrard, Mr. Garvan, Mr. Henson, Mr. Heydon, Mr. Hungerford,	Mr. Jacob, Mr. Lackey, Mr. Martin, Mr. Melville, Mr. Mitchell, Dr. Renwick, Sir John Robertson, Mr. See, Mr. Slattery, Mr. Vaughn, Mr. James Watson, Mr. Wilson, Mr. Wisdom, Mr. Young, Tellers. Mr. Loughnan, Mr. Douglas.
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Noes, 5.

Mr. McElhone,
Mr. McLaughlin,
Mr. Proctor,
Tellers.
Mr. Trickett,
Mr. Copeland.

Words inserted.

And the Clause having been further amended, as indicated,—

No. 4.

(Same Clause.)

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

Committee divided.

Ayes, 23.

Mr. Andrews, Mr. Beyers, Mr. John Brown, Mr. Henry Clarke, Mr. Cooke, Mr. Davies, Mr. Fawcett, Mr. Fletcher, Mr. W. J. Foster, Mr. Garrard, Mr. Garvan, Mr. Henson, Mr. Hungerford,	Mr. Lackey, Mr. Martin, Mr. Melville, Dr. Renwick, Sir John Robertson, Mr. Vaughn, Mr. James Watson, Mr. Wisdom, Tellers. Mr. Young, Mr. Mitchell.
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Noes, 15.

Mr. Brunker, Mr. Burdekin, Mr. W. R. Campbell, Mr. Copeland, Mr. Douglas, Mr. Heydon, Mr. Loughnan, Mr. McElhone, Mr. McLaughlin, Mr. Proctor, Mr. Slattery, Mr. Trickett, Mr. Wilson,	Tellers. Mr. See, Mr. Fraser.
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Clause as amended agreed to.

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

THURSDAY, 19 OCTOBER, 1882.

No. 5.

MINING ACT FURTHER AMENDMENT BILL.

Clause 1. To obtain a lease for mining purposes of any kind provided for in the Act thirty-seven Victoria number thirteen possession of the land shall be taken and application to lease made in the manner form and period prescribed by the regulations made under the said Act Every portion of land open to lease of which possession shall have been taken as aforesaid shall be deemed to be held under promise of lease and to be exempt from sale unless or until default has occurred in making the prescribed application to lease or until the application has been abandoned or the Governor has refused the application and notice of such abandonment or refusal has been published in the *Gazette*. (*Read*) Motion

Motion made (*Mr. Joseph P. Abbott*) to add to the Clause the following Proviso,—
 “Provided that this Act shall be in force for the period of twelve months from the passing thereof.”

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

Committee divided.

Ayes, 5.

Mr. Burns,
 Mr. Garvan,
 Mr. McElhone,

Tellers.

Mr. Joseph P. Abbott,
 Mr. W. R. Campbell.

Noes, 27.

Mr. Andrews,	Mr. Jacob,
Mr. Beyers,	Mr. Kidd,
Mr. John Brown,	Mr. Murray,
Mr. Brunker,	Sir Henry Parkes,
Mr. George Campbell,	Dr. Renwick,
Mr. Carter,	Sir John Robertson,
Mr. Copeland,	Mr. Sutter,
Mr. Cramsie,	Mr. Wilson,
Mr. H. C. Dangar,	Mr. Wisdom,
Mr. Fawcett,	Mr. Withers,
Mr. W. J. Foster,	<i>Tellers.</i>
Mr. Fraser,	Mr. Fergusson,
Mr. Henson,	Mr. Burdekin.
Mr. Hezlet,	
Mr. Holborow,	

Proposed Amendment negatived.

On motion of Dr. Renwick the Chairman left the Chair, to report the Bill without Amendment.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 1.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHEN PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882.				
Aug. 22 ...	Municipal Council of the Borough of Cudgegong ... }	One	Mr. Buchanan	{ Praying for leave to proceed with the Cudgegong Town Hall Bill.
„ 24 ...	Residents of Liverpool Plains and Northern Districts..... }	Ninety-seven	Mr. J. P. Abbott.....	{ That the Report of the Select Committee on "Lands granted to the Australian Agricultural Company" may be adopted.
„ 25 ...	do	Forty-two	do	Similar prayer.

Legislative Assembly Offices,
Sydney, 25th August, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 2.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882.				
Aug. 30 ...	Male Inhabitants of New South Wales.....	Three thousand six hundred and forty-seven.....	Mr. W. J. Foster ...	{ Praying the House to give its sanction to any proposed measure which may tend to maintain the observance of the Day of Rest, and refuse to sanction any measure which may tend to subvert the objects for which the day was instituted.
„ 30 ...	Jesse Gregson, General Superintendent of the Australian Agricultural Company	One	Mr. Burns	{ Praying for leave to be heard by Counsel at the Bar of the House in opposition to the adoption of the Report of the Select Committee on "Lands granted to the Australian Agricultural Company."
„ 30 ...	Directors of the Tamworth Gas and Coke Company (Limited)	Six	Mr. Burdekin	{ Praying for leave to proceed with the Tamworth Gas and Coke Company's Bill.
„ 30 ...	President and others of the New South Wales Institute of Surveyors.....	Three	Mr. Farnell	{ Praying for leave to proceed with the Institute of Surveyors Incorporation Bill.
„ 31 ...	Female Inhabitants of New South Wales.....	Five thousand six hundred and forty-eight.....	Sir Henry Parkes ...	{ Praying the House to put a stop to railway and tram traffic on the Sabbath Day, and also not to sanction any request either for increased labour or for further facilities for pleasure which would lessen the sanctity of the Lord's Day.
„ 31 ...	Freeholders, Selectors, and others, of Corowa, Carnsdale, and Collendina	One hundred and sixty-four	Mr. Levin	{ Praying that a Royal Commission may be appointed to inquire into the working of the Land Laws.

Legislative Assembly Offices,
Sydney, 1 September, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 3.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES:	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882.				
Sept. 8 ...	Delegates of the Trades and Labour Council of New South Wales	Thirty-nine	Mr. Garrard	{ In favour of the Employers Liability Bill.
" " ...	Surveyors of New South Wales	Twenty	Mr. Young	{ Praying the House to obtain the opinion of the Surveyor-General and his officers before proceeding with the Institute of Surveyors Incorporation Bill.

Legislative Assembly Offices,
Sydney, 8 September, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 4.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882. Sept. 14 ...	Ministers of the Gospel in } and around Newcastle ... }	Nine	Mr. G. A. Lloyd.....	{ That they view with alarm the proposal made for opening the Art Gallery at Sydney on the Lord's Day, and praying the House not to sanction the proposal.

Legislative Assembly Offices,
Sydney, 15 September, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 5.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882. Sept. 19 ...	Officers and Members of the New South Wales Social Purity Society	Seventeen	Dr. Ronwick	Praying that certain proposed amendments may be made in the Criminal Law Amendment Bill.
" " ...	W. G. Weston, Legal Manager of the Great Britain Tin-mining Company, Limited	One	Mr. Poole	That the interests of the Great Britain Tin-mining Company are involved in the matters referred to the Select Committee on "Mineral Lease at Vegetable Creek"; and praying for permission to appear before the Committee, on behalf of the said Company in person or by Counsel, and if necessary to produce papers and witnesses.
" 21 ...	George Richard Stevens	One	Mr. Farnell	That his firm have sustained pecuniary loss through the action of the Government in placing the steamship "Ocean" in quarantine; and praying the House to appoint a Committee to inquire into the matter.
" " ...	Surveyors of New South Wales	Thirty-three	Mr. Farnell	In favour of the Institute of Surveyors Incorporation Bill.
" " ...	Do. do.	Seventy-seven	Mr. Farnell	Similar prayer.
" " ...	Citizens of New South Wales	Seventy-three	Mr. Farnell	
" " ...	Messrs. A. Frazer & Company	One	Mr. Joseph P. Abbott	That the interests of their firm are involved in the matters referred to the Select Committee on "Mineral Lease at Vegetable Creek"; and praying for permission to appear before the said Committee, in person or by Counsel or Attorney.
" " ...	Reverend George Martin, President of the New South Wales and Queensland Wesleyan Conference	One	Mr. Roseby	Praying the House not to sanction the opening of the Art Gallery on Sundays.

Legislative Assembly Offices,
Sydney, 21 September, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 6.

WEEKLY ABSTRACT
OF
PETITIONS RECEIVED
BY THE
LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882.				
Sept. 26 ...	Female inhabitants of New South Wales	Six thousand nine hundred and twenty-nine	Dr. Renwick	{ Praying the House to put a stop to railway and tram traffic on the Sabbath, and also not to sanction any request either for increased labour or further facilities for pleasure which would lessen the sanctity of the Lord's Day.
„ 26 ...	Male inhabitants of New South Wales	Five thousand nine hundred and sixty four	Mr. W. J. Foster ...	{ Praying the House to give its sanction to any proposed measure which may tend to maintain the observance of the Day of Rest, and refuse to sanction any measure which may tend to subvert the objects for which the day was instituted.
„ 26 ...	Inhabitants of Bathurst and neighbourhood	One hundred and eleven	Mr. W. J. Foster ...	{ Similar prayer.
„ 26 ...	R. C. Luscombe	One	Mr. Reid	{ In favour of the immediate stoppage of all sales of Crown Lands by auction, and praying the House to cause such alterations to be made in the existing law as will effect that object.
„ 26 ...	Residents of Newcastle ...	Nine hundred and eighty-five	Mr. Fletcher	{ In favour of opening the Art Gallery on Sunday.
„ 26 ...	Residents of Armidale	One hundred and seventy-one	Mr. Copeland	{ Similar prayer.
„ 26 ...	Residents of Sydney	Twenty-three thousand and eleven...	Mr. Copeland	{ Similar prayer.

Legislative Assembly Offices,
Sydney, 29 September, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 7.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882.				
Oct. 3	Mrs. Maria Annie Scott	One	Mr. Burns (for Mr. Eckford).	{ That her husband devoted the greater part of his life to the introduction of the sugar industry into this Colony; and that, in consideration of his services, Parliament granted him a pension; that he died without making any provision for his family, and that she is now in distressed circumstances; and praying the House to take her case into consideration, with a view to relief.
" 4	John Simons and Augustine } Matthew Betts	Two	Mr. Teccc	{ Praying for leave to bring in the Forest Lodge (near Tarlo) Estate Bill.
" 6	Alexander Walker Scott } and the Venerable Arch- deacon Coles Child	Two	Mr. Burns	{ Praying for leave to bring in the Blandford Proprietary School Bill.
" 6	Freeholders and others of } Moama	Two hundred and } four	Mr. Wilson	{ That they view with alarm the practice of alienating large areas of Crown Land and the formation of large estates by financial Companies; and praying that His Excellency the Governor may be advised to appoint a Royal Commission to inquire into the general working of the Land Acts of the Colony.
" 6	Residents of Moama and } District	Forty-six	Mr. Wilson	{ Asking attention to the manner in which <i>bond fide</i> settlement of the land was frustrated in connection with the selection of the Pericoota Reserves; and praying that steps may be taken for having these reserves again proclaimed open for selection.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882. Oct. 6	Residents of Grenfell and surrounding Districts	Nine hundred and thirty-nine	Mr. Vaughn	{ In favour of connecting the main Southern and Western Trunk Lines of Railway by means of a loop-line from Murrumburrah via Young, Grenfell, and Forbes; and praying that a line may be constructed for carrying this into effect.
,, 6	Inhabitants of St. Peter's and Cook's River	One thousand and ninety-three	Mr. Henson	{ That an Act was passed authorizing the construction of a Tramway from Newtown to Cook's River; and that money was voted for carrying out the work, but that up to the present time no action has been taken, the Government having abandoned their intention of constructing the said Tramway; and praying the House to take the matter into consideration, with a view to relief.

Legislative Assembly Offices,
Sydney, 6 October, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

[8d.]

Sydney: Thomas Richards, Government Printer.—1882.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 8.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WITNESSE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882.				
Oct. 11 ...	Inhabitants of the City of Sydney	Two thousand one hundred and sixty }	Mr. Cameron	{ In favour of the proposal now before Parliament to erect the Free Public Library on the site of the Benevolent Asylum.
" " ...	James Samuels the younger and others	Five	Mr. Cass	{ Praying for leave to bring in the Dubbo Gas Company's Incorporation Bill.

Legislative Assembly Offices,
Sydney, 13 October, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 9.

WEEKLY ABSTRACT

OF
PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882.				
Oct. 19 ..	Henry McCrummin Keightly and William Foxton Hayley. }	Two	Mr. Combes	{ Praying for leave to bring in Rotton's Estate Bill.
" " ...	Directors of the Albury Gas Company (Limited)	Two	Mr. Day	{ Praying for leave to bring in the Albury Gas Company's Bill.
" 20 ...	Freeholders, Selectors, and others, of Kindra and Berry Jerry	Thirty-six	Mr. Levin.....	{ Praying that a Royal Commission may be appointed to inquire into the working of the Land Laws.
" " ...	Residents of Walgett	Twelve hundred and seventy-nine.	Mr. T. G. Dungar.....	{ In favour of the extension of the Great North-western Railway from Narrabri to Walgett.

Legislative Assembly Offices,
Sydney, 20 October, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 10.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED.

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882. Oct. 26 ...	John Roche Ardill	One	Dr. Ross	{ That he is a licensed surveyor of New South Wales, and in that capacity made certain surveys in the districts of the Lachlan and Wellington, and that the Surveyor-General declined to receive them on the ground that they were incorrect, and also removed his name from the list of licensed surveyors whose work would be acknowledged by the Government; and praying the House to take the premises into consideration with a view to relief.
„ 26 ...	Owners and occupiers of property at Bondi and in the city of Sydney	Eleven thousand } four hundred and } fifty-four..... }	Mr. Trickett	{ That they suffer great inconvenience from the want of sufficient transit accommodation between Bondi and the city; and praying the House to take into consideration the necessity for constructing a tramway line to connect Bondi Beach with the existing tram line at the Waverley Tea-gardens.

Legislative Assembly Offices,
Sydney, 27 October, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 11.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882. 7 Nov....	Chairman of Meeting of Hotel-keepers at Deniliquin and Hay	One	Mr. Hay	{ Complaining of the operation of the clause of the Licensing Act in reference to room ac- commodation in public-houses; and praying the House to take the matter into consideration, with a view to relief.

Legislative Assembly Offices,
Sydney, 8 November, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

No. 12.

WEEKLY ABSTRACT

OF

PETITIONS RECEIVED

BY THE

LEGISLATIVE ASSEMBLY.

WHEN RECEIVED.	FROM WHOM AND WHENCE PRESENTED.	NUMBER OF SIGNATURES.	BY WHOM PRESENTED.	ABSTRACT OF PRAYER.
1882. 14 Nov....	John Broomfield, Chairman of Directors of Mort's Dock and Engineering Company. }	One	Mr. Cameron	{ Praying for leave, to introduce Mort's Bay Improvement Bill.
15 Nov....	Ezekiel Alexander Baker	One	Mr. Farnell	{ Praying the House to rescind the Resolution passed by it on the 8th November, 1881, declaring that he had been guilty of con- duct unworthy of a Member of this House, and seriously re- flecting on the honor and dig- nity of Parliament; and further praying that he may be heard by Counsel at the Bar of the House in support of his Petition.

Legislative Assembly Offices,
Sydney, 16 November, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

No. 1.

REGISTER OF PUBLIC BILLS ORIGINATED IN THE ASSEMBLY DURING THE SESSION OF 1882.

SHORT TITLES.	BY WHOM INITIATED.	Originated in Committee of the Whole.	Message from Governor recommending provision for.	Ordered.	Presented and read 1 st .	Negative on motion for 2 ^d .	Read 2 ^d , and committed.	Reported.	Recommitted.	Reported 2 ^d .	Report adopted.	Read 3 ^d , passed, and sent to Council for concurrence.	Agreed to by Council without Amendments.	Agreed to by Council with Amendments.	Council's Amendments agreed to.	Order of the Day discharged and Bill withdrawn.	Assent.	Remarks.		
Animals Protection	Mr. H. C. Dangar	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	14 Nov.		
Barristers Admission	Mr. Slattery			30 Aug.	30 Aug.			1 Sept.	8 Sept.			8 Sept.	12 Sept.	27 Sept.					5 Oct.	
Bathurst Presbyterian Church Grant Resumption	Mr. Suttor	27 Oct.	1 Nov.	27 Oct.	1 Nov.															Stopped by Prorogation.
Conditional Purchases Validation	Sir John Robertson			15 Nov.	15 Nov.															Stopped by Prorogation.
Consolidated Revenue Fund	Mr. James Watson	7 Sept.	7 Sept.	7 Sept.	7 Sept.			8 Sept.	8 Sept.			8 Sept.	12 Sept.	14 Sept.					19 Sept.	Founded on Resolution of Ways and Means No. 1.
Consolidated Stock	Mr. James Watson	12 Oct.		12 Oct.																Not brought in.
Contagious Diseases Prevention	Mr. Farnell	15 Sept.		15 Sept.	15 Sept.															Referred to Select Committee, 20 October, 1882. Not reported.
Criminal Law Amendment	Mr. Wisdom			31 Aug.	6 Sept.			13 Sept.	12 Oct.	18 Oct.	19 Oct.	12 Oct.	19 Oct.	24 Oct.						Not returned by Legislative Council.
Crown Lands	Sir John Robertson	12 Oct.	10 Oct.	12 Oct.	10 Oct.	10 Nov.														
Diseases in Sheep Acts Amendment	Dr. Renwick	31 Aug.	6 Sept.	31 Aug.	31 Aug.			6 Sept.	6 Sept.			6 Sept.	7 Sept.		25 Oct.	26 Oct.				Assent not reported.
District Courts Acts Amendment	Mr. Joseph P. Abbott			18 Oct.	7 Nov.															Stopped by Prorogation.
Dower Act Amendment	Mr. Pigott			30 Aug.	30 Aug.	8 Sept.														
Electoral Act Amendment	Mr. R. B. Smith			14 Nov.																Not brought in.
Employers Liability	Mr. Garrard			23 Aug.	23 Aug.			8 Sept.	8 Sept.			8 Sept.	15 Sept.		25 Oct.	27 Oct.				Assent not reported.
Evidence in Summary Convictions	Mr. Pigott			30 Aug.	30 Aug.			8 Sept.	8 Sept.			8 Sept.	12 Sept.	27 Sept.					5 Oct.	
Fire Brigades	Sir Henry Parkes	7 Sept.	26 Oct.	7 Sept.	25 Oct.			1 Nov.	1 Nov.											Stopped by Prorogation.
Forests	Dr. Renwick	31 Aug.	6 Sept.	31 Aug.	31 Aug.			26 Oct.												Stopped by Prorogation.
General Savings Bank	Mr. James Watson	12 Oct.		12 Oct.																Not brought in.
Guarantees Law Amendment	Mr. Trickett			25 Aug.	25 Aug.			15 Sept.	15 Sept.			15 Sept.	19 Sept.	19 Oct.						Assent not reported.
Judges Salaries and Pensions	Mr. W. J. Foster	2 Nov.	26 Oct.	2 Nov.	3 Nov.															Stopped by Prorogation.
Land Machinery Regulation	Mr. James Watson	6 Sept.	19 Sept.	6 Sept.	6 Sept.															Stopped by Prorogation.
Law of Seduction Amendment	Mr. Buchanan			31 Aug.	31 Aug.															Stopped by Prorogation.
Limitation of Oaths	Mr. Joseph P. Abbott			24 Aug.	24 Aug.			15 Sept.												Report from Committee of the Whole, without leave to sit again, 29 September, 1882.
Local Government	Sir Henry Parkes	31 Aug.	26 Oct.	31 Aug.																Not brought in.
Mining Act Further Amendment	Dr. Renwick			12 Oct.	12 Oct.			10 Oct.	19 Oct.			19 Oct.	20 Oct.	8 Nov.						Assent not reported.
Ordnance Lands Transfer	Sir Henry Parkes				22 Aug.															Pro forma Bill.
Pastures and Stock Protection	Dr. Renwick	1 Nov.	26 Oct.	1 Nov.																Not brought in.
Plans of Subdivision of Land Registration	Mr. Murray			25 Aug.																Not brought in.
Prickly Pear Destruction	Mr. Joseph P. Abbott	15 Sept.		15 Sept.	15 Sept.															Ruled as improperly before the House without a Message from the Governor, 30 September, 1882.
Right of Challenge of Jurors in Felony and Misdemeanour Amendment	Mr. Buchanan			23 Aug.	23 Aug.			1 Sept.												No report from Committee of the Whole, 1 September, 1882.
Sale and Supply of Gas	Sir Henry Parkes	2 Nov.	26 Oct.	2 Nov.																Not brought in.
Supreme Court Procedure	Mr. Pitcher			3 Nov.	3 Nov.															Stopped by Prorogation.
Violation of Children	Mr. Buchanan			31 Aug.	31 Aug.														20 Oct.	
Watering Places and Reserves	Dr. Renwick	31 Aug.	6 Sept.	31 Aug.	31 Aug.			6 Sept.	25 Oct.	26 Oct.	26 Oct.	25 Oct.	27 Oct.							Not returned by Legislative Council.
Wharfage and Tonnage Rates Act Amendment	Mr. James Watson	6 Sept.		6 Sept.	6 Sept.			25 Oct.	25 Oct.			25 Oct.	26 Oct.	15 Nov.						Assent not reported.

No. 2.

REGISTER OF PRIVATE BILLS INTRODUCED UPON PETITION TO THE ASSEMBLY DURING THE SESSION OF 1882.

SHORT TITLES.	PETITION PRESENTED (By whom and when.)	Ordered.	Presented and read 1 st .	Referred to Select Committee.	Reported by Select Committee.	Read 2 nd .	Committed, reported, and Report adopted.	Read 3 rd , passed, and sent to Council for concurrence.	Agreed to by Council with Amendments.	Council's Amendment agreed to.	Council's Amendments agreed to with an Amendment.	Council agreed to Assembly's Amendments on their Amendments.	Assent	REMARKS.
Albury Gas Company's.....	Mr. Day	1882. 19 Oct.	1882. 20 Oct.	1882. 20 Oct.	1882. 24 Oct.	1882. 3 Nov.	1882.	1882.	1882.	1882.	1882.	1882.	1882.	Stopped by Prorogation.
Blandford Proprietary School.....	Mr. Burns	6 Oct.	10 Oct.	10 Oct.	11 Oct.	26 Oct.								Do.
Cudgegong Town Hall	Mr. Buchanan	22 Aug.	22 Aug.	22 Aug.		22 Aug.		23 Aug.	13 Sept.	15 Sept.				Brought in and proceeded with under 65th Standing Order, 22 August, 1882.
Dubbo Gas Company's Incorporation	Mr. Cass	11 Oct.	12 Oct.	13 Oct.	20 Oct.	14 Nov.								Stopped by Prorogation.
Forest Lodge, near Tarlo, Estate	Mr. Teece	4 Oct.	5 Oct.	5 Oct.	6 Oct.	20 Oct.								Do.
Institute of Surveyors Incorporation	Mr. Farnell	30 Aug.	30 Aug.	30 Aug.										Brought in and proceeded with under 65th Standing Order, 30 August, 1882. Ruled not properly before the House, as containing provisions not authorized by order of leave; Order of the Day discharged and Bill withdrawn, 6 October, 1882. Stopped by Prorogation.
Mort's Bay Improvement.....	Mr. Cameron	14 Nov.	15 Nov.	15 Nov.	16 Nov.									Do.
Rotton's Estate	Mr. Combes	19 Oct.	20 Oct.	20 Oct.	24 Oct.	2 Nov.								Do.
Tamworth Gas and Coke Company's	Mr. Burdekin.....	30 Aug.	30 Aug.	30 Aug.		30 Aug.	1 Sept.	5 Sept.	27 Sept.		29 Sept.	4 Oct.	13 Oct.	Brought in and proceeded with under 65th Standing Order, 30 August, 1882.

No. 3.

REGISTER OF PUBLIC AND PRIVATE BILLS BROUGHT FROM THE COUNCIL DURING THE SESSION OF 1882.

SHORT TITLE OF PRIVATE BILL.	Brought up and read 1 st .	Read 2 nd and Committed.	Reported.	Recommitted.	Reported 2 nd .	Report adopted.	Read 3 rd , passed with Amend- ments, and returned to Council for concurrence.	Remarks.
Congregational Union Incorporation.....	1882. 19 October	1882. 27 October	1882. 27 October	1882. 3 November	1882. 3 November	1882. 27 October 3 November	1882. 7 November	Message from Legislative Council agreeing to Assembly's Amendments, received 16 November, but not reported to Assembly.

RECAPITULATION.

Number of Public Bills originated in the LEGISLATIVE ASSEMBLY, shown on Register No. 1.....								35	
Number of Private Bills do. do. shown on Register No. 2.....								9	
Number of Public Bills brought from the LEGISLATIVE COUNCIL, as shown on Register No. 3.....								Nil.	
Number of Private Bills do. do. do. do.								1	
								45	
							Public. Private. Total.		
Passed and assented to.....							3	2	5
Do. assent not reported.....							5		5
Pro forma Bill							1		1
Negatived on motion for second reading							2		2
Not brought in							7		7
Withdrawn							2	1	2
Not returned by Legislative Council							2		2
Referred to Select Committee and not reported							1	1	2
Lapsed or not proceeded with							3		3
Stopped by Prorogation							9	6	15
									45

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ALPHABETICAL REGISTERS

OF

ADDRESSES AND ORDERS FOR PAPERS,

AND OF

ADDRESSES.

(NOT BEING FOR PAPERS.)

SESSION 1882.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REGISTER OF ADDRESSES AND ORDERS FOR PAPERS DURING THE SESSION 1882.

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.	When delivered for Printing.
	No.	Date.	Entry.							
		1882.					1882.		1882.	1882.
34	36	24 October	5	Mr. Lovien		Allotment 8 of section 5, Hoskins-street, Temora	14 November	82/451	14 November	15 November
37	41	1 November	6	Mr. Copeland		Application for Gold-mining Lease at Copeland	26 October	82/398	26 October	27 October
25	21	27 September	2	Mr. Reid		Applications by Agents for Conditional Purchases				
46	46	14 November	7	Mr. McElhone		Applications for a Mineral Conditional Purchase at East Maitland				
30	25	4 October	3	Mr. Copeland		Applications for Gold Leases				
36	41	1 November	5	Mr. J. P. Abbott		Applications for Mineral Leases at Vegetable Creek	14 November (in part)	{ 82/449 } { 82/450 }	14 November	15 November
43	46	14 November	4	Mr. McElhone		Benjamin Wallace's Conditional Purchase on Bando Station				
31	34	19 October	5	Mr. Byrnes		Bridge to connect Sydney and North Shore				
2	6	30 August	37	Mr. Day	Conditional Purchase made by George Day at the Urana Land Office.		11 October	82/334	7 November	8 November
3	6	30 August	29	Mr. Fletcher		Country Lands offered for Sale by Auction				
29	24	3 October	11	Mr. Teece		Examination of School Teachers				
5	7	31 August	10	Dr. Ross		Expenditure on Public Works in the County of Ashburnham				
6	7	31 August	18	Mr. Heydon		Freeholds in the Colony exceeding 100,000 acres in area	1 November	82/414	1 November	2 November
16	13	12 September	9	Mr. McElhone		Head's Conditional Purchase on Keogh's Run				
19	17	19 September	16	Mr. Tarrant		Immigrant Ship "Orontes"	18 October	82/860	18 October	19 October
14	11	7 September	3	Mr. Tarrant		Immigrant Ships "Smyrna" and "Camperdown"	12 October	82/343	12 October	13 October
40	42	2 November	6	Dr. Ross		James Rice's Conditional Purchase at Molong				
18	17	19 September	11	Mr. Byrnes		Land in Macquarie-street, Parramatta				
1	3	24 August	4	Mr. W. R. Campbell		Land Offices at Warialda, Bingera, and Moree				
8	9	5 September	4	Mr. Reid		Lands resumed for Public Purposes	8 November	82/445	8 November	10 November
9	9	5 September	5	Mr. Garrard		Letters of Registration of Inventions				
3	9	5 September	10	Mr. Wm. Forster	Licensing Benches					
12	9	5 September	8	Mr. W. R. Campbell		Licensing Bench, Queanbeyan	26 September	82/292	26 September	27 September
32	35	20 October	9	Mr. Cooke		Licensing Districts of Forbes, Parkes, and Condobolin	25 October	82/388	25 October	26 October
2	4	25 August	5	Mr. Copeland		Licensing Magistrates at Armidale	29 September	82/305	29 September	29 September
45	46	14 November	6	Mr. McElhone		Messrs. H. H. Brown & Co.				

REGISTER OF ADDRESSES, &c.—continued.

No. OF ADDRESS OF 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.	When delivered for Printing.
	No.	Date.	Entry.							
		1882.					1882.		1882.	1882.
26	21	27 September..	4	Mr. McElhone .....	.....	Mineral Conditional Purchases made by the Messrs. White	.....	.....	.....	.....
15	13	12 September..	8	Mr. McElhone .....	.....	Mr. Colin Simson	26 October...	82/397	26 October..	27 October.
33	36	24 October	4	Mr. Levien .....	.....	Mr. Elliott, Public School Teacher, Quipolly	7 November	82/436	7 November	8 November
28	24	3 October	8	Mr. Poole .....	.....	Mr. H. Czerwonka	8 November	82/442	8 November	10 November
23	20	26 September..	10	Mr. Wm. Forster..	.....	Mr. Lamont Young .....	.....	.....	.....	.....
5	17	19 September..	8	Mr. J. P. Abbott...	Mr. Oliver Saunders .....	.....	13 October...	82/349	13 October...	16 October.
6	17	19 September..	9	Mr. J. P. Abbott...	Mr. Richard Yetman Holmes .....	.....	.....	.....	.....	.....
47	46	14 November..	12	Mr. Pilcher .....	.....	Mr. R. H. Sempill, late Official Assignee in Insolvent Estates	.....	.....	.....	.....
13	10	6 September	8	Mr. Gannon .....	.....	Plaints for trespass to land filed in District Courts	18 October...	82/355	18 October...	19 October.
7	8	1 September..	3	Mr. Abigail .....	.....	Pymont Bridge .....	.....	.....	.....	.....
11	9	5 September..	7	Mr. Wm. Forster..	.....	Railway Premises at Cootamundra	20 October...	82/380	20 October..	21 October.
21	20	26 September..	8	Mr. McElhone .....	.....	Railway Sleeping Cars .....	.....	.....	.....	.....
24	20	26 September..	11	Mr. Wm. Forster..	.....	Removal of Police from Clarendon	13 October...	82/348	13 October..	16 October.
38	41	1 November..	7	Mr. J. P. Abbott...	.....	Reserves on Pockataroo and Orael Runs .....	.....	.....	.....	.....
20	19	21 September..	3	Dr. Ross .....	.....	Roads in the County of Gordon	26 October...	82/400	26 October..	27 October.
22	20	26 September..	9	Mr. McElhone .....	.....	Roads through Mr. Collins's land and through the Segenhoe Estate.	26 October...	82/401	26 October..	27 October.
						Site for a Railway Station at Rylstone.....	(in part)	.....	.....	.....
42	44	7 November..	5	Mr. Buchanan .....	.....	.....	.....	.....	.....	.....
9	22	28 September..	3	Mr. Young	Steamship "Gunga" .....	.....	.....	.....	.....	.....
11	28	10 October	4	Mr. Wm. Forster..	Stephen Murphy .....	.....	14 November	82/452	15 November	16 November
27	24	3 October	7	Mr. Fletcher .....	.....	Storage of Powder	25 October...	82/390	25 October..	26 October.
41	42	2 November..	7	Mr. Poole .....	.....	Sydney Water Supply Works .....	.....	.....	.....	.....
35	36	24 October	6	Mr. Farnell .....	.....	The Chief Inspector of Stock .....	.....	.....	.....	.....
13	28	10 October	9	Mr. Farnell	The Legislative Council .....	.....	20 October...	82/382	20 October..	21 October.
8	21	27 September..	3	Dr. Ross	The Queen v. Owen .....	.....	18 October...	82/357	18 October..	19 October.
39	42	2 November..	5	Mr. McElhone .....	.....	The Rev. Charles Curry .....	.....	.....	.....	.....
44	46	14 November..	5	Mr. McElhone .....	.....	Thomas James Rogers's Conditional Purchase at Tumut .....	.....	.....	.....	.....
10	27	6 October	7	Mr. Copeland	Volunteer and Permanent Artillery Forces .....	.....	.....	.....	.....	.....
10	9	5 September..	6	Mr. Wm. Forster..	.....	Water Supply for Cootamundra.....	.....	.....	.....	.....
4	6	30 August.....	36	Mr. Withers.....	.....	Water Works at Prospect	6 September	82/281	6 September	7 September
17	15	14 September..	4	Mr. Copeland .....	.....	Works of Art in the Art Gallery and Garden Palace .....	.....	.....	.....	.....

REGISTER OF ADDRESSES AND ORDERS FOR PAPERS DURING FORMER SESSIONS.

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.	When given to Clerk of Printing Branch.
	No.	Date.	Entry.							
		1881.					1882.		1882.	1882.
40	57	11 October ...	6	Mr. Copeland .....	.....	Alignment of Streets at Waverley by Surveyor Parrott ...	30 August...	82/182	.....	.....
14	18	11 February ...	4	Mr. Fletcher .....	.....	Applications to mine under Reserves	30 August... (in part)	82/191	30 August...	31 August.
58	93	14 December...	5	Mr. Dillon .....	.....	Appraisement of Runs in the New England and Clarence and Macleay Districts.	30 August...	82/192	30 August...	31 August.
13	95	16 December...	5	Mr. Fullford.....	Captain P. B. Walker, Torpedo and Signalling Corps.	.....	6 September	82/234	6 September	7 September
10	90	9 December ...	4	Mr. Murray	Christie v. Hoskins .....	.....	30 August...	82/178	30 August ...	31 August.
45	61	18 October ...	13	Mr. Loughnan .....	.....	Expenditure in the Murrumbidgee Electorate.....	2 November	82/427	2 November	3 November
36	45	20 September..	4	Mr. Wm. Forster .....	.....	Free Railway Passes	27 October...	82/410	27 October...	28 October.
48	69	3 November ..	5	Mr. Wm. Forster .....	.....	Goodwin v. Futter	30 August...	82/181	30 August ...	31 August.
		1877.								
32	97	6 July	5	Mr. Macintosh.....	Immigration—Ship "Northern Monarch"	.....	4 October...	82/323	4 October...	5 October.
					" " "Orontes" .....	.....	13 September	82/253	13 September	14 September
					" " "Forfarshire" and "Samuel Plimsoll"	.....	30 August...	82/118	30 August ...	31 August.
		1881.								
44	61	18 October ...	12	Mr. Beyers .....	.....	James Morrison's Conditional Purchase at Rylstone	30 August...	82/183	.....	.....
60	96	19 December...	10	Mr. Combes .....	.....	Land taken from Mr. Henry Halloran by the Borough of Ashfield.	30 August ...	82/187	30 August ...	31 August.
47	43	30 March	7	Mr. Buchanan .....	.....	Leave of Absence to Public Officers	16 November (in part)	82/459	16 November	17 November
51	73	15 November...	14	Mr. Fitzpatrick ...	.....	Mr. Samuel Wilson's Conditional Purchase at Yass	30 August...	82/179	30 August ...	30 August.
54	80	25 November..	3	Mr. Farnell .....	.....	Plants and Seeds distributed and received by the Curator of the Botanical Gardens, Sydney.	30 August...	82/115	30 August...	30 August.
52	74	16 November...	5	Mr. Wm. Forster...	.....	Public Cemetery at Coolac.....	30 August...	82/180	30 August...	30 August.
5	9	19 July	5	Mr. Fergusson	Reports of Railway Trial Surveyors	6 September	82/233

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REGISTER OF SEPARATE AND JOINT ADDRESSES (*NOT BEING FOR PAPERS*) TO THE GOVERNOR DURING THE SESSION OF 1882.

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SUBJECT OF ADDRESS.	ORIGINATED IN THE ASSEMBLY.				SENT TO THE COUNCIL.			AGREED TO BY THE COUNCIL.			WHEN AND HOW PRESENTED.				WHEN AND HOW ANSWERED.				REMARKS.
	VOTES.				VOTES.			VOTES.			VOTES.				VOTES.				
	No.	Date.	Entry.	On whose Motion.	No.	Date.	Entry.	No.	Date.	Entry.	No.	Date.	Entry.	By whom.	No.	Date.	Entry.	By whom and how.	
		1882.									1882.				1882.				
Art Gallery	20	26 Sept.	13	Mr. Copeland ...	...	.....	...	...	...	...	.....	...	Mr. Speaker .....	...	.....	...	.....	.....	.....
Governor's Opening Speech.....	4	25 Aug.	8	Mr. Sydney Smith	...	.....	...	...	...	5	29 Aug.	1	Mr. Speaker, attended by the House.	5	20 Aug.	1	His Excellency the Governor.	.....	.....
New Houses of Parliament.....	28	10 Oct.	6	Mr. R. B. Smith	...	.....	...	...	...	...	.....	...	Mr. Speaker.....	...	.....	...	.....	.....	.....
The Egyptian War	17	19 Sept.	4	Sir John Robert- son.	18	20 Sept.	1	18	20 Sept.	6	19	21 Sept.	1	Mr. President and Mr. Speaker, accompanied by Deputations of Members from the respective Houses.	19	21 Sept.	1	His Excellency the Governor.	Joint Address to Her Majesty the Queen.

Legislative Assembly Offices,
Sydney, 21 November, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

401—

STANDING AND SELECT COMMITTEES APPOINTED DURING THE SESSION OF 1882.

No. OF COMMITTEE.	DESIGNATION OF COMMITTEE.	WHEN AND HOW APPOINTED.	MEMBERS.	CHAIRMAN.	NO. OF MEETINGS.		NO. OF WITNESSES EXAMINED.	WHEN REPORTED.
					Called.	Held.		
1	The Governor's Opening Speech.....	22 August, 1882. Votes No. 1, Entry 9 (On motion of Mr. Sydney Smith.)	{ Mr. Sydney Smith, Mr. H. C. Dangar, Sir Henry Parkes, Mr. Quin, Mr. Russell Barton, Mr. Wilkinson, Mr. Brunker, Mr. Wright. }	Mr. Sydney Smith..	1	1	None	22 August, 1882.
2	* Library	30 August, 1882. Votes No. 6, Entry 23 (On motion of Sir Henry Parkes.)	{ Sir Henry Parkes, Mr. Edmund Barton, Mr. Speaker, Mr. Burns, Mr. Stuart, Mr. H. C. Dangar, Mr. Combes, Mr. R. B. Smith, Mr. Fawcett, Mr. Wisdom. }	.....	.....	.....	.....
3	† Standing Orders	30 August, 1882. Votes No. 6, Entry 24 (On motion of Sir Henry Parkes.)	{ Sir Henry Parkes, Mr. Stuart, Mr. Speaker, Mr. Cameron, Mr. Byrnes, Sir Patrick Jennings, Mr. Farnell, Dr. Renwick, Mr. Reid, Mr. James Watson. }	.....	.....	.....	.....
4	* Refreshment.....	30 August, 1882. Votes No. 6, Entry 25 (On motion of Sir Henry Parkes.)	{ Sir Henry Parkes, Mr. G. A. Lloyd, Mr. Cameron, Mr. Burns, Mr. Jacob, Mr. James Watson, Mr. Garrard, Mr. Farnell, Sir Patrick Jennings, Mr. R. B. Smith. }	Mr. Farnell	1	1	None.	

* These Committees act in conjunction with similar Committees appointed by the Legislative Council. † Confers on subjects of mutual concernment with a similar Committee appointed by the Legislative Council.

STANDING AND SELECT COMMITTEES—continued.

NO. OF COMMITTEE.	DESIGNATION OF COMMITTEE.	WHEN AND HOW APPOINTED.	MEMBERS.	CHAIRMAN.	NO. OF MEETINGS.		NO. OF WITNESSES EXAMINED.	WHEN REPORTED.
					Called.	Held.		
5	Elections and Qualifications	25 August, 1882. Votes No. 4, Entry 9..... (By Speaker's Warrant, taking effect 1 September, 1882.)	{ Edmund Barton, Esquire, James Henry Douglas, Esquire, Archibald Hamilton Jacob, Esquire, Sir Patrick Alfred Jennings, K.C.M.G., Richard Lennon Murray, Esquire, William Hilson Pigott, Esquire, John See, Esquire.	Mr. Jacob.....	9	4	6	28 September, 1882 (Seat of John Mitchell Purves, Esq., Member for the Clarence)
6	Mrs. Clyne's Conditional Purchase	12 September, 1882. Votes No. 13, Entry 7 ... (On motion of Mr. Copeland.)	{ Mr. Copeland, Mr. Kerr, Mr. Joseph P. Abbott, Mr. Jacob, Mr. Cooke, Mr. Martin, Dr. Ross, Mr. Burns, Mr. Melville, Mr. G. A. Lloyd.	Dr. Ross	8	8	9	2 November, 1882.
7	Mineral Lease at Vegetable Creek...	12 September, 1882. Votes No. 13, Entry 10... (On motion of Mr. Joseph P. Abbott.)	{ Mr. Joseph P. Abbott, Mr. Poole, Mr. Kidd, Mr. Fremlin, Mr. Jacob, Mr. Hezlet, Mr. Cooke, Mr. Cass, Mr. Fawcett, Dr. Renwick.	Mr. Joseph P. Abbott	2	2	None.	
8	Land in Macquarie-street, Parramatta	3 October, 1882. Votes No. 24, Entry 10..... (On motion of Mr. Byrnes.)	{ Mr. Byrnes, Mr. Teece, Sir John Robertson, Mr. Farnell, Mr. Burns, Mr. Jacob, Mr. Poole, Mr. Fremlin, Mr. Hezlet, Mr. Holborow,	Mr. Byrnes	1	1	None.	
9	Forest Lodge, near Tarlo, Estate Bill	6 October, 1882. Votes No. 27, Entry 8	{ Mr. Teece, Mr. Gannon, Mr. Badgery, Mr. Abigail, Mr. Hezlet, Mr. Holborow, Mr. T. R. Smith, Mr. Byrnes.	Mr. Teece	1	1	4	20 October, 1882.
10	Blandford Proprietary School Bill...	11 October, 1882. Votes No. 29, Entry 6	{ Mr. Burns, Mr. Fletcher, Mr. John Brown, Mr. Jacob, Mr. Cooke, Mr. Hezlet, Mr. Hungerford, Mr. Martin. Mr. Fawcett,	Mr. Burns.....	2	2	8	26 October, 1882.
11	Dubbo Gas Company's Incorporation Bill.	20 October, 1882. Votes No. 35, Entry 6	{ Mr. Cass, Mr. Garrett, Mr. Jacob, Mr. Burns, Mr. Day, Mr. Poole, Mr. McLaughlin, Sir Patrick Jennings. Mr. Kidd,	Mr. Jacob.....	3	2	1	14 November, 1882.

STANDING AND SELECT COMMITTEES—continued.

No. OF COMMITTEE.	DESIGNATION OF COMMITTEE.	WHEN AND HOW APPOINTED.	MEMBERS.	CHAIRMAN.	No. OF MEETINGS.		No. OF WITNESSES EXAMINED.	WHEN REPORTED.
					Called.	Held.		
12	Contagious Diseases Prevention Bill	20 October, 1882. Votes No. 35, Entry 13..... (On motion of Mr. Farnell.)	Mr. Farnell, Mr. Douglas, Dr. Renwick, Mr. Tarrant, Mr. Bowman, Mr. Jacob, Mr. Cameron, Mr. G. A. Lloyd, Mr. Henry Clarke, Mr. Teece.	Mr. Farnell	2	2	3	
13	Rotton's Estate Bill.....	24 October, 1882. Votes No. 36, Entry 7..... (On motion of Mr. Combes.)	Mr. Combes, Mr. Douglas, Mr. R. P. Abbott, Mr. Farnell, Mr. Byrnes, Mr. Fraser, Mr. George Campbell, Mr. Hungerford, Mr. William Clarke, Mr. Kerr.	Mr. Combes	1	1	2	2 November, 1882.
14	Albury Gas Company's Bill	24 October, 1882. Votes No. 36, Entry 8..... (On motion of Mr. Levin for Mr. Day.)	Mr. Day, Mr. Copeland, Mr. Jacob, Mr. Joseph P. Abbott, Mr. Poole, Mr. Levin, Mr. Cass, Mr. Lync, Mr. Garrett, Mr. Farnell.	Mr. Day	1	1	2	3 November, 1882.
15	Working of the Fisheries Act of 1881.	3 November, 1882. Votes No. 43, Entry 7..... (On motion of Mr. Fremlin.)	Mr. Fremlin, Mr. Andrews, Sir Henry Parkes, Mr. T. R. Smith, Mr. H. C. Dangar, ¹ Mr. Wright, Mr. Farnell, Mr. Fawcett, Mr. Jacob, Mr. Abigail. ² Mr. Hungerford,	Mr. Fremlin.....	1	1	None	
			Discharged 14 November, 1882. ² Added 14 November, 1882.					
16	Mort's Bay Improvement Bill	16 November, 1882. Votes No. 48, Entry 3..... (On motion of Mr. Cameron.)	Mr. Cameron, Mr. Poole, Dr. Renwick, Mr. Davies, Mr. Garrard, Mr. O'Connor, Mr. Fletcher, Mr. Jacob, Mr. Burns, Mr. Henson.	

Sydney: Thomas Richards, Government Printer—1882.

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Legislative Assembly Offices,
Sydney, 21 November, 1882.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

1882.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SEAT OF JOHN MITCHELL PURVES, ESQUIRE, MEMBER FOR THE CLARENCE.

REPORT FROM THE COMMITTEE

OF

ELECTIONS AND QUALIFICATIONS;

TOGETHER WITH THE

MINUTES OF THE PROCEEDINGS, EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
28 September, 1882.

SYDNEY : THOMAS RICHARDS, GOVERNMENT PRINTER.

1882.

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[1s.]

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1882.

EXTRACTS FROM THE VOTES AND PROCEEDINGS.

SEAT OF JOHN MITCHELL PURVES, ESQUIRE, MEMBER FOR THE CLARENCE.

VOTES No. 3. THURSDAY, 24 AUGUST, 1882.

6. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Mr. Speaker, pursuant to the requirement of the Electoral Act of 1880, laid upon the Table his Warrant appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy :—

“ By the Honorable the Speaker of the Legislative Assembly of New South Wales.

“ Pursuant to the power in that behalf vested in me, as Speaker of the Legislative Assembly of New South Wales, by the Electoral Act of 1880, I do hereby appoint

- | | |
|--|-----------------------------------|
| “ James Henry Douglas, Esquire, | “ William Hilson Pigott, Esquire, |
| “ Archibald Hamilton Jacob, Esquire, | “ John Mitchell Purves, Esquire, |
| “ Sir Patrick Alfred Jennings, K.C.M.G., | “ John See, Esquire, |
| “ Richard Lennon Murray, Esquire, | |

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

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

“ G. WIGRAM ALLEN,
“ Speaker.”

VOTES No. 4. FRIDAY, 25 AUGUST, 1882.

PRIVILEGE :—Mr. Joseph P. Abbott moved, That it be referred to the Committee of Elections and Qualifications to inquire and report to this House whether John Mitchell Purves, Esquire, the Honorable Member for The Clarence, has not since the date of his election himself, in conjunction with another person, held a contract for or on account of the Public Service, and derived therefrom an emolument arising from the same.
Question put and passed.

And in consequence of the name of Mr. Purves appearing in the Warrant laid upon the Table of the House yesterday by Mr. Speaker appointing the Committee of Elections and Qualifications, Mr. Speaker asked for, and obtained, the permission of the House to the withdrawal of that Warrant.

9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Mr. Speaker, pursuant to the requirement of the Electoral Act of 1880, laid upon the Table his warrant (in lieu of the Warrant laid upon the Table yesterday) appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy :—

“ By the Honorable the Speaker of the Legislative Assembly of New South Wales.

“ Pursuant to the power in that behalf vested in me, as Speaker of the Legislative Assembly of New South Wales, by the Electoral Act of 1880, I do hereby appoint

- | | |
|--|-----------------------------------|
| “ Edmund Barton, Esquire, | “ Richard Lennon Murray, Esquire, |
| “ James Henry Douglas, Esquire, | “ William Hilson Pigott, Esquire, |
| “ Archibald Hamilton Jacob, Esquire, | “ John See, Esquire, |
| “ Sir Patrick Alfred Jennings, K.C.M.G., | |

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

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

“ G. WIGRAM ALLEN,
“ Speaker.”

VOTES No. 8. FRIDAY, 1 SEPTEMBER, 1882.

6. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Mr. Speaker reported that his Warrant appointing the Committee of Elections and Qualifications for the present Session, laid upon the Table on Friday, 25th August, 1882, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for the despatch of business, had now taken effect as an appointment of such Committee; and intimated that it was therefore open to Members of the Committee to be sworn at the Table by the Clerk, in accordance with the 59th section of the Electoral Act of 1880.
9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Edmund Barton, Esquire, Archibald Hamilton, Jacob, Esquire, Richard Lennon Murray, Esquire, and John See, Esquire, came to the Table and were sworn by the Clerk as Members of the Committee of Elections and Qualifications.

VOTES No. 12. FRIDAY, 8 SEPTEMBER, 1882.

4. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—William Hilson Pigott, Esquire, came to the Table and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.
7. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Pursuant to the requirement of the 59th section of the Electoral Act of 1880, Mr. Speaker appointed the first meeting of the Committee of Elections and Qualifications to take place at Eleven o'clock a.m. on Thursday, 14th September, 1882, in Committee Room No. 2.

VOTES No. 14. WEDNESDAY, 13 SEPTEMBER, 1882.

3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—Sir Patrick Alfred Jennings, K.C.M.G., came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

VOTES No. 18. WEDNESDAY, 20 SEPTEMBER, 1882.

3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS :—James Henry Douglas, Esquire, came to the Table and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications.

VOTES No. 22. THURSDAY, 28 SEPTEMBER, 1882.

5. COMMITTEE OF ELECTIONS AND QUALIFICATIONS (*The case of Mr. Purves, Member for The Clarence*) :—
- (1.) Mr. Jacob, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Committee of Elections and Qualifications, together with Appendix relative to the question referred to them on the 25th August last, as to whether Mr. Purves had not, since the date of his election himself, in conjunction with another person, held a contract for or on account of the Public Service, and derived therefrom an emolument arising from the same.

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

The Committee of Elections and Qualifications, duly appointed on the 25th August, 1882, to whom was referred on the same day the question whether John Mitchell Purves, Esquire, the Honorable Member for The Clarence, has not since the date of his election, himself, in conjunction with another person, held a contract for or on account of the Public Service, and derived therefrom an emolument arising from the same, have agreed to the following Report :—

“ 1. That, in the opinion of the Committee, John Mitchell Purves, Esquire, the Honorable Member for The Clarence, has, since the date of his election, in conjunction with another person, held a contract for or on account of the Public Service, and that the said John Mitchell Purves, Esquire, neither directly, nor indirectly, derived therefrom an emolument arising from the same.

“ 2. The Committee further report that, in its opinion, the said John Mitchell Purves, Esquire, entered into the said contract inadvertently, and that before any profit could accrue to the said John Mitchell Purves, Esquire, he withdrew therefrom.

“ No. 2 Committee Room,
“ 28th September, 1882.

ARCHD. H. JACOB,
Chairman.”

Ordered, on motion of Mr. Jacob, that the Report and Minutes of Proceedings and Evidence, together with Appendix, be printed.

- (2.) *Adjournment of the Committee* :—

Mr. Jacob moved, That the Committee of Elections and Qualifications have leave to adjourn *sine die*, the matter referred to them having been disposed of.
Question put and passed.

1882.

NEW SOUTH WALES.

SEAT OF JOHN MITCHELL PURVES, ESQUIRE, MEMBER FOR THE CLARENCE.

REPORT FROM THE COMMITTEE
OF
ELECTIONS AND QUALIFICATIONS.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS, duly appointed on the 25th August, 1882, to whom was referred on the same day, the question whether John Mitchell Purves, Esquire, the Honorable Member for The Clarence, has not since the date of his election himself, in conjunction with another person, held a contract for or on account of the Public Service, and derived therefrom an emolument arising from the same, have agreed to the following Report:—

1. That, in the opinion of the Committee, John Mitchell Purves, Esquire, the Honorable Member for The Clarence, has, since the date of his election, in conjunction with another person, held a contract for or on account of the Public Service, and that the said John Mitchell Purves, Esquire, neither directly nor indirectly derived therefrom an emolument arising from the same.
2. The Committee further report that in its opinion the said John Mitchell Purves, Esquire, entered into the said Contract inadvertently, and that before any profit could accrue to the said John Mitchell Purves, Esquire, he withdrew therefrom.

ARCHD. H. JACOB,
Chairman.

No. 2 Committee Room,
28th September, 1882.

8. Mr. Jaques addressed the Committee on behalf of Mr. Purves.
9. John Mitchell Purves, Esquire, the Sitting Member, again examined.
10. Room cleared.
Committee deliberated.

11. Sir Patrick Jennings moved,—

That in the opinion of this Committee, John Mitchell Purves, Esquire, the Honorable Member for The Clarence, has, since the date of his election, in conjunction with another person, entered into and held a contract or agreement for and on account of the Public Service, and that he has not derived therefrom any emolument arising from the same.

Committee adjourned until Wednesday next, at Eleven o'clock:

JOHN A. VIVIAN,
Second Clerk Assistant.

WEDNESDAY, 27 SEPTEMBER, 1882.

MEMBERS PRESENT :—

Mr. Jacob, Mr. Sec,	|	Mr. Douglas, Mr. Pigott, Sir Patrick Jennings.
------------------------	--	--

In attendance—

The Second Clerk Assistant.

1. On motion of Sir Patrick Jennings, Mr. Jacob was again elected Chairman.
2. The Clerk, by direction of the Chairman, read the minutes of the previous meeting, which were confirmed.
3. The Clerk submitted letter from Messrs. Stephen, Laurence, and Jaques, asking for permission to be represented at the next meeting of the Committee, which letter the Chairman read; and the Committee decided to hear Counsel on behalf of Mr. Purves.
4. Parties called in.
5. Mr. Salomons, Q.C., addressed the Committee on behalf of Mr. Purves, and withdrew.
Parties withdrew.
6. Committee deliberated.
Sir Patrick Jennings's motion put. (*See Entry 11, page 7.*)
Committee divided.

Ayes, 4. Sir Patrick Jennings, Mr. Pigott, Mr. Douglas, Mr. Jacob.	|	Noes, 1. Mr. Sec.
--	--	----------------------

7. Committee deliberated, and adjourned until To-morrow, at half-past Two o'clock.

JOHN A. VIVIAN,
Second Clerk Assistant.

THURSDAY, 28 SEPTEMBER, 1882.

MEMBERS PRESENT :—

Mr. Jacob, Mr. Pigott, Sir Patrick Jennings,	|	Mr. See, Mr. Douglas, Mr. Edmund Barton.
--	--	--

In attendance—

The Second Clerk Assistant.

1. On motion of Sir Patrick Jennings, Mr. Jacob was again elected Chairman.
 2. The Clerk, by direction of the Chairman, read the minutes of the previous meeting, which were confirmed.
 3. Committee deliberated as to report.
Mr. Pigott moved, That the following be the report of the Committee :—
1. That, in the opinion of the Committee, John Mitchell Purves, Esquire, the Honorable Member for The Clarence, has, since the date of his election, in conjunction with another person, held a contract for, or on account of, the Public Service, and that the said John Mitchell Purves, Esquire, neither directly nor indirectly derived therefrom an emolument arising from the same.
 2. The Committee further report that, in its opinion, the said John Mitchell Purves, Esquire, entered into the said contract inadvertently, and that before any profit could accrue to the said John Mitchell Purves, Esquire, he withdrew therefrom.

Question put and agreed to.

The Chairman to report to the House accordingly, and to move for leave for the Committee to adjourn *sine die*.

JOHN A. VIVIAN,
Second Clerk Assistant.

WITNESSES.

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Frederick Wells, Esquire, Assistant Engineer, Roads Department	11
Mr. John Thomas Hinwood, book-keeper to Messrs. Batt, Rodd, & Purves	11

ELECTIONS AND QUALIFICATIONS.

SEAT OF JOHN MITCHELL PURVES, ESQUIRE—MEMBER FOR THE CLARENCE.

THURSDAY, 14 SEPTEMBER, 1882.

MEMBERS PRESENT:—

A. H. Jacob, Esq.,	Sir Patrick A. Jennings,
R. L. Murray, Esq.,	W. H. Pigott, Esq.,
	J. See, Esq.

Archibald Hamilton Jacob, Esq., in the Chair.

J. M. Purves, Esq., the Sitting Member.

E. A. Jaques, Esq., appeared on behalf of the Sitting Member.

Stephen W. Jones, Esq., having been sworn, was examined:—

- S. W. Jones, Esq.
14 Sept., 1882.
1. *Chairman.*] What is your designation? I am Clerk of the Legislative Assembly.
 2. Do you produce the writ? I produce the writ issued by His Excellency the Governor for the election of a Member to serve in the Legislative Assembly of the Colony for the Electoral District of the Clarence. (*The witness handed in the same, also the Returning Officer's certificate endorsed on the writ that John Mitchell Purves was duly chosen to serve as Member for that Electorate.*)
 3. Do you know Mr. Purves—the gentleman present? Yes; I recognize the gentleman present, Mr. Purves, as the gentleman who signed the oath and the roll of the House.
 4. To your knowledge has he taken his seat in the House? He has.

John Mitchell Purves, Esq. (the Sitting Member), having been sworn, was examined:—

- J. M. Purves, Esq.
14 Sept., 1882.
5. *Mr. Jaques.*] You were elected as Member for The Clarence? I was.
 6. You have taken your seat as such Member? Yes.
 7. You are also, I believe, a member of the firm of "Batt, Rodd, & Purves," in Sydney? I am.
 8. Do you remember the sale of Government tolls last year? Yes.
 9. What was your first knowledge of the transaction—when did you first come to know of the matter being talked about? My first recollection of it is that Mr. Batt asked me to make an application for the sale of the tolls and ferries about to be sold at the end of the year.
 10. What took place in consequence of that? A letter was written by the clerk in the usual form making a formal application for the sale of the tolls and ferries.
 11. After that what did you do—did you do anything after that with reference to the sale? No, I did nothing myself in the matter. My next recollection is that I saw them being advertised. I may state that I had, as a rule, nothing to do with the auction part of our business—that is generally managed by Mr. Batt entirely. When I saw this advertisement of the sale of tolls and ferries by our firm it struck me that it was quite possible it might be construed into a matter affecting my seat in the House. I then spoke to Mr. Batt about it, and also to several Members of the House, though I cannot now remember who they were. They all advised me that it could not possibly affect my seat this sale of tolls. However I was inclined to think it might do so, and I spoke to Mr. Batt about it, and said we had better throw up the sale altogether, or he would have to take it outside the firm. I also wrote this letter to Mr. Batt. (*The witness read the same. Vide Appendix A.*) This (*producing a letter-copying book*) is my private letter-book, and I produce it to show the sequence of the letter, and that it was written at the time when it is dated. It is dated 26th October, 1881. It will be seen by reference to this book on page 101, that I wrote to Mr. A. J. Metcalfe's Trustees on the 20th October; that on the 24th October I wrote to Mr. John Robson, Dungog; and then at page 103, on the 26th October, comes Mr. Batt's letter; following that, on the same day, I wrote a letter on business to my executor, J. M. Saunders, of West Maitland. That is copied on the sheet immediately after. On the 27th I copy an account of my brother's estate—a matter of trust. On the 27th, at page 109, is a letter addressed to the manager of the Commercial Bank, making some deposits. I produce this to show that the letter was written at the time it bears date. (*The witness handed in his letter-book.*)
 12. After having written that letter did you in any way have anything to do with reference to these sales? In no way whatever.
 13. *Chairman.*] What is the date of the letter? The 26th of October; the tolls were sold on the 1st of November. I may say that I had spoken on the subject a considerable time before, and had asked a good many people their opinion upon the matter, but it was only at the last moment. I thought it was better to put it in writing; that is the reason it is so lately dated. I gave Mr. Batt my written permission to conduct these sales outside of our partnership. Of course it was necessary I should do this, as otherwise I should have been entitled to one half of any commission he might receive. I therefore gave him written permission to conduct these sales outside of our partnership, and to enjoy the whole benefit of any commission he might receive.
 14. Are you aware whether the account for services has been rendered to the Department of Roads by Mr. Batt? Yes; I may say at that time I instructed my book-keeper to keep this matter entirely separate, and to treat it as Mr. Batt's private concern, outside the partnership business altogether.

15. You are aware that an account for these services has been rendered? Yes.
16. Have you seen the vouchers? Yes, in the name of E. C. Batt; he received directions from the Government and gave instructions for the money to be paid into his private account in the Joint Stock Bank. The money has never been through the firm's books in any way whatever.
17. Have you ever profited, directly or indirectly, in the benefits of the contract? No. I have not in any way whatever, not in the slightest degree. The expenses of the sale were charged directly to Mr. Batt's private account. I know also, as will be proved both by Mr. Batt and Colonel Wells, that Mr. Batt spoke to Colonel Wells and told him that on account of my being a Member of the Assembly I thought it was not advisable that the sale should be taken by Batt, Rodd, & Purves, and that therefore he would have to throw up the sale or take it himself privately, and Colonel Wells agreed to that.
18. *Mr. Pigott.*] Was the sale advertised? Yes, by the firm of Batt, Rodd, & Purves. We did not think it advisable as it might damage the sale to alter the name.
19. In the interest of Government? Yes, I did not think it necessary, the matter being *bona fide*, that the outside public should know anything about it.
20. *Chairman.*] How many members are there in your firm? Two.
21. Is this the only transaction of a similar kind that has taken place in connection with your firm since you have been returned? That is the only one.
22. *Mr. Murray.*] Did you ever make any application yourself personally or by letter? Only as a firm.
23. *Mr. Pigott.*] Have you a copy of that application? Colonel Wells will produce that; that is in the name of Batt, Rodd, & Purves, because it did not strike me at that time that this might be objectionable.
24. *Mr. Pigott.*] Do you remember whether there was any letter from Government to Mr. Batt? No, I do not think there was; I think it was simply a matter of conversation.
25. *Chairman.*] Have you directly or indirectly derived any emolument from this transaction? None whatever, nor have I received a present of any kind, shape, or form. I may say that two balance-sheets have since been taken out of our books, and I think Mr. Batt could show the object of every private cheque drawn. I do not think he has ever drawn more than £2 or £3 at a time for himself at one time, so that he could not have paid me out of cash.
26. *Mr. Jaques.*] You deny that in any way, directly or indirectly, by yourself, or by any person for you, or for your use and benefit, or for your account, have you undertaken, executed, held, or enjoyed the benefit of any contract, or of this particular contract in question with the Government? I can say I have never done so in any way whatever.
27. Or with any person or persons on behalf of the Government? No I have not.
28. *Chairman.*] After you had sent in your application how did the Government accept your offer? I think it was sent down by a clerk.

J. M.
Purves, Esq.
14 Sept., 1882.

THURSDAY, 21 SEPTEMBER, 1882.

Present:—

J. H. Douglas, Esq.,
A. H. Jacob, Esq.,

Sir Patrick A. Jennings,
W. H. Pigott, Esq.,

J. See, Esq.

A. H. Jacob, Esq., in the Chair.

J. M. Purves, Esq., the Sitting Member; E. A. Jaques, Esq., appeared as Solicitor on behalf of the Sitting Member.

Vincent Wanostrocht Giblin, Esq., having been sworn, was examined:—

29. *Mr. Jaques.*] You are General Manager of the Australian Joint Stock Bank? I am.
30. Do you produce any document showing the payment into your Bank to the credit of Mr. E. C. Batt of any sum of money from the Department of Public Roads and Works some time after the 1st of November of last year? I do. (*The witness handed in the same. Vide Appendix A2.*)
31. Is that a copy of the deposit receipt? That is the original.
32. What does it state? It states that on the 19th December, 1881, was paid into the Australian Joint Stock Bank the sum of £99 2s. 6d. to be placed to the credit of E. C. Batt, by the hands of the accountant of the Roads Department. It was not however placed to the credit of Mr. Batt until the 21st. I presume that the 20th was a Sunday, and that it was paid in at too late an hour on Saturday.
33. Has Mr. Batt a separate account at your bank? He has.
34. Had Messrs. Batt, Rodd, and Purves an account at your bank? At this time they had no account; their account was closed some time before.
35. *Chairman.*] But Mr. Batt had a private account? Yes; but the account of Messrs. Batt, Rodd, and Purves had been previously closed. On the 25th January previous.
36. *Mr. See.*] Had Mr. Batt an account some time previous to this? Yes; and has at the present time.

Mr.
V. W. Giblin.
21 Sept., 1882.

Edmund Compton Batt, Esq., having been sworn, was examined:—

37. *Mr. Jaques.*] You are a member of the firm of Batt, Rodd, & Purves, auctioneers of this City? Yes.
38. Do you remember the circumstances leading up to your application for the sale of Government tolls last year on the 1st of November? Yes.
39. Will you give a detail of the circumstances commencing with the first reference to the matter, and your first application? The beginning of the whole thing was my chatting with Major Wells at the Sydney Club.
40. Major Wells was then in charge of the Department of Works? He was acting Commissioner of the Department of Roads.

E. C. Batt,
Esq.
21 Sept., 1882.

E. C. Batt,
Esq.
21 Sept., 1882.

41. What was the conversation that took place at that time—about when was that? About the beginning of September—knowing that these tolls were sold every year, I said to him “I want to go in for the tolls this year.” I do not remember the words I used, but my object was to ascertain from him in what way to make the application for the sale of the tolls—in what form it was necessary to apply. It was merely conversational for the purpose of eliciting from him how to apply.
42. In effect you state that you had a conversation with Major Wells at the Sydney Club, he being then in charge of the Department of Roads, for the purpose of ascertaining from him in what manner you should make application for the sale of tolls for the ensuing year? Yes, that was the purport of the conversation. He said we must make application in writing to the Department.
43. Following upon that was anything done by your firm? Yes, a letter was written from our firm making formal application to the department.
44. Was that sent to the department? Yes, and a formal letter was received from the department authorizing us to advertise the tolls.
45. Do you produce that? No, I have not it, but I believe it will be produced by Mr. Hinwood, our accountant.
46. If there was a letter it will be produced by your book-keeper? Yes.
47. Have you seen any reply? Yes, I have seen it, but I could not find it this morning; it may have been found since.
48. After this did you have an interview with Mr. Purves, your partner? A short time after the tolls had been advertised Mr. Purves called my attention to the subject. I think some one had spoken to him as to whether our selling the tolls would not prejudice his seat, whether it was not in some way a violation of constitutional law.
49. Was any suggestion made by Mr. Purves to you? Not that night. I said I did not think it was, but that he had better think it over and we would do one of two things if it were so—either throw it up or make some other arrangement.
50. What next took place? The next day Mr. Purves said he was still of the same opinion, and that he would rather have nothing to do with it.
51. Was this some time before? Some four or five weeks I think before the sale took place. I think it was after it was advertised once or twice. I know it was after it had been advertised once. I cannot say how many more times.
52. What farther took place? He withdrew from it altogether.
53. What did he do about withdrawing; did he address a letter to you? Yes, I received a letter from him which I handed to the accountant to put in the safe and I have not seen it from that day to this.
54. What did you then do? I then saw Colonel Wells and explained to him the circumstance, telling him of my arrangement with Mr. Purves and of the letter I had received from him, saying that I presumed there would be no objection to my conducting the sale as I should reap the whole benefit of it, and that the commission arising from such sale could be paid direct from the department to my private account at my private bank. I obtained his consent that the sale should be solely as between the department and myself privately.
55. *Mr. See.*] Upon what day did the sale take place? I think the 1st of November.
56. *Mr. Douglas.*] What was the date upon which you saw Mr. Wells in reference to this matter? Somewhere in the middle of October after the tolls had been advertised once or twice.
57. *Mr. Jaques.*] Had you more than one interview with Major Wells about this matter? Only one as to altering the arrangement between Batt, Rodd, and Purves to one with myself personally. He consented that it should stand so. I may say that I met Colonel Wells frequently but I did not allude to the matter except on the occasions I have referred to.
58. Are you quite clear that you saw Major Wells after receiving that letter or after the first conversation you had with Mr. Purves? I could not swear whether it was before or after Mr. Purves wrote. It was after the conversation, and must have been before Mr. Purves had written the letter, I think.
59. You then sold the tolls? I sold the tolls.
60. The money was paid direct to the department? The money is not paid to the auctioneer to hold, but passed over to the officials who attend the sale on behalf of the Government. I received no benefit from the sale until the Treasury paid the commission some time afterwards, which they did to my credit at the Bank.
61. The money was received by the department, and you sent in your account? We sent in our account sales, showing the charges against the department.
62. *Chairman.*] Did the department send any vouchers to you with reference to the matter? I really cannot say. I hardly ever see account sales. It would go directly to my accountant.
63. Would you not have to sign the vouchers for the money? Yes; the Treasury voucher was signed by me in my own handwriting.
64. *Mr. Jaques.*] The blank form was sent to you by the department, which was filled in by you, and you authorized the department to pay it in to your credit at the Bank? Yes.
65. *Mr. See.*] Was the account sales rendered as from you? I cannot say.
66. *Chairman.*] As a matter of fact the money was paid into your private account? It was paid into my private account. The sale though for my own private benefit, having at first been advertised as by Batt, Rodd, and Purves, the advertisements were charged to the firm's account, but they with all other charges were placed to the debit of my private account, and I derived the whole benefit of the charges and commission from the sale.
67. In any way, directly or indirectly, have you given Mr. Purves any benefit from the transaction? None whatever.
68. *Chairman.*] Neither directly nor indirectly has Mr. Purves derived any benefit from the money paid by the Government? None whatever. Our accountant, who keeps not only the books of the firm but also the private accounts of both of us, will be able to prove that there has been nothing passed to his credit from me on account of this transaction. I state upon oath that never, directly or indirectly, have I passed money to Mr. Purves, or any equivalent value, from having had the benefit of this sale. This contract with the Government was made by me on my own behalf, and in no way whatever does Mr. Purves participate in the slightest degree in any benefit derived from it.

Frederick Wells, Esq., having been sworn, was examined :—

69. *Mr. Jaques.*] During a certain time in the year 1881 you were in charge of the Department of Roads. Between what dates were you in charge? Between June and October. F. Wells, Esq.
21 Sept., 1882.
70. What date in October? I cannot tell you exactly.
71. Late or early in the month? Tolerably early.
72. Mr. Bennett, the head of the Department, was absent in England? Yes.
73. With reference to the sale of Government tolls last year, do you remember Mr. Batt, a member of the firm of Batt, Rodd, and Purves, speaking to you in connection therewith? Yes, Mr. Batt, when at lunch at the Sydney Club, spoke to me about them. He said that the time for the sale of tolls was coming round, and asked me how he should proceed to obtain the sale. I told him at that time that I thought a permanent auctioneer was employed to effect the sales. Nothing more passed at that time. After that Mr. Batt informed me that he had discovered there was no regular auctioneer, but that the auctioneer was changed annually, and that he was disposed to send in a written application for the sale. I said, "Do so," and he sent in a written application, which I beg to hand in. (*The witness handed in the same. Vide Appendix B.*) I consulted the clerk who managed the sale of tolls, Mr. Hiles, as to the practice of the chief clerk, Mr. Eames, who was then dead, and he told me that it was Mr. Eames' policy to change the auctioneer continuously, and not to leave the matter in the hands of one firm. He said that as Messrs. Batt, Rodd, and Purves had not had the sale before Mr. Eames would no doubt have approved of it. I thereupon wrote "approved" upon the application, and directed him to instruct Messrs. Batt, Rodd, and Purves to carry out the sale. Some days after that Mr. Batt spoke to me also at the Sydney Club, and said, "You must consider Mr. Purves as having nothing to do with the sales of these tolls, as it might affect his seat. I will take it on my own hand as a private matter unconnected with the firm." I said "If that is the case, would it not be better that you should abandon the sale and give it up altogether." He said that as the sale was announced it would be awkward to do so, and that though it was advertised in the name of the firm he had consulted with Mr. Purves who would not consent to derive any advantage from it, and he would therefore undertake it as a private affair, would send in the vouchers and receive the money derived from the sale. Of course it was a matter for him to determine.
74. Were you not willing that Mr. Batt should conduct the sale in lieu of the firm? Yes; I understand that he intended to keep it as a private matter apart from the firm, that Mr. Purves would derive no benefit from it, and that the voucher would be sent in his own name. This is the voucher. (*The witness handed in the same. Vide Appendix C.*) This voucher is virtually the account of the sale—the only form in which I saw the account—I think it was not signed by me for payment. I think Mr. Bennett had returned in the mean time and it was signed by him.
75. You personally know nothing about the payment of this sum? No; all I know is that I asked for the voucher, and saw that it was made out as Mr. Batt said it would be.
76. When these things are paid into the Bank does the Department receive any acknowledgment from the Bank? If the money is paid into the Bank we take the tellers' receipt.
77. *Chairman.*] The receipt at the bottom of the voucher is not signed? No; but I presume the teller at the Bank gave a receipt.
78. Is it not usual to sign the receipt before sending in the voucher to the department? Yes; this voucher is signed by the claimant, and there is an authority to pay the amount to his private account at the Bank, which is also signed by him.
79. *Mr. Douglas.*] You saw nothing of the account that was rendered? That is the only one; indeed I doubt whether I saw that. I think that came in after the Commissioner's return.
80. Can you say in whose name that was rendered? It would be a duplicate of this.
81. *Chairman.*] Would an account be sent on by Mr. Batt, or would he obtain a blank form and fill it up? Mr. Batt or his accountant would get a blank form and fill it up, and that would be the account rendered.

Mr. John Thomas Hinwood, having been sworn, was examined :—

82. *Mr. Jaques.*] You are bookkeeper to the firm of Batt, Rodd, & Purves? I am. Mr. J. T.
Hinwood.
21 Sept., 1882.
83. Do you know anything of the sales of tolls till they came into your books as bookkeeper? Yes; I was present at a conversation between Mr. Batt and Mr. Purves with reference to the sale.
84. Before the sale? Yes.
85. Was this the only conversation they had upon this subject when you were present? I would not say that it was the only one. I was present at a conversation when Mr. Purves rather objected to the sale being taken on the ground that it might be construed as objectionable to him as a Member of Parliament.
86. Do you remember the date of that conversation? No.
87. How long was it before the sale? I could not say; it might have been three or four days; it might have been weeks.
88. You did not at that time attach any great importance to this and therefore do not remember the exact time? Mr. Batt rather pooh-poohed the objection and said he certainly would insist upon carrying out the sale; Mr. Purves said if he did so he would have to take the sale himself, as he should be inclined to throw up any connection with it, and should take no portion of the profits.
89. He, Mr. Purves, would not profit in any way? Yes. Some days subsequent to that a letter reached me from Mr. Purves.
90. Is that the letter (*see letter, page 14*)? Yes, that is the letter.
91. You docketed that in the usual way? Yes; I put it away among the private papers.
92. You do not take any part in the sales—in the auctioneer part of the business? —
93. Do you know anything further about this matter until after the sale took place? No, I do not.
94. After the sale had taken place, what was the first reference to the matter that came under your notice? The account sales clerk filled up a printed form from the Department of Works, but I forget all about it; I have not a copy of the account.
95. Is that the document you refer to (*handing voucher marked C to the witness*)? I presume it would be.
96. Whose handwriting is that in the body of the voucher? Our account sales clerk's.
97. You know his handwriting, and will swear it is his? Yes; it was filled up in my office.
98. Whose signature is that? Mr. Batt's.
99. Under whose direction were the figures inserted? Under mine. 100.

- Mr. J. T. Hinwood.
21 Sept., 1882.
100. *Mr. See.*] Under instructions from Mr. Batt? Yes, some days previously I had this letter.
101. *Mr. Jaques.*] You treated the matter as Mr. Batt's, and made the entry accordingly? Yes.
102. And you filled that up in consequence of particular instructions given you in that letter, and of your previous knowledge? Yes.
103. Did Mr. Purves speak to you about this matter before the sale? Yes. Mr. Purves was rather wrath about the advertisement appearing in the name of the firm, and it was explained to him that it could not very well be altered after it had once appeared.
104. How long before the sale was it that he expressed himself as annoyed at the advertisement being in the name of the firm? I could not say.
105. Could you state what were his words? No.
106. Did Mr. Purves give you any instructions thereon? Yes,—that it should be strictly treated as Mr. Batt's own private matter.
107. In consequence of that you so treated it in the books? I passed the whole thing to Mr. Batt's account.
108. Do you produce those books? Yes, but I do not wish to put them in evidence to be impounded by the Committee.
109. You want them in the office? Yes.
110. You have no other objection to their production? No. (*The witness produced his books. Vide extracts, page 14.*) This is the journal:—"November. New South Wales Government, Department of Works, dr. to E. C. Batt, for commission on sale of tolls and ferries: £8,790, at 1 per cent., £87 18s.; advertising for sale by auction, £10 12s.; posting notices, for sale by auction, 12s. 6d.; total debit to Works Department, credit to E. C. Batt, £99 2s. 6d. That is at folio 339 of the journal. At ledger folio 149, E. C. Batt, private account, I have a credit here of £99 2s. 6d., which is that amount. At folio 531—"Works Department, New South Wales Government," we have a debit of £99 2s. 6d. That disposes of the matter so far as one portion is concerned. We have then in the journal, same folio, a further debit to E. C. Batt dr. to advertising, £10 12s.; to charges, 12s. 6d.; to J. T. Hinwood, 10% commission, £9 18s. 9d.; and to S. T. Rodd, £9 18s. These are the expenses in connection with the sale. At folio 149, E. C. Batt's ledger account, appears a debit of £31 0s. 6d., being these charges as noted. At folio 49 there is to credit of advertising account £10 12s.; and at folio 20 there is a credit of 12s. 6d., being the charges for auctioneer's notices. At folio 750 there is a credit of J. T. Hinwood, £9 18s.; and at folio 143 there is a credit of £9 18s., S. T. Rodd's account. That disposes of the whole.
111. *Sir P. Jennings.*] Are these the books of the firm? These are the books of the firm.
112. Is the Government account charged to the account of the firm? It is the New South Wales Government Department dr. to E. C. Batt.
113. The account would be opened in the firm as against the Government? Not necessarily so. We are agents for scores of people, and all accounts pass through our books.
114. *Mr. See.*] That account appears only in Mr. Batt's name—in connection with Mr. Batt? Yes. Some time in December I think I asked Mr. Batt if this money had been paid by the Government. He applied to his Bank and advised me that the money had been paid in to his credit. At folio 344 of the journal there is an entry E. C. Batt, dr. to New South Wales Government for cash paid to Bank account, settlement of sale of tolls and ferries £92 2s. 6d., thereby closing the Government account, and Mr. Batt is debited to the firm £31 0s. 6d., charges incurred in connection with these tolls.
115. *Sir P. Jennings.*] Why should you debit the firm if the firm have nothing to do with it? I beg your pardon, I have debited Mr. Batt. The advertising account is sent in with all the charges against the firm and its members, and it is my duty to dissect it and to charge the various items to the several accounts.
116. *Chairman.*] There is a private account of Mr. Batt's in that ledger? That is the private account I have just referred to. I should say that seven-tenths of Mr. Batt's private accounts pass through that.
117. *Mr. Jaques.*] Is there a private account of Mr. Purves in that book? Yes, of all moneys advanced to him or paid for him, quite apart from the business of the firm altogether.
118. You have looked through Mr. Purves' account in connection with the other accounts, and there is nothing shown in reference to this matter? Not a single penny piece is passed to his credit on this account. I had Mr. Purves' instructions, both verbally and by letter, that he should derive no benefit from this transaction.
119. And you carried out those instructions? Yes, strictly.
120. *Chairman.*] Are you aware that an application was made by the firm to the Works Department for the sale of these tolls and ferries? Yes.
121. Are you aware that a written reply was sent? I am not aware; I never saw the letter.
122. You cannot say whether a written reply was sent? No; I have never seen it.
123. *Mr. Jaques.*] Would you be likely to have seen it if it had been sent? I might have done so; usually all letters pass through my hands and are under my direction.
124. *Sir P. Jennings.*] You are in the employment of the firm? Yes.
125. And you receive a certain commission? Yes.
126. You are not in the settled employment of any member of the firm? No.
127. *Mr. Jaques.*] Beyond a salary you get a certain commission upon the amount of business done? Yes.
128. *Mr. Douglas.*] Have you, prior to this, ever known of any sale where only a certain partner has taken the profits? I am not positive, but I have an indistinct recollection of a case when the late Mr. B. R. Rodd had a separate interest, but that is some time back. I think it had reference to some transaction in which he was engaged before Mr. Batt joined him. Beyond that I have no other.
129. *Mr. Jaques.*] In reference to the matter before the Committee had you any conversation with Mr. Batt as to a participation in the profits of the sale? I said I thought Mr. Purves' objection was absurd, that he might abandon it if he chose, but that we should not be debarred from our share, that we were entitled to it, and I claimed it as a right. Mr. Batt acknowledged it as such.
130. *Mr. See.*] You would have received the same commission under any circumstances? Yes.
131. *Mr. Pigott.*] What is your position in the firm—clerk or partner? Managing clerk.
132. How are you paid—in what way? By a salary and 10 per cent. upon the net profits.
133. Then the amount credited to you in the books of £9 18s. represents your share of the net profits in this transaction? Yes.
134. *Chairman.*] By that transaction would Mr. Purves derive any emolument or benefit in any way? Not in any way.

John Mitchell Purves, Esq. (the sitting Member), further examined :—

135. *Mr. Pigott.*] Did you know before this application for the sale of tolls was sent in that it was about to be made? Yes; I knew that it was to be sent in, and at that time it did not strike me as anything wrong. It was not until afterwards when my attention was called to it in the paper, or rather when I saw it in the paper and thought the matter over, that it struck me how it might be construed. I did not at the time think for a moment there could be any objection to it. J. M. Purves,
Esq.
21 Sept., 1882.

136. *Mr. Douglas.*] Did you take any steps to follow up that application personally? No.

137. *Mr. See.*] You knew that Mr. Batt had seen the head of the department and expressed to him your objection? Yes; I knew he had spoken to Mr. Wells about it, but I did not myself interfere in any way whatever.

COMMITTEE OF ELECTIONS AND QUALIFICATIONS.

(SEAT OF JOHN MITCHELL PURVES, ESQUIRE, MEMBER FOR THE CLARENCE.)

Extracts from Batt, Rodd, & Purves Books.			Journal.	
		NOVEMBER, 1881.		
Fo. 531 149	339	NEW SOUTH WALES GOVERNMENT, Works Department To E. C. BATT,—	Dr. 99 2 6	£ s. d. 99 2 6
		For Commission—Sale of Tolls and Ferries, 8,790 @ 1 %	87 18 0	
		„ Advertising „ by auction	10 12 0	
		„ Charges—Posting Notice „	0 12 6	
149		E. C. BATT, Dr. To	31 0 6	
49		Advertising account } For expenses re Tolls and Ferries sale		10 12 0
20		Charges account }		0 12 6
750		J. T. Hinwood } For propn. Commission sales		9 18 0
143		S. T. Rodd } „ Tolls and Ferries		9 18 0
Fo. 149 531	344	DECEMBER, 1881. E. C. BATT To NEW SOUTH WALES GOVERNMENT, Works Department,—	Dr. 99 2 6	£ s. d. 99 2 6
		For cash paid to Commercial Bank account in settlement of Tolls and Ferries charges.		

Certified correct.
Sydney, 22 September, 1882.

J. T. HINWOOD.

Extracts from Messrs. Batt, Rodd, and Purves Books.			Ledger.	
DR.				CR.
Fo. 531		NEW SOUTH WALES GOVERNMENT.		
1881. Nov.		To E. C. Batt. 339. 99 2 6.	1882. Dec.	By E. C. Batt..... 344 99 2 6
Fo. 149		E. C. BATT.		
1881. Nov.		To Sundries. 339. 31 0 6	1881. Dec.	By N. S. Wales Govt. ... 339 99 2 6
		„ N. S. Wales Govt. 344. 99 2 6		
Fo. 49		ADVERTISING ACCOUNT.		
			1881. Nov.	By E. C. Batt..... 339 10 12 0
Fo. 20		CHARGES ACCOUNT.		
			1881. Nov.	By E. C. Batt..... 339 0 12 6
Fo. 750		J. T. HINWOOD.		
			1881. Nov.	By E. C. Batt..... 339 9 13 0
Fo. 143		S. T. RODD.		
			1881. Nov.	By E. C. Batt..... 339 9 18 0

Certified correct.
Sydney, 22 September, 1882.

J. T. HINWOOD.

Dear Sir,
Herewith extracts from Messrs. Batt, Rodd, & Purves' books, showing transactions relative to sale of tolls and ferries to November, 1881.

From which you will gather per entry No. 1 Journal, folio 339, that the New South Wales Government, Works Department, are debtors to E. C. Batt, for commission, advertising, and charges in the amount of £99 2s. 6d., these items being posted in ledger to debit New South Wales Government, folio 531, to credit E. C. Batt, folio 149.

Per entry No. 2 Journal, folio 339, that E. C. Batt is debtor to advertising account, £10 12s. 0d.; charges account, 12s. 6d.; J. T. Hinwood, £9 18s.; S. T. Rodd, £9 18s.; these items being posted in ledger to debit, E. C. Batt, folio 149; to credit advertising account, folio 49; charges account, folio 20; J. T. Hinwood, folio 750; S. T. Rodd, folio 143.

The intent of these entries is obvious, and to make them better understood I may explain that all advertising whether chargeable against the firm of Batt, Rodd, & Purves, individual members thereof, or customers, are rendered by newspaper proprietors to the firm and charged *en globo* to debit of advertising account in the firm's books. The clerk in charge of the advertising department dissects these accounts and apportioned the amounts due by respective parties, which amounts are then charged to debit of their accounts, and credit of advertising account in the firm's books.

These remarks will also apply in case of auction notices or charges account.

With

88, Pitt-street, Sydney, 22 September, 1882.

With regard to credit items Hinwood and Rodd : these persons having an arrangement with the firm of Batt, Rodd, & Purves, whereby a portion of the profits of the business is allowed them, thought that notwithstanding that—on Mr. Purves objecting to countenance a projected sale of tolls and ferries by the firm—Mr. Batt had privately contracted with the Works Department to carry out such sale for his sole benefit and profit, the same consideration should be shown them as if the firm were selling, a fact which Mr. Batt fully realized and conceded.

Per entry No. 3 Journal, folio 344 : that E. C. Batt is debtor to New South Wales Government, Works Department, £99 2s. 6d. For cash paid to former's account at Australian Joint Stock Bank by latter; these items being posted in ledger to debit E. C. Batt, folio 149, credit New South Wales Government, folio 531.

This entry was necessitated in view of the state of the respective accounts in the firm's books which showed that the Works Department owed Mr. Batt the sum of £99 2s. 6d., whereas having passed the amount to his credit in private account with the Joint Stock Bank, the account should have been extinguished; the information relative to payment to Bank I received from Mr. Batt in answer to a question some time in the month of December.

Seeing that the books produced are those of the firm of Batt, Rodd, & Purves, that the firm had incurred a liability in manner before explained on account of Mr. Batt, for advertising, £10 12s. ; charges, 12s. 6d. ; Hinwood, £9 18s. ; Rodd, £9 18s. ; the accounts will show that against those items Mr. Batt's private account with the firm is in debit £31 0s. 6d., the gross sum of £99 2s. 6d., required for recoupment for such expenses and his profit on the transaction with the Government, will appear in his private account with the Joint Stock Bank.

Yours, &c.,
J. T. HINWOOD.

APPENDIX.

A.

[To evidence given by John Mitchell Purves, Esq.]

J. M. Purves, Esq., to E. C. Batt, Esq.

My dear Batt,

Sydney, 26 October, 1881.

As it is quite possible that there may be some objection to our selling the toll and ferry dues owing to my being a Member and it may be said that I had something to do with getting the sale, I would rather not have anything to do with it and would be glad if you would either give it up or take it as a sale outside the firm, and I now give you my permission to do so and give up any interest I may have in any commission.

Yours faithfully,
JNO. M. PURVES.

B.

[To evidence given by Frederick Wells, Esq.]

Messrs. Batt, Rodd, & Purves to The Commissioner for Roads.

Re sale of tolls by auction.

Sir,

88, Pitt-street, Sydney, 24 September, 1881.

The time for the annual sale by auction of the Government tolls and ferries being now near at hand, we beg to offer our services as auctioneers to dispose of such as may be for sale, believing that from our large business connections and experience we could transact any such business entrusted to us with advantage and satisfaction to our employers.

We have, &c.,
BATT, RODD, & PURVES.

Approved—inform and instruct.—F.W., 24/9/81. Messrs. Batt, Rodd, & Purves, Sept. 81. File. The Minister's authority should have been obtained.—W.B., 2/12/81. Seen.—F.W., 2/12/81.

C.

Date of period of Supply or Service.	Claimant—Edmund Compton Batt. For the supply of the undermentioned Articles or Service.	Amount.
1881.		£ s. d.
November 1	To charges in connection with sale of Tolls and Ferries as under:—	
	Cook's River Road Toll	5,090 0 0
	Annandale	2,815 0 0
	Beckett's Bridge and Fox-under-the-Hill	870 0 0
	George's River Ferry	15 0 0
	Commission on	8,790 0 0 at 1%
	„ Advertising for sale by auction	10 12 0
	„ Posting notices for sale by auction	0 12 6
	Total	£ 99 2 6

(Signature of claimant) EDMUND COMPTON BATT.

I hereby authorize the amount of the above certificate in my favour to be paid on my behalf to my private account in Australian Joint Stock Bank, Sydney. ED. C. BATT.

1882.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE LEGISLATIVE COUNCIL.

(INFORMATION RESPECTING APPOINTMENT OF MEMBERS OF.)

Ordered by the Legislative Assembly to be printed, 20 October, 1882.

RETURN to an *Address* adopted by the Honorable the Legislative Assembly of New South Wales, on the 10th October, 1882, praying that His Excellency the Governor will be pleased to cause to be laid upon the Table of this House a Return showing,—

- “(1.) The number of Members comprising the Legislative Council when the present Government came into office, on the 21st December, 1878. .
- “(2.) The number and names of the gentlemen who have been appointed Members of the Legislative Council since the present Government came into office, on the 21st December, 1878, and the dates of their appointments respectively.”

(*Mr. Farnell.*)

THE LEGISLATIVE COUNCIL.

1. The number of Members comprising the Legislative Council when the present Government came into office, on the 21st December, 1878.
Thirty-nine.

2. The number and names of the gentlemen who have been appointed Members of the Legislative Council since the present Government came into office, on the 21st December, 1878, and the dates of their appointments respectively.

No.	Name.	Date of Appointment.
1	The Honorable *Sir John Robertson, K.C.M.G.	1878. 21 December.
2	" †Sir Alfred Stephen, C.B., K.C.M.G.	1879. 8 August.
3	" Archibald Bell	} 7 October.
4	" Edward Flood	
5	" James Norton	
6	" †George Oakes	
7	" William Richman Piddington	
8	" John Stewart	1880.
9	" John Eales	} 10 December.
10	" †Patrick Higgins	
11	" Richard Hill	
12	" Philip Gidley King	
13	" Lewis Wolfe Levy	
14	" John Lucas	
15	" Charles Moore	
16	" †Arthur Alexander Walton Onslow, Capt. R.N....	
17	" John Smith	} 16 November.
18	" William Henry Suttor	
19	" †Stephen Campbell Brown	
20	" §William Maddison Alderson	
21	" William Adams Brodribb	
22	" Thomas Cadell	
23	" Samuel Aron Joseph	
24	" Edward Knox	
25	" George Lee	
26	" John Macintosh	
27	" Henry Mort	
28	" Richard Hutchinson Roberts	
29	" Jeremiah Brice Rundle	
30	" John Sutherland... ..	
31	" John Bligh Suttor	
32	" Samuel Henry Terry	
33	" Edmund Webb	

* Resigned, 31 December, 1881. † Re-appointed. ‡ Deceased. § Resigned, 19 August, 1882. Re-appointed 21 August, 1882.

1882.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MR. EZEKIEL ALEXANDER BAKER.
(PETITION OF.)

Received by the Legislative Assembly, 15 November, 1882.

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

The humble Petition of the undersigned,—

RESPECTFULLY SHOWETH :—

That your Petitioner desires to direct the attention of your Honorable House to a resolution passed by it on the 8th November, 1881, relating to your Petitioner, in the following words : “That, in the opinion of this House, the evidence taken before the Royal Commission proves that Ezekiel Alexander Baker, Esquire, a Member of this House for the Electoral District of Carcoar, by agreeing with others to benefit himself in an improper manner out of a sum of money appropriated by Parliament as compensation to the Milburn Creek Copper-mining Company, has been guilty of conduct unworthy of a Member of this House, and seriously reflecting on the honor and dignity of Parliament.”

That previous to the said resolution being moved in your Honorable House, and till the very words of it were actually spoken by the mover, your Petitioner had received no notice of any intention of such a motion being submitted, and, in fact, had no knowledge whatever that such a resolution relating to himself was about to be moved.

That immediately before the said resolution was moved, and at a time when your Petitioner had not any knowledge that such a resolution would be moved, he was called upon by the Speaker of your Honorable House to make an explanation regarding or relating to a Report of a Royal Commission which had been appointed to inquire into the expenditure and distribution of a certain sum of £17,199 paid by the Government to the Milburn Creek Copper-mining Company ; and that upon a portion of that Report being read by the Clerk of the House, and before the said resolution was moved, and before your Petitioner had any knowledge that such resolution was to be moved as aforesaid, he, your Petitioner, did, at such request of the Speaker, make a statement to your Honorable House, in general terms, respecting the claim which he and the other shareholders of the said Milburn Creek Copper-mining Company considered they had for compensation for the loss of their lease, and respecting also, in general terms, the Report of the Royal Commission.

That upon his brief statement being made to your Honorable House your Petitioner was requested by the Speaker to withdraw, and did withdraw from the Chamber, and thereupon, in his absence, the said resolution which embodied so grave a charge against his character was moved and carried, and was followed immediately by a resolution being moved and agreed to, to the effect that your Petitioner be expelled your Honorable House.

That at the time of making his brief statement as aforesaid to your Honorable House, your Petitioner had no knowledge that he was to be charged with faithlessness in the fulfilment of his trust in connection with the said Company, and that the only circumstance which seemed to your Petitioner to affect him in the Report of the said Commission was an expression of the said Commissioner's opinion that a certain claim for salary as Managing Director of the said Company made by your Petitioner had in the said Commissioner's judgment no foundation, though, as your Petitioner will presently point out, the said claim was acknowledged and satisfied by those who were alone interested in the settlement of the matter.

That your Petitioner did not deem the opinion of the Commissioner of any importance, believing that he (the Commissioner) had simply misunderstood the relation existing between your Petitioner and the shareholders of the said Company, and also knowing full well that the shareholders and Directors of the said Company would willingly and publicly testify, as indeed they have since done, that your Petitioner was entitled to a reasonable amount of money as salary due to him as Managing Director of the said Company, and that they would make no objection, as indeed they have no objection, to the amount of £1,002 which was paid to him as such Managing Director.

That inasmuch as reasons may have been operating in the minds of Honorable Members of your Honorable House for the extreme precipitate, and, as your Petitioner respectfully submits, wholly unprecedented steps taken in regard to your Petitioner, other than or in addition to that expressed in the resolution passed by your Honorable House, your Petitioner desires to place the following facts in relation to the Milburn Creek compensation case before your Honorable House.

That in the month of February, 1878, the shareholders of the Milburn Creek Company petitioned the Legislative Assembly to grant them redress on account of the loss of certain land which had been held by them by virtue of a mineral lease, granted by the Crown to them on the 17th March, 1873, but from which land they had been ejected by a decree of the Supreme Court; it being alleged, and as it seemed to the said Court, proved, that the Government had sold the said land to other persons.

That in accordance with the prayer of the said petition your Honorable House appointed, on the 26th February, 1878, a Select Committee to consider and report upon the petition of the shareholders of the Milburn Creek Copper-mining Company, and that on the 4th April, 1878, the said Committee reported as follows:—

“And it appears the Petitioners held the land claimed by them under a lease in their favour under the Great Seal of the Colony, and that they incurred large expenses in mining operations on the said land, and that they were dispossessed of the land through an adverse verdict in the Supreme Court and have lost their land with the improvements thereon. And your Committee recommend their case to the favourable consideration of the Government.”

That your Honorable House having by a majority of twenty-eight to eight adopted the said Report, on the 10th May, 1878, the then Secretary for Lands and Premier, Mr. Farnell, requested the Mines Department to examine the said Milburn Creek Mine as to its character and value.

That upon the retirement of the Farnell Administration from office and the advent of the present Government, your Petitioner took office in that Government as Secretary for Mines, and that almost immediately upon his entering into such office he was informed that there were certain instructions of the previous Minister relating to the claim made by the Milburn Creek Company; and thereupon your Petitioner informed the Under-Secretary for Mines that he refused to even look at the papers in connection therewith or to deal with them personally in any way, and that, as he was personally interested in the matter, he should place the whole business in the hands of the Premier, Sir Henry Parkes.

That your Petitioner consequently did see Sir Henry Parkes, informing him that your Petitioner was personally interested in the claim of the said Company, and that as the case was in his (your Petitioner's) department, having been initiated by his predecessor, he desired that Sir Henry Parkes would take the matter in hand himself to deal with it as he might think best, and that thereupon the matter was, as your Petitioner subsequently understood, placed by Sir Henry Parkes with the concurrence of the Cabinet in the hands of Sir John Robertson, to be dealt with by him.

That your Petitioner now states, in the most solemn manner, that neither as Minister nor Member of Parliament did he interfere in any way whatever with the determination subsequently arrived at by the Government or the Parliament in regard to the said claim of the said Company, that he attended no Cabinet Councils when the matter was discussed, and that he never spoke to or saw any officer of the Mining Department or any other department on the subject, except indeed, the Under-Secretary for Mines, to request that officer to send all papers in connection therewith to Sir Henry Parkes; and further, that before the estimate for compensation was submitted to Parliament, upon a casual remark being made at a Cabinet Council that he (your Petitioner) might be a source of embarrassment to the Government, on account of the Milburn Creek business, he (your Petitioner) offered to resign his office in the Government, but was dissuaded from so doing by Sir Henry Parkes.

That in accordance with the determination of the Government the claim of the Company for compensation was submitted to arbitration, the arbitrators being Edward Combes, Esq., C.M.G., James Sutherland Mitchell, Esq., and John Pope, Esq., who, after weeks of consideration and examination of witnesses—the case in protecting the interests of the Crown being conducted by Gatewood Coleridge Davis, Esq., barrister-at-law, and John Williams, Esq., Crown Solicitor—came to the determination that the Company was entitled to compensation for the loss of their lease to the amount of £16,502; and subsequently that the award was, without any objection being taken by the Government, made a Rule of Court.

That upon the Government submitting to Parliament the estimate of the amount awarded by the arbitrators, your Honorable House, after the most full and ample discussion, voted the money, once in Committee of Supply, by a majority of 35 to 7, and again in Committee on the Appropriation Bill by a majority of 43 to 14.

That the amount so voted was for the benefit of the shareholders, and for their benefit only, and it is obvious must have been when paid over to the Trustees of the Company, subject to the absolute control of the said shareholders, whom neither the Government nor the Parliament would have any right, or indeed would attempt, to coerce in regard to its distribution or appropriation.

That the Trustees of the said Company, of whom your Petitioner was one, having been previously authorized so to do by the shareholders, proceeded to pay the debts of the said Company and to declare a dividend, and in due time called a meeting of the shareholders at Blayney, on the 25th July, 1881, to receive the accounts of the Trustees; and at that meeting it was shown that, amongst other debts paid, the Trustees had paid themselves the sum of £4,710.

That at the said meeting there were fifteen shareholders present in person, and three represented by proxy, out of a total of twenty-nine, and that four out of those present objected to the want of particulars or details in the accounts presented, particularly in regard to the item of £4,710 which the Trustees had paid themselves, notwithstanding which objection the other shareholders present passed the accounts presented to them and expressed themselves in strong terms as perfectly satisfied with the conduct of the Trustees.

That a report of the proceedings at the said meeting was published in a country newspaper, by which it was made to appear that statements were made at the said meeting which might be deemed to reflect on the honor of Members of your Honorable House, but which report it was testified by two Members of the Assembly, who were present at the said meeting, was inaccurate as regards the said objectionable expressions, and which, in accuracy, was subsequently confirmed by the evidence of a majority of the persons present at the said meeting.

That without waiting to learn whether the said objectionable expressions were used at the said meeting or not, or whether there was any complaint by any of the shareholders that the funds placed in the Trustees' hands by Parliament were not being used faithfully by the Trustees, the Government appointed a Royal Commission to make a searching inquiry into the expenditure of the said compensation money so paid to the Trustees, and that J. E. Salomons, Esq., barrister-at-law, was appointed the sole Commissioner.

That

That this Commissioner conducted his inquiry in his own private chambers, by examining such persons as he either selected himself or who were recommended to him, and that the only persons present at the various examinations were the Commissioner himself, the witness then actually under examination, and the shorthand writer; and also, that the questions and answers were, as can be abundantly proved, put and given in a loose and conversational manner; and further, that neither the Trustees nor any other witnesses had the opportunity of cross-examining any witness, of knowing what evidence had been given by any witness, or of being assisted by attorney or counsel at the said examinations, or of hearing the evidence they were supposed to have given read over to them for correction before it was printed and distributed.

That, without imputing to the said Commissioner any intention to obtain evidence in an unfair or strained manner, your Petitioner respectfully submits that evidence obtained as it was at the said inquiry is an exceedingly unsatisfactory way of eliciting testimony, and that any opinion derived therefrom cannot have the weight it would have, had the evidence been given according to the practice prevailing in the ordinary Courts of justice.

Your Petitioner respectfully submits that, if the said Commission was intended to procure evidence upon which to try the honesty and impeach the character of those who might be affected by such an inquiry, it was absolutely incumbent upon those undertaking it to give the amplest opportunity to the parties affected by it of learning the nature of the accusation made against them, of being confronted with the witnesses examined in support of the charge or charges preferred, of having full power of cross-examination of such witnesses, and in fine, of being secured in possession of the ordinary facilities of those who, before even the primary tribunals of justice, are charged with offences.

That the Report of the said Commission was laid on the Table of your Honorable House on Thursday, the 3rd November, 1881, and on Tuesday, the 8th November (a period of five days only, including Sunday, being allowed for the printing and distribution of it to Honorable Members of your Honorable House), the Colonial Secretary took action respecting it, as a matter of privilege, and without notice to your Honorable House, and, without communicating even with his late colleague, your Petitioner, moved that a portion of the said Report be read by the Clerk; and, upon that being done, immediately, in the absence of your Petitioner (who had been desired to quit the Chamber by the Speaker, as noted aforesaid), moved the resolution which declared your Petitioner unworthy of a seat in the Assembly.

That your Petitioner, as is evident from the terms of the resolution, was condemned and subsequently punished by your Honorable House as if he had been proved guilty of some offence, whereas the only foundation for any supposition that he, your Petitioner, had acted unworthily is contained in the single expression of the Commissioner in his Report as hereinbefore referred to.

That in no other part of the Report is there any expression of opinion given by the said Commissioner which reflects in any way adversely on your Petitioner's conduct.

That the expression of the said Commissioner as above quoted can only be taken as his opinion as to the right of your Petitioner to a payment by the shareholders of the said Company of a certain sum of money, and can in no sense be taken as an authoritative decision that he, your said Petitioner, was not entitled to such payment—a decision which could only be made by a Court of justice, at the instance of persons directly interested in the question who took exception to the payment of such claim.

That it has been urged that the expression of opinion by the shareholders of the said Company at the meeting at Blayney, on the 25th July, 1881, could not be taken as a fair expression of their satisfaction with the Trustees, inasmuch as items and particulars in the accounts were omitted to be furnished to such meeting which, had they been furnished, would perhaps have elicited a different expression of opinion from that given.

That it is absolutely denied by your Petitioner that any omissions were made in such accounts or statements with the purpose to mislead; but, admitting that the shareholders did not receive such full information as to the payments made by the Trustees as would enable them to form a correct opinion at that time of the Trustees' conduct, it is incontestable that on three subsequent occasions they, the shareholders, when in possession of the fullest information as to the payments made by the Trustees, expressed their entire satisfaction with the Trustees' distribution and appropriation of the said trust money.

That first at the inquiry before the Royal Commission, when the full details of the payments made by the Trustees to themselves and others were known to them, sixteen shareholders out of a total (omitting the three Trustees) of twenty-six shareholders certified in writing their entire approval of the conduct of the said Trustees, three of the shareholders expressed their disapproval of the Trustees not giving fuller particulars at the meeting held at Blayney, and one expressed no opinion on the subject of the payments made by the Trustees to themselves, and the remaining six shareholders were not examined, and consequently gave no opinion to the Commissioner of the Trustees' distribution of the funds.

That subsequently at the trial, when the Trustees were charged with conspiring to defraud the shareholders of the Company, and when the witnesses were under cross-examination by the Crown, thirteen of the shareholders of the Company gave evidence. Of these ten testified to their complete satisfaction with the Trustees' conduct, two made no complaint of the amount being too large which the Trustees had paid themselves, and one thought the amount the Trustees had taken was too large.

That at the last meeting of the said Company, held at Orange on 17th August, 1882, for the purpose of receiving the final statement of accounts from the Trustees, a vote of confidence in and thanks to the Trustees was unanimously passed, as also a resolution condemning in strong terms the course which had been pursued in the prosecution of the Trustees as aforesaid.

That in the face of such strong and such repeated expressions of satisfaction by the shareholders of the Trustees' action in distributing the money placed in their hands by the Government for the exclusive benefit of the shareholders, it cannot with any show of reason be said that the trustees appropriated or paid themselves more money than they were entitled to.

That particularly as to the sum of £1,002 which your Petitioner claimed, and was paid as part of a debt due to him by the said Company, and the taking of which seems to have formed the grounds upon which your Honorable House passed the said resolution of condemnation, the opinion of the Directors of the said Company as to whether such payment was a just one or not is of more importance even than that of the great body of the shareholders.

That

That there were in all from first to last nine Directors of the said Company, excluding your Petitioner, and that eight out of those nine persons testified in writing, at the time the said Commission was sitting, in respect to his (your Petitioner's) claim for salary as Managing Director of the said Company, that is, for the £1,002 paid to him out of the £4,710, as follows:—

“We, the undersigned, who were at various times elected, and who acted as Directors of the Milburn Creek Copper-mining Company (Limited), desire to say that Mr. E. A. Baker was appointed as Managing Director of the Company, having charge of the Company's affairs at the mine from the commencement of the Company to the winding up of its affairs, and that we distinctly understood that as soon as the Company had funds he was to be compensated and paid a remunerative salary for his valuable services. The small amount per week allowed Mr. Baker for a short time by the Company, while he was Managing Director, was only for his ordinary expenses.”

And that the ninth Director has given an opinion in writing to the same effect as the other eight, though not in the same words.

That considering that the Directors of the said Company, who were the constituted authority to make agreements, to pay managers and servants of the said Company, have all testified that your Petitioner was entitled to certain payments for his services as Managing Director of the said Company, and as neither they nor the shareholders have objected that the payment made to him was excessive, it cannot be reasonably asserted that your Petitioner was not legally or equitably entitled to it, and that consequently he has in this respect not committed any act of which your Honorable House can complain.

That, as still stronger proof that your Petitioner was blameless in the transaction of the payment to him which he alleged to be due to him by the said Company, he (your Petitioner) desires to point out that notwithstanding the shareholders never made any complaint to the Government or the Parliament of the Trustees' distribution of the trust funds, and notwithstanding the testimony of the shareholders of their satisfaction in the Trustees, and also the declaration of the Directors that your Petitioner's claim on the Company was a just one, and notwithstanding that your Petitioner had been condemned and punished by the High Court of Parliament for receiving such money, the Attorney-General determined to prosecute and did prosecute him (your Petitioner) as one of the Trustees of the said Company, for conspiring to defraud the shareholders of the said Company.

That at the trial which took place the Jury disagreed and were discharged, it being openly stated after the trial that ten of the Jury were for an acquittal and two for conviction; and that seeing, as your Petitioner submits, the completely untenable case the Crown had against the Trustees, the Attorney-General gave due notice that he abandoned the prosecution, and did so abandon it.

That without inviting your Honorable House to consider the important question whether, in the absence of any statutory provision expressly investing your Honorable House with the power of expulsion, your Honorable House has the legal right to adopt the course which was pursued in the case of your Petitioner, your Petitioner submits that an examination of the records of the House of Commons will clearly and conclusively establish that at no period of its history, in any single instance, has it acted in the expulsion of any of its Members as did your Honorable House in the case of your Petitioner, and that in no instance has the House of Commons ever expelled one of its Members upon the mere Report of a Royal Commission.

That such examination of the records of the Imperial House of Commons will establish that in the case of any Members expelled for any alleged violation of the law, the House of Commons has universally insisted as a justification of such extreme penalty upon either the verdict of guilty of the accused by a Court of law or by a Committee appointed by itself, before either of which tribunals the accused would have the advantage of appearing with legal advice and assistance, of being charged with a specific offence—of being allowed abundant time to prepare his defence—and being confronted with the witnesses who were to be called to establish the case against him—of enjoying the further power of cross-examining and sifting the testimony of such witnesses and of adducing such evidence as he might consider or be advised was essential to support his defence.

That the only exceptions to this uniform course of action on the part of the House of Commons are to be found in cases when persons accused of criminal offences have, after such accusations, fled from justice, and by that withdrawal prevented a further examination of their conduct.

That finally, your Petitioner respectfully submits:—

1. That he has never been even charged with any dishonorable conduct in his official relations either as a Minister of the Crown, which position he has occupied in three different Administrations, or as a Member of your Honorable House, in which he sat continuously for twelve years.
2. That it is abundantly proved by the shareholders and Directors of the said Milburn Creek Company he performed his trust faithfully in the distribution of the money your Honorable House voted for the said shareholders; and notwithstanding the load of prejudice which he lay under at the time of the said trial, the Crown could not obtain a verdict from a Jury that he had conspired to defraud the shareholders, which was the only charge the Crown could venture to prefer against him.

That your Petitioner believes that your Honorable House had too short a period for reflection and consideration when it passed the said resolution of condemnation upon him, that the true circumstances of the case were not known fully to Honorable Members, and that there are no grounds whatever for any condemnation of your Petitioner. And your Petitioner therefore humbly prays that your Honorable House will rescind the resolution which it passed on the 8th November, 1881, which was in the following terms:—

“That, in the opinion of this House, the Evidence taken before the Royal Commission proves that Ezekiel Alexander Baker, Esquire, a Member of this House for the Electoral District of Carcoar, by agreeing with others to benefit himself in an improper manner out of a sum of money appropriated by Parliament as compensation to the Milburn Creek Copper-mining Company, has been guilty of conduct unworthy of a Member of this House, and seriously reflecting upon the honor and dignity of Parliament.”

And your Petitioner further prays that he may be heard by Counsel at the Bar of your Honorable House in support of this his Petition, at such time as your Honorable House may be pleased to appoint.

And your Petitioner, as in duty bound, will ever pray, &c.

EZEKIEL ALEXANDER BAKER.